

Workplace Violence: It's NOT Part of the Job!

February 2019

What is workplace violence against nurses?

- WNA: “violent acts (including physical assaults and threats of physical assaults) directed towards persons at work or on duty.”
- Assault can be physical, verbal and/or sexual
- Can be patients, family members and visitors
- Occurs in ALL settings of care - not just behavioral health/emergency
 - Almost 45% of incidences in Wisconsin occur in acute care

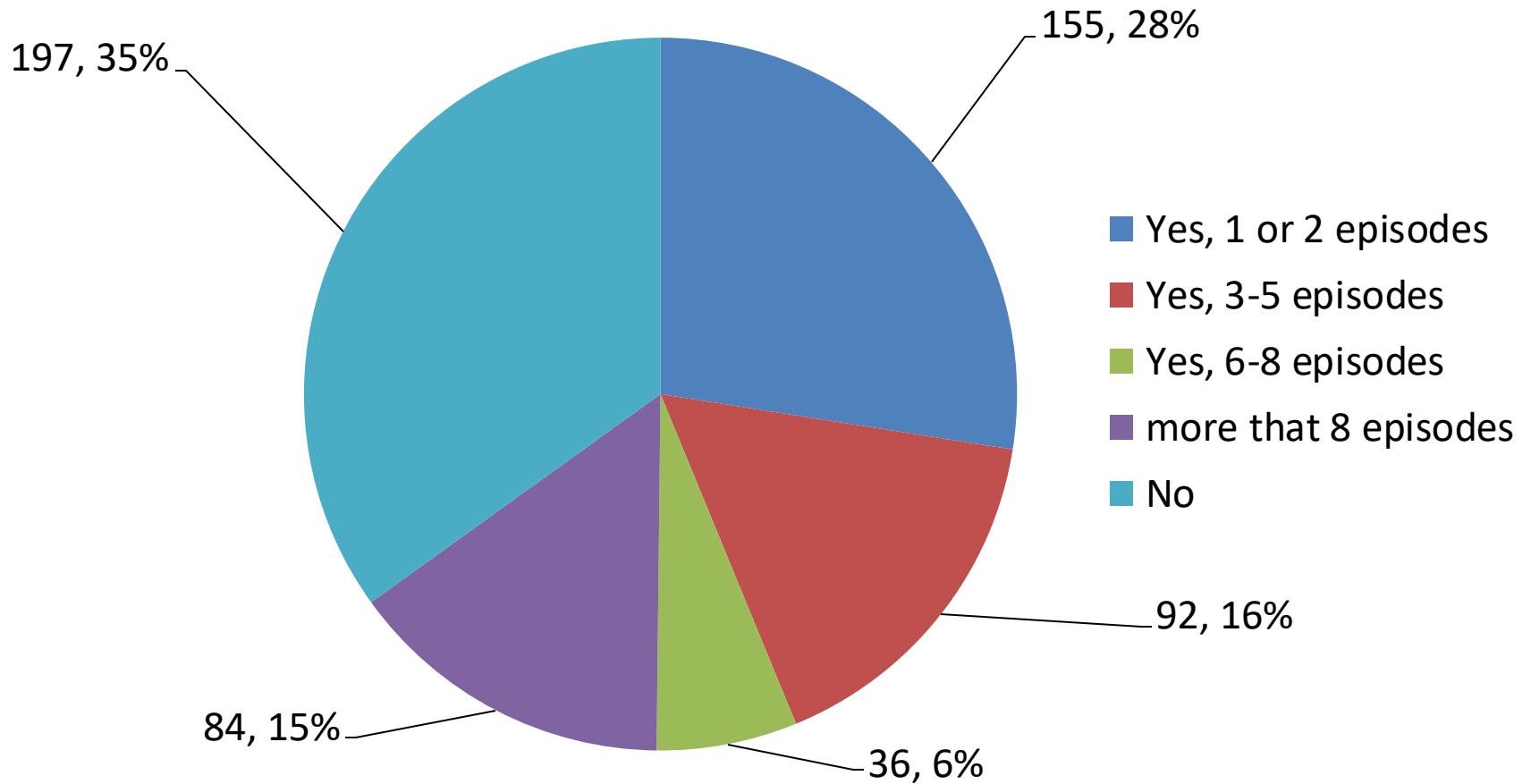
Workplace Violence - How big of an issue is it?



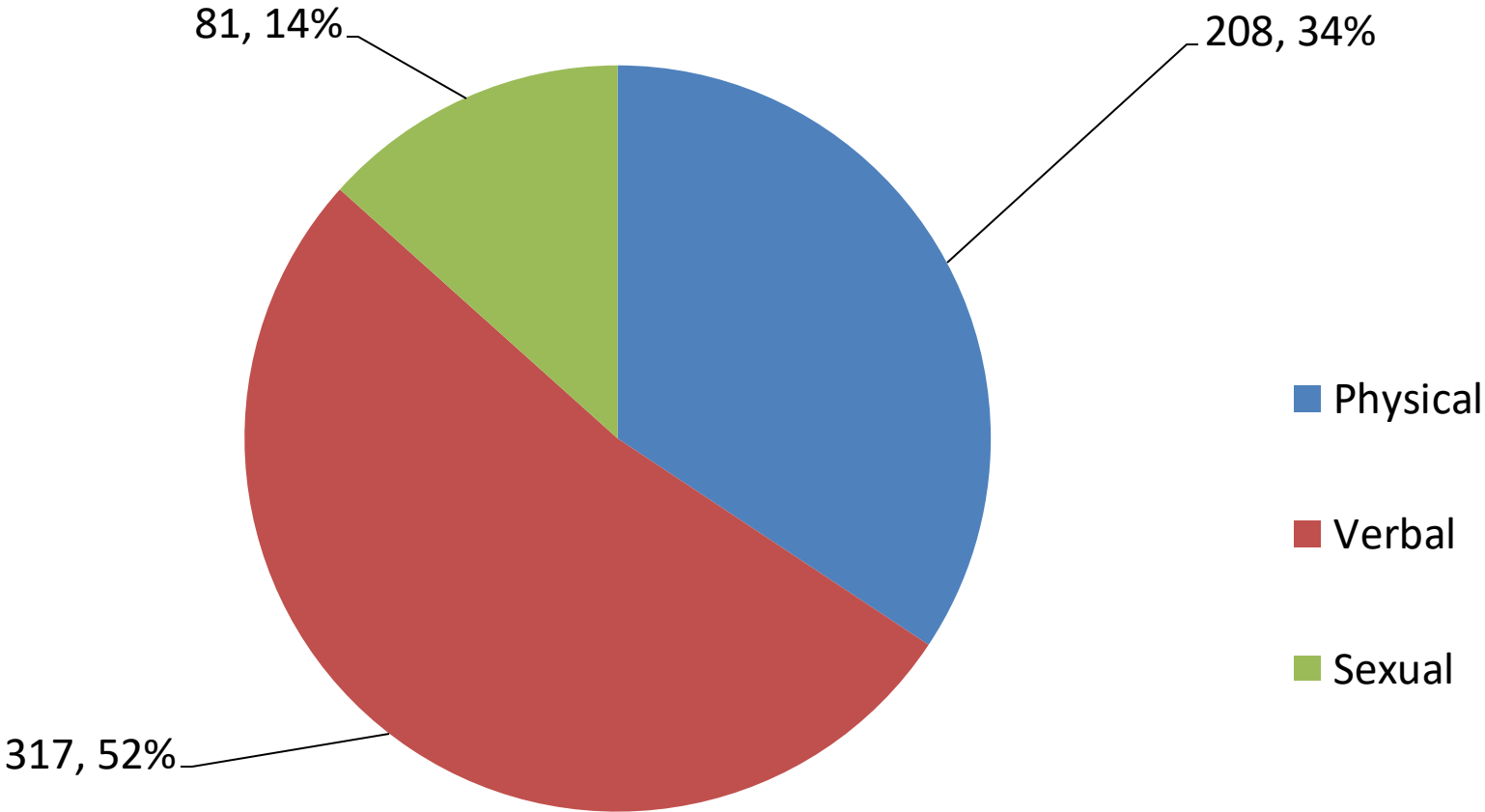
2017 WNA & UWEC Survey on Workplace Violence reported the following in the past 12-months

- 564 or 65% report experienced or witnessed workplace violence in the past 12 months
 - 52% reported being verbally assaulted in the past year
 - 34% reported physical assault
 - 13% reported sexual assault

Have you personally experienced workplace violence directed at yourself by patients, family members and/or visitors while on duty in the last 12 months?



What type of violence have you experienced in the workplace? (please check all that apply)



Physical Violence

Experienced/Witnessed

- Patient punching staff
- Hitting, kicking, grabbing, spitting
- Patient punched my CNA in the face
- Biting
- Throwing objects TV remotes, furniture,
- Hair pulling, hair ripped out
- Knocked staff out cold
- Throwing bodily fluids on staff
- Headbutt in the face
- 5 Concussions, herniated disc, broken leg, bursitis in shoulder from aggressive contact, knocked out front tooth
- Strangled
- Stabbed with pens
- Gouged nails into my arm
- Thrown to the floor
- Scratched
- Patient jumped on my back and tried to bite me, wrap IV tubing around my neck and try to hit me with the IV pole

Verbal Violence

Experienced/Witnessed

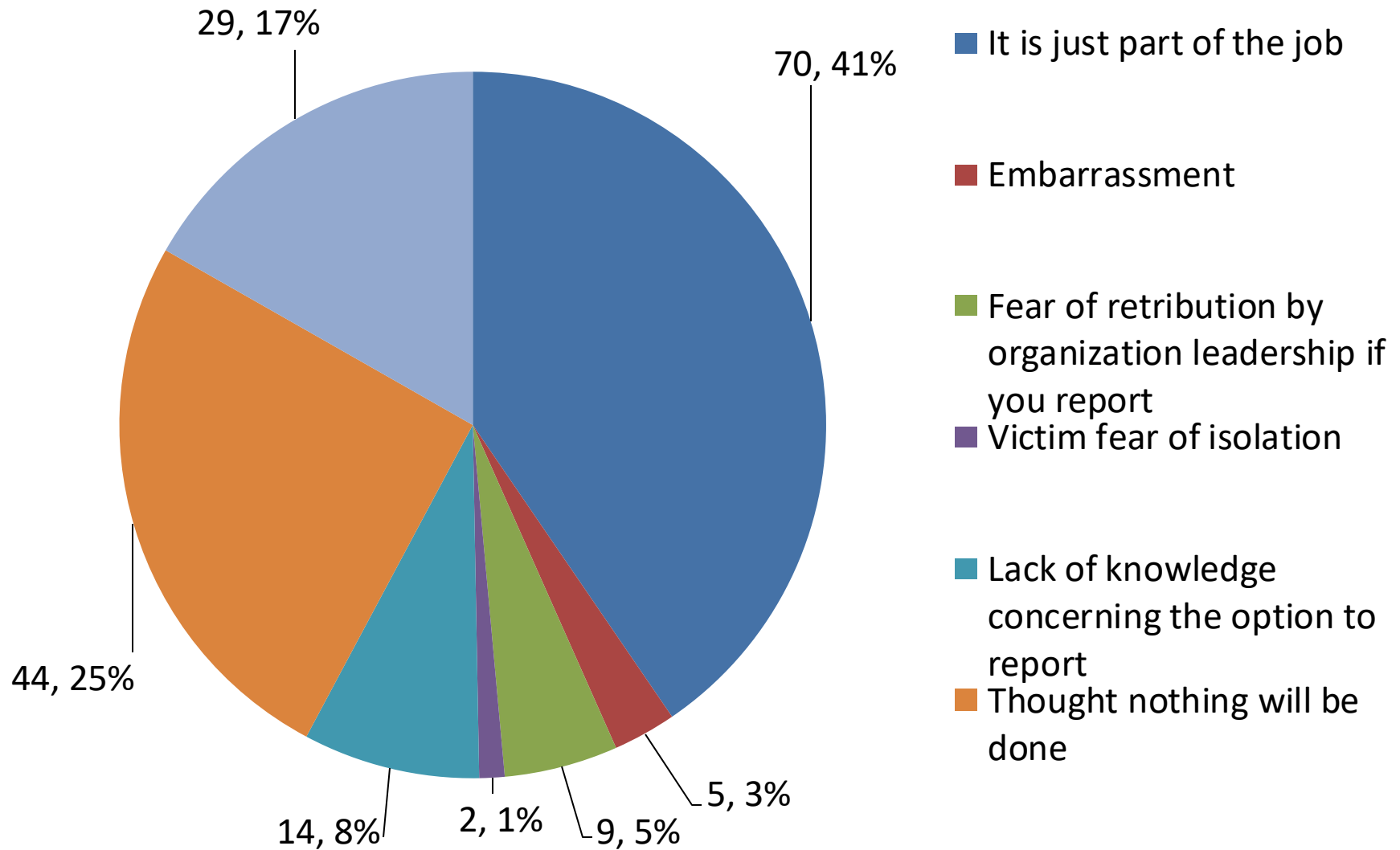
- Yelling slanderous comments
- Threatening, use of profanity
- Threat of killing my unborn child- patient attacked staff multiple times
- Swearing, berating, insults
- Threats to harm me, rape me, hurt my kids
- Bullied
- Threaten my license
- Legal threats
- Racial Slurs
- Called inappropriate names
- Name calling, racist remarks
false accusations, staff bashing

Sexual Violence

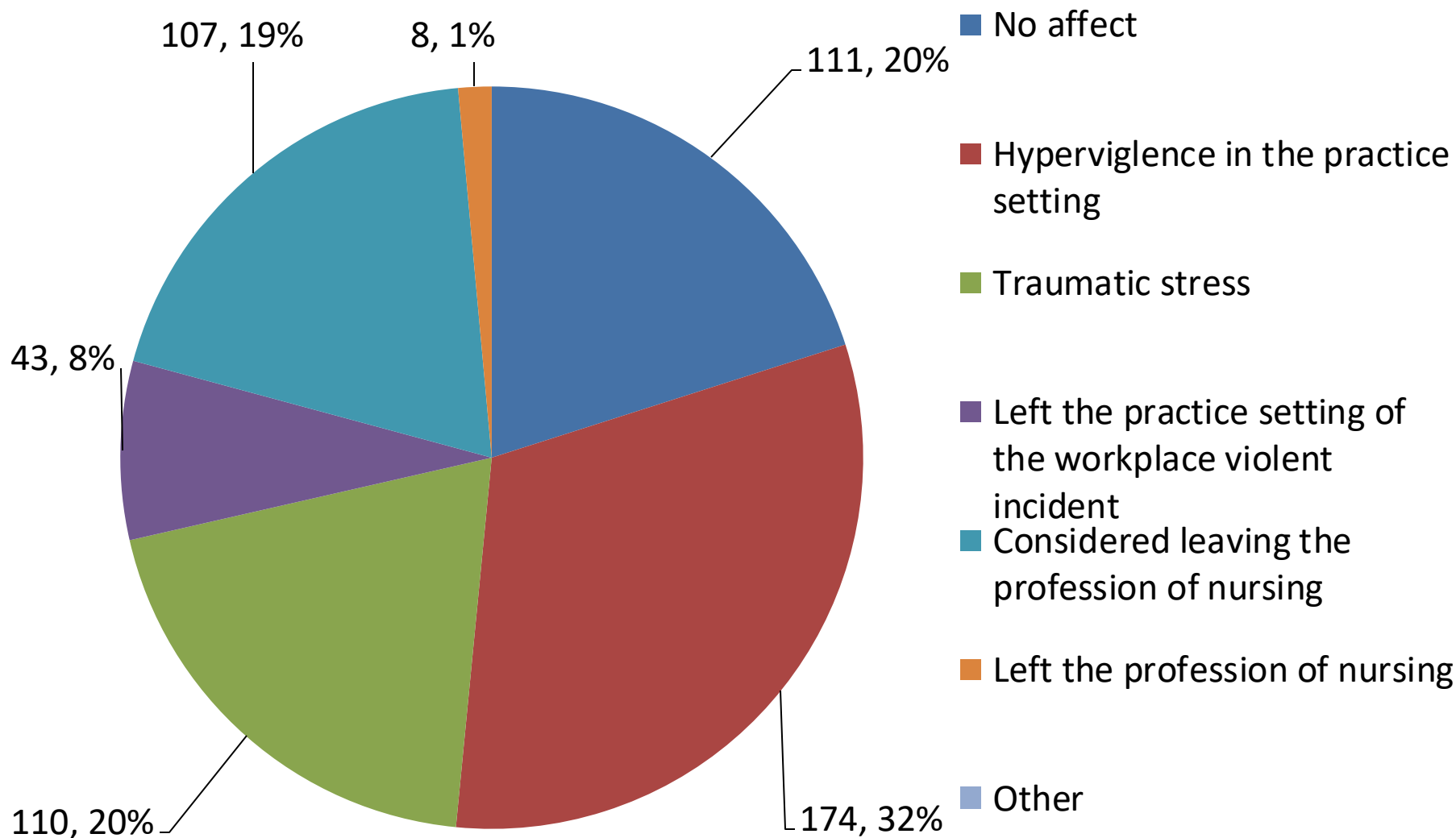
Experienced/Witnessed

- Suggestive dirty talk
- Molestation of male and female staff
- Pushed up against a wall and attempted to kiss
- Coworkers have been stalked by patients, involving sexually inappropriate letters being written after discharge

If you did not report the workplace violence directed toward you by patients or visitors, was it due to any of the following reasons:



If you experienced or witnessed workplace violence by patients, family members and/or visitors has it led to any of the following conditions/processes? (please check all that apply)



Workplace Violence: How big of an issue is it?



- OSHA (2011-2013) - Nearly 2 million American workers reported having been victims of workplace violence each year.
 - Unfortunately, many more cases go unreported.
- Workplace violence assaults range from 23,540 to 25,630 annually
 - Seventy to 74% occurring in health care and social services arenas

What are some outcomes of workplace violence?



- Physical and emotional consequences
 - Acute (short-term) or chronic (long term)
 - Minor to serious injuries/death
 - Temporary to permanent disability
 - Psychological trauma
- Financial consequences
 - Lost work time
 - Out of pocket expenses for care or legal fees

“But isn’t our focus to take care of patients?”

- Stigma on reporting violence against nurses
 - Victim fear of isolation, embarrassment and reprisal
- Workplace violence can and does impact retention of employees
 - Due to injuries suffered
 - Contributes to nurse burnout
- Health care workers who leave because of assaults and threats of violence contribute to a healthcare workforce shortage

Current State of the Law



- **Battery:** a person who intentionally causes bodily harm to another without the other person's consent
 - Penalties increase depending on severity of injury (fines/imprisonment)
- **Criminal Code Wisconsin State Statute 940:** workplace violence against workers from certain settings can receive a Class H Felony charge
 - Class H felony: Fines of up to \$10,000, prison terms of up to six years
 - Includes law enforcement officers, persons serving on a jury, and emergency medical care providers



WNA's Strategy



- Raise awareness of the issue of workplace violence
- Pursue getting a bill drafted that imposes Class H felony on violence against nurses
 - Adds nurses and those under direct nurse supervision to Criminal Code Wisconsin State Statute 940
 - The perpetrator knows or has reason to know the victim is a nurse or acting under the supervision of a nurse
 - Class H felony: Fines of up to \$10,000, prison terms of up to six years

Support legislation



- Let your legislators know that Workplace Violence against Nurses “Is Not Part of the Job”
- Request that Wisconsin Law needs to include a provision that makes it a Class H Felony to harm a nurse.
- Request that the penalty for causing battery to a nurse should be 6 years of incarceration and/or \$10,000 fine.

Outcome

Governor Evers signed

Wisconsin Act 97

February 5, 2020

This created a Class H Felony
for battery to a nurse. Penalties
up to 6 years of incarceration
&/or \$10,000 fine.