

UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SECRETARY OF LABOR,)	OSHRC DOCKET NO.
)	13-1124
Complainant,)	
)	
v.)	
)	
INTEGRA HEALTH MANAGEMENT, INC.,)	
)	
Respondent.)	

**BRIEF OF FRIEND OF THE COURT
SKY WESTERLUND, LMSW
IN SUPPORT OF THE POSITION OF THE SECRETARY OF LABOR**

Social Work is the profession that focuses on helping the most vulnerable people in our society. Our jobs consist of working with people who have very few resources, are suffering from mental illness, substance abuse, stressed living situations and complex life circumstances. We want to help. We want to provide services, recognize the dignity of the individuals and show respect to those that we serve. We believe in people's ability to improve their lives. However, the harsh reality of our profession is that violence against Social Workers happens.

In 2010, the Kansas Chapter, National Association of Social Workers (KNASW) advocated for and succeeded in changing state law to require all new Social Workers licensed in the state of Kansas to complete a minimum of six hours of social worker safety awareness training. This training is required within the first two years of obtaining a license to practice Social Work. The license is for the baccalaureate (LBSW), master (LMSW), and independent clinical licensure (LCSW) levels of social work practice.

KNASW pursued the change in state law because of the brutal slaying of a case manager employed by the community mental health system. (b)(6) a 26 year old newlywed, and student in the master's of social work program at the University of Kansas, was murdered at the hands of her teenage client. KNASW worked with widower, (b)(6) to develop the legislation. Neither the association nor Mr. (b)(6) had enough confidence that agencies would make much of a change to prevent violence so our strategy focused on the individual Social Worker through safety awareness training as part of Social Work licensure renewal requirements. We concluded that the individual training would be the most direct way to help prevent violence. It would compliment any agency protocols and safety plans, but not replace workplace responsibilities for safety.

The goal of the mandate is to educate, inform, and prepare Social Workers to understand the reality of violence in our profession as well as anyone who works with people in need. Additionally, the training is intended to help the new Social Workers gain knowledge and skills that could not only prevent potential violence but also help them know what to do in the event that their safety and life is threatened at the hands of a client.

KNASW offers the safety awareness training three times a year. A crucial difference in training Social Workers and other human service personnel in preparing for safety and prevention of violence on the job is that there is a professional relationship with the individual who could turn out to be an attacker. This makes it a more difficult and different dynamic than in most other workplace safety training. The trainings are open to anyone who wishes to attend.

Our social worker safety awareness training uses information from a number of resources that have documented the client violence in our industry. For example:

- Working With Potentially Assaultive Clients, Allison D. Murdach, NASW Health and Social Work, November 1993 v18 n4
This article references research from as early as 1983 that identifies Social Workers as an increasing target of violence. The article goes on to identify conditions that may lead to violent outbreaks against the Social Worker.
- Client Violence Toward Social Workers: A Practice and Policy Concern for the 1990's Christina E. Newhill, NASW Social Work, Volume 40, Number 5, September 1995
This article includes research about violence against Social Workers and other helping professions citing studies from the 1980's. The author asserts that "social workers and agencies can implement several strategies to protect frontline workers from violence." (page 635)
- Safety Guidelines for Social Workers Massachusetts Chapter, NASW 1996
This document emphasizes that "every agency and private practitioner develop safety policies and procedures that address prevention, intervention and aftermath strategies."
- Security Risk: Preventing Client Violence Against Social Workers Susan Weinger, NASW Press 2001
This book is concise and detailed in articulating the problem of violence against Social Workers. It includes a comprehensive guide of individual factors that can help identify which clients may be more likely to commit violence (history of violence; mental illness; substance abuse; child abuse; demographics [pages 19-21]) and a variety of prevention techniques and safeguards.
- Client Violence toward Social Workers: The Role of Management in Community Mental Health Programs Patricia C. Spencer and Shari Munch, NASW Social Work Journal, Volume 48, Number 4, October 2003
This article discusses the responsibility of management to address safety, especially for community based providers. "Community based social workers face greater peril than their office-based counterparts because they often provide services in unsafe neighborhoods and have limited to no immediate support available if something should go wrong. Key indicators of potential violence include positive symptoms of schizophrenia, medication noncompliance, active drug or alcohol use, mandated clients, and a history of violence." (page 533)
- A National Survey of Violence in the Practice of Social Work Srinika Jayaratne, Tom A. Croxton and Debra Mattison, Families in Society: The Journal of Contemporary Social Services, Alliance for Children and Families, 2004
This article discusses a national level survey that was conducted with master Social Workers (MSW) on their experiences of violence while practicing. The conclusions suggest "some serious issues that need to be addressed ...in agency structure and protocol." (page 451)

- NASW Guidelines for Social Worker Safety in the Workplace 2013

This document outlines eleven specific standards of practice that involve workplace safety. They include guiding principles; office safety; use of mobile phones; risk assessment for field visits; safety training and more.

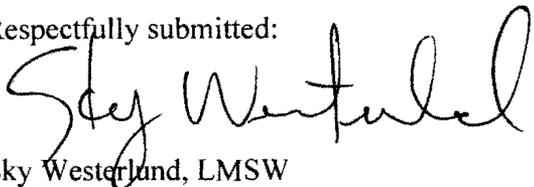
These books, articles, and research focus on Social Workers. However, the findings are not limited to only educated and licensed Social Workers. The circumstances of violence occur when staff works with vulnerable clients, whether or not they are professional Social Workers. Non-social work staff must still make professional (clinical) judgments about clients and potential for violence. The industries of social services, mental health, health care, community interventions, public welfare, addictions and more coupled with the ever decreasing social supports may very well result in higher and more frequent incidents of violence against those who are trying to help. Agencies, Social Workers and all human service professionals must pay attention and work to diminish violence from clients.

Unfortunately, it seems to take the death of a Social Worker or other professional, who is trying to help, to bring the reality of violence to proper attention to both agencies and the individual practitioners. Like (b)(6) (b)(6) was working to make life better for others.

KNASW commends the United States Occupational Safety and Hazards Administration for taking violence against Social Workers and others seriously, as well as the conclusions in the Secretary of Labor v. Integra Health Management, Inc. decision. There cannot be a 100% guarantee of safety but preparation is vital. KNASW has heard from people who have attended our trainings. They have told us of incidences when they used the skills and knowledge that were taught and they believe that they were able to stay safe and prevent harm. They are grateful.

It will take training, knowledge, skills, and professional judgment on the part of individual practitioners as well as clear and strong support from employing agencies to help decrease violence from clients and promote a safer working environment whether it be in an office or in people's homes and communities.

Respectfully submitted:



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