

Preliminary Program Outline

# Shielding Local Governments from Workplace Violence Liability

## Effective Strategies for Limiting Exposure

Thursday November 17, 2005  
1:00 p.m. Eastern Time / 12:00 p.m. Central Time /  
11:00 a.m. Mountain Time/ 10:00 a.m. Pacific Time

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Liability for workplace violence is a growing concern for public employers.

Local governments may be legally vulnerable for failing to have measures in place to maintain security in public buildings, such as the courthouse and city hall, as illustrated by the lawsuits stemming from the recent courthouse killings in Atlanta.

- I. Minimizing risk – What are the local government’s obligations?
  - A. Duty to warn
  - B. Negligent hiring and retention
  - C. Training
    1. Duties
    2. Negligent training
  - D. Duty to protect
    1. Employee safety and security
    2. Safety and security of invitees on public property
    3. Safety and security of those required to be on public property
  
- II. What legal liability faces local governments?
  - A. For not providing security or providing inadequate security?
  - B. For failure to warn of dangerous condition?
  - C. For responding inappropriately?
  
- III. What defenses do local governments have? Will they work?
  - A. Sovereign immunity
  - B. Qualified immunity
  - C. Public duty doctrine
  
- IV. Insurance
  - A. Coverage for government entity or employee acting in official capacity
  - B. Coverage for employee held personally liable
  - C. Workers’ compensation

*(continued)*

- V. What are best practices for limiting the local government's exposure?
  - A. Policies
  - B. Systems in place to prevent or minimize violence

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