



WORKPLACE VIOLENCE

Directive: 5-118

Date of Issue: May 2014

Amends/Cancel: N/A

I. PURPOSE

The purpose of this Directive is to set forth a uniform practice to effectively report, investigate, and address situations in the workplace involving threatening acts, acts of harassment, or acts of violence.

II. DEFINITIONS

A. Violence or Other Inappropriate Behavior - includes but is not limited to:

1. Threats of any kind;
2. Threatening, physically aggressive or violent behavior, such as intimidation or attempts to instill fear in others;
3. Belligerent speech, excessive arguing, or sabotage of state property,
4. Defacing state property or causing physical damage to state facilities;
5. Bringing weapons or firearms of any kind on state property, on state parking lots, in personal state vehicles, or while conducting state business when unauthorized to do so.
6. Using any object in a threatening or weapon-like manner.

B. Violence, Domestic - Abusive behavior whereby a person intends to establish or maintain power and control over a person with whom he/she has, or had, a significant personal relationship. Power and control are exerted through physical, sexual, psychological, and/or economic means. Examples include, but are not limited to:

1. Intimidation;
2. Threat of intent to cause harm, damage, or injury;
3. Verbal or written harassment;
4. Annoy, insult, heckle, or make unlawful demands upon a person;
5. Disorderly conduct;
6. Crimes against property;

7. Violation of an ex parte or protective order;
8. Display or discussion of weapons;
9. Homicide;
10. Assault and battery;
11. Stalking; and
12. Rape.

III. POLICY

DGS-MCP is committed to the prevention and elimination of harassment, threats, intimidation or violence in the workplace. DGS-MCP seeks to create a supportive workplace environment in which employees feel comfortable reporting acts of violence and seeking assistance.

This Directive applies to all employees of DGS-MCP.

A. Violence or Other Inappropriate Behavior

Threatening employees, customers, visitors, or vendors, or engaging in threatening or violent behavior in our workplace is a serious matter. Such conduct places the safety and health of our employees and customers in jeopardy, and will not be tolerated.

Employees engaging in such activities in state offices, facilities, work sites, vehicles or while conducting any state business, will be subject to appropriate disciplinary action, up to and including termination of employment.

B. Domestic Violence

To protect your safety and for the safety of your co-workers, immediately report to your supervisor (personal) situations that could create potential violence in our workplace. By being forewarned, appropriate measures may be taken to protect you and your co-workers.

Employees who report potential workplace violence from a domestic or personal dispute do not need to fear disciplinary action or retaliation. Any and all information related to domestic violence or the DGS-MCP response to domestic violence will only be disclosed on a “need to know” basis.

IV. PROCEDURES

A. Employee

All employees shall:

1. Immediately report to an available supervisor any threats or acts of violence experienced or witnessed in the workplace. This includes having knowledge of facts reasonably causing him or her to believe a violent situation is presented or threats or violent acts by co-workers, customers, visitors, or others who have come onto the premises.
2. In making reports, an employee shall provide as much factual information and detail as possible and shall, if requested by a supervisor, prepare a report in writing.

B. Victim

Employees who are witnesses or victims of violence shall:

- a. Attempt to restore calm by courteously asking the person to cease his or her abusive or harassing actions;
- b. Notify the supervisor as soon as possible;
- c. Request the assistance and aide of co-workers;
- d. If necessary and possible, leave the presence of the threatening person;
- e. Work with the supervisor to ensure adequate safety measures are in place.

C. Supervision

DGS-MCP shall:

1. Ensure that each employee is provided with a copy of this Directive;
2. Maintain the confidentiality of all information related to an employee's involvement in a situation relating to workplace violence;
3. Take appropriate disciplinary action against employees who engage in violence in the workplace.

D. Investigative Procedures

1. Should a workplace investigation be conducted, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances;
2. An investigation may consist of the following:
 - a. Interviewing the reporting employee and documenting the interview in writing;
 - b. Determining who made the threat or committed the act of violence, and against whom the threat was made;

- c. Documenting the specific language of the threat and any physical conduct by the threatening employee;
- d. Listing the names of any witnesses and documenting the interviews;
- e. Establishing the time and place where the threat or violent conduct occurred;
- f. Documenting any previous threats or violent conduct prior to the incident;
- g. Interviewing the threatening employee and documenting the interview.

3. An employee shall cooperate fully in any investigation conducted under this Directive.

E. Discipline for employees engaging in prohibited conduct or violating other aspects of this Directive

1. An employee engaging in conduct prohibited by this Directive shall be disciplined in accordance with all Directives covering rules of conduct for DGS-MCP employees.
2. An employee failing to report violent acts or situations required by this Directive, or failing to cooperate with investigations conducted under this Directive may be subject to discipline.

F. Employee Assistance Program

The Employee Assistance Program, which includes counseling and referral services, is available to all employees, and should be used both to prevent and deal with violent acts and situations occurring in the workplace.

G. Safety

DGS-MCP shall make reasonable efforts to maximize the safety of all employees. These efforts may include relocation of an employee's work station.