

STATE OF OHIO



DEPARTMENT OF REHABILITATION  
AND CORRECTION

SUBJECT: Prevention, Identification and Response to Workplace Violence	PAGE <u>1</u> OF <u>7</u>
	NUMBER: 31-SEM-08
RULE/CODE REFERENCE:	SUPERSEDES 31-SEM-08 dated 5/14/2001
RELATED ACA STANDARDS:	EFFECTIVE DATE: May 5, 2007
RELATED AUDIT STANDARDS:	APPROVED:  <i>Taney J. Collins</i>

**I. AUTHORITY**

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

**II. PURPOSE**

The purpose of this policy is to promote a safe work environment through the prevention of workplace violence by outlining steps to respond to incidents of workplace violence, identifying ways to support victims of workplace violence, and informing all employees that the Ohio Department of Rehabilitation and Correction (ODRC) has “zero tolerance” for violence in the workplace.

**III. APPLICABILITY**

This policy applies to persons employed by the Ohio Department of Rehabilitation and Correction, independent contractors and volunteers providing a service to the Department, and visitors to any Department location.

**IV. DEFINITIONS**

Threats or Acts of Violence - Conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the conditions of State employment, or to create a hostile, abusive, or intimidating work environment for one or more DRC employees, independent contractors and volunteers, as well as those individuals visiting the DRC.

Specific examples of conduct that may be considered “threats or acts of violence” prohibited under this policy include, but are not limited to, the following:

1. Hitting or shoving an individual;
2. Threatening to harm an individual or his/her family, friends, associates, or property;

3. The intentional destruction or threat of destruction of property owned, operated, or controlled by the State;
4. Making harassing or threatening telephone calls, sending harassing or threatening letters or any other form of written or electronic communications;
5. Intimidating or attempting to coerce an employee to do wrongful acts, as defined by applicable law, administrative rule, policy, or work rule affecting the business interests of the State;
6. The willful, malicious and repeated following of another person, also known as “stalking,” and creating a credible threat with intent to place the other person in reasonable fear for his or her safety;
7. Making a suggestion or intimation that an act to injure persons or property is “appropriate,” without regard to the location where such suggestion or intimation occurs;
8. Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on State property. While some employees of DRC may be authorized by the appointing authority or designee, as a condition of their work assignment and while performing their official job duties, to possess firearms, weapons or other dangerous devices and are permitted to carry them as authorized by law, employees are to use them only in accordance with Department operating procedures and post orders and all applicable state and federal laws.

Victim Coordinator – A staff member employed by one of DRC’s institutions or APA offices appointed to specialize in victim services, in addition to his/her regular duties.

Warning Signs, Symptoms, and Risk Factors - The following are examples of warning signs, symptoms, and risk factors which may indicate an employee’s potential for workplace violence:

1. Dropping hints about a knowledge of firearms;
2. Making intimidating statements such as: “I’ll get even,” “You haven’t heard the last from me” or “You know what happened at the Post Office”;
3. Possessing reading material with themes of violence, revenge, and harassment;
4. Keeping records of other employees who the individual believes to have violated office policy;
5. Physical signs of hard breathing, reddening of the complexion, menacing stare, loudness, fast profane speech;
6. Acting out either verbally or physically;
7. Disgruntled employee or ex-employee who is excessively bitter;
8. Being a loner;
9. Having a romantic obsession with a co-worker who does not share that interest;
10. History of interpersonal conflict;
11. Intense anger, lack of empathy;
12. Domestic problems, unstable/dysfunctional family;
13. Brooding, depressed, strange behavior, “a time bomb ready to go off”.

Workplace Violence - Includes, but is not limited to, the following:

1. All threats or acts of violence occurring on State property, regardless of the relationship between the State and the individual involved in the incident;
2. All threats or acts of violence not occurring on State property, but involving someone who is acting in his/her official capacity as a representative of DRC;
3. All threats or acts of violence not occurring on State property, but involving an employee or independent contractor of DRC at the time, if the threats or acts of violence affect the legitimate interests of the State;
4. Any threat or act of violence resulting in the criminal conviction of an employee or agent of DRC, or an individual performing services on the Department's behalf on a contractual or temporary basis under any criminal code provision relating to threats or acts of violence that adversely affects the legitimate interests of the State.

Workplace Violence Liaison – A staff member appointed to specialize in workplace violence in addition to his/her regular duties.

Workplace Violence Plan - A plan to respond to incidents of workplace violence specific to each DRC work site.

## V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction to promote a violence-free workplace. Threats or acts of violence among persons employed by ODRC, independent contractors and volunteers providing a service to the Department, and visitors to any Department location will not be tolerated. Any individual violating this policy will be subject to legal action.

## VI. PROCEDURE

### A. Promoting a Safe Work Environment

1. Each ODRC work site shall develop and implement a Workplace Violence Plan incorporating all aspects outlined in the Workplace Violence Plan model (Appendix A) and have the plan approved by the Appointing Authority or Designee.
  - a. The Appointing Authority or Designee shall annually review the effectiveness of the Workplace Violence Plan and make changes as necessary.
  - b. A copy of the most current Workplace Violence Plan will be submitted to the Office of Victim Services.
2. Each ODRC work site shall appoint one staff member to serve as the Workplace Violence Liaison, in addition to his/her regular duties, as determined by the Appointing Authority or Designee. The Office of Victim Services will serve as the Workplace Violence Liaison for Central Office. The Workplace Violence Liaison will assist with the following:

- a. Maintain a database of all actual or potential incidents of workplace violence that are reported and their current status.
  - b. Report all actual or potential incidents of workplace violence to the Office of Victim Services by providing a copy of the initial Incident Report as soon as possible after being reported. Inform the Office of Victim Services upon completion of any investigation and/or discipline by providing a copy of the completed investigation and/or disciplinary paperwork.
  - c. Work closely with the Victim Coordinator to provide support for the victim of workplace violence.
3. Employees will be informed of the Prevention, Identification and Response to Workplace Violence policy and their site specific Workplace Violence Plan during pre-service and orientation training.
4. Prevention of Workplace Violence
- a. Fitness for Duty Evaluation - At the request of the Appointing Authority or Designee, any DRC staff exhibiting warning signs, symptoms, and risk factors may be ordered to submit to a psychological evaluation to determine the staff member's fitness-for-duty. The Appointing Authority or Designee shall make the request through the Office of Human Resources. The Office of Human Resources will then process such a request pursuant to Ohio Administrative Code 123: 1-33(01).
  - b. Referral to Ohio Employee Assistance Program - When a supervisor determines that an employee is demonstrating behavior that may negatively impact their work, the supervisor, in conjunction with their Personnel Office, may recommend that the employee contact the Ohio Employee Assistance Program (EAP) for counseling and support.

B. Reporting Workplace Violence Incidents

1. Any DRC employee, contractor, volunteer, or visitor who becomes aware of any actual or potential workplace violence incident shall immediately report this information to the area supervisor verbally and in writing. If the supervisor is the source of the threat, the information shall be reported to the next available supervisor in the chain of command. Every effort will be made to provide anonymity for any person reporting an actual or potential incident of workplace violence.
2. The DRC employee, contractor, volunteer, or visitor reporting an actual or potential incident of workplace violence will do so according to the procedures outlined in the Department Policy 01-COM-08, Incident Reporting and Notification.
3. All supervisors, regardless of job title or area of responsibility, shall immediately notify the Appointing Authority or their Designee of any notification of an actual or potential incident of workplace violence.

4. In the event that criminal intent is involved, the Appointing Authority or Designee will determine the appropriate disciplinary action, which may include termination in accordance with applicable State law, Administrative Rule, or collective bargaining agreement.
5. All actual or potential incidents of workplace violence shall be reported to the Workplace Violence Liaison identified at each work site.
6. All actual or potential incidents of workplace violence shall be reported to the Office of Victim Services, and shall follow the procedures noted in Department Policy 01-COM-08, Incident Reporting and Notification.
7. In the event of a critical incident involving workplace violence, the Appointing Authority or Designee shall immediately notify the Office of Human Resources to arrange with the Ohio EAP, or any other appropriate agency, assistance in diffusing the situation. The Office of Human Resources will contact the appropriate agency within 24 hours of the incident for the purposes of conducting a critical incident stress debriefing. Supervisory staffs at the facility involved in the incident are not to contact the local mental health agencies for assistance and/or debriefing. The Ohio EAP or other appropriate agency will make the necessary arrangements in order to avoid potential cost and liability issues. If necessary, the Critical Incident Support Teams may be activated according to DRC Policy 37-EAP-02, Critical Incident Stress Management.

#### C. Supporting Victims of Workplace Violence

1. All victims of workplace violence shall be treated with respect and confidentiality.
2. As soon as an actual or potential incident of workplace violence is reported, the alleged victim of the incident will be directed to the secure location identified according to DRC Policy 01-COM-08, Incident Reporting and Notification, to complete a DRC Incident Report (DRC1000).
3. Any alleged victim of an actual or potential incident of workplace violence shall be provided a packet of information including, but not limited to, the following information:
  - a. Copy of the Prevention, Identification, and Response to Workplace Violence policy (31-SEM-08)
  - b. List of local community resources including rape crisis programs, domestic violence shelters, and any other crisis intervention programs including hotline information.
  - c. Contact telephone number for their Personnel Office.
  - d. Contact telephone number for the Ohio Employee Assistance Program at 1-800-221-6337.
  - e. Contact telephone number for the Office of Victim Services.
  - f. Contact name and telephone number for the Workplace Violence Liaison and Victim Coordinator at their location.
4. Any alleged victim of an actual or potential incident of workplace violence will be kept informed of the status of any investigation through its conclusion.

**Related Department Forms:**

DRC Incident Report (DRC 1000)

DRC Incident Report Supplement (DRC1001)

## APPENDIX A

### Workplace Violence Plan Model

- I. **Statement of Purpose** – To identify, prevent and address workplace violence at (site), (Intro & Overview)  
Make the connection to Community Justice (Mission Statement)
- II. **Definition of Workplace Violence**  
Review and insert DRC policy  
Distribute lists and range of violence – insert into site specific plan
- III. **Recognizing Threats** – Cite specific examples
- IV. **Identify Reporting Channels** – Avenues of reporting at site
- V. **Develop Reporting/Action Flowchart for site** – If this, then what
- VI. **Responsibility at site** – Interview parties, assess threat, make referrals, ensure security at worksite, deal with perpetrator, work with victim
- VII. **Dealing with perpetrator at site** – Develop range of discipline including elements of Code of Conduct up to criminal charges by OSP
- VIII. **Interface with OSP** – When to call OSP
- IX. **Interface with CIM** – When to activate CIM at site
- X. **Care of Victim at site** – Site plan to include appropriate debriefing area, personnel assistance, EAP or MH assistance, follow-up with Office of Victim Services
- XI. **Responsibility of Management** – Determine seriousness of threat (i.e. call OSP or activate CIM), apply discipline, monitor investigation, follow-up on victim care, and report as required
- XII. **Report of Incident from site to Central Office** – Disseminate standardized Special Incident Report
- XIII. **Return to Normalcy** – Debriefing, rumor control, take steps to avoid repetition, review of resources at site. (Tips, Handouts, etc.)
- XIV. **Resources** – Listing and location