

SECTION 6.4

WORKPLACE VIOLENCE

A. Policy

It is the policy of Jefferson County to maintain a zero tolerance for workplace violence, or the threat of violence, by any of its employees, customers, the general public, and/or anyone who conducts business with the County. It is the intent of this policy to ensure that the County provides a workplace that is free from intimidation, threats, or violent acts.

B. Definition

Workplace violence includes, but is not limited to, harassment, threats, physical attack, or property damage.

Threat - the expression of an intent to cause physical or mental harm, regardless of whether the person communicating the threat has the present ability to carry out the threat, and regardless of whether the threat is contingent, conditional, or future.

Physical Attack - unwanted or hostile physical contact with another person, such as hitting, fighting, pushing, shoving, or throwing objects.

Property Damage - intentional damage to another person's or entity's property.

C. Prevention

The County subscribes to the concept of a safe work environment and supports the prevention of unsafe conditions, acts, and workplace violence. Prevention efforts include:

- Communicating this policy to all employees;
- Instructing employees on the dangers of workplace violence;
- Training employees in conflict resolution;
- Communicating to employees the penalties for violating this policy;
- Providing a method to report incidents of workplace violence without fear of reprisal.

In addition to the above, employees have a "duty to warn" management of any suspicious workplace activity or situations or incidents that they observe, or that they are aware of, that involve other employees, former employees, or the public.

D. Reporting Threats

Any incident of violent behavior, whether committed by a county employee or an external individual such as a customer, vendor, or citizen, must be reported to departmental management. Management, with the assistance of the Human Resources Department and the District Attorney's Office, will assess and investigate the incident and determine the appropriate action to be taken.

In critical incidents in which serious injury occurs, emergency responders should be notified immediately. As necessitated by the seriousness of the incident, a critical incident management team may be assembled. This team should consist of staff from the County Judge's Office, the Sheriff's Office, the District Attorney's Office, the Human Resources Department and the County's Employee Assistance Program (EAP). This team shall be responsible for establishing protocol in the event of a threat or violent incident, which may include:

- Evaluating potential violence problems;
- Assessing an employee's fitness for duty;
- Selecting intervention techniques;
- Establishing a plan for the protection of co-workers/other potential targets;
- Coordinating with appropriate parties such as families, victims, employees, media or law enforcement personnel;
- Referring victims to appropriate assistance and community service programs;
- Assuring that immediate and on-going counseling is available to traumatized employees;
- Ensuring that any employee who acts in good faith by reporting real or implied violent behavior will not be subject to any form of retaliation or harassment.

E. Prohibited Actions and Penalties

It is a violation of this policy to engage in any act of violence in this workplace. In addition to the definitions listed above, other examples of violence include:

- Teasing and practical jokes that cause anger or humiliation;
- Intimidation or bullying;
- Angry outbursts;
- Verbal abuse, name-calling, or obscene language;
- Threats (verbal, written or motioned);
- Harassment (general, racial, or sexual);
- Theft, vandalism, or sabotage;
- Throwing or breaking objects;
- Romantic obsessions and stalking;
- Sexual assault or rape;
- Unauthorized possession and use of weapons.

Any employee who has been determined to have violated this policy will be subject to disciplinary action up to and including immediate termination.

F. Departmental Training

Department managers and supervisors are responsible for ensuring that all employees are made aware of this policy, and of any departmental procedures for reporting incidents. Management should also inform employees of what to do if threatened and/or if an incident of violence takes place. All employees should be encouraged to openly communicate with each other, and to be aware of any unusual activity that may be an indicator of potential violence.

G. Employee Assistance Program

Should an employee become the victim of an incidence of workplace violence, they should be offered the assistance of the EAP in coping with the incident's effects. Should an employee be determined to have committed an act of violence and he or she is not immediately terminated, he/she must be referred to the EAP as a condition of continued employment. The EAP visits will be in addition to any disciplinary action and failure to attend any scheduled sessions or failure to follow any recommended treatment will result in immediate termination. Any employee who is referred to the EAP under this policy shall sign a release allowing persons with a "need to know" to communicate with any treatment providers in order to ensure that the employee is receiving the necessary help.