

WORKPLACE VIOLENCE

SOURCE: AGENCY ADMINISTRATION

CONTACT: OFFICE OF EMPLOYEE SERVICES

Policy Purpose:

The Ohio Environmental Protection Agency (Ohio EPA) is committed to providing its employees a work environment that is safe, secure and free of harassment, threats, intimidation and violence. Ohio EPA recognizes that workplace violence is a growing problem that should be addressed by all employers and therefore adopts this policy for workplace violence. Consistent with this policy, threats or acts of physical violence, including intimidation, harassment, and/or coercion and other disruptive behavior which involve or affect employees or which occurs on state property will not be tolerated. Employees shall refer any questions regarding their rights and obligations under this policy to Ohio EPA's Office of Employee Services (OES) at 614-644-2100.

Policy Statement

The use or threatened use of violence will not be tolerated at the Ohio EPA. In order to effectuate this policy, any form of violence by an Ohio EPA employee, customer, member of the public or an individual not affiliated with Ohio EPA must be reported in accordance with the procedures outlined in this policy. This policy also prohibits retaliation in any form against an Ohio EPA employee who reports a valid complaint of workplace violence.

The Agency's prohibition against threats and acts of violence applies to all persons involved in Agency operations, including, but not limited to, Ohio EPA personnel, contract and temporary workers, and college interns

Any acts of workplace violence committed by any Ohio EPA employee will be met with immediate response which shall result in the imposition of discipline, up to and including termination and referral for criminal prosecution when warranted.

In addition, workplace violence committed by a customer, member of the public or an individual not affiliated with Ohio EPA will be met with immediate response with the purpose of defusing the situation, protecting Ohio EPA employees and customers and preventing further incidents of workplace violence. Ohio EPA may also take appropriate legal action.

Definitions

Threats or Acts of Violence

"Threats or acts of violence" include 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 employees.

Workplace Violence

Workplace violence includes, but is not limited to, the following:

- All threats or acts of violence occurring on state property, regardless of the relationship between the State and the individual involved in the incident;
- All threats or acts of violence not occurring on state property, but involving someone who is acting in the capacity of a representative of Ohio EPA.

Examples of Prohibited Conduct

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:

- Hitting, shoving or throwing an object at an individual;
- Threatening to harm an individual or his/her family, friends, associates or their personal property;
- The intentional destruction or threat of destruction of property owned, operated, or controlled by the state;
- Making harassing or threatening telephone calls, or sending harassing or threatening letters or other forms of written or electronic communications;
- Intimidating or attempting to coerce an employee to do wrongful acts, as defined by applicable law, administrative rule, policy, or work rule, that would affect the business interests of the state;
- The willful, malicious and repeated following of another person, also known as "stalking," and making of a credible threat with intent to place the other person in reasonable fear for his or her safety;
- Unauthorized possession or inappropriate use of firearms, weapons, or other dangerous devices on state property.

Procedures

The procedures outlined below have been developed to encourage early reporting of incidents of workplace violence. Further, these procedures were developed to provide optimal support and stress reduction for Ohio EPA employees, as well as the overall goal of preventing workplace violence.

Reporting Threats or Acts of Violence

Each employee of Ohio EPA and every person on state property shall report incidents of threats or acts of physical violence of which he or she is aware. If you observe or experience such behavior by anyone on agency premises, whether he or she is an agency employee or not, report it immediately to a supervisor or manager. Supervisors or managers who receive such a report shall seek advice from OES at 644-2100 regarding investigating the incident and initiating appropriate action. In cases where the reporting individual is not a state employee, the report shall be made to the applicable division/district/office chief who will notify the Director's Office and possibly the Ohio State Highway Patrol (OSHP) General Headquarters.

In cases where the reporting individual is an Ohio EPA employee, whenever possible, the report should be made to the reporting individual's immediate supervisor or a management level supervisory employee if the immediate supervisor is not available. Such report should not delay necessary actions to mitigate an in suing crisis or treatment of a victim of violence. The supervisor shall contact the building security (CO only 644-3031) and OES and follow the procedures outlined above. An employee may also file a report directly with the OES. Any such incident shall be promptly referred by OES to the appropriate management level supervisor, who shall take corrective action in accordance with the applicable law, rule or collective bargaining agreement.

Concurrently with the initiation of any investigation leading to a proposed disciplinary action, OES will report any incidents of threats or acts of physical violence to the Chief Legal Counsel and if appropriate state agencies including the OSHP.

Referral to Ohio Employee Assistance Program

Where a supervisor determines that an employee is demonstrating behavior that may negatively impact their work or the work of others, the supervisor may recommend that the employee contact the Ohio Employee Assistance Program (EAP) for counseling and support (614-644-8545 or 1-800-221-6327).

Training

In consultation with EAP, the Ohio EPA shall provide opportunities for employees to be trained in the risk factors associated with workplace violence, and proper handling of emergency situations in order to minimize the risks of violent incidents occurring in the workplace.

Crisis Management Responsibilities

In all situations, if violence appears to be imminent, employees shall take the precautions necessary to assure their own safety and the safety of others.

The following list shows the critical telephone numbers which may be needed to carry out the procedures outlined in this section:

Emergency Services - Police, Fire, Rescue	9-911
Ohio State Highway Patrol (OSHP)	614-466-0506
Building Security (Central Office Only)	614-644-3031
Director's Office	614-644-2782
Office of Employee Services	614-644-2100
Agency Safety Administrator	614-644-2263
Public Interest Center	614-644-2160

Response to Crisis Situations

Examples of crisis situations include:

- hostage or riot situations
- serious injury or death of a co-worker resulting from workplace violence
- incidents involving use of force
- catastrophic accidents

The following procedures shall apply in the event of a crisis situation:

1. The primary contact person shall be the division/district/office chief of the affected division of the Ohio EPA. He/she has authority to assume or delegate the duties required of this policy.
2. If the crisis situation involves an injury that requires immediate medical attention, the Ohio EPA employee discovering the crisis should alert the appropriate medical professional by calling 9-911, and then notify a supervisor. The supervisor shall contact the Safety Administrator and the division/district/office chief.
3. In the event of all other crisis situations, employees shall notify their supervisor of the situation. The supervisor shall contact building security and notify the division/district/office chief. Building security will contact the OSHP or appropriate authorities.
4. If no supervisor is available, the employee shall contact building security and notify the division/district/office chief. Building security will contact the OSHP or appropriate authorities.
5. Immediate action will be taken by the division/district/office chief to ensure the safety of those involved in the crisis situation or affected by the crisis.
6. The division/district/office chief will notify the Director and/or Chief Legal Counsel of the facts of the crisis situation as soon as possible. The Director will assume or assign the responsibilities of:
 - Liaison with the law enforcement, fire, medical and other community resources offering assistance, as necessary;
 - Spokesperson to monitor incoming calls, and document in detail everything done in response to the crisis situation.
7. All communication with the immediate relative(s) and other employees shall be handled by OES.
8. All communications with the media shall be directed to and handled by the Public Interest Center.

9. In the event of threats of violence to person(s) or property by means of firearms, fire, explosions, bombs, etc., the division/office chief shall be notified, and he/she shall contact building security and the OSHP. If law enforcement authorities determine that an evacuation is necessary, personnel of the affected area will be evacuated from the threatened area and employees will go to the assigned assembly area. These procedures are outlined in detail in Ohio EPA's Emergency Evacuation Plan.
10. If a building evacuation is necessary, it will be conducted in a safe and orderly manner. The Safety Administrator or designee will report the status of staff from each evacuated facility to insure that all persons are evacuated from the building. Until otherwise directed, employees must report to and remain at the assembly area so that they may be accounted for. Responding emergency service personnel will be notified of persons not accounted for to aid in determining whether the evacuation is complete.
11. Re-entry into the building will be restricted to emergency service and/or authorized personnel until law enforcement authorities determine the crisis is resolved and a safe re-entry can be made.
12. In the event a person causing a crisis situation leaves the building, responsibility for preventing that person from re-entry shall be left to law enforcement authorities.

The Employee Assistance Program (EAP) Coordinator in OES should be consulted immediately in the event of a crisis situation to arrange with Ohio EAP to assist in defusing the situation. If necessary, OES will consult with EAP (614-644-8545 or 1-800-221-6327), for purposes of conducting a critical incident stress debriefing, should a critical incident occur.

8/08