



**Administrative Policies and Procedures: 4.29**

<b>Subject:</b>	<b>Workplace Violence Prevention Guidelines</b>
<b>Authority:</b>	TCA 37-5-105 (3), 37-5-106, 39-17-1350, 39-17-1359
<b>Standards:</b>	COA: PA-ASE 6.01; 7.01, PA-RPM 2.01(c), 2.02(d-f), 2.03
<b>Application:</b>	To All Department of Children's Services Employees
<b>Policy Statement:</b>	
The Department of Children's Services (DCS) shall provide and maintain a workplace environment that is safe, secure and free of harassment, threats, intimidation and violence.	
<b>Purpose:</b>	
To provide guidelines to ensure the safety of DCS employees and persons and to recognize that potential workplace violence is a growing problem that must be addressed to prevent workplace violence from occurring to the fullest extent possible and set forth guidelines when such violence has occurred.	
<b>Procedures:</b>	
<b>A. Definition of workplace violence</b>	Prohibited workplace violence includes, but is not limited to, the following: <ol style="list-style-type: none"> <li>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.</li> <li>2. All threats or acts of violence not occurring on state property, but involving someone who is acting in the capacity of a representative of DCS.</li> <li>3. All threats or acts of violence not occurring on state property, but involving an employee of DCS if the threats or acts of violence affect the legitimate interests of the state.</li> <li>4. All threats or acts of violence resulting in the conviction of an employee or agent of DCS, or of an individual performing services on the department's behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests of the state.</li> </ol>
<b>B. Classifications of workplace violence</b>	Listed below are <u>general classifications</u> of workplace violence: <ol style="list-style-type: none"> <li>1. <b>Type I – Criminal Intent</b> <ol style="list-style-type: none"> <li>a) Perpetrator has no legitimate relationship to the agency/organization or its employees.</li> </ol> </li> </ol>

	<p>b) A crime is usually being committed in conjunction with the violence.</p> <ul style="list-style-type: none"> <li>◆ Robbery, shoplifting, criminal trespassing</li> </ul> <p><b>3. Type II – Customer/Client</b></p> <p>a) The perpetrator has a legitimate relationship with the agency/ organization. The recipient or object of services provided by the affected workplace or victim.</p> <p>b) This category includes customers, clients, patients, students, inmates, etc.</p> <p><b>4. Type III – Worker on Worker</b></p> <p>a) The perpetrator is an employee or past employee of the agency/ organization who attacks or threatens fellow past or present employees.</p> <p>b) May be seeking revenge for what is perceived as unfair treatment.</p> <p>c) Includes employees, supervisors and managers.</p> <p><b>5. Type IV – Personal Relationship</b></p> <p>a) The perpetrator usually does not have a legitimate relationship with the agency/organization, but has or has had a personal relationship with the intended victim.</p> <p>b) May involve a current or former spouse, lover, relative, friend, or acquaintance.</p> <p>c) Domestic violence carried out at the workplace.</p> <p>d) The perpetrator is motivated by perceived difficulties in the relationship or by psychosocial factors that are specific to the perpetrator.</p>
<p><b>C. Warning signs, symptoms and risk factors</b></p>	<p>Incidents of workplace violence are often culminating events that have been brewing over a period and eventually festering anger explodes. The violent act does not always reflect the action of an employee. An employee’s spouse or significant other, intent upon inflicting damage, may perpetrate the violence. Other disgruntled or grudge-bearing individuals may also pose a possible threat.</p> <p>1. <b>Examples</b> of warning signs, symptoms, and risk factors which may indicate any person's potential for workplace violence <u>may</u> include, but not be limited to:</p> <ul style="list-style-type: none"> <li>a) Bringing firearms or other weapons to work (unless job related); making inappropriate references to guns and weapons;</li> <li>b) Making threats or idle threats about using a weapon to harm someone;</li> <li>c) Making inappropriate statements of violence directed toward a particular person;</li> <li>d) Keeping records of other employees the individual believes to have violated departmental policy when the individual is not in any supervisory role, or of persons the individual has a grudge against;</li> </ul>

	<ul style="list-style-type: none"><li>e) Acting out either verbally or physically (intimidating, harassing, bullying, exhibiting belligerent or other inappropriate and aggressive behavior);</li><li>f) Disgruntled employee or client, ex-employee or visitor who is excessively bitter and acts or speaks aggressively;</li><li>g) Numerous conflicts with clients, co-workers or supervisors;</li><li>h) Episodes of domestic violence; unstable/dysfunctional family history;</li><li>i) Use of illegal drugs or excessive use of alcohol; and</li><li>j) Any of the behaviors or a combination of the behaviors below that impedes job performance or achievement:<ul style="list-style-type: none"><li>◆ Paranoid personality and thinking; extreme changes in normal behavior;</li><li>◆ Increasingly depressed mood and withdrawal;</li><li>◆ Noticeable decrease in attention to appearance and personal hygiene;</li><li>◆ Unexplained and increased absenteeism; and</li><li>◆ Life stressors (divorce/separation, illness, helplessness, loss or control, isolation); Increased stress with the inability to cope with the increased pace of change or organizational change.</li></ul></li><li>j) Additional risk factors for workplace violence may include, but are not limited to:<ul style="list-style-type: none"><li>◆ Working in public places where money is exchanged with the public;</li><li>◆ Working alone or in small numbers;</li><li>◆ Working late night or early morning;</li><li>◆ Working in high crime areas;</li><li>◆ Guarding valuable property or possessions; and</li><li>◆ Working in community settings.</li></ul></li></ul> <p>2. Certain precipitating workplace actions and events that may also perpetuate workplace violence include, but are not be limited to:</p> <ul style="list-style-type: none"><li>a) Terminations;</li><li>b) Downsizing;</li><li>c) Negative press conferences;</li><li>d) Disciplinary actions;</li><li>e) Harassment by co-workers or supervisor; and</li><li>f) Job changes.</li></ul> <p>3. Supervisors should be alerted to and aware of these indicators. A <u>combination of several of these risk factors</u> and <u>warning signs</u> may signal cause for careful scrutiny and concern. If the person starts to act out, or if the behavior escalates or continues, the supervisor may consult with appropriate</p>
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	Senior Managers and/or Human Resources staff.
<p><b>D. Examples of prohibited conduct</b></p>	<p>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:</p> <ol style="list-style-type: none"> <li>1. Hitting or shoving an individual; bullying;</li> <li>2. Threatening to harm an individual or his/her family, friends, associates, or their property;</li> <li>3. The intentional destruction or threat of destruction of property owned, operated, or controlled by the state;</li> <li>4. Making harassing or threatening telephone calls, or sending harassing or threatening letters or other forms of written or electronic communications;</li> <li>5. 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;</li> <li>6. 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; also includes domestic violence/stalking relationship that surfaces at the workplace;</li> <li>7. Making a suggestion or otherwise hinting that an act to injure persons or property is "appropriate", without regard to the location where such suggestion or hint occurs; and</li> <li>8. Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on state property (See <b>Section G</b> below on <b>Prohibition of Weapons</b>);</li> </ol>
<p><b>E. Management/ supervisory responsibilities in managing/ preventing workplace violence</b></p>	<p>There are three general approaches to managing/preventing workplace violence as outlined below:</p> <ol style="list-style-type: none"> <li>1. <b>Environmental approach</b> <p>The environmental approach to ensuring a safe environment may include, but not be limited to the following:</p> <ol style="list-style-type: none"> <li>a) Ensuring adequate inside and outside lighting and other environmental safety precautions;</li> <li>b) Securing all entrances and exits;</li> <li>c) Use of security hardware (as appropriate) such as the examples listed below:                             <ul style="list-style-type: none"> <li>◆ Turnstiles;</li> <li>◆ Key cards;</li> <li>◆ Smart cards;</li> </ul> </li> </ol> </li> </ol>

	<ul style="list-style-type: none"> <li>◆ Security systems;</li> <li>d) Physical barriers;</li> <li>e) Use of sign-in/sign-out logs or other process for recording visitors and clients; and</li> <li>f) Designated meeting rooms/area specifically for customers/clients.</li> </ul> <p><b>2. Administrative approach</b></p> <ul style="list-style-type: none"> <li>a) Each Regional Office, Youth Development Center will address workplace violence prevention in their <b><u>Emergency Response Plan</u></b> or <b><u>Contingency Plan</u></b> as required by DCS policies <b><u>29.5, Contingency Plans for Youth Development Centers</u></b> and <b><u>29.12, Emergency Response Preparedness Plans</u></b>.</li> <li>b) Encourage use of the Employee Assistance Program.</li> <li>c) Other administrative approaches to managing/preventing workplace violence may include, but not be limited to the following:             <ul style="list-style-type: none"> <li>◆ Develop safety and communication procedures for staff that work off-site (i.e., keep daily work plans/itineraries, schedules and an updated list of employee and volunteer phone numbers, maintaining periodic contact throughout the work day, etc.).</li> <li>◆ Recognize potentially dangerous situations ahead of time, so back-up can be secured/started or a strategy implemented. Consider teaming with another employee when visiting unsafe areas.</li> <li>◆ Supply communication devices, as applicable (e.g., two-way radios; cell phones, etc.)</li> <li>◆ Encourage employees, visitors and clients to follow all Standard Operating Procedures (SOP) specific to office/facility locations.</li> </ul> </li> <li>d) Hiring and Termination Practices             <ul style="list-style-type: none"> <li>◆ Hiring – ensure that all applications and resumes are thoroughly verified;</li> <li>◆ Conduct background checks; and</li> <li>◆ Firing - If anticipating the possibility of a violent response, plan out a script for the procedure and ensure other staff is present.</li> </ul> </li> </ul> <p><b>3. Training</b></p> <p>All staff will be trained to anticipate, recognize and respond to conflict and potential violence in the workplace, in client’s homes and in the community.</p>
<p><b>F. Reporting threats or acts of violence</b></p>	<p>1. Each employee of DCS and every person on state property must report incidents of threats or acts of physical violence of which he or she is aware to his or her immediate supervisor.</p>

	<p>2. If a workplace violence situation involves an injury that requires immediate medical attention, appropriate emergency responders must be alerted as outlined in the applicable office/facility <b>Safety Plan, Emergency Response Preparedness Plan</b> or <b>YDC Contingency Plans</b>. All appropriate DCS notifications will be made as outlined in each plan.</p> <p>3. <b>Incident Reporting</b> – <b>All</b> incidents must be reported as follows:</p> <ul style="list-style-type: none"> <li>a) DCS Regional and Field staff and contract providers (as applicable) will report all incidences of threats or acts of violence on the <b>Serious Incident Reporting (SIR)</b> web-based application (or on form <b>CS-0496, Serious Incident Report</b> when the web-based application is in-operable).</li> <li>b) Youth Development Centers will report all incidences of threats or acts of violence as outlined in the <b>Incident Reporting Manual: Youth Development Centers</b>.</li> <li>c) Appropriate local law enforcement, security provider, or emergency services agency; and</li> <li>d) The <u>local</u> DCS Human Resources office staff will be responsible for reporting all incidences to the central office Human Resources Division, as applicable.</li> </ul>
<p><b>G. Prohibition of weapons</b></p>	<p>1. Pursuant to <i>TCA 39-17-1359</i>, each Regional Administrator, Office or Facility Administrator <b>shall</b> ensure that a written notice of the exclusion of weapons is displayed in prominent locations, including all entrances primarily used by persons entering the building, portion of the building or buildings where weapon possession is prohibited. If the possession of weapons is also prohibited on the premises of the property as well as within the confines of a building located on the property, the notice shall be posted at all entrances to the premises that are primarily used by persons entering the property. The notice shall be in English but a notice may also be posted in any language used by patrons, customers or persons who frequent the place where weapon possession is prohibited. In addition to the prohibition of the item within the circle. The sign shall be of a size that is plainly visible to the average person entering the building, premises or property and shall contain language substantially similar to the following example:</p> <div data-bbox="620 1455 1122 1839" style="border: 1px solid black; padding: 10px; text-align: center;"> <p><b>PURSUANT TO TCA § 39-17-1359, THE OWNER/OPERATOR OF THIS PROPERTY HAS BANNED WEAPONS ON THIS PROPERTY, OR WITHIN THIS BUILDING OR THIS PORTION OF THIS BUILDING. FAILURE TO COMPLY WITH THIS PROHIBITION IS PUNISHABLE AS A CRIMINAL ACT UNDER STATE LAW AND MAY SUBJECT THE VIOLATOR TO A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS (\$500).</b></p> </div>

	<p>2. Certain employees may be required as a condition of their employment to possess firearms, weapons or other dangerous devices (<i>i.e.</i>, law officers charged with the enforcement of the laws of the state or county, etc.), or permitted to carry them as authorized by law.</p>
<p><b>H. Fitness-for-duty evaluation</b></p>	<p>1. At the discretion of the supervisor, an employee exhibiting warning signs, symptoms and risk factors including, but not limited to those listed in <u>Section C</u> of this policy, <u>may</u> be ordered to submit to a psychological evaluation to determine the employee's fitness-for-duty after consultation with Human Resources and/or General Counsel (as appropriate). A description of such specific signs, symptoms, risk factors, and the request for consultation shall be in writing.</p> <p>2. The supervisor will contact appropriate staff in the DCS Human Resources Division and identify the nature of the concern. The DCS Human Resources Division will provide a list of health care providers as appropriate for the situation.</p> <p>3. The health care provider will report the results of the evaluation to the DCS Human Resources Division which will then consult with the supervisor to determine the employee's fitness-for-duty based on the evaluation. All evaluation records will be maintained confidentially.</p>
<p><b>I. Referral to Tennessee Employee Assistance Program (EAP)</b></p>	<p>1. Where a supervisor suspects that an employee has work-related and/or personal problems, the supervisor will recommend that the employee contact the Tennessee Employee Assistance Program.</p> <p>2. The central office EAP Coordinator in the Human Resources Division must be consulted immediately in the event of a critical incident to collaborate with the EAP. EAP should also be consulted (within 24 hours of the incident), for purposes of conducting a critical incident stress debriefing. Examples of critical incidents include:</p> <ul style="list-style-type: none"> <li>a) Hostage or riot situations;</li> <li>b) Serious injury or death of a coworker;</li> <li>c) Incidents involving use of force;</li> <li>d) Resident suicide or death; and</li> <li>e) Catastrophic accidents.</li> </ul>
<p><b>J. Violation of policy</b></p>	<p>Violation of this policy by any individual or DCS employee will be subject to legal action as appropriate and/or disciplinary action up to and including termination, in accordance with the applicable laws, rules or policies and procedures.</p>

<b>Forms:</b>	<p><a href="#"><u>CS-0496, Serious Incident Report</u></a></p> <p><a href="#"><u>CS-0311, Facility Incident Report</u></a></p>
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<b>Collateral documents:</b>	<p><i>Safety Plans</i></p> <p><i>Emergency Response Plans</i></p> <p><i>Contingency Plans for Youth Development Centers</i></p> <p><a href="#"><u>Incident Reporting Manual for Youth Development Centers</u></a></p>
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<b>Glossary:</b>	
<b>Term</b>	<b>Definition</b>
<b>Threats or Acts of Violence:</b>	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.
<b>Weapon:</b>	Any tool (as defined in <b>TCA 39-17-1301</b> ) used to kill, maim, destroy or perhaps simply disable a person or animal. An instrument of offensive or defensive combat.
<b>Workplace violence:</b>	The Occupational, Safety, and Health Administration (OSHA) defines workplace violence as violence or the threat of violence against workers. It can occur at or outside the workplace and ranges from threats, verbal abuse, and bullying to physical assaults and homicide - the latter being one of the leading causes of job-related deaths.