

Violence in the Workplace Policy

PURPOSE

The County recognizes the need to provide for the safety and security of all employees and visitors. In doing so, the County is complying with Section 5(a), Federal Occupational Safety and Health Act of 1970 (OSHA). Therefore, the County will not tolerate threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on the County's property. This includes physical attacks, verbal or physical threats, destruction of property, sexual harassment, intimidation, or abusive language. Grand Traverse provides a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy.

POLICY & PROCEDURE

Prohibited Conduct

Grand Traverse County does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. This list of behaviors provides examples of conduct that is prohibited:

- Causing physical injury to another person.
- Making threatening remarks.
- Displaying aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Intentionally damaging employer property or property of another employee.
- Possessing a weapon while on company property or while on company business without prior approval. Prior approval must be expressly granted by the employee's department head and the County Administrator. The County Administrator need not approve if the department head is an elected law enforcement official.
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

PROHIBITED ACTIONS AND SANCTIONS

It is a violation of this policy to engage in any act of workplace violence, except for law enforcement personnel as authorized by law and within the confines of the Law Enforcement agency policies. Any person who, in the opinion of the immediate supervisor, poses a threat to himself or others shall be removed from the premises and shall remain off the County's premises pending the outcome of an investigation. Such removal of any employee will be immediately reviewed by the County's Administrator, and the Human Resources Director. The County will initiate an appropriate response which may include, but is not limited to, reassignment of job duties, suspension or termination of employment, suspension and/or termination of any business relationship, and/or criminal prosecution of the person or persons involved.

Prevention

The County supports the prevention of workplace violence. Prevention efforts include, but are not limited to, informing employees of this policy, instructing employees regarding the dangers of

workplace violence, communicating the sanctions imposed for violating this policy and providing a reporting procedure to report incidents of violence without fear of reprisal.

Hiring

The Human Resources Department takes reasonable measures to conduct background investigations to review candidates' backgrounds and to reduce the risk of hiring individuals with a history of violent behavior.

EMPLOYEE RESPONSIBILITY

Any employee having knowledge of a threat or incident of workplace violence involving any other employee (as victim or perpetrator) must report such an act to a supervisor immediately. If the supervisor is either the victim or perpetrator of the violent act or threat of violence, the employee must report the incident to another manager or to Human Resources immediately.

Disciplinary action may result if the employee having knowledge of a suspected violent act fails to report the episode. All employees who apply for or obtain a protective or restraining order which lists the County's property or County's facilities as being protected areas must provide this information to the Director of his/her Department. The Director must report this information to the Director of Human Resources. The County and its employees shall cooperate fully with police and other law enforcement officials in the investigation and prosecution of violent acts unless Constitutional or statutory protections protect the employee from cooperation. The County understands the sensitivity and confidentiality of the information that may be requested, and recognizes and will respect the privacy of the reporting employee(s) to the extent authorized by law.

All employees should openly communicate with each other to be aware of any unusual activity that may identify the potential for or actual occurrence of workplace violence. Although Grand Traverse County does not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform the HR department if any employee exhibits behavior that could be a sign of a potentially dangerous situation. Such behavior includes:

- Discussing weapons or bringing them to the workplace.
- Displaying overt signs of extreme stress, resentment, hostility or anger.
- Making threatening remarks.
- Showing sudden or significant deterioration of performance.
- Displaying irrational or inappropriate behavior.

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Any person engaged in suspected criminal acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

Recommendations for improved safety often come from employees. These suggestions are encouraged and may be channeled through supervisors or the Human Resources Department.

IMPLEMENTATION

Managing a Potentially Violent Situation:

Non law-enforcement employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Such employees should remain calm, make

constant eye contact and talk to the individual. If a supervisor can be safely notified of the need for assistance without endangering the safety of such an employee or others, such notice should be given. Otherwise, such employees should cooperate and follow the instructions given. Such non-law enforcement employees are expected to assist the general public and fellow employees in a courteous manner, but not subject themselves to abusive conduct if confronted by:

A distraught, harassing or abusively angry person:

If a person becomes angry or abusive, such employee should courteously attempt to calm the person down. If that does not work, such employee shall ask a supervisor to intervene. The supervisor shall attempt to calm the person, inform them that they cannot serve the individual if they do not calm down, and be alert for potential danger to staff and others.

A person threatening bodily harm:

If a non-law enforcement employee feels that he/she or another person is threatened, and in danger of imminent bodily harm:

- The employee should attempt to leave the scene, if it can be done safely.
- 911 should be called as soon as it can be done safely.
- If the supervisor is not aware of the situation, the employee must notify him/her as soon as it can be done safely.

Law enforcement employees shall comply with their departmental policies regarding potentially violent situations.

REPORTING INCIDENTS - INTERNAL AND EXTERNAL

Each incident of violent behavior, whether committed by another employee or an external individual, must be reported to a Department Director or, if observed by law enforcement personnel, reported in compliance with departmental policy and state law. The Department Director will assess and investigate the incident and determine the appropriate action to be taken. The Human Resources Director must be informed of all reported incidents of workplace violence.

Under no circumstances will an employee be penalized for reporting what the employee believes in good faith to be workplace violence under this policy. If any employee believes that he/she are being retaliated against for reporting workplace violence, he/she should report such conduct immediately to his/her direct supervisor, department head, or County Administrator. He or she also must notify the Human Resources Director.

CRISIS MANAGEMENT TEAM

The Crisis Management Team may consist of the County Administrator, Human Resources Director, Under Sheriff, Health Officer, Prosecuting Attorney, and others as deemed necessary. The Crisis Management Team is responsible for the following:

- Evaluating potential violence problems.
- Assessing an employee's fitness for duty (through medical and/or mental health professionals).
- Selecting intervention techniques.
- Establishing a plan for the protection of co-workers and other potential targets.
- Coordinating with victims, families, other employees, media, and law enforcement personnel.
- Referring victims for appropriate assistance, including counseling.

Where the Crisis Management Team cannot be promptly convened as required, the County Administrator and/or Human Resources Director may act for the committee. Their actions will be

reported to the full committee as soon as practical.

WEAPONS

Employees who do not have prior express authorization from the County Administrator (or his or her department head if that department head is an elected law enforcement official) may not, at any time while in the course of that employee's employment and on any property owned, leased or controlled by Grand Traverse County, including anywhere that County business is conducted, such as County event venues, and so forth, possess or use any weapon.

Weapons include, but are not limited to: guns, knives or swords with blades over four inches in length, explosives, and any chemical whose purpose is to cause harm to another person. Regardless of whether an employee possesses a concealed weapons permit (CPL) or is allowed by law to possess a weapon, weapons are prohibited on any County property without the above-defined express prior approval. They are also banned in any location in which the employee represents the County for business purposes, including those listed above, without the above-defined express prior approval.

When County Administrator express approval is required, possession of a weapon can be authorized to allow security personnel or a trained employee to have a weapon on County property when this possession is determined necessary to secure the safety and security of County employees. When County Administrator express approval is required, only the County Administrator or his or her designee may authorize the carrying of or use of a weapon.

Employees who violate this policy will be subject to disciplinary actions, up to and including employment termination.

Definitions

Workplace violence can include but need not be limited to: harassment, horseplay, threats, physical attacks or property damage.

A **threat** is the expression of intent to cause physical or mental harm. An expression constitutes a threat without regard as to whether the party communicating the threat has the present ability to carry it out and without regard as to whether the expression is contingent, conditional or future.

Physical attack is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, biting, spitting, and throwing objects.

Property damage is intentional damage to property which includes property owned by the County, employees, visitors, or vendors.

Note: This policy may differ for those employees who are members of recognized unions, organizations, or associations. Any questions related to the content of this policy, or its interpretation, should be directed to Human Resources.