BOBBY JINDAL
GOVERNOR

ANGELE DAVIS
COMMISSIONER OF ADMINISTRATION

State of Louisiana

Division of Administration
Office of Human Resources

DIVISION OF ADMINISTRATION

PERSONNEL POLICY NO. 93

EFFECTIVE DATE: **January 1, 1998**

REVISED DATE: **August 20, 1998; April 9, 2010**

SUBJECT: **Workplace Violence**

AUTHORIZATION: **Barbara Goodson, Deputy Commissioner**

I. POLICY:

The Division of Administration (DOA) is committed to achieving and maintaining a violence-free workplace for its employees and those conducting business at its worksites. The DOA will take every reasonable step to create a safe and secure work environment free of violence, aggressive acts, verbal and non-verbal threatening behavior and harassment toward or by its employees or the public they serve.

Any employee who commits an act of workplace violence, makes a credible threat, or engages in assault or battery on another employee shall be subject to disciplinary action, up to and including termination.

II. PURPOSE:

To promote a positive, respectful and safe work environment that fosters employees' productivity, safety and security.

To inform all employees of their responsibilities to keep our facilities free of violence.

To set into place a plan for quickly responding to violence if it does occur.

III. APPLICABILITY:

This policy applies to all employees of the Division of Administration in all sections, both general and ancillary appropriations.

IV. DEFINITIONS:

A. Assault: an attempt to commit a battery, or the intentional placing of another in reasonable apprehension of receiving a battery.

B. Battery: the intentional use of force or violence upon another; or the intentional administration of a poison or other noxious substance to another.

C. Credible Threat: a statement or action that would cause a reasonable person to fear for the safety of himself or that of another person and does, in fact, cause such fear.

D. Violence: the commission of an assault or battery or the making of a credible threat. In this context, an unwarranted exertion of force or power, including any intentional actions or words meant to embarrass, ridicule, degrade or provoke another that results in physical or emotional injury to that person or any verbal, physical, or psychological threat or assault on an individual intended to cause, or actually resulting in, physical and/or psychological damage. Such behavior includes but is not limited to:

- Unwelcome name-calling, obscene language, and other abusive behavior.
- Intimidation through direct or veiled threats.
- Physically touching another individual in an intimidating, malicious, or sexually harassing manner.
- Physically intimidating others including such acts as obscene gestures, "getting in your face," fist-shaking, and throwing any object.

E. Workplace (or worksite): any site where an employee is placed for the purpose of completing job assignments, inclusive of facilities surrounding properties and parking garages.

F. Workplace violence: violence that takes place in or at the workplace. Workplace violence can be inflicted by an abusive employee, a manager, supervisor, co-worker, customer, family member, or even a stranger.

V. PROCEDURE:

A. <u>Incident Response and Evaluation</u>

1. All threats of violence should be taken seriously when received. An employee is encouraged to report incidents whenever he feels threatened. An employee who has been threatened or assaulted by another at the workplace will immediately report the situation to his immediate or on-site supervisor, if possible, or the Human Resources Director, Employee

Relations Supervisor, or Appointing Authority. The supervisor to whom the incident is reported will immediately notify the Human Resources Director, Employee Relations Supervisor, or Appointing Authority. The supervisor is responsible for notifying the Section Head, as soon as the situation allows.

2. At the time an act of violence occurs, the following guidelines should be followed by those witnessing the act or able to take action:

   a. The situation <u>is not</u> dangerous:

      (1) Separate the individuals involved and isolate until they are interviewed and their statements are taken.

      (2) Separate witnesses until they are interviewed and their statements are taken.

      (3) Document all actions and statements.

   b. The situation <u>is</u> dangerous:

      (1) Contact local police or your building security.

      (2) Order all those presenting the danger to leave the facility immediately (unless this actions must be taken by police/security).

      (3) Do not attempt to physically remove an individual (leave it to the police/security).

      (4) Document all actions and statements.

3. The DOA will provide assistance for victimized employees and employees who may be affected by witnessing a workplace violence incident. Whenever an incident takes place, injured employees will receive appropriate medical treatment and psychological evaluation as necessary, in accordance with existing statutes.

B. <u>Communication</u>

1. The DOA supports an open communication process among all employees on the issues of employee safety, security and health in the workplace. This process includes, but is not limited to:

   a. periodic review of this policy with all employees;

b. discussions of violence prevention in the workplace during scheduled safety meetings;

c. posting or distributing information on preventing violence in the workplace; and

d. procedures to inform supervisors about responding to violence in the workplace, hazards, or threats of violence.

2. Every DOA supervisor shall treat reports with sensitivity and discretion and maintain confidentiality to the extent possible.

VI. RESPONSIBILITY:

Deputy/Assistant Commissioners and equivalent are responsible for:

Holding section heads under their supervision accountable for adhering to all aspects of this policy.

Section Heads are responsible for:

Ensuring that each employee under his supervision is made aware of this policy and its contents.

Complying with federal and state statues, rules, regulations and/or guidelines regarding this policy.

Promoting a safe and violence-free work environment and reporting incidents that threaten an employee's safety to the Office of Human Resource or the Appointing Authority.

Posting the local police and building security telephone numbers in an area that is accessible to employees in his section.

Supervisors are responsible for:

Complying with this policy in any fashion instructed by the section head.

Promoting a safe and violence-free work environment and reporting incidents that threaten an employee's safety to the Office of Human Resource, Appointing Authority, and also to the Supervisor's Section Head.

Treating workplace violence incidents, complaints and concerns seriously.

Every DOA supervisor shall treat reports with sensitivity and discretion and maintain confidentiality to the extent possible.

Employees are responsible for:

Adhering to all aspects of this policy.

Reporting to his immediate or on-site supervisor all threats or assaults made towards him by another individual at the workplace.

Reporting to his immediate or on-site supervisor all incidents of violent or inappropriate behaviors in the workplace which he observes or of which he is informed.

Office of Human Resources is responsible for:

Ensuring that this policy and subsequent revisions are provided to section heads.

Keeping confidential all reports and the identification of parties, except to those who have a legitimate need to know and to the extent required by law.

Performing investigations and trainings on this policy.

VII. QUESTIONS:

Questions regarding this policy should be directed to the Office of Human Resources.

VIII. VIOLATIONS:

Failure to comply with this policy will result in disciplinary action, up to and including termination.