

SOUTH CAROLINA DEPARTMENT OF ADMINISTRATION WORKPLACE VIOLENCE POLICY

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Purpose

Compliance with the Federal Occupational Safety and Health Act of 1970 requires an employer to furnish every employee a safe and healthy work environment. The purpose of this policy is to define workplace violence and help ensure that all employees are provided a work environment free from violence.

Introduction

It is the policy of the Department of Administration (“Admin”) to have zero tolerance regarding acts or threats of violence in the workplace. This includes violence committed or threatened by or against Admin employees or members of the public. Acts of violence in the workplace must be investigated and dealt with accordingly, which may include disciplinary action and notification of law enforcement personnel for determination of arrest and prosecution.

Admin’s most important defense in preventing workplace violence is to combine preventive practices with clear policies for acting upon incidents of violence. Admin has protocols and procedures in place to address potential situations before they erupt into violence, and to deal with incidents when they occur.

Decisions regarding the appropriate response to instances of workplace violence are made on a case-by-case basis. However, actions which may constitute a crime or emergency should be reported to law enforcement. **AN EMPLOYEE IN IMMEDIATE DANGER SHOULD CONTACT 911.**

Types of Violence

All forms of workplace violence are prohibited. These include, but are not limited to, the following four types of violence committed by or against Admin employees or members of the public in the workplace, on-duty but off-site, or by using state resources:

- Physical – the use of force in order to harm;
- Threat – a communicated intent to inflict harm or loss on a person or on a person’s

property;

- Harassment – substantial and unreasonable words, gestures, or actions that are intended to frighten, alarm, or abuse another person or that would cause a reasonable person mental or emotional distress; and
- Property Damage – intentional damage to property owned or leased by the state, employees, visitors, or vendors.

Prohibited Conduct

Admin prohibits conduct which can contribute to an offensive work environment. This conduct includes, but is not limited to:

- Verbal Harassment
 - Verbal threats, suggestions or otherwise imitating an act to injure/harm persons or property.
 - Vulgar or profane language toward others.
 - Disparaging or derogatory comments or slurs.
 - Offensive flirtations and propositions.
 - Verbal intimidation, exaggerated criticism or name calling. (This includes physical and verbal threats or gestures reasonably perceived to harm another individual or endanger the safety of an individual.)
 - Harassing or threatening telephone calls, sending letters or other forms of written or electronic communications.
- Physical Harassment
 - Any physical assault such as hitting, pushing, kicking, holding, impeding, or blocking the movement of another person.
 - Harassing surveillance (stalking) which is the willful, malicious and repeated following of another person and/or making a threat with intent to place the other person in reasonable fear of his/her safety.

Restraining Order

An employee who is a perpetrator of violent or criminal behavior, and is the subject of a restraining order which affects the workplace or the employee's ability to perform job duties, must report the restraining order to Admin's Office of Administrative Services-Human Resources, on the first working day after issuance of the order. Failure to report may result in disciplinary action, up to, and including termination.

Prohibited Items

Weapons of any kind (firearms; knives; dangerous chemicals; explosives or blasting caps; chains; clubs; and other objects carried for the purpose of injury or intimidation) shall not be allowed on Admin premises or in the possession of an employee during work time, except when permitted by Admin in order to perform job duties.

Reporting

The following steps should be taken once a potential threat is identified or a violent act is committed:

- If the act constitutes a severe emergency, call 911, or appropriate emergency contact, before calling the designated officials. (*Please note: Designated officials should be notified as soon as practical.*) Designated officials include the employee's supervisor(s) and the Office of Administrative Services-Human Resources.
- Employees who experience or witness non-emergency actions prohibited by agency policy must immediately contact his or her supervisor/manager or the Office of Administrative Services-Human Resources. Human Resources staff will in turn determine if it is necessary to contact the appropriate law enforcement agency or the Bureau of Protective Services (BPS) if they have jurisdiction.
- Any supervisor, manager or the Office of Administrative Services-Human Resources representative receiving a complaint of violence, threats, or harassment, or who has reason to suspect that these acts or behaviors are occurring, must notify the Office of Administrative Services-Human Resources Director or designee immediately.
- Upon being informed of an allegation of violence, threat, or harassment, the staff of the Office of Administrative Services-Human Resources, appropriate law enforcement, or other designated officials will investigate the matter. Upon the conclusion of the investigation, Admin will determine how to respond. The Executive Director, or designee, in consultation with the Office/Division Director and the Office of Administrative Services-Human Resources Director or designee, will determine a course of action up to and including termination. The course of action may also include notification of law enforcement authorities to determine if arrest and prosecution is appropriate. The reporting employee will be notified of the outcome of the investigation.
- Supervisors may, in extreme cases, find it necessary to take immediate action if the employee is involved in behavior that seriously endangers the safety of other persons or property.

- If the employee's behavior could potentially harm others and the employee is on State premises, the employee may be required to leave the State property at once. The employee should be suspended without pay and, if necessary, instructed not to return to Admin property until otherwise instructed by the supervisor or other designated official. This directive should be followed by written notification coordinated through the Office of Administrative Services-Human Resources.
- If an employee who is the subject of a workplace violence investigation is not at work, and it becomes necessary to suspend the employee pending the outcome of the investigation, the employee should be notified by telephone not to report to work and, if necessary, instructed not to return to Admin property until further notice. The phone conversation with the employee should be followed with written notification. If the employee is not contacted by phone, written notification should be sent via certified mail. Appropriate agency security should be informed of the action to ensure the employee does not attempt to return to the workplace. State property should be confiscated and information access revoked as appropriate.

Threat Management Response

Admin is prepared to respond to threats and acts of violence, including answering calls when acts of violence or threats are made, investigating incidents, determining a course of action, debriefing affected employees, offering assistance, and dealing with the media and the public.

- **Post-Trauma Crisis Management**

Long-term problems can develop if post-traumatic consequences are not managed. It is important to address these as soon as possible following an act of violence. The following may be implemented during post-trauma crisis management to assist those who have been harmed:

- Contact family members as soon as possible, as appropriate.
- Demonstrate concern and care for those who have been harmed.
- Set up meetings with those who are affected on a regular basis to debrief them on issues related to the event.
- Open up communication channels and control rumors.
- Determine personnel and business requirements in order to restore Admin back to normal as soon as possible.
- Support employees by discussing the steps necessary to get back to normal.
- Arrange for the post-trauma team to return to the workplace on a periodic basis to counsel and debrief employees.

Recordkeeping/Evaluation

Admin will keep records tracking threats and acts of violence and reports on Admin efforts to prevent and address any threats or acts of violence. Records will be reviewed periodically by Admin's leadership in order to develop strategies to prevent workplace violence and to enhance prevention efforts. These records should include:

- Date of the incident.
- Name of the person(s) reporting the incident, their title, work location, and phone number.
- Name of the victim or target of the threat.
- Name and work location.
- Names of witnesses.
- Signed statements from witnesses.
- Detailed summary of the incident.
- Background of perpetrator, employment status, history, etc.