



Virginia Department of Corrections

Human Resources

Operating Procedure 135.5

Workplace Violence

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None

Content Owner: Luke E. Black
Assistant Director of Human Resources

Signature Copy on File

9/15/23

Signature

Date

Reviewer: Lucinda Childs-White
Director of Human Resources

Signature Copy on File

9/25/23

Signature

Date

Signatory: Joseph W. Walters
Deputy Director for Administration

Signature Copy on File

9/28/23

Signature

Date

REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, American Correctional Association (ACA) standards, Prison Rape Elimination Act (PREA) standards, and DOC directives and operating procedures.

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DEFINITIONS

Safety Management Plan - An immediate, but temporary plan developed by a Unit Head to protect an employee upon receiving a report of a potential workplace threat; the plan may include changing work hours and/or work assignments and/or approval of the employee's leave.

Third Party - Individuals who are not state employees, but who have business interactions with state employees (i.e., volunteers, contractors, vendors, and customers, including applicants for state employment or services).

Workplace - Any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, buildings and surrounding perimeters, including the parking lots, field locations, alternate work locations, and travel to/from work assignments.

Workplace Violence - Any physical assault, threatening behavior, abuse or other conduct that creates or has the potential to create a reasonable fear of injury for another person, which occurs in the workplace by employees or third parties; it includes, but is not limited to beating, stabbing, suicide, shooting, rape, attempted suicide, attempted rape, psychological trauma such as threats, coercion, stalking, obscene phone calls and/or electronic communications via the Internet, cell phones, or other devices (e.g., emails, Instant Messages (IMs), text messages, blogs, pictures, videos, postings on social media, etc.).

PURPOSE

This operating procedure establishes rules of conduct prohibiting intimidation, harassment, threats, or actual violence in workplace areas under the authority of the Virginia Department of Corrections (DOC).

PROCEDURE

I. General Conduct

- A. The DOC will provide a safe, secure, and healing work environment free from violence or threats of violence. Prompt involvement of appropriate supervisors and managers is critical to ensure reasonable precautions will be taken to eliminate or minimize the risks of workplace violence.
- B. All employees and third parties will always be treated with courtesy and respect.
- C. Employees are expected to refrain from fighting, "horseplay", and any other conduct that could endanger the safety of others in the workplace.
- D. Prohibited conduct includes, but is not limited to:
 - 1. Injuring another person physically.
 - 2. Engaging in behavior that creates a reasonable fear of injury to another person.
 - 3. Engaging in behavior that subjects another individual to extreme emotional distress.
 - 4. Possessing, brandishing, or using a weapon or explosive device to threaten, coerce, or intimidate an employee or others while on state premises or engaged in state business.
 - a. DOC personnel required by their job duties, and specifically authorized to possess or use weapons, may do so under specifically defined circumstances.
 - b. The use of weapons or explosive devices is clearly defined in appropriate operating procedures.
 - 5. Intentionally damaging property.
 - 6. Threatening to injure an individual or to damage property.
 - 7. Committing injurious acts motivated by, or related to, domestic violence or sexual harassment.
 - 8. Using DOC resources to intimidate, threaten, stalk, or harass anyone at or outside the workplace.
 - 9. Retaliating against any employee who, in good faith, reports a violation, aids an employee in reporting a violation, or participates in an investigation into a violation of this operating procedure.

II. Procedure Violations

- A. Employees violating these procedures will be subject to disciplinary action under Operating Procedure 135.1, *Standards of Conduct* up to and including termination, and may include criminal prosecution, based on the situation.
- B. Violent or inappropriate acts of employees occurring outside the workplace may be grounds for disciplinary action, up to and including termination. Circumstances must reflect that the violent or inappropriate conduct adversely impacts the employee's ability to perform their assigned duties and responsibilities, or that the conduct undermines the DOC's mission or reputation, or the employee's ability to perform their job duties.
- C. To maintain workplace safety and the integrity of an investigation, DOC may immediately remove employees suspected of workplace violence or threats of violence using the provisions outlined in Operating Procedure 135.1, *Standards of Conduct*.

III. Reporting Workplace Violence

- A. All employees have a responsibility to establish and maintain a work environment that promotes



professionalism and is free from workplace violence.

1. This responsibility includes promptly reporting behaviors, incidents, or threats of violence in violation of this operating procedure to appropriate supervisors and managers.
 2. All reported behaviors, incidents, or threats of violence should be immediately investigated.
- B. An employee who is subjected to workplace violence will immediately notify their supervisor, Unit Head, or the Special Investigations Unit.
- C. Employees must promptly inform their Human Resource department of any protective or restraining order that they have obtained that lists the workplace as a protected area.
- D. Employees observing another employee or third party physically injuring another person; possessing, brandishing, or using a weapon that is not required by the individual's position, or in a manner not consistent with policy or procedure, while on state premises or engaged in state business; damaging property; or threatening to injure another person or to damage property must *immediately* report the incident to their supervisor, Unit Head, or the Special Investigations Unit.
- E. Any person receiving a threat of workplace violence should see Operating Procedure 075.1, *Emergency Operations Plan Attachment 1, Critical Incident Initial Response Checklist* and:
1. Remain calm.
 2. Maintain personal safety.
 3. Observe and listen carefully.
 4. Take notes.
 5. Gather as much information as possible.
 6. Immediately notify their supervisor.
- F. The supervisor to whom an employee reports workplace violence or threat will initially assess the situation, immediately inform the Unit Head, and document information provided by the employee.
- G. The Unit Head or designee will promptly determine the need to implement a Safety Management Plan and notify the Special Investigations Unit regarding all reported acts or threats of workplace violence by employees or third parties. After the situation ends, report the incident in accordance with Operating Procedure 038.1, *Reporting Serious or Unusual Incidents. Report of Workplace Violence 135_F7* may be used to report incidents of workplace violence to the Special Investigations Unit.
- H. Every effort will be made to ensure that the source of workplace violence reports remain confidential. The Director or designee and the Chief of the Special Investigations Unit will determine appropriate actions to be taken in accordance with Operating Procedure 030.4, *Special Investigations Unit*.

IV. Training and Education

- A. The Academy for Staff Development should provide periodic training for:
1. Supervisors and managers - to enable them to recognize conditions that may contribute to workplace violence and to properly address and respond to these situations.
 2. Employees - to enable them to recognize and respond appropriately to potential violence or violent situations in the workplace.
- B. The DOC and facility Human Resource Offices will provide educational information about resources and services available to employees, e.g. *Employee Assistance Program, Department of Human Resource Management, DOC Critical Incident Peer Support (CIPS) Team*; see Operating Procedure 075.7, *Critical Incident Peer Support Team*, referrals for anger management concerns, mental health challenges, etc., in response to workplace violence and the potential for domestic violence to enter the workplace.



V. Support Services

- A. The DOC's Human Resources Office will work in conjunction with the Special Investigations Unit to establish relationships with appropriate supportive services that may be contacted in response to workplace violence, to include the *Employee Assistance Program*, the *Department of Human Resource Management*, the *DOC Critical Incident Peer Support (CIPS) Team*, or local and state law enforcement agencies; see also Operating Procedure 150.5, *Employee Wellness*. The DOC has developed an information sheet that provides basic information about the topic of workplace violence and what to do in case such incidents occur within work units; see Attachment 1, *Violence in the Workplace*.
- B. All DOC employees who respond to a report or incident will treat the employee who reports or has been the target of workplace violence with dignity, respect, and empathy. The employee's safety and well-being will be of paramount importance.
- C. DOC employees responding to reports of workplace violence will take immediate precautions to ensure the safety of the target, other employees, third parties, inmates, and other personnel in the workplace.

VI. Records Maintenance

- A. The Special Investigations Unit will maintain records of threats and incidents committed against employees.
- B. The DOC and facility Human Resource Offices will maintain records of disciplinary actions taken as the result of workplace violence by employees.
- C. Access to these records must be in compliance with applicable DOC and State Procedures.

REFERENCES

[DHRM Policy 1.60, *Standards of Conduct*](#)

[DHRM Policy 2.35, *Civility in the Workplace*](#)

Operating Procedure 030.4, *Special Investigations Unit*

Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*

Operating Procedure 075.1, *Emergency Operations Plan*

Operating Procedure 075.7, *Critical Incident Peer Support Team*

Operating Procedure 135.1, *Standards of Conduct*

Operating Procedure 150.5, *Employee Wellness*

ATTACHMENTS

Attachment 1, *Violence in the Workplace*

FORM CITATIONS

Report of Workplace Violence 135_F7

