



# Operating Procedure

<b>Effective Date</b> December 1, 2017	<b>Number</b> 135.5
<b>Amended</b> 5/1/19	<b>Operating Level</b> Department
<b>Supersedes</b> Operating Procedure 135.5	
<b>Authority</b> COV §2.2-2900 et seq.; 53.1-10	
<b>ACA/PREA Standards</b> None	
<b>Office of Primary Responsibility</b> Human Resources Director	

**Subject**

**WORKPLACE VIOLENCE**

**Incarcerated Offender Access**  
Yes  No

**Public Access** Yes  No   
**Attachments** Yes  #1 No

**I. PURPOSE**

This operating procedure establishes rules of conduct prohibiting violence in workplace areas under the authority of the Virginia Department of Corrections.

**II. COMPLIANCE**

This operating procedure applies to all units operated by the Department of Corrections (DOC). Practices and procedures shall comply with applicable State and Federal laws and regulations, Board of Corrections policies and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

**III. 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 Parties** - Individuals who are not state employees, including but not limited to contractors, vendors visitors, relatives, acquaintances, or strangers.

**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, obscene phone calls and/or electronic communications via the Internet, cell phones, or other devices (e.g., e-mails, IMs, text messages, blogs, pictures, videos, postings on social media, etc.).

**IV. PROCEDURE**

**A. General Conduct**

1. The Department of Corrections (DOC) shall 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.
2. Prohibited conduct includes, but is not limited to:
  - a. Injuring another person physically
  - b. Engaging in behavior that creates a reasonable fear of injury to another person
  - c. Engaging in behavior that subjects another individual to extreme emotional distress
  - d. 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
    - i. Department of Corrections personnel required by their job duties, and specifically authorized to

possess or use weapons, may do so under specifically defined circumstances.

- ii. The use of weapons or explosive devices is clearly defined in appropriate operating procedures.
- e. Intentionally damaging property
- f. Threatening to injure an individual or to damage property
- g. Committing injurious acts motivated by, or related to, domestic violence or sexual harassment
- h. 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

#### B. Procedure Violations

1. Employees violating these procedures will be subject to disciplinary action under Operating Procedure 135.1, *Standards of Conduct*, up to and including termination and, based on the situation, may include criminal prosecution.
2. 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 effectiveness of the DOC's activities.

#### C. Reporting Workplace Violence

1. All employees have a responsibility to establish and maintain a work environment that promotes professionalism and is free from workplace violence.
  - a. This responsibility includes promptly reporting behaviors, incidents, or threats of violence in violation of this operating procedure to appropriate supervisors and managers.
  - b. All reported behaviors, incidents, or threats of violence should be immediately investigated.
2. An employee who is subjected to workplace violence shall immediately notify his or her supervisor, Unit Head, or the Special Investigations Unit.
3. 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.
4. Any person receiving a threat of workplace violence should: (see *Threat Situation Checklist*, Operating Procedure 075.1, *Emergency Operations Plan*)
  - a. Remain calm
  - b. Maintain personal safety
  - c. Observe and listen carefully
  - d. Take notes
  - e. Gather as much information as possible
  - f. Immediately notify their supervisor
5. The supervisor to whom an employee reports workplace violence or threat shall initially assess the situation, immediately inform the Unit Head, and document information provided by the employee.
6. 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. [Report of Workplace Violence](#) 135\_F7 may be used to report incidents of workplace violence to the Special Investigations Unit.
7. Every effort shall be made to ensure that the source of workplace violence reports remain confidential. The DOC Director or designee and the Chief of the Special Investigations Unit shall determine appropriate actions to be taken in accordance with Operating Procedure 030.4, *Special Investigations Unit*.

#### D. Training and Education

1. The Academy for Staff Development should provide periodic training for:
  - a. Supervisors and managers - to enable them to recognize conditions that may contribute to workplace violence and to properly address and respond to these situations
  - b. Employees - to enable them to recognize and respond appropriately to potential violence or violent situations in the workplace
2. The DOC and facility Human Resource Offices shall 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](#), referrals for anger management concerns, mental health challenges, etc.) in response to workplace violence and the potential for domestic violence to enter the workplace.

#### E. Support Services

1. 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. The Department of Corrections 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*)
2. 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.
3. DOC staff responding to reports of workplace violence will take immediate precautions to ensure the safety of the target, other employees, third parties, offenders, and other personnel in the workplace.

#### F. Records Maintenance

1. The Special Investigations Unit will maintain records of threats and incidents committed against employees. These records will be shared with the *Safe Workplace Program Coordinator*
2. The DOC and facility Human Resource Offices will maintain records of disciplinary actions taken as the result of workplace violence by employees. These records will be shared with the *Safe Workplace Program Coordinator*.
3. Access to these records must be in compliance with applicable DOC and State Procedures.

#### V. REFERENCES

Department of Human Resource Management Policy 2.35, *Civility in the Workplace*  
Operating Procedure 030.4, *Special Investigations Unit*  
Operating Procedure 075.1, *Emergency Operations Plan*  
Operating Procedure 135.1, *Standards of Conduct*

#### VI. FORM CITATIONS

[Report of Workplace Violence](#) 135\_F7

#### VII. REVIEW DATE

The office of primary responsibility shall review this operating procedure annually and re-write it no later than three years after the effective date.

*The office of primary responsibility reviewed this operating procedure in December 2018 and necessary changes have been made.*

*Signature Copy on File*

*10/11/17*

N. H. Scott, Deputy Director for Administration

Date