

4.29 Workplace Violence Prevention Guidelines	
Application: To All Department of Children's Services Employees	
Authority: TCA 37-5-105, 37-5-106, 39-17-1313, 39-17-1350, 39-17-1359	Standards: COA: ASE 6.01; 7.02
Commissioner:	Date:
Original Effective Date: 12/01/07 Current Effective Date: 05/25/18	Supersedes: DCS 4.29 11/21/17 Last Review Date: 05/25/18
Glossary: <ul style="list-style-type: none"> ◆ Threats or Acts of Violence: <ul style="list-style-type: none"> ○ Threats or acts of violence include conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the conditions of state employment, or to create a hostile, abusive, or intimidating work environment for one or more employees. ◆ Weapon: <ul style="list-style-type: none"> ○ Any tool (as defined in TCA 39-17-1301) used to kill, maim, destroy or perhaps simply disable a person or animal. An instrument of offensive or defensive combat. ◆ Workplace violence: <ul style="list-style-type: none"> ○ The Occupational, Safety, and Health Administration (OSHA) define workplace violence as violence or the threat of violence against workers. It can occur at or outside the workplace and ranges from threats, verbal abuse, and bullying to physical assaults and homicide - the latter being one of the leading causes of job-related deaths. 	

Policy Statement:

The Department of Children's Services (DCS) shall provide and maintain a workplace environment that is safe, secure and free of harassment, threats, intimidation, and violence.

Purpose:

To provide guidelines to ensure the safety of DCS employees and persons and to recognize that potential workplace violence is a growing problem that must be addressed to prevent workplace violence from occurring and set forth guidelines for when such violence may occur.

Procedures:**A. Definition of workplace violence**

Prohibited workplace violence includes, but is not limited to, the following:

1. All threats or acts of violence occurring on state property, regardless of the relationship between the state and the individual involved in the incident.
2. All threats or acts of violence not occurring on state property, but involving someone who is acting in the capacity of a representative of DCS.
3. All threats or acts of violence not occurring on state property, but involving an employee of DCS if the threats or acts of violence affect the legitimate interests of the state.
4. All threats or acts of violence resulting in the conviction, under any criminal code provision, of an employee or agent of DCS, or of an individual performing services on the department's behalf on a contract or temporary basis, relating to threats or acts of violence that adversely affect the legitimate interests of the state.

B. Classifications of workplace violence

Listed below are general classifications of workplace violence:

1. **Type I – Criminal Intent**
 - a) Perpetrator has no legitimate relationship to the agency/organization or its employees.
 - b) A crime is usually being committed in conjunction with the violence.
 - ◆ Examples include but are not limited to: Robbery, shoplifting, criminal trespassing.
2. **Type II – Customer/Client**
 - a) The perpetrator has a legitimate relationship with the agency/ organization, such as the recipient or object of services provided by the affected workplace or victim.
 - b) This category includes but is not limited to: customers, clients, patients, students, inmates.
3. **Type III – Worker on Worker**
 - a) The perpetrator is an employee or past employee of the agency/ organization who attacks or threatens past or present employees.
 - b) May be seeking revenge for what is perceived as unfair treatment.
 - c) Includes but is not limited to: employees, supervisors and managers.
4. **Type IV – Personal Relationship**

- a) The perpetrator usually does not have a legitimate relationship with the agency/organization, but has or has had a personal relationship with the intended victim.
- b) May involve a current or former spouse, lover, relative, friend, or acquaintance.
- c) May involve domestic violence carried out at the workplace.
- d) The perpetrator may be motivated by perceived difficulties in the relationship or by psychosocial factors that are specific to the perpetrator.

C. Warning signs, symptoms and risk factors

Incidents of workplace violence are often culminating events that have been brewing over a period of time and eventually the underlying anger explodes. An employee's spouse or significant other, intent upon inflicting damage, may perpetrate the violence. Other disgruntled or grudge-bearing individuals may also pose a possible threat.

1. Examples of warning signs, symptoms, and risk factors which may indicate any person's potential for workplace violence may include, but not be limited to:
 - a) Bringing firearms or other weapons to work;
 - b) Making inappropriate references to guns and weapons;
 - c) Making threats or idle threats about using a weapon to harm someone;
 - d) Making inappropriate statements of violence directed toward a particular person;
 - e) Keeping records of other employees the individual believes to have violated departmental policy when the individual is not in any supervisory role, or keeping records of persons the individual has a grudge against;
 - f) Acting out either verbally or physically (intimidating, harassing, bullying, or exhibiting belligerent or other inappropriate or aggressive behavior);
 - g) Aggressively speaking or acting out which could be done by employees, clients, former employees or visitors;
 - h) Numerous conflicts with clients, co-workers, or supervisors;
 - i) Episodes of domestic violence or an unstable/dysfunctional family history;
 - j) Use of illegal drugs or excessive use of alcohol;
 - k) Any of the behaviors or a combination of the behaviors below that may impede job performance or achievement:
 - ◆ Paranoid personality and thinking;
 - ◆ Extreme changes in normal behavior;
 - ◆ Increasingly depressed mood and withdrawal;
 - ◆ Noticeable decrease in attention to appearance and personal hygiene;
 - ◆ Unexplained and increased absenteeism;
 - ◆ Life stressors (divorce/separation, illness, helplessness, loss or control, isolation);

- ◆ Increased stress with the inability to cope with the increased pace of change or organizational change
- l) Additional risk factors for workplace violence may include, but are not limited to:
 - ◆ Working in public places where money is exchanged with the public;
 - ◆ Working alone or in small numbers;
 - ◆ Working late night or early morning;
 - ◆ Working in high crime areas;
 - ◆ Guarding valuable property or possessions; or
 - ◆ Working in community settings. Refer to **Safety Notice- Team Safety: Strategies for Workforce Safety and Access to 911** for tips to improve employee safety in a field environment.
- 2. Certain precipitating workplace actions and events that may also perpetuate workplace violence include, but are not limited to:
 - a) Terminations;
 - b) Downsizing;
 - c) Negative press conferences;
 - d) Disciplinary actions;
 - e) Harassment by co-workers or supervisor; and
 - f) Job changes
- 3. Supervisors should be alerted to and aware of these indicators. A combination of several of these risk factors and warning signs may signal cause for careful scrutiny and concern. If the person starts to act out, or if the behavior escalates or continues, the supervisor may consult with appropriate Senior Managers and/or Human Resources staff.

D. Examples of prohibited conduct

Specific examples of conduct that may be considered "threats or acts of violence" prohibited under this policy include, but are not limited to, the following:

- a) Hitting or shoving an individual or bullying;
- b) Threatening to harm an individual or his/her family, friends, associates, or their property;
- c) Intentionally destroying or threatening destruction of property owned, operated, or controlled by the state;
- d) Making harassing or threatening telephone calls, or sending harassing or threatening letters or other forms of written or electronic communications;
- e) Intimidating or attempting to coerce an employee to do wrongful acts, as defined by applicable law, administrative rule, policy, or work rule that would affect the business interests of the state;

- f) The willful, malicious, and repeated following of another person, also known as "stalking", or making a credible threat with intent to place the other person in reasonable fear for his or her safety. This also includes a domestic violence/stalking relationship that could surface at the workplace;
- g) Making a suggestion or otherwise hinting that an act to injure persons or property is "appropriate", without regard to the location where such suggestion or hint occurs;
- h) Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on state property (See *Section G below on Prohibition of Weapons*);

E. Management/ supervisory responsibilities in managing/ preventing workplace violence

There are three general approaches to managing/preventing workplace violence as outlined below:

1. Environmental approach

The environmental approach to ensuring a safe environment may include, but not be limited to the following:

- a) Ensuring adequate inside and outside lighting and other environmental safety precautions;
- b) Securing all entrances and exits;
- c) Use of security hardware (as appropriate) such as the examples listed below:
 - ◆ Turnstiles
 - ◆ Key cards
 - ◆ Smart cards
 - ◆ Security systems
- d) Physical barriers
- e) Use of sign-in/sign-out logs or other process for recording visitors and clients; and
- f) Designated meeting rooms/areas specifically for customers/clients

2. Administrative approach

- a) Each Regional Office and the Youth Development Center addresses workplace violence prevention in their **Emergency Response Plan** or **Contingency Plan** as required by DCS policies [29.5, Contingency Plans for a Youth Development Center](#) and [29.12, Emergency Response Preparedness Plans](#).
- b) Encourage use of the Employee Assistance Program.
- c) Other administrative approaches to managing/preventing workplace violence may include, but not be limited to the following:

- ◆ Develop safety and communication procedures for staff that work offsite (i.e., keep daily work plans/itineraries, schedules and an updated list of employee and volunteer phone numbers, maintain periodic contact throughout the work day, etc.). Refer to **Safety Notice-Team Safety: Strategies for Workforce Safety and Access to 911** for tips to improve employee safety in a field environment.
 - ◆ Recognize potentially dangerous situations ahead of time so back-up can be secured/started or a strategy implemented. Consider teaming with another employee when visiting unsafe areas.
 - ◆ Supply communication devices, as applicable (i.e., two-way radios; cell phones, etc.)
 - ◆ Encourage employees, visitors, and clients to follow all Standard Operating Procedures (SOP) specific to office/facility locations.
- d) Hiring and Termination Practices
- ◆ Hiring – ensure that all applications and resumes are thoroughly verified;
 - ◆ Conduct background checks; and
 - ◆ Termination - If anticipating the possibility of a violent response, plan out a script for the procedure and ensure another staff member is present.
3. Training
- ◆ All staff is trained to anticipate, recognize, and respond to conflict and potential violence in the workplace, in client's homes, and in the community. Refer to **Safety Notice- Team Safety: Strategies for Workforce Safety and Access to 911** for tips to improve employee safety in a field environment.

F. Reporting threats or acts of violence

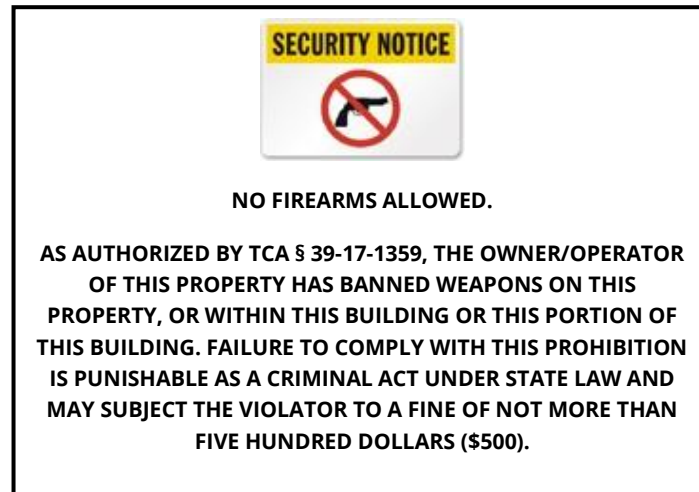
1. Each employee of DCS and every person on state property must report incidents of threats or acts of physical violence, of which he or she is aware, to his or her immediate supervisor.
2. If a workplace violence situation involves an injury that requires immediate medical attention, appropriate emergency responders must be alerted as outlined in the applicable office/facility ***Safety Plan, Emergency Response Preparedness Plan*** or ***YDC Contingency Plans***. All appropriate DCS notifications are made as outlined in each plan.
3. **Incident Reporting** – **All** incidents must be reported as follows:
 - a) DCS Regional and Field staff and contract providers (as applicable) report all incidents of threats or acts of violence on the appropriate incident reporting screen in TFACTS (or on form ***CS-0496, Incident Report*** web-based application (or on forms CS-0496, Serious Incident Report, when the web-based application is

in-operable. Refer to DCS Policy [1.4 Incident Reporting](#) for additional incident reporting information.

- b) The Youth Development Center report all incidents of threats or acts of violence on form **CS-0311, Facility Incident Report**, and on the incident reporting screen in TFACTS as outlined in DCS Policy [1.4 Incident Reporting](#).
- c) Reports of all incidents or acts of violence can be made to appropriate local law enforcement, security provider, or emergency services agency; and
- d) The local DCS Human Resources office staff is responsible for reporting all incidents to the Central Office Human Resources Division, as applicable.

G. Prohibition of weapons

1. As a government entity, DCS is authorized, pursuant to Tennessee Code Annotated (T.C.A.) § 39-17-1359, "to prohibit the possessions of weapons by any person, who is at a meeting conducted by, or on property owned, operated, or managed or under the control of the individual, corporation, business entity or government entity."
2. Pursuant to Tennessee Code Annotated § 39-17-1359, each Regional Administrator or Office or Facility Administrator ensures that a written notice of the exclusion of weapons is displayed in prominent locations, including all entrances primarily used by persons entering the building, or portion of the building or buildings where weapon possession is prohibited. The notice shall be plainly visible to the average person entering the building, property, or portion of the building or property, posted. The notice is printed in English, but a notice may also be posted in any language used by patrons, customers, or persons who frequent the place where weapon possession is prohibited. The sign is of a size that is plainly visible to the average person entering the building, premises or property.
3. A sign shall be used as the method of posting. The sign shall include the phrase, "NO FIREARMS ALLOWED", and the phrase shall measure at least one inch (1#) high and eight inches (8) wide. The sign shall also include the phrase, "As authorized by T.C.A. § 39-17-1359".
4. The sign shall include a pictorial representation of the phrase "NO FIREARMS ALLOWED" that shall include a circle with a diagonal line through the circle and an image of a firearm inside the circle under the diagonal line. The entire pictorial representation shall be at least four inches (4) high and four inches (4#) wide. The diagonal line shall be at a forty-five degree (45°) angle from the upper left to the lower right side of the circle. The sign shall be similar to the following example:



H. Permit Holder requirements

T.C.A. § 39-17-1313 allows a handgun carry permit holder to transport and store a firearm or ammunition in the **permit holder's motor vehicle**, while in any public or private parking area if:

- a) The permit holder's motor vehicle is parked in a location where it is permitted to be; **and**
- b) The firearm or ammunition;
 - ♦ Is kept from ordinary observation if the permit holder is in the motor vehicle; or
 - ♦ Is kept from ordinary observation and locked within the trunk, glove box, or interior of the person's motor vehicle or a container securely affixed to such motor vehicle if the permit holder **is not** in the motor vehicle.
- c) **The permit holder shall never** take the weapon out of the motor vehicle and into a state office building or where state business is conducted.
- d) **The permit holder shall never** take the weapon into the residence of any family served by the Department.
- e) **The permit holder shall never** have the weapon in his or her motor vehicle while visiting the residence of any family being served by the Department.
- f) **The permit holder shall not** have anyone else in the vehicle with him or her while on state time or business with a weapon in the vehicle (for further information, refer to [*DOHR Policy 12-060 Violence in the Workplace*](#)).
- g) The permit holder shall never take the weapon into a state vehicle.

I. Fitness-for-duty evaluation

1. At the discretion of the supervisor, an employee exhibiting warning signs, symptoms, and risk factors including, but not limited to those listed in Section C of this policy, may be ordered to submit to a psychological evaluation to determine the employee's fitness-for-duty after consultation with Human Resources and/or General Counsel (as appropriate). A description of such specific signs, symptoms, risk factors, and the request for consultation shall be in writing.
2. The supervisor contacts appropriate staff in the DCS Human Resources Division and identify the nature of the concern. The DCS Human Resources Division provides a list of health care providers as appropriate for the situation.
3. The health care provider reports the results of the evaluation to the DCS Human Resources Division which then consults with the supervisor to determine the employee's fitness-for-duty based on the evaluation. All evaluation records are maintained confidentially.

J. Referral to Tennessee Employee Assistance Program (EAP)

1. Where a supervisor suspects that an employee has work-related and/or personal problems, the supervisor recommends that the employee contact the Tennessee Employee Assistance Program (EAP).
2. The Central Office EAP Coordinator in the Human Resources Division must be consulted immediately in the event of a critical incident to collaborate with the EAP. EAP should also be consulted (within 24 hours of the incident), for purposes of conducting a critical incident stress debriefing. Examples of critical incidents include:
 - a) Hostage or riot situations;
 - b) Serious injury or death of a coworker;
 - c) Incidents involving use of force;
 - d) Resident suicide or death; and
 - e) Catastrophic accidents.

K. Violation of policy

Violation of this policy by any individual or DCS employee is subject to legal action as appropriate and/or disciplinary action up to and including termination, in accordance with the applicable laws, rules or policies and procedures.

Forms:

[CS-0496, Incident Report](#)

[CS-0311, Facility Incident Report](#)

Collateral Documents:

Safety Plans

Emergency Response Plans

Contingency Plans for a Youth Development Center

[**DOHR Policy 12-060 Violence in the Workplace**](#)

Safety Notice- Team Safety: Strategies for Workforce Safety and Access to 911