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|  | <b>Agency Name</b>       | Department of Social Services (DSS) |
|                                                                                   | <b>Chapter No./Name</b>  | DSS Policy Manual                   |
|                                                                                   | <b>Part No./Name</b>     | 3/Health & Safety                   |
|                                                                                   | <b>Section No./Name</b>  | 3-04/Violence in the Workplace      |
|                                                                                   | <b>Document No./Name</b> | 3-04/Violence in the Workplace      |
|                                                                                   | <b>Effective Date</b>    | 03/05/15                            |

## I. STATEMENT OF POLICY

The Department of **\*Children and Family\*\*** Services **\*(DCFS)\*\*** intends to provide employees a work environment that is safe and free from workplace violence. The Department has a zero tolerance policy for the occurrence of violent acts, threatening behavior and harassment at any **\*DCFS\*\*** worksite. Any **\*DCFS\*\*** employee who exhibits aggressive and/or violent behavior will be held accountable under departmental policies and state and local laws.

### Purpose

The purpose of this policy is to recognize that violent behavior in the workplace is an occupational safety hazard. Each **\*DCFS\*\*** workplace must have violence prevention procedures included in its mandatory emergency plan and procedures (refer to [DCFS Policy 3-2](#) re: Safety) to prevent and manage the risks.

### Scope and Applicability

This policy pertains to all employees, whether full-time, part-time, temporary, or otherwise. It also covers clients and visitors who enter the **\*DCFS\*\*** workplace to conduct business and become victims of violence, or who commit acts of violence while on **\*DCFS\*\*** premises.

### Definitions

**Batterer, Perpetrator, or Abuser** – The individual who commits an act of violence, including domestic violence.

**Batterers' Intervention Programs** – Programs batterers attend that are designed to eliminate violence in intimate relationships, stop other forms of abusive behavior, and increase victim safety.

**Domestic Violence** – Acts of physical and psychological violence, including harassing or intimidating behavior, that occur as part of a personal relationship such as marriage or other intimate relationships. In most domestic violence situations, women are the victims; however, it is recognized that men may also be victims of domestic violence.

**\*\*\***

**Office Manager** – The highest-ranking official in the work unit.

**Physical Harassment** – Any physical assault such as hitting, pushing, kicking, holding, impeding or blocking the movement of another person; physically touching someone in an intimidating, malicious, or sexually harassing manner; or any nonconsensual physical contact.

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***Threat or Threatening Behavior*** – A physical, verbal, or written act that expresses, or is perceived as expressing, an intent to cause physical or psychological harm, or both, against an individual covered by this policy.

***Verbal Harassment*** – Verbal threats toward persons, whether said directly to the person threatened or to another employee; threats to property; the use of vulgar or profane language toward others; disparaging or derogatory comments or slurs; offensive sexual flirtations and propositions; verbal intimidation through direct or veiled threats; exaggerated criticism; and name calling.

***Violence in the Workplace*** – Any physical assault, threatening behavior, or verbal abuse occurring in the work setting, including but not limited to beatings, stabbings, suicides, shootings, rapes, near suicides, psychological traumas such as threats, obscene phone calls, an intimidating presence, and harassment of any nature such as being followed, sworn at, or shouted at.

## II. PROCEDURES

### Staff Responsibilities

In addition to the responsibilities specified below, each **\*DCFS\*** employee is responsible for his/her own behavior and interacting with co-workers, supervisors, managers, and customers in ways that promote cooperation and mutual respect.

#### A. Secretary/Deputy Secretary/Undersecretary/**\*Deputy\*** Assistant Secretaries/**\*\*\***/Licensing Director

- Require that each **\*DCFS\*** office under their jurisdiction have a workplace violence prevention and management program in accordance with the departmental policy and state level Office policies.
- Assure that employees have training in the prevention of violence, including domestic violence, in the workplace.
- Identify and report to the Secretary immediately incidents of injuries or deaths in the **\*DCFS\*** workplace.
- Provide advice and assistance in post-incident situations and help arrange for counseling, if needed.

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## B. Managers and Supervisors

- Implement and manage violence prevention programs in the **\*DCFS\*\*** workplace.
- Ensure that employees receive training on general topics related to workplace violence (refer to Section XI. of this policy).
- Ensure that employees know specific procedures for dealing with threats and emergencies.
- Take all threats seriously, documenting and responding to allegations of workplace violence in a timely fashion, evaluating the results and taking appropriate action.
- Respond to potential threats by utilizing appropriate resources, e.g., local law enforcement personnel, human resources staff, **\*\*\*** etc.
- Provide support to employee/victims of violent incidents, including victims of domestic violence.
- Report incidents of workplace violence to line management for upward communication to the highest executive levels, as necessary.
- Be cognizant of situations in the workplace that have the potential to produce violence and promptly address them with all concerned parties.

## C. All Employees

- Immediately report any violent, threatening, harassing, or intimidating behavior in the workplace to the manager or supervisor.
- Cooperate fully in investigating allegations of workplace violence.
- Inform appropriate persons in the office about restraining orders and other protective court orders related to domestic situations or other personal situations that could potentially be brought into the workplace in the form of violence.

## D. Human Resources Staff

Provide supervisors and managers with technical guidance to determine what course of administrative action/discipline is appropriate in specific situations involving violence or the threat of violence in the workplace.

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## E. Bureau of General Counsel Staff

Provide legal advice and counsel to \*DCFS\*\* management and employees in incidents of violence in the workplace.

## Prohibitions

### A. Prohibited Conduct

The following conduct is regarded as violent conduct in the \*DCFS\*\* workplace and, therefore, unacceptable when directed against \*DCFS\*\* employees, clients, or visitors on the premises:

- Assaulting and injuring another person physically or sexually or threatening to injure another person.
- Possessing, brandishing, concealing or using a weapon that is not required by the employee's job position while on \*DCFS\*\* premises or engaged in state business.
- Intentionally damaging or threatening to damage \*DCFS\*\* property or another person's property.
- Committing injurious acts motivated by, or related to, domestic violence or sexual harassment.
- Retaliating against any employee who, in good faith, reports a violation of this policy.
- Verbally abusing another person by using offensive, profane, and vulgar language.
- Displaying hostile or intimidating behavior that is disruptive and creates a fear of injury to another person.

### B. Weapons Prohibition

\*DCFS\*\* prohibits the possession of firearms or other dangerous instruments (knives, dangerous chemicals, etc.) in the \*DCFS\*\* workplace. Any employee who violates this policy may face disciplinary action up to and including termination. \*DCFS\*\* employees should report suspected violations immediately to the supervisor or other designated authority. The policy excludes \*DCFS\*\* employees authorized to carry firearms in their jobs and security personnel engaged in official duties.

Signs warning of the prohibition against weapons should be posted at the entrances to buildings housing \*DCFS\*\* employees.

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## C. Policy Violation

Violations of this policy by an employee will lead to disciplinary action. Individuals who engage in violent or prohibited behavior will be removed from the **\*DCFS\*\*** premises. Individuals who pose a threat may be barred from entry to the **\*DCFS\*\*** work site.

Conduct in violation of this policy may also be in violation of **\*DCFS\*\*** policy pertaining to anti-harassment **\*(DCFS Policy 2-3)\*\*** and sexual harassment **\*(DCFS Policy 2-6).\*\*** In the event that a report involves a violation of both policies, the complainant should consult with the **\*DCFS\*\*** Bureau of Civil Rights.

## Domestic Violence in the Workplace

While at work, employees may be exposed to threats of violence, stalking, telephone harassment, intimidation, physical assault, and other forms of abuse. Often offenders harass and threaten victims with the specific goal of having the victim's employment terminated.

### A. Guidelines for **\*DCFS\*\*** Managers and Supervisors

Managers and supervisors may suspect that an employee is a victim of domestic abuse, but if the employee does not wish to disclose information about the domestic abuse, the employee's wishes must be respected. Managers/supervisors may only advise the employee in general terms that assistance is available for potential victims of domestic abuse.

An employee who discloses that she or he is a victim of domestic abuse and requests workplace help for safety reasons should be referred to appropriate resources for assistance. Any disclosures must be handled in a supportive manner and with reassurance that the department supports the employee's efforts to remain safe. Support should include informing the employee/victim **\*\*\*** about local resources such as shelters for battered women. Appropriate support does not include diagnosing or counseling the victim of domestic abuse.

Once a manager or supervisor learns that an employee is being victimized, it is important to explore options that will ensure safety for both the employee and the workplace as a whole. The following options may be utilized to decrease the level of danger to the victim and enhance the overall safety of the workplace.

- Develop a workplace safety plan that meets the unique needs of the employee.
- Relocate the employee's workstation or take other relocation measures, as appropriate and available.
- Change the employee's work schedule or phone number.

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- Re-route the employee's telephone calls for screening.
- Provide receptionists and security personnel with photographs and description of the alleged abuser and any other identifying information that would be helpful to recognize the abuser.
- Provide security personnel with the make, model, and license number of the alleged abuser's vehicle.
- Discuss with the employee the possibility of a leave of absence, if threats escalate and become acute, as well as the appropriateness of maintaining communication with the employee during her/his absence.
- Provide an escort or observation for victims entering or leaving the workplace, and evaluate parking access and illumination.
- Allow the employee to use leave time in accordance with human resources policies in order to access resources such as medical appointments, court appearances, counseling, shelter or outreach services.
- Limit employee information that is disclosed by phone or e-mail. Any information given related to the location of an employee may increase the level of risk.
- Encourage victims to provide copies of any civil order of protection that includes provisions related to the **\*DCFS\*\*** workplace.
- Maintain confidentiality, providing information about the victim's situation only on a need to know basis.
- Advise the employee of available **\*\*\*** resources such as local shelters. (Refer to [Resources for Victims of Domestic Violence in the Workplace](#) for information about some of the available resources.)

## **B. Employees Who Commit Acts of Domestic Violence in the Workplace**

An employee who uses any departmental resources such as work time, workplace phones, facsimile machines, electronic mail, mail, or other means to commit an act of domestic violence may be subject to disciplinary action, up to and including termination. Employees who are perpetrators of domestic violence shall be encouraged to seek assistance from **\*\*\*** a batterer's intervention program. **\*DCFS\*\*** managers/ supervisors will provide information regarding counseling and treatment resources, and will be as flexible as possible in work schedule arrangements so the employee may receive such assistance.

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## Prevention Strategies

### A. Workplace Violence Prevention Safety Committee

The Office Manager should have in place a Workplace Violence Prevention (WVP) Safety Committee to help manage the local office's WVP program. The team shall identify and investigate safety hazards and issues in the workplace and make recommendations for preventive and corrective measures. The committee may consist of managers, supervisors, employees, human resources employees, and others, as appropriate.

Committee members shall be cognizant of confidentiality issues involving other employees in the workplace. The Safety Committee described in the Safety Policy ([DCFS Policy 3-2](#)) may be utilized for the purposes of this committee, or the Office Manager may select the membership.

### B. Pre-Employment Screening

In considering individuals for employment, **\*DCFS\*\*** managers and supervisors should carefully review the applicant's [Civil Service Application](#) **\*\*\*** for any indicators of possible violent behavior. Particular attention should be given to questions on **\*page 3 of the Civil Service Application\*\*** inquiring if the individual has ever been placed on probation or sentenced to jail following a felony conviction or fired from a job, as well as the reason that is given for leaving each job. Managers and supervisors with hiring authority should conduct effective pre-employment reference checks, using the [Reference Check Form](#) as a guide, to reduce the risk of hiring individuals with a propensity to violent behavior.

Prior to hiring an employee, the manager/supervisor should review [DCFS Policy 4-24](#) re: Reference Checking, as well as any Office policies regarding hiring. The appropriate human resources office should be consulted to determine what employment screening techniques (such as interviewing questions and reference checks, as well as criminal record checks and drug testing, if applicable) are appropriate for the position under consideration, and consistent with civil service rules and regulations.

### C. Building Security

Office Managers shall make periodic assessments and inspections of their facilities, including building, grounds, and work areas. The purpose of the inspections is to identify hazards, conditions, operations, and situations that present a security risk. Employees should be asked for their suggestions about improving security measures. Employees should also be informed about security procedures such as the location and operation of safety devices, alarms, and other personal security measures.

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Recommended physical security measures include restricting access to the workplace and requiring identification before entry. Refer to the Workplace Violence Prevention Assessment Checklist ([Adobe version/Word version](#)) for recommended security measures for the building and workplace.

## Incident Response and Management

In responding to threatening or violent conduct, no **\*DCFS\*\*** employee, manager, or supervisor is expected to take any action that will risk their life and safety, or the life and safety of other persons. No **\*DCFS\*\*** employee is expected to attempt to disarm an armed person or restrain or forcibly evict an armed person or other dangerous person from **\*DCFS\*\*** premises. Law enforcement officials should be contacted to remove the offending person from the premises, if removal is felt necessary.

If a threat is received by phone call, the employee should obtain as much pertinent information from the caller as possible. The form [Threats Received by Phone \(Personal or Bomb Threats\)](#) is to be used for recording information that will assist law enforcement officials in responding to the threat as quickly as possible.

### A. Non-Emergency (Threatening) Situations

A threatening situation is when one person, through intimidating words or gestures has induced fear and apprehension of physical or other harm in another person but there seems to be no immediate danger of the threat being carried out. In non-emergency (threatening) situations, the manager should be immediately notified. The manager should initiate an investigation by meeting separately with any or all persons to determine the facts of the situation, i.e., the target or victim of the threat, the alleged threat-maker, supervisor of the employee filing the report and the supervisor of the threat-maker, any witnesses, etc.

The Victim or Witness Account form ([Adobe version/Word version](#)) is to be used for documenting incidents, injuries, assaults, hazards, and witness accounts. The form should be completed within a reasonable amount of time after the incident has occurred. The Office Manager or designated employee should retain the information in a confidential file.

If the perpetrator is not an employee, encourage the victim to use the criminal justice system, when appropriate. If the threat-maker is an employee, **\*\*\*** taking disciplinary action against the employee may be necessary. Although the supervisor has responsibility for disciplining in accordance with delegated authority, the supervisor may wish to receive input from the human resources office, the manager or others prior to making the decision.

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## B. Emergency Situations

A situation is an emergency if an injury has occurred, or there is an immediate threat of physical harm or injury. At this point the situation may have escalated beyond control and immediate intervention is needed to save lives or prevent harm or injury to people. Any time there is an immediate threat of injury to a person(s), contact law enforcement officials immediately

In emergency situations, the first person on the scene should quickly assess the situation and risk. The first person should keep himself/herself safe, remain calm, think rationally, and avoid overreaction. Call for emergency assistance including law enforcement and medical assistance, if needed. State the nature of the emergency and provide details about the persons injured and the perpetrator, if known. Do not attempt to physically remove the perpetrator(s) from the premises. As soon as possible, notify the appropriate manager/supervisor and internal security, if available. Utilize the office resources such as first aid kits, and employees who are certified to administer first aid. Notify other intended targets, if known, to ensure their safety. The agency head is notified through the chain of command.

## Post Incident Response and Management

Office Managers should set up a system of intervention after an emergency, whether it requires calling an office meeting to brief the staff, or bringing in professional counselors to work with the staff. Violent incidents occurring in the workplace should be reviewed periodically to identify patterns, and appropriate actions should be taken to prevent recurrences.

## Training and Education

All employees should know about potential hazards in the workplace and how to protect themselves and their co-workers through established prevention and control measures. General workplace violence and security training and instructions include, but are not limited to the following topics:

- Periodic review of this workplace violence policy.
- Procedures for reporting any violent acts or threats of violence and intimidation and other disruptive behavior.
- Notification of law enforcement authorities when a criminal act may have occurred.
- Dealing with angry, hostile, or threatening individuals and defusing such situations.

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### III. FORMS AND INSTRUCTIONS

[\\*Reference Check Form](#)

[Resources for Victims of Domestic Violence in the Workplace](#)

[Threats Received by Phone \(Personal or Bomb Threats\)](#)

[Victim or Witness Account Form](#)

[Workplace Violence Prevention Assessment Checklist\\*\\*](#)

### IV. REFERENCES

[\\*DCFS Policy 2-3 Non-Discrimination in Employment](#)

[DCFS Policy 2-6 Sexual Harassment Policy](#)

[DCFS Policy 3-2 Safety](#)

[DCFS Policy 4-24 Reference Checking\\*\\*](#)