DOL Workplace Violence Program

Table of Contents

- Background
- Policy, Purpose, and Scope
- Roles and Responsibilities
- Preventing Workplace Violence
- Workplace Violence Warning Signs
- Recognizing the Levels of Violence and Response
    1. Level One (Early Warning Signs)
    2. Level Two (Escalation of the Situation)
    3. Level Three (Further Escalation – Usually Resulting in an Emergency Response)
    4. Domestic Violence
- When a Violent Event Happens on GSA-Controlled, Public, or Private Controlled Property
- Appendices

Background

Workplace violence is a frustrating problem facing Federal agencies today. While more and more information on the causes of violence and how to handle it is becoming known, there is often no reasonable rationale for this type of conduct and, despite everything we know or do, violent situations happen. No employer is immune from workplace violence and no employer can totally prevent it.

The cost to organizations is staggering. It is impossible to overstate the costs of workplace violence, because a single incident can have sweeping repercussions. There can be the immediate and profound loss of life or physical or psychological repercussions felt by the victim as well as the victim's family, friends, and co-workers; the loss of productivity and morale that sweeps through an organization after a violent incident; and the public relations impact on an employer when news of violence reaches the media.

Workplace violence affects other areas as well. The adverse impact on organizations and individuals is wide-ranging and can include:

- Temporary/Permanent Absence of Skilled Employee
- Psychological Damage
- Property Damage, Theft, and Sabotage
- Productivity Impediments
- Diversion of Management Resource
- Increased Security Costs
- Increased Workers' Compensation Costs
- Increased Personnel Costs
- Temporary/Permanent Absence of Skilled Employee

There are many theories about the causes of workplace violence. However, caution should be taken when profiling or stereotyping individuals or organizations since the presence of any of the factors related to these theories does not necessarily indicate a violent act will be carried out. Nevertheless, an incident can be the result of any one or a combination of these factors.

Remember – violence or threats of violence in all forms is unacceptable workplace behavior. It will not be tolerated and it will be dealt with appropriately.

Policy, Purpose, and Scope

Every year, approximately two million people throughout the country are victims of non-fatal violence at the workplace. Officials at the Department of Justice have found violence to be a leading cause of fatal injuries at work with about 1,000 workplace homicides each year. Violence against employees occurs in a variety of circumstances and situations including: robberies and other crimes, actions by frustrated or dissatisfied clients and customers, acts perpetrated by disgruntled co-workers or former co-workers, and domestic incidents that spill over into the workplace.

The U.S. Department of Labor's (DOL) policy and position on workplace violence are clear. It is our policy to promote a safe environment for our employees and the visiting public, and to work with our employees to maintain a work environment that is free from violence, harassment, intimidation, and other disruptive behavior. The Department's position in this area is that violence or threats of violence — in all forms — is unacceptable behavior. It will not be tolerated and will be dealt with appropriately.

The primary purpose of this document is to provide employees of the Department with a concise reference regarding the Department's program on managing actual and/or potentially violent situations. It is intended to make employees, including supervisors and managers, aware of the potential for violence in the workplace, to increase their abilities to recognize early warning signs of potentially violent situations, and to understand how to respond to actual or potential incidents. It identifies functional area experts who employees, supervisors, and managers can call on to help them assess, defuse, and/or resolve the situation. This document also provides some prevention tips. Finally, some additional resources are included in the Appendices for those who want to learn more.

All employees and all facilities of the Department are covered by the policies and program guidance contained in this document. The Department's policy also applies to contractors and visitors to Department facilities.

This document appears on the Department's LaborNet under "Reference Library" and portions of the document are being condensed into one or more "Desk Aids." All DOL employees should read and become familiar with the information provided in this document.

Roles and Responsibilities

The goal of the DOL Workplace Violence Program is to support a work environment in which violent or potentially violent situations are effectively addressed with a focus on prevention by increasing employee understanding of the nature of workplace violence, how to respond to it, and how to prevent it. Success in the protection of our employees requires your personal attention and, as necessary, appropriate action.

IT IS UP TO EACH EMPLOYEE TO HELP MAKE THE DEPARTMENT A SAFE WORKPLACE FOR ALL OF US. The expectation is that each employee will treat all other employees, as well as customers or clients, with dignity and respect.

Depending on the parameters of the incident and the resources available, one or more of the experts in the functional areas listed below may be called upon to provide technical assistance in their particular field to help assess, investigate, and/or respond to a violent or potentially violent situation.

Employees (Including Managers and Supervisors) are responsible for:

- their own behavior by interacting responsibility with fellow employees, supervisors, and clients;
- being familiar with Department policy regarding workplace violence;
- promptly reporting actual and/or potential acts of violence to appropriate authorities;
- cooperating fully in investigations/assessments of allegations of workplace violence;
- being familiar with the service provided by the Employee Assistance Program; and
- informing appropriate personnel about restraining or protective court orders related to domestic situations so that assistance can be offered at the work site.

Managers and Supervisors are additionally responsible for:

- informing employees of the Department's workplace violence policy and program;
- taking all reported incidents of workplace violence seriously;
- investigating all acts of violence, threat, and similar disruptive behavior in a timely fashion and taking the necessary action(s);
- providing feedback to employees regarding the outcome of their reports regarding violent or potentially violent incidents;
- requesting, where appropriate, assistance from functional area expert(s);
- being cognizant of situations that have the potential to produce violent behavior and promptly addressing them with all concerned parties;
- encouraging employees who show signs of stress or evidence of possible domestic violence to seek assistance, such as the Employee Assistance Program; and
- assuring, where needed, that employees have time and opportunity to attend training, e.g., conflict resolution, stress management, etc.

Security Office and Federal Protective Service are responsible for:

- providing security and helping to defuse violent situations;
- providing technical advice and support regarding physical security matters;
- maintaining an ongoing security awareness program;
- assisting with or conducting investigations of threats or incident of violence;
- requesting, where appropriate, assistance from functional area expert(s);
- acting as liaison with local authorities and outside law enforcement agencies; and
- making arrests for acts of violence in Government owned and/or Government leased buildings, when appropriate and when having authority.

Safety and Health Managers are responsibilities for:

- assisting, when appropriate, Department officials with threat assessment and response activities;
- assisting, when appropriate, in assessing the physical and social environment for potential negative and positive stressors (e.g., space, lighting, temperature, and noise level);
- preparing trend reports and other analyses of safety and health incident report data; and
- assisting in emergency preparedness activities.

Employee Assistance Program is responsible for:

- providing consultation and guidance to supervisors in dealing with employees who exhibit performance or conduct problems;
- providing problem assessment for employees experiencing personal problems on and off the job;
- providing short-term counseling and referral service to employees;
- referring employees needing long-term counseling to appropriate treatment resources; and
- participating in conducting threat assessments, when requested.

Unions and Their Representatives are responsible for:

- supporting the Department's workplace violence policy and program;
- being cognizant of situations that have the potential to produce violence and promptly addressing them with all concerned parties;
- being sensitive to stress generated by the workplace and assisting employees in alleviating it;
- encouraging employees who show signs of stress to obtain assistance, such as that offered by the Employee Assistance Program; and
- advising employees, if they inquire, of the procedures for reporting violent behavior.

Health Unit is responsible for:

- providing first aid/emergency care in a medical emergency and referring clients to appropriate community medical resources, when needed.

Office of the Solicitor is responsible for:

- providing legal advice and support to supervisors and functional area experts.

Building Management is responsible for:

- serving as advisor to functional area experts; and
- performing, in conjunction with General Services Administration, security analysis of facilities.

Public Affairs is responsible for:

- advising the Department on public affairs issues related to violence in the workplace; and
- providing advice and assistance concerning specific information that could and should be released to the media before, during, and/or after a crisis.

Human Resources is responsible for:

- assisting in assessing and investigating allegations of workplace violence raised by employees, supervisors, and/or managers, as requested;
- providing technical expertise and consultation to help supervisors determine what course of administrative action is most appropriate in specific situations, including Alternatives to Discipline and use of Alternative Dispute Resolution process;
- providing advice and counsel regarding personnel rules and regulations; and
- offering training courses to assist employees to deal with situations which may lead to potential violence, e.g., conflict resolution, stress management, negotiation skills, etc.

Preventing Workplace Violence

One of the major components of an effective workplace violence program is its strategy regarding prevention. This section will focus on awareness and preventive measures that can be taken to deal with threatening, intimidating, and/or potentially violent behavior.

Becoming familiar with the Department's policy and program regarding workplace violence is an important step in preventing workplace violence. It is imperative that all employees, including managers and supervisors, understand this policy and program.

All managers and supervisors are expected to discuss the policy and program with their staff so that they understand how to handle intimidating, threatening, or violent incidents as well as understand the consequences of such behavior (such as disciplinary and/or adverse action up to and including removal and criminal charges).

Work Environment

The best prevention strategy is to maintain an environment which minimizes negative feelings, such as isolation, resentment, and hostility among employees. Although no workplace can be perceived as perfect by every employee, there are several steps that management can take to help create a professional, healthy, and caring work environment. These include, but are not necessarily limited to:

- promoting sincere, open, and timely communication among managers, employees, and union representatives;
- offering opportunities for professional development;
- fostering a family-friendly work environment;
- maintaining mechanisms for complaints and concerns and allowing them to be expressed in a non-judgmental forum that includes timely feedback to the initiator;
- promoting "quality of life" issues such as facilities and job satisfaction; and
- maintaining impartial and consistent discipline for employees who exhibit improper conduct and poor performance.

Security

Maintaining a secure and physically safe workplace is part of any good strategy for preventing workplace violence. The Department uses a variety of security measures to help ensure safety. The measures used depend on the resources available in the area. These may include:

- the Federal Protective Service or designated security personnel to respond to requests for assistance;
- employee photo identification badges and coded card keys for access to secure areas;
- on-site guard services;
- guard force assistance in registering, badging, and directing visitors in larger facilities; and
- other appropriate security measures such as metal detectors.

Additional law enforcement assistance is available through local police departments for emergency situations. Employees should notify the appropriate security office or designated police of suspicious or unauthorized individuals on Departmental property.

Education

Education and communication are also critical components of any prevention strategy. The following types of education and communication are effective in preventing violence and other threatening behavior:

- communicating an awareness among employees, supervisors, and managers regarding all aspects of the Department's Workplace Violence Program: what it is, what to do when faced with possible problems, employee and management responsibilities, early intervention techniques, who to call for assistance, etc.; and
- educating employees and communicating to them techniques designed to effectively deal with conflict resolution, stress reduction, etc.

Performance/Conduct Indicators

Being aware of performance and/or conduct problems which may be warning signs of potential trouble is good prevention strategy. These signs may show up in perpetrators of violence, those who are victims, and those involved in domestic violence. Although it is possible that only one of these indicators will occur, it is more likely that a pattern will occur or that they will represent a change from normal behavior. **Remember that the presence of any of these characteristics does not necessarily mean a violent act will occur. They may be indicators of another type of problem such as being ill, depressed, bereaved, etc.** Some examples of performance and/or conduct indicators are listed below (listing is not intended to be all inclusive):

- **attendance problems** – excessive sick leave, excessive tardiness, leaving work early, improbable excuses for absences;
- **adverse impact on supervisor's time** – supervisor spends an inordinate amount of time coaching and/or counseling employee about personal problems, re-doing the employee's work, dealing with co-worker concerns, etc.;
- **decreased productivity** – making excessive mistakes, poor judgment, missed deadlines, wasting work time and materials;
- **inconsistent work patterns** – alternating periods of high and low productivity and quality of work, inappropriate reactions, overreaction to criticism, and mood swings;
- **concentration problems** – easily distracted and often has trouble recalling instructions, project details, and deadline requirements;
- **safety issues** – more accident prone, disregard for personal safety as well as equipment and machinery safety, needless risks;
- **poor health and hygiene** – marked changes in personal grooming habits;
- **unusual/changed behavior** – inappropriate comments, threats, throwing objects;
- **evidence of possible drug or alcohol use/abuse**;
- **evidence of serious stress in the employee's personal life** – crying, excessive phone calls, recent separation;
- **continual excuses/blame** – inability to accept responsibility for even the most inconsequential errors; and/or
- **unshakable depression** – low energy, little enthusiasm, despair.

Employee Support Services

A variety of Department resources are available to assist employees in dealing with problems originating in or being brought to the workplace. Employees should begin by contacting their supervisors, specialists from their servicing Personnel Office, Employee Assistance Program Counselors, Equal Employment Opportunity Counselors, Union Representatives, and/or the WorkLife4You (formerly LifeCare) Resource and Referral Service.

Early Intervention

Intervening early in a threatening or potentially violent situation is vital to preventing its escalation. There are many intervention options, and they vary greatly depending upon the situation. Early intervention may defuse the initial situation and give the supervisor an opportunity to thoroughly review options for resolution. Intervention sets the tone for how the situation will be resolved so it must be handled deftly.

Take Appropriate Action

Supervisors and managers must be willing to take action when necessary. All employees must know that violence in the workplace will not be tolerated and that appropriate action will be taken if threats of violence or violence occurs.

Workplace Violence Warning Signs

One of the common types of workplace violence is that among co-workers. In addition, a high percentage of violent incidents are perpetrated by individuals from outside the workplace. This includes situations such as domestic violence, bomb threats, and violence by customers.

While they are often preventable, it is still difficult to determine whether or not any particular workplace situation is potentially violent. This is an emotional and complex topic, and decisions about what to do in certain situations are not always straightforward or made in a clearheaded state of mind. In many cases, employees ignore warning signs because they believe they are not important, "that's just the way Joe is," or that it is none of their business. In other situations, employees react based on fear and what they believe is the profile of a potentially violent person, not necessarily observed actual behavior. Another major hindrance is not knowing where to go to get help in making determinations regarding real and potential risks.

Actual threats should always be taken seriously and responded to immediately. When there is not an actual threat, judgment and senses should be trusted. The "gut feeling" that one gets when talking to people should be respected. If one feels that someone is dangerous, take the proper precautions.

Forms of Violence Among Co-workers

There are many forms of workplace violence among co-workers. Unfortunately, the one form that receives the most attention is workplace homicide. But there are far more incidents of violence that do not involve casualties but have the same traumatic effects. Some examples of the most frequently encountered situations among co-workers are:

- concealing or using a weapon;
- physical assault upon oneself or another person;
- actions which damage, destroy, or sabotage property;

- intimidating or frightening others
- harassing, stalking, or showing undue focus on another person;
- physically aggressive acts, such as shaking fists at another person, kicking, pounding on desks, punching a wall, angrily jumping up and down, screaming at others;
- verbal abuse including offensive, profane and vulgar language; and
- threats (direct or indirect), whether made in person or through letters, phone calls, or electronic mail.

Other Forms of Workplace Violence

It is important to recognize that violent incidents in the workplace may include acts of domestic violence. Often, co-workers and supervisors believe that domestic violence is something that is not their concern, but a private family matter that should not be brought to work. But the problem does spill over into the workplace. Domestic violence accounted for 27% of violent events in the workplace. If the victim has sought shelter or a restraining order, the workplace is frequently the place s/he can be found. It is not uncommon for the perpetrator to show up at the work site to carry out acts of violence against the partner or anyone trying to protect that person.

Because of the nature of the services provided by Department programs, there are also incidents of workplace violence perpetrated by our clients/customers, particularly in enforcement and investigative settings. Finally, bomb threats make up an increasing percentage of workplace violence incidents. Many threats made in the Federal Government are made against individuals. Others allege that bombs have been planted in Federal facilities. Most threats are made by telephone.

Recognizing the Levels of Violence and Response

Potential or actual violent situations among employees usually escalate if not defused. Violence and the warning signs that typically occur can usually be identified at three levels. It should be noted that anyone or combination of warning signs at the three levels may be indicative of a potentially violent situation. The following is an attempt to delineate warning signs and the appropriate response. There is no fail-safe way of presenting this information to employees. Employees will have to make a judgment call as to the appropriate action to take by discerning and evaluating the given situation.

Level One (Early Warning Signs)

The person is:

- intimidating/bullying;
- discourteous/disrespectful;
- uncooperative; and/or
- verbally abusive.

Response When Early Warning Signs Occur at Level One

- Observe the behavior in question.
- **Report** concerns to your supervisor to seek help in assessing/responding to the situation. If the offending employee is the reporting employee's immediate supervisor, the employee should notify the next level of supervision. If the offending person is not an employee, the supervisor of the employee reporting the incident is still the appropriate individual to receive and provide initial response.
- **Document** the observed behavior in question.
- Supervisor should **Meet** with the offending employee to discuss concerns. Follow these procedures:
    - Schedule private time and place.
    - Coordinate any necessary union participation.
    - Get straight to the point.
    - Ask the employee for his or her input.
    - Ask the employee what should be done about the behavior.
    - Ask how you can help.
    - Identify the performance and/or conduct problems that are of concern.
    - Identify the steps you would like to see to correct problems.
    - Set limits on what is acceptable behavior and performance.
    - Establish time frames to make changes and subsequent consequences for failing to correct behavior and/or performance.
    - Department's policies.

Level Two (Escalation of the Situation)

The person:

- argues with customers, vendors, co-workers, and management;
- refuses to obey agency policies and procedures;
- sabotages equipment and steals property for revenge;
- verbalizes wishes to hurt co-workers and/or management;
- sends threatening note(s) to co-worker(s) and/or management; and/or
- sees self as victimized by management (me against them).

Response When the Situation Has Escalated to Level Two

- If warranted, **Call** 911 and other appropriate emergency contacts (such as Federal Protective Service) for that particular facility, particularly if the situation requires immediate medical and/or law enforcement personnel.
- Immediately **Contact** the supervisor and, if needed, the supervisor will contact other appropriate official(s) such as functional area experts to seek help in assessing/responding to the situation.
- If necessary, **Secure** your own safety and the safety of others, including contacting people who are in danger (make sure emergency numbers for employees are kept up-to-date and accessible).

- **Document** the observed behavior in question.
- Supervisor should **Meet** with the employee to discuss concerns and, if appropriate, begin or continue progressive discipline. The supervisor should follow these procedures:
  - Call for assistance in assessing/responding, if needed.
  - Avoid an audience when dealing with the employee.
  - Remain calm, speaking slowly, softly, and clearly.
  - Ask the employee to sit down; see if s/he is able to follow directions.
  - Ask questions relevant to the employee's complaint such as:
  - What can you do to try to regain control of yourself?
  - What can I do to help you regain control?
  - What do you hope to gain by committing violence?
  - Why do you believe you need to be violent to achieve that?
  - Try to direct the aggressive tendencies into another kind of behavior so that the employee sees s/he has choices about how to react.

Level Three (Further Escalation – Usually Resulting in an Emergency Response)

The person displays intense anger resulting in:

- suicidal threats;
- physical fights;
- destruction of property;
- display of extreme rage; and/or
- utilization of weapons to harm others.

Response When Situation is a Level Three Emergency

Any individual observing violent or threatening behavior which poses an immediate danger to persons or property is expected to:

- Call 911 and other appropriate emergency contacts (such as Federal Protective Service) for that particular facility, particularly if the situation requires immediate medical and/or law enforcement personnel.
- **Remain Calm** and **Contact** supervisor.
- **Secure** your personal safety first.
- **Leave** the area if your safety is at risk.
- **Cooperate** with law enforcement personnel when they have responded to the situation.

Once law enforcement personnel are on the scene, they will assume control of the situation. Witnesses should be prepared to provide a description of the violent or threatening individual, details of what was observed, and the exact location of the incident.

1. Document the observed behavior in question.
2. Supervisor, where needed, will contact functional area experts and will follow the procedures described in the Level Two section.

Domestic Violence

Except when those involved in domestic violence are co-workers, most incidents are perpetrated by individuals outside the agency. It is, therefore, unlikely that the levels of violence described above will be evident. There will, however, be early warning signs that this type of violence is escalating outside the workplace. The victim may show symptoms such as increased fear, emotional episodes, and/or signs of physical injury. Victims, as well as perpetrators, also show signs of work performance deterioration. By intervening when the early warning signs occur, even though violence may not yet have been committed at work, a serious incident may be prevented.

Response Involving Domestic Violence

In the event the perpetrator shows up at work with the intent of harming the employee and any others who happen to be in the way or involved, follow the procedures described in Level Three in responding to the immediate crisis.

If it is known that an employee is being affected by domestic violence, whether or not the perpetrator has shown up at work, it is important to provide support and assistance. Not only is the person at risk for more and usually escalated violence, but it has an impact on the safety and productivity of the entire work force. Below are some tips for supervisors when helping an employee affected by domestic violence.

- Talk with the employee about your concern of the possibility of the violence extending into the workplace and **Recommend** that the employee contact the Employee Assistance Program or the Department's resource and referral service, WorkLife4You (formerly LifeCare), for assistance in dealing with the problem.
- **Recommend** that the employee call the National Domestic Violence Hotline for more information about domestic violence or to help find local resources.
- **Contact** the Employee Assistance Program for more information and/or assistance, if needed.
- **Recommend** that a workplace safety plan be developed in case an incident occurs at the workplace. Think about the safety of the individual as well as everyone around her/him. Don't be a hero if the perpetrator shows up at work. Follow the safety plan and go for help.

When a Violent Event Happens on GSA-Controlled, Public, or Privately Controlled Property

- **Event Involves Strangers/Clients/Customers:**
  - Notify **Supervisor**.

    - Report incident to the **Security Guard/Local Law Enforcement**.
    - Notify **FBI** when violence is directed at the job function, normally contacted through/by Security, Solicitor, Inspector General, or OASAM Office.
- **Event Involves Co-Workers/Supervisors:**
    - Notify **Supervisor** (higher level if immediate Supervisor involved).
    - Report incident to the **Security Guard/Local Law Enforcement**.
- **Event Involves Suspicious Letter/Package, a Bomb, or a Personal Threat:**
    - Suspicious Letter/Package
        - Do **NOT** handle or open suspicious item.
        - **Evacuate** the area if safety at risk.
        - Notify **Supervisor**.
        - Immediately report the item to the **Security Guard/Local Law Enforcement**.

Threat Including Bomb Threat

- Whenever possible, if telephone threat, note the following:
    - Telephone number where the call was received;
    - Exact **time** call was received;
    - Caller's **sex, name**, **telephone number**, and **where calling from;**
    - Details regarding **caller's voice** (calm, excited, disguised, accent, etc.);
    - Caller's estimated **age** (as determined by voice);
    - **Background noise**, if any; and
    - If call involves a bomb threat, also ask the following:
    - **When will the bomb explode?**
    - **Where is the bomb?**
    - **What does it look like?**
    - **What kind of bomb is it?**
    - **Why did you place the bomb?**
- (Sometimes the caller will respond unwittingly and provide valuable information.)
    - Notify **Supervisor**;
    - Immediately report the incident to the **Security Guard/Local Law Enforcement**;
    - Notify **FBI** when violence is directed at the job function, normally contacted through/by Security, Solicitor, Inspector General, or OASAM Office; and
    - **Evacuate** the area if safety at risk.

Bottom Line: If you reasonably believe that you have an imminent dangerous situation, call 911 or local emergency response facility immediately!

In the Event of a Medical Emergency

Contact the following, applicable to the event:

- Call the **Department of Labor's Health Unit**.
- Call **Rescue Squad**.
- Call **Fire Department**.
- Stay with and comfort the injured/ill person.
- If you are trained and willing, apply first aid.