

# Georgia Department of Public Safety

## Policy Manual

SUBJECT <b>WORKPLACE THREATS AND ACTS OF VIOLENCE</b>	POLICY NUMBER <b>5.11</b>
DISTRIBUTION <b>ALL EMPLOYEES</b>	REVISED DATE <b>11/7/2018</b>
	POLICY REVIEWED <b>11/7/2018</b>

### 5.11.1 Purpose

The purpose of this policy is to provide procedures to be followed to protect employees and customers from threats and acts of violence within any workplace of the Georgia Department of Public Safety (DPS).

### 5.11.2 Policy

- A. It is the DPS's policy to promote a safe environment for its employees, visitors and customers. The Department is committed to working with its employees to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior.
- B. Violence, threats, harassment, intimidation, and other disruptive behavior in our workplace shall not be tolerated; that is, all reports of incidents shall be taken seriously and shall be dealt with appropriately. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action (up to and including termination), criminal penalties, or both.

### 5.11.3 Definitions

- A. Threats or Acts of Violence – Conduct against a person or property that is sufficiently severe, offensive, or intimidating to alter the conditions of employment, or to create a hostile, abusive, or intimidating work environment for one or more DPS employees.
- B. Prohibited Workplace Violence includes, but is not limited to, the following:
  - 1. All threats or acts of violence occurring on Department property, regardless of the relationship between the Department and the individual involved in the incident.
  - 2. All threats or acts of violence not occurring on Department property, but involving someone who is acting in the capacity of a representative of the DPS.
  - 3. All threats or acts of violence not occurring on Department property, but involving an employee of the DPS if the threats or acts of violence affect the legitimate interests of the Department.

4. Any threats or acts of violence resulting in the conviction of an employee or agent of the Department, or of an individual performing services on the Department's behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests of the Department.
- C. 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:
1. Hitting or shoving an individual.
  2. Threatening to harm an individual or their family, friends, associates, or their property.
  3. The intentional destruction or threat of destruction of property owned, operated, or controlled by the Department.
  4. Making harassing or threatening telephone calls, or sending harassing or threatening letters or other forms of written or electronic communications.
  5. Intimidating or attempting to coerce an employee to do wrongful acts, as defined by applicable law, administrative rule, policy, or established work procedure that would affect the business interests of the Department.
  6. The willful, malicious and repeated following of another person, also known as "stalking", and making of a credible threat with intent to place the other person in reasonable fear for their safety.
  7. Making a suggestion or otherwise intimating that an act to injure persons or property is "appropriate", without regard to the location where such suggestion or intimation occurs.
  8. Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on Department property.
  9. Any other action which by its nature is intended, or could reasonably be expected to, cause another person to fear for their safety, if such action occurs on Department property or in the course of the performance of duties related to employment by the Department.

#### **5.11.4 Procedures**

- A. While there is no way to guarantee absolute safety in the workplace, all employees are expected to take such actions as outlined below to minimize the possibility of such occurrences.
- B. Employee Responsibilities
  1. Employees shall not engage in prohibited conduct.
  2. Employees shall immediately report prohibited conduct, which occurs in their presence to their immediate supervisor or the Directors of the Office of Professional Standards, or Human Resources.

- a. Allowing direct notification of the Directors of the Office of Professional Standards or Human Resources is intended to provide a means for an employee to report prohibited conduct by a supervisor.
  - b. If the Directors of the Office of Professional Standards or Human Resources receives such notification and determines that the Post Commander/Station/Unit Supervisor is not involved in prohibited conduct, they shall immediately notify the employee's Division Director who shall make the proper notifications through the chain of command.
3. Employees who are served with a temporary restraining order, or who have such an order served on another person, shall immediately notify their immediate supervisor.
- a. If an employee notifies their immediate supervisor that they have obtained a restraining order against another person, they should provide a picture of the person if one is available.
  - b. A copy of the restraining order should also be provided.
- C. Post Commander/Station/Unit Supervisor Responsibilities
- 1. Post Commanders/Station/Unit Supervisors shall immediately report all occurrences of prohibited conduct to their Division Director, through the chain of command.
  - 2. Post Commanders/Station/Unit Supervisors should take all reasonable measures to provide reasonable protection to employees who have been the target of prohibited conduct.
    - a. Such measures may include removing the person whose actions were prohibited, removing the threatened employee, and/or providing personal security to the threatened employee.
    - b. Under no circumstances will an employee who has engaged in prohibited conduct be allowed to contact the threatened employee prior to approval being obtained from the Director of Human Resources.
  - 3. If the prohibited conduct involves the use, or threatened use, of deadly force, the Post Commander/Station/Unit Supervisor shall immediately retrieve all issued weapons, if any, from the offending employee and secure them in a locked facility.
- D. Troop/Region Commanders/Section Supervisors
- Troop/Region Commanders/Section Supervisors who receive reports of prohibited conduct shall immediately forward such reports to the Division Director.
- E. Division Directors
- 1. A Division Director who receives a report of prohibited conduct will consult with the Directors of Human Resources and Legal Services.
  - 2. The Division Director will determine the appropriate course of action to be taken with regard to discipline and/or counseling of the offending employee.

F. Director of Legal Services

1. The Director of Legal Services shall provide legal guidance to the Commissioner of the Department of Public Safety and Division Directors regarding incidents involving workplace threats and acts of violence.
2. In conjunction with the Director of Human Resources, shall insure that all applicable provisions of the Americans with Disabilities Act (ADA) and other statutory requirements are met when responding to workplace threats and acts of violence.

G. Director of Human Resources

The Director of Human Resources will provide assistance to the Commissioner of the Department of Public Safety and Division Directors by providing advice and information regarding Personnel Rules and Regulations and, in conjunction with the Director of Legal Services, provisions of the ADA and other statutory requirements.

H. Commissioner of the Department of Public Safety

The Commissioner of the Department of Public Safety will provide notification to all employees that workplace threats and acts of violence will not be tolerated and that all prohibited conduct shall be reported, investigated, and responded to in an appropriate manner.

### **5.11.5 Departmental Investigations**

- A. The Office of Professional Standards should consult with the appropriate Division Director to determine whether the Troop/Region or the Office of Professional Standards should conduct an investigation into the alleged act of workplace violence committed by a member of this Department.
- B. When a member of this Department is a victim of workplace violence, the Office of Professional Standards will render as much assistance as possible to the law enforcement agency, which has jurisdiction.