



SOUTH CAROLINA DEPARTMENT OF AGRICULTURE

WORKPLACE VIOLENCE POLICY

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I. POLICY

It is the policy of the South Carolina Department of Agriculture to have zero tolerance regarding acts or threats of violence in the workplace. This includes violence committed or threatened against Department employees or members of the public. Acts of violence in the workplace will be investigated and dealt with accordingly, which may include dismissal from employment and/or notification of law enforcement personnel for determination of arrest and prosecution.

The Department's most important defense in preventing workplace violence is to combine preventive practices with close attention to warning signs for the prediction of violent behavior. The Department makes decision about workplace violence on a case-by-case basis, but has written protocol and procedures in place to address all potential situations before they erupt into violence.

Compliance with Federal Occupational Safety and Health Act of 1970 requires an employer to furnish every employee a safe and healthy work environment. The purpose of this policy is to define workplace violence and provide guidelines to ensure that all employees are provided a work environment free from violence.

II. RISK MANAGEMENT

All forms of workplace violence are prohibited. These include, but are not limited to, the following four types of violence committed by or against Department employees or members of the public:

- Physical – the use of force in order to harm;

- Threats – expressions of intent to inflict injury;
- Harassment – words, gestures, and actions which tend to annoy, alarm, abuse, trouble or worry another person; and
- Property Damage – intentional damage to property owned or leased by the state, employees, visitors, or vendors.

The Department is committed to providing a safe environment. Employees should refrain from acts of violence and seek assistance to resolve personal issues that may lead to violent behavior in the workplace. If a violent act is committed in the workplace, SCDA's Human Resources Office should oversee necessary investigations; coordinate stress debriefing sessions; and provide the necessary assistance through the SC Vocational Rehabilitation Department. Violators will be dealt with accordingly, up to and including termination and/or arrest and prosecution.

III. EMPLOYER RESPONSIBILITY

The Department of Agriculture intends to provide a reasonably secure environment for employees and visitors. Management should assess the current level of security and related policy and procedures to make changes that will improve the security of the work environment. Management should ensure floor plans of the office are readily available and are kept up-to-date. Internal and external emergency contact numbers should be posted in conspicuous areas.

Management should encourage employees to let supervisors know if they feel threatened by other persons, including employees or persons from the outside.

A. Workplace Environment

Regularly review your workplace environment and minimize any physical attributes which may expose employees, customers or suppliers to violent acts whenever possible. Control entrances and exits to monitor persons entering the work area. In the event of a threat of violence, consider an area lock down to provide a safe area from the potential predator. Review outside areas lighting and potential places for predators to hide.

B. Red Flags/Indicators of Potential Offenders

There are many signs that can possibly indicate an employee with violent tendencies. In some cases these individuals can often be identified and provided assistance through Job Retention Services of the Department of Vocational Rehabilitation before they contribute to a violent incident. For assistance, contact SCDA's Human Resources Office or Job Retention Services directly. Some of the potential employee behaviors that should place supervisors and employees on alert are:

- Past history of destructive, violent or threatening behavior
- Extreme stress in an individual's personal or job life

- Difficulty controlling emotions
- Evidence of chemical dependency
- An obsession with weapons
- Any harassing behavior
- Destructive behavior
- Repeated violations of agency policy or rules
- Obsession with retaliation after being disciplined or reprimanded
- Drastic change or deterioration in physical appearance
- Significant changes in work performance or other behavior
- Co-worker's reasonable fear of an individual
- Showing excessive interest in recently publicized violent acts or violent entertainment
- Exhibiting paranoid behavior

C. Employment Process

One way to prevent violence in the workplace is to avoid hiring people who exhibit violent behavior. Past behavior is often a predictor of future behavior. The Department requires supervisors to carefully screen all potential new hires. Some ways to accomplish this are:

1. Conduct criminal inquiry with nationwide criminal background check; (SCDA Human Resources completes this check on all new hires)
2. Conduct experience/reference checks; (Required from hiring officials before hiring a new employee)
3. Check motor vehicle records;
4. Verify educational credentials;
5. Question unexplained gaps in employment history;
6. Inquire about the movement of long distances between job locations;
7. Observe visible signs described in section B.

D. Recordkeeping/Evaluation

SCDA's Human Resources Office will keep records tracking threats and acts of violence and reports on agency efforts to prevent and address them should be kept. Records should be reviewed periodically by the Department's leadership in order to develop strategies to prevent workplace violence and to enhance prevention efforts.

IV. EMPLOYER RESPONSE

A. Threat Management Response

The Department of Agriculture has an approach and policies in place involving personnel well prepared to respond to threats and acts of violence. Assigned personnel should answer calls when acts of violence or threats are made, investigate incidents, debrief affected employees, offer assistance, and communicate with the media and the public.

B. Post-Trauma Crisis Management

Long-term problems can develop if post-traumatic consequences are not managed. It is important to address these as soon as possible following an act of violence. To demonstrate the Department's concern and caring for those who have been harmed by the trauma, the following may be implemented during post-trauma crisis management:

1. Contact family members as soon as possible.
2. Demonstrate concern and caring for those who have been harmed by the trauma.
3. Report on the condition of the injured through Agency communication methods.
4. Set up meetings with those who are affected on a regular basis to debrief them on issues related to the event.
5. Open up communications channels and control rumors.
6. Determine personnel and business requirements in order to restore the agency back to normal as soon as possible.
7. Acknowledge to employees what steps are necessary to get back to normal.
8. Arrange for post-trauma team to return to the workplace on a periodic basis to counsel and debrief employee.

C. DISCIPLINE PROCESS

Employees who are disciplined may respond angrily to supervisors and even co-workers because of what they perceive as unfair treatment by management. The following should be considered when dealing with the employee:

1. For less serious matters or when the investigation does not affirm the employee's behavior took place, the supervisor/manager with guidance from SCDA Human Resources may counsel the individual concerning the individual's behavior.

2. If disciplinary action is warranted, follow the Disciplinary Policy with guidance from SCDA Human Resources regarding the appropriate disciplinary action.
3. Prior to imposing the discipline, assess the employee's potential for violence when planning the disciplinary meeting. The supervisor and another member of management should meet with the employee to present the disciplinary action, with guidance from SCDA Human Resources. Notify SCDA Human Resources if you wish to have a security officer available on standby at the time of the disciplinary action.
4. Conduct a discipline session privately in a professional manner to avoid further incitement of hostile behavior by the employee.
5. Clearly explain reason(s) for discipline.
6. Provide an opportunity for the employee to discuss his/her disagreement with the disciplinary decision.
7. Offer counseling services, as appropriate. Information regarding counseling services may be obtained by contacting Office of Administrative Services-Human Resources.
8. If it is necessary to terminate the employee, conduct the termination session, if possible, towards the end of the workday.

V. EMPLOYEE'S ROLE

A. General Awareness

Employees should know what constitutes inappropriate behavior from the first day of work and how to react if they witness or are subjected to that type of behavior. While some organizations are reluctant to encourage "tattle-tales" because of concern for fostering a "team spirit," early reporting of and response to disruptive behavior can prevent more serious incidents of workplace violence. Many extreme incidents of violence are preceded by lesser offenses such as insubordination, challenges to authority, and harassing comments. Employees are encouraged to watch for potentially dangerous warning signs by an individual such as the following:

1. History of violence - past behavior predicts future behavior
2. A co-worker's reasonable fear of an employee/visitor
3. Poor impulse control - difficulty controlling emotions
4. Unsuccessful personal history - believes society is "out to get me"

5. Injustice history - blames others, does not accept responsibility for personal actions
6. Obsession—becoming fixated on another person
7. Sexual and other harassment of co-workers
8. Routine violations of Agency policy or rules
9. Deteriorating physical appearance
10. Substance abuse
11. Extreme interest in weapons
12. Preoccupation with violence
13. Circumstances - reduction in force, major life changes, etc.

B. Reporting

The following steps are to be taken once a potential threat is identified or a violent act is committed:

1. Any employee who experiences or witnesses such acts, conduct, or communication must immediately contact his supervisor/manager or the SCDA Human Resources at 803-73-2199. They will in turn determine if it is necessary to contact the appropriate law enforcement agency or the Bureau of Protective Services (BPS) at 803-734-2422 if they have jurisdiction.
2. Employees that may feel threatened by domestic violence should let their supervisors know immediately. Provide information to the supervisor of who the possible threats may be from, the name and description of the person and any details as to why the employee feels threatened.
3. If the act constitutes a severe emergency, call 911 before calling the officials designated. (Please note: designated officials should be notified as soon as practical.)
4. Employees should not attempt to take action themselves unless their life is threatened. Employees are prohibited from possessing weapons, other than routine pocket knives, in the workplace or during work time.
5. Any supervisor receiving a complaint of violence, threats, or harassment, or who has reason to suspect that these acts or behaviors are occurring, must notify the Human Resources Director or Human Resources Manager immediately.

6. Supervisors may, in extreme cases, find it necessary to take immediate action if the employee is involved in behavior that seriously endangers the safety of other persons or property.
7. If the employee's behavior could potentially harm others and the employee is on State premises, the employee may be required to leave the State property at once and/or either report to his supervisor/manager and should remain out of the office until notification from the supervisor. This directive must be followed up by written notification coordinated through SCDA Human Resources Office.
8. Under extreme emergencies, law enforcement officials should be called to remove the offending individual. In an emergency dial 911 or BPS at 734-2422. If the behavior comes from a non-employee causing disruption or threats to an employee, call BPS and request that they leave the building.
9. If the employee is not at work, the employee should be notified by telephone not to report to work until further notice. The phone conversation with the employee should be followed with written notification. If the employee is not contacted by phone, written notification should be sent.
10. Upon being informed of an allegation of violence, threat, or harassment, the Human Resources Director or other designated official will determine the course of action to include investigating the complaint.
11. Upon completion of the investigation, the Commissioner, in consultation with the Division Assistant Commissioner and the Human Resources Director or designee, will determine a course of action up to and including dismissal and/or notification of law enforcement authorities to determine charge and prosecution.

C. Prohibited Conduct

The Department of Administration prohibits conduct which can contribute to an offensive work environment which includes but is not limited to:

1. Verbal Harassment
 - a. Making verbal threats, suggestions or otherwise imitating an act to injure/harm persons or property.
 - b. The use of vulgar or profane language toward others.
 - c. Disparaging or derogatory comments or slurs.
 - d. Offensive flirtations and propositions.

- e. Verbal intimidation, exaggerated criticism or name calling. (This includes physical and verbal threats or gestures reasonably perceived to harm another individual or endanger the safety of an individual.)
- f. Making harassing or threatening telephone calls, sending letters or other forms of written or electronic communications.

2. Physical Harassment

- a. Any physical assault such as hitting, pushing, kicking, holding, impeding, or blocking the movement of another person.
- b. Harassing surveillance (stalking) which is the willful, malicious and repeated following of another person and/or making a threat with intent to place the other person in reasonable fear of his/her safety.

D. Prohibited Items

Weapons of any kind (firearms, except for law enforcement; knives (other than routine pocket knives); dangerous chemicals; explosives or blasting caps; chains; clubs; and other objects carried for the purpose of injury or intimidation) will not be allowed on Agency premises or in the possession of an employee during work time.