



## WORKPLACE VIOLENCE POLICY

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### I. PURPOSE

Compliance with the Federal Occupational Safety and Health Act of 1970 requires an employer to furnish every employee with a safe and healthy work environment. The purpose of these guidelines is to define workplace violence and help ensure that all employees are provided with a work environment free from violence. These guidelines are also intended to comply with Section 1-1-1410 of the South Carolina Code of Laws of 1976, as amended, which states that each state agency shall develop and implement an agency workplace domestic violence policy that must include but is not limited to, a zero-tolerance policy statement regarding acts or threats of domestic violence in the workplace and safety and security procedures.

### II. INTRODUCTION

The South Carolina Department of Agriculture (SCDA) has zero tolerance regarding acts or threats of violence in the workplace. This includes violence committed or threatened against agency employees or members of the public. Acts of violence in the workplace must be investigated and dealt with accordingly, which may include disciplinary action and notification of law enforcement personnel for determination of arrest and prosecution.

Decisions regarding the appropriate response to instances of workplace violence should be made on a case-by case basis. However, actions that may constitute a crime or emergency should be reported to law enforcement. **AN EMPLOYEE IN IMMEDIATE DANGER SHOULD CONTACT 911.**

#### A. Required Action

1. All employees are responsible for reading and following this Policy.

2. All Supervisors/Managers are responsible for knowing and implementing this Policy.

### B. Definitions

1. **Abusive Language:** The use of remarks intended to be demeaning, humiliating, mocking, insulting, or belittling, and can include threats or verbal abuse.
2. **Workplace Violence:** Any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the work site. It ranges from threats and verbal abuse to physical assaults and even homicide. It can affect and involve employees, customers, visitors, and property.

### III. GUIDELINES

#### A. Workplace Violence Perpetrators

1. Persons who commit workplace violence may include:
  - a. Outsider – Someone who has no legitimate relationship with the victim or workplace.
  - b. Customer – Someone who is a recipient of a service provided by the affected workplace or victim.
  - c. Employee – Someone who has an employment-related relationship with the workplace victim.
  - d. Employee-related outsider – Someone who has/had a personal or professional (non-SCDA related) relationship with the workplace victim.

2. Observant employees may notice characteristics of potentially violent behavior in an employee, such as:
  - a. Behavior that is indicative of paranoia (“everybody is against me”).
  - b. Empathy with individuals committing violence.
  - c. Escalation of domestic problems into the workplace.
  - d. Explosive outbursts of anger or rage without provocation.
  - e. Increase in unsolicited comments about firearms/dangerous weapons and violent crimes.
  - f. Increased severe mood swings.
  - g. Increased use of alcohol and/or illegal drugs.
  - h. Increasingly talks of problems at home.
  - i. Noticeable decrease in attention to appearance and hygiene.
  - j. Noticeably unstable, emotional responses.
  - k. Repeated violations of agency policies.
  - l. Resistance and overreaction to changes in policy and procedures.
  - m. Suicidal comments.
  - n. Talk of previous incidents of violence.
  - o. Talk of severe financial problems.

*This list of behaviors is not complete, nor should it be used to diagnose a coworker. However, contact a member of Human Resources Department (HR) if you believe an employee or coworker exhibits potentially violent behavior.*

## **B. Reporting Workplace Violence**

1. In the event of imminent threats to life, an employee should call 911 immediately. As soon as it is practical, a staff member is to notify a member of the office management team and call HR at 803-734-2199.

2. Employees are prohibited from making threatening or intimidating statements or engaging in threatening or intimidating behavior directed to another employee, supervisor, manager, vendor, customer, or visitor directly, by telephone, through electronic means or in writing. All employees who observe or experience violent, threatening, harassing, intimidating, or other disruptive behavior by employees or other persons on SCDA property have a duty and a responsibility to immediately report such behavior to their supervisor/manager. If the concern or complaint involves the employee’s direct supervisor, the employee may go to the next supervisory level with the concern/complaint or directly to HR. All reports and incidents of workplace violence will be taken seriously.

- a. Employees are allowed to disconnect a caller who is using abusive language.
  - i. If a caller is using abusive language, the employee should ask the customer to refrain from using the type of abusive language he or she is using.
  - ii. If the caller continues to use abusive language, the employee should advise the customer that he or she will not be able to receive assistance while using such language and that continuing to use abusive language will result in the employee disconnecting the call.
  - iii. If the caller continues to use abusive language, the employee should disconnect the call after informing the caller the call is being disconnected due to the use of abusive language. Following the disconnection, the employee must immediately notify their supervisor of the disconnection and use of abusive language that caused the disconnection.

- b. If a customer uses abusive language in person, employees may stop assisting the customer and a member of Senior Staff may ask the customer to leave SCDA property.
- c. If the customer is asked to leave SCDA property and the customer refuses to leave, a member of Senior Staff may contact law enforcement to have the customer removed from SCDA property.

d. Anytime law enforcement must be called as described above, a member of the Senior Staff must notify HR, the Office of General Counsel, and their Assistant Commissioner as soon as possible.

3. All supervisors and managers who have knowledge of an impending act of workplace violence have a duty and a responsibility to immediately warn the employee and to take all reasonable actions possible to prevent injury. In the event of imminent threats to life, a member of Senior Staff should call 911 immediately. As soon as it is practical, a member of the Senior Staff is to call HR at 803-734-2199 and notify their Assistant Commissioner.

### **C. Restraining Order**

An employee who is the subject of a Restraining Order which affects the workplace or the employee's ability to perform job duties, must report the Restraining Order to the Human Resources Department, on the first working day after issuance of the order. Failure to report may result in disciplinary action, up to, and including termination.

### **D. Investigations And Corrective Action**

Upon being informed of an allegation of violence, threat, or harassment, HR will investigate the matter. Upon the conclusion of the investigation, the agency will deter-

mine how to respond. The Commissioner, or designee, in consultation with the Assistant Commissioners, Office of General Counsel, and the Human Resources Director or designee, will determine a course of action up to and including termination. The course of action may also include notification of law enforcement authorities to determine if arrest and prosecution is appropriate. The reporting employee will be notified of the outcome of the investigation.

### **E. Victim Support**

SCDA employees who respond to a report and/or incident of workplace violence will treat the employee who reports or who has been the target of workplace violence with respect and empathy. The employee's safety and well-being will be of paramount importance and members of the employee's office management team will take immediate precautions to ensure the safety of the employee, other employees, and the workplace. This may include, but is not limited to:

1. Containment of the situation to the extent possible to minimize danger to the employee and other employees or escalation of the violence.
2. Notification to local law enforcement for assistance in the event of imminent threats to life.
3. Notification to HR.