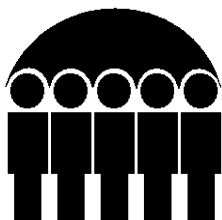


August 15, 2000

Employees' Manual
Title 24
Chapter F

VIOLENCE-FREE WORKPLACE



Iowa
Department
of
Human Services

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POLICY STATEMENT

The state of Iowa recognizes that violence at work can seriously affect employee work performance and morale. The state of Iowa further establishes, as its vision, that all of its officials, managers, supervisors, and employees will treat each other with courtesy, dignity, and respect.

The state of Iowa is committed to a violence-free workplace, and its goal is to prevent violence in the workplace. Threats, intimidation, harassment, or acts of violence will not be tolerated. Accordingly, the state of Iowa is committed to:

- ◆ Preventing the potential for violence in the work environment.
- ◆ Reducing the negative consequences for employees who experience or encounter violence.
- ◆ Maintaining a work environment of respect and positive conflict resolution.

Legal Basis

The legal basis for this chapter is Executive Order Number 57, dated June 28, 1996, and signed by Governor Terry E. Branstad.

Definitions

“**Client interview**,” as it appears in this chapter, refers to all types of worker/client transactions in the office or the client’s residence. This includes reception, application, home visits, investigations, and service transactions.

“**Course of conduct**,” as defined in Iowa Code Section 708.11, means repeatedly maintaining a visual or physical proximity to a person without legitimate purpose or repeatedly conveying oral or written threats, threats implied by conduct, or a combination thereof, directed at or toward a person.

“**Dangerous weapon**,” as defined in Iowa Code Section 702.7, means any instrument or device designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death or injury upon a human being when used in the manner for which it was designed.

Additionally, any instrument or device of any sort whatsoever which is actually used in such a manner as to indicate that the defendant intends to inflict death or serious injury upon the other, and which, when so used, is capable of inflicting death upon a human being, is a dangerous weapon.

Dangerous weapons include, but are not limited to, any offensive weapon, pistol, revolver, or other firearm, dagger, razor, stiletto, switchblade knife, or knife having a blade exceeding five inches in length.

“Harassment,” as defined by the Iowa Code Section 708.7, occurs when a person does any of the following with intent to intimidate, annoy, or alarm another person:

- ◆ Purposefully and without legitimate purpose has personal contact with another person.
- ◆ Communicates by telephone, telegraph, or writing without legitimate purpose and in a manner likely to cause the other person annoyance or harm.
- ◆ Orders merchandise or services in the other person’s name, or to be delivered to the other person, without the other person’s knowledge or consent.
- ◆ Places a simulated explosive or simulated incendiary device in or near a building, vehicle, airplane, railroad engine or railroad car, or boat occupied by another person.
- ◆ Reports or causes to be reported false information to a law enforcement authority implicating another in some criminal activity, knowing that the information is false, or reports the alleged occurrence of a criminal act, knowing the act did not occur.

“Hostile situation,” as it appears in this chapter, refers to instances when a person:

- ◆ Displays physically threatening behavior, or
- ◆ Uses verbally abusive language, or
- ◆ Is drunk, disorderly, or appears to be under the influence of a controlled substance.

“Immediate family member,” as defined in Iowa Code Section 708.11, means a spouse, parent, child, sibling, or any other person who regularly resides in the household of a specific person, or who within the prior six months regularly resided in the household of a specific person.

“Personal contact,” as defined in Iowa Code Section 708.7, means an encounter in which two or more people are in visual or physical proximity to each other. Personal contact does not require a physical touching or oral communication, although it may include these types of contacts.

“**Reasonable force**,” as defined in Iowa Code Section 704.1, is that force and no more which a reasonable person in like circumstance would judge to be necessary to prevent an injury or loss. It can include deadly force if it is reasonable to believe that such force is necessary to avoid injury or risk to one’s life or safety or the life or safety of another, or it is reasonable to believe that such force is necessary to resist a like force or threat.

“**Repeatedly**,” as defined in Iowa Code Section 708.11, means on two or more occasions.

“**Residential client**” means a person who has been admitted to and resides at one of the Department of Human Services’ institutions.

“**Restraint**” means restriction of movement of all or a part of a person’s body by outside means. This includes walking restraint.

“**Seclusion**” means isolation of a person from the rest of the group in an area where the person cannot walk away voluntarily. This area may be locked.

“**Stalking**,” as defined in Iowa Code Section 708.11, requires all of the following to occur:

- ◆ A person purposefully engages in a course of conduct directed at a specific person that would cause a reasonable person to fear bodily injury to, or the death of, that specific person or a member of the specific person’s immediate family.
- ◆ The person has knowledge or should have knowledge that the specific person will be placed in reasonable fear of bodily injury to, or the death of, that specific person or a member of the specific person’s immediate family by the course of conduct.
- ◆ The person’s course of conduct induces fear in the specific person of bodily injury to, or the death of, the specific person or a member of the specific person’s immediate family.

“**Terrorism**,” as defined in Iowa Code Section 708.6, occurs when a person, with intent to injure or provoke fear or anger in another:

- ◆ Shoots, throws, launches, or discharges a dangerous weapon at, into, or in a building, vehicle, airplane, railroad engine, railroad car, or boat occupied by another person, or within an assembly of people, and thereby places the occupants or people in reasonable apprehension of serious injury, or
- ◆ Threatens to commit such an act under circumstances raising a reasonable expectation that the threat will be carried out.

“**Violence**,” as defined in Iowa Code Sections 708.1 and 708.7, is:

- ◆ Any act which is intended to:
 - Intimidate, annoy, or alarm another person,
 - Cause pain or injury to another person, or
 - Result in physical contact which will be insulting or offensive to another person,
- ◆ Coupled with the apparent ability to execute the act.

“**Work site**” means any DHS office or institution, a client residence during home visits, and any vehicle being operated to transport an employee while the employee is in work status.

PROHIBITIONS

The following sections give specific prohibitions relating to:

- ◆ Weapons.
- ◆ Harassment.
- ◆ Violence.

Weapons

Employees are prohibited from the possession, sale, transfer, or use of any dangerous weapon while engaged in state business, or on state property or the employer’s premises.

This prohibition does not include peace officers and other state employees who have been issued professional weapons permits by the Commissioner of the Department of Public Safety for their use when acting under the authority of their department.

Further, this policy is not intended to restrict employees who live in state-owned housing from the legal possession of weapons in their homes, if allowed by the appointing authority. This policy is not intended to restrict state employees from engaging in legal hunting and recreational activities on state-owned properties during off-duty hours.

Harassment

Employees are prohibited from engaging in harassment of another employee, supervisor, manager, vendor, customer, or client in accordance with the state of Iowa's equal employment opportunity, affirmative action, and anti-discrimination policy.

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 client.

Employees are prohibited from communicating with another employee, supervisor, manager, vendor, customer, or client by telephone, electronic means, or in writing without legitimate purpose or in any manner likely to cause the other person annoyance or harm.

Employees are prohibited from purposefully and without legitimate purpose, having personal contact with another employee, supervisor, manager, vendor, customer, or client with the intent to threaten, intimidate, or alarm that other person.

Violence

Employees are prohibited from biting, kicking, hitting, or harming in any way any person in the work site, regardless of actions taken by that person. Employees may take only those actions reasonably necessary to protect themselves or manage the situation.

Benefits shall not be withheld from a client solely as a result of an incident of violence in which that client was involved.

AFFIRMATIVE DUTIES

Department staff have affirmative duties to:

- ◆ Report incidences of workplace violence and respond appropriately.
- ◆ Ensure that written policies and procedures about workplace violence are in place and are communicated to staff.
- ◆ Assess Department work sites for risk and plan for security measures and crisis management.

Reporting and Response

An employee who is the victim of workplace violence shall report the incident immediately in accordance with the procedures established by this chapter.

An employee witnessing workplace violence, or the potential for such violence, directed at another person or property of the state shall report such incidents in accordance with the procedures established by this chapter.

When applicable, state officials and employees shall cooperate fully with all appropriate people in the investigation and prosecution of criminal acts and the pursuit of any civil remedies, in order to create and maintain a violence-free workplace.

An employee who is the victim of stalking is responsible for taking all legal measures available to them to protect themselves, i.e., restraining order. If the employee does not take appropriate action to protect themselves, the employee's supervisor may impose leave (with or without pay) for a specified period of time or take other disciplinary action to protect others in the workplace from violence.

The appointing authority shall take reasonable and appropriate steps to provide protection to an employee who has taken all legal measures available to protect themselves while in the workplace and on state property. Some examples include:

- ◆ Notifying the appropriate law enforcement agency.
- ◆ Hiring a guard during critical periods.
- ◆ Making arrangements to escort the employee to and from the employee's vehicle.
- ◆ Changing parking assignments.
- ◆ Allowing administrative leave (with or without pay).
- ◆ Making temporary reassignments.
- ◆ Varying work hours.
- ◆ Moving the employee's workstation.

If a general threat of harm has been received, notify supervisory personnel immediately. Any staff members or clients that might be at risk should be notified using procedures outlined in the emergency evacuation plan.

Relevant information pertaining to instances of violence shall be documented in the client case record.

Written Policies and Training

Each DHS work site shall define specific written procedures to deal with the potential for violence in the workplace and reporting incidents of violence. Procedures may include:

- ◆ Phone numbers for local law enforcement agencies and when to call.
- ◆ Methods used to warn staff of potential violence.
- ◆ Conference rooms or separate areas to interview or meet with potentially violent people.
- ◆ Maps of exits.
- ◆ Emergency evacuation procedures.
- ◆ Methods of behavior that reduce aggressive behavior in others.
- ◆ Stand-by assistance.
- ◆ Additional staff during meetings to discourage and witness incidents of violence.
- ◆ Instructions on when employees should remove themselves from a potentially violent situation.

It is the appointing authority's responsibility to ensure that employees at all work sites are aware and trained in all policies and procedures relating to a violence-free workplace.

Each employee must have access to a copy of the policy. However, a copy does not need to be provided to each employee. Access to the policy may be accomplished by sending the policy through electronic mail, posting it on bulletin boards, reviewing the policy at staff meetings, or any other such means.

Each new or recalled employee must sign form 470-3582, *Notice of Violence-Free Workplace Policy*, acknowledging that the employee has reviewed the policy at the time of hire, recall, or reinstatement. Signed forms are to be filed in the employee's personnel file.

DHS staff who have direct contact with mentally ill or retarded clients or juvenile offenders may receive Mandt or other training that will allow them to manage potentially violent situations while maintaining dignity and respect for the client.

Violence Prevention Site Review

It is the responsibility of each regional administrator, division administrator, and superintendent to assess their work sites and develop a plan to prevent violence in the workplace. Employee training should be provided as part of the plan.

One step to prevention of incidents of workplace violence is a review of security policies and procedures presently in place. The following is a list of topics for consideration when reviewing security:

- ◆ Access of visitors to employees and to files and records.
- ◆ Physical arrangements of offices.
- ◆ Key control and after hours access.
- ◆ Review of security procedures with employees on a periodic basis.
- ◆ Management visibility in the work site.
- ◆ Security procedures for reception desk.
- ◆ The number of entrances that can be accessed by outsiders.
- ◆ The need for silent alarm switches or other emergency notification devices in reception areas and areas of security concern.
- ◆ The need for visitor sign in sheets, visitor badges, or employee badges.
- ◆ Procedures for instances where employees work alone, including escape routes and procedures to call for help.
- ◆ Back-up plans for contacting emergency responders in the event that phone lines are not operational.
- ◆ Departmental procedures for the reporting of threats, violence, or “uncomfortable” behavior.
- ◆ A file of photographs of all employees.
- ◆ Lighting in buildings and parking lots.
- ◆ Review of previous incidents of violence and their resolution.

Part of this assessment process should include a survey of employees' awareness of violence prevention policies, as well as collecting information regarding how the workers view their safety while performing their job duties.

See 24-F-Appendix for a checklist and employee survey to aid in the assessment process.

Physical Office Space

The possibility for violent incidents should be taken into consideration when designing the physical layout of office space.

- ◆ Reception areas should be included that allow a separation from other parts of the office.
- ◆ Signs should be posted at each work site that can be easily seen by the public indicating a zero-tolerance level for violence.
- ◆ Buzzers may be installed at the reception desk, conference or interview room, or worker's desk that will allow silent notice to be made of potentially violent situations.
- ◆ Conference or other rooms should be available for the conduct of interviews. Workers should position themselves near the door when conducting an interview.
- ◆ Video cameras and other surveillance equipment may be installed to record incidents. The presence of this type of equipment may also act as a deterrent.

Crisis Management

DHS field regions, institutions, and central office shall form crisis management teams to serve each of their work sites that can be activated should the situation become necessary. The members of the crisis management team are the people who will deal with the hysteria and panic likely to ensue at the time of an actual incident, as well as in the following hours.

The members of the crisis management team will activate and manage the crisis response effort, including the following:

- ◆ Give legal advice regarding liabilities and organizational purpose.
- ◆ Devise trauma plans and coordinate medical care.
- ◆ Arrange counseling services and debriefings.
- ◆ Arrange necessary transportation.

- ◆ Devise plans for security management of the crisis and arrange for any increased security needs that arise following the event.
- ◆ Keep employees informed on work procedures to be followed.
- ◆ Determine whether employees will be sent home and for how long.
- ◆ Notify families and relatives of employees involved.
- ◆ Coordinate media relations.
- ◆ Account for the whereabouts of employees and persons in the facility.

Crisis management teams will work in conjunction with the Department of Personnel and the Department of Emergency Management to ensure that all needs are addressed.

HUMAN SERVICES FIELD OFFICES

The nature of “human services” often puts employees in close contact with emotionally charged individuals and potentially dangerous situations. In a situation where people have no resources to provide for immediate essential needs, this distress can result in acts of frustration, emotion, and violence.

Just as clients have the right to be treated appropriately by Department employees, staff are not expected to accept threatening situations or verbally abusive behavior. In client contact, situations may develop which are physically or verbally threatening. Employee judgment is needed to decide when a situation becomes so threatening that it should be terminated or handled in a different manner.

For example, an employee may find it appropriate to assist a client who is angry but not a client who is physically threatening. An employee has a right to terminate contact in verbally abusive or physically threatening situations and in situations when a client is drunk, disorderly, or appears to be under the influence of a controlled substance. The employee may ask the client to leave.

The following sections cover:

- ◆ General principles for working in field offices.
- ◆ Specific procedures for various activities including:
 - Terminating an interview.
 - Handling phone incidents.
 - Making home visits.
 - Handling dangerous situations.
 - Calling the police.
 - Responding to assault by a client.
- ◆ Examples of potentially violent situations and how they might be handled.

General Principles

Working with emotionally charged or hostile clients requires skill and alertness. It is not a simple task.

In dealing with hostile clients, it is important to be able to recognize the difference between a client's expression of anger and actions that constitute a threat to an employee's safety, and to take appropriate steps to defuse the situation. Recognizing the anger and responding to it does not mean being overly sympathetic or apologetic.

It is very important to maintain an air of confidence and competence in dealing with emotionally charged clients. Most clients, if dealt with in an honest and consistent manner, will not exhibit a prolonged outburst of violence.

Other techniques that may reduce anger are:

- ◆ Rehearse ahead of time what you would say or do in these situations.
- ◆ React and respond to the client in a calm but firm manner.
- ◆ A lower volume of voice can help the client calm down.
- ◆ Encourage the client to sit down.
- ◆ To help clients define their anger, verbally acknowledge it. "I understand that you are upset" or "It sounds like you're really angry about this."

Clients have the right to any benefit for which they are eligible. When faced by workers who deal with them in a concerned but non-apologetic manner, clients will generally accept the current situation.

Clients need to be dealt with objectively, not mechanically. They need to be offered alternatives for meeting their needs. The alternatives may often be rejected. At this point, state clear choices, and then wait for the client to decide what action to take. In other words, the client must make a choice to behave differently or to leave unassisted.

Terminating an Interview

A worker may terminate a client interview for client using loud or abusive language for any or all of the following reasons:

- ◆ The client is creating a disturbance.
- ◆ The client is drunk or disorderly.
- ◆ The client appears to be under the influence of a controlled substance.
- ◆ The client exhibits any other behavior that causes the interview to become unproductive.

In terminating the interview, advise the client that the client may return at another time when the client has calmed down. If the client refuses to leave and you believe the situation can be handled with the assistance of the supervisor, call upon a supervisor for assistance. The supervisor may then resolve the situation by meeting with the client or calling the police.

You may call the police (without involving a supervisor) at any time you believe the situation with the client is such that it is prudent and necessary to have immediate police assistance to control the client or to remove the client from the premises.

Phone Incidents

An employee has the right to terminate a telephone call that is non-productive due to the caller's abusive or threatening language, unwillingness to allow conversation, or harassing behavior. Note that it is not necessary to terminate a call because the caller is upset, but may be necessary if the call becomes abusive or if the caller is unwilling to allow discussion.

To terminate a call:

- ◆ Acknowledge the person's anger and ask to discuss the problem.
- ◆ Advise the caller that the conversation will be terminated unless this is done.
- ◆ State that the caller may call back when the caller is able to discuss the situation in an appropriate manner.

Employees should not just “hang up” on a caller without giving an explanation about why the conversation may be terminated.

Home Visits

Staff may unknowingly place themselves in a dangerous situation. For example, entering a client home where illegal drug activity is occurring and weapons are present places staff in a dangerous situation. In an effort to minimize the potential for harm, the following procedures are recommended:

- ◆ When making a home visit, always be sure your office knows your destination. Work plans and sign-out boards are helpful only when destinations are recorded accurately.
- ◆ Do not visit potentially aggressive clients' homes without letting a supervisor or other responsible employee know where you are and when you expect to return. If the employee does not check back with the supervisor as scheduled, the supervisor should call or go to the home of the client.
- ◆ When making a home visit after normal working hours, discuss the potential for violence with your supervisor and make arrangements for check in and follow up with the supervisor or another designated employee.
- ◆ You may request supervisory approval to take another employee with you on a home visit.
- ◆ Visits to potentially dangerous homes should always be announced. Unannounced visits increase the risk of walking into a situation in which a surprised client or other person in the house may react violently.

- ◆ Drive around the area and block of the client's home looking for:
 - Unsafe conditions, like poor lighting, limited visibility (fences, bushes), unsecured animals, and people yelling, drinking, fighting, or loitering.
 - Sources of help, like pay phones, neighbors at home, open businesses, and other community workers, such as police and fire personnel or utility trucks.
- ◆ If you find you have an incorrect address, don't search for the client by knocking on strange doors. Call your office from a public facility.
- ◆ Never enter a client's home until someone answers the door and lets you in. When you enter a home without giving your identity, the risk of surprising someone in the house is increased, as is the potential for violence.
- ◆ When entering a home, act as a guest in the house. Wait for the client to direct you to a seat and position yourself in as safe a place as possible. Generally, this is a room with an outside wall, having clear access to an outside doorway, and with a clear view of the room itself and other doorways.

Whenever possible, sit in a hard chair to increase the chance of getting up more quickly, and sit so your back is to a solid wall rather than an unknown space. Sit as close to an exit as possible.

- ◆ When on home visits, be cognizant of all exits and position yourself to facilitate fleeing the room with minimal chance of obstruction. If you are met with a threat of aggression, terminate the home visit immediately. If exit from the home is hindered, do whatever is possible to attempt to flee or best facilitate your safety.
- ◆ If you sense danger, leave immediately. Sometimes a person's instincts provide better information than the conscious mind. In those situations, follow your instincts and get out.
- ◆ While it is legal to have a firearm in the house, its casual display is inappropriate during a home visit. If you see a firearm, or become aware of one in the room or that someone there is armed, leave immediately. Notify your supervisor of the incident and record it in the client's case record.

Before rescheduling the home visit, notify the client to put the firearm in another room during your rescheduled visit and that the client is not to allow armed individuals in the residence during your visits.

Guidelines for the termination of interviews also apply to home visits with three exceptions:

- ◆ You are in the client's home and must respect the integrity of the home and the client's right to do in it as the client pleases.
- ◆ If the home visit is related to a protective assessment or treatment, the assessment is mandated. In such capacity, you must be more assertive in obtaining facts and providing treatment. Additional assistance from police may be required.
- ◆ When a client has applied for assistance, a home visit may be required before approval of the application. Since the client applied for assistance, we assume the client will be willing to allow the home visit.

This does not mean that you will not run into a threatening situation or obstacles in reaching the house, such as a large dog. It also does not mean that you will not encounter some anger as you attempt to verify the facts as stated in the application.

In any of these situations, should the visit turn into one that is physically threatening, it may be terminated.

Dangerous Situations

When you feel you might be involved in a dangerous environment, bring this to the attention of your supervisor. The supervisor will either:

- ◆ Choose another staff member to accompany you,
- ◆ Accompany you themselves, or
- ◆ Arrange for the police to accompany you.

It may be necessary to meet with the client in a controlled setting, or not to meet with the client at all, if the danger cannot be removed, countered, or compensated.

Each situation is unique and requires an individual determination of the danger element. Because of their interpersonal skills and knowledge of behavior, staff have involved themselves in potentially dangerous situations and have not been harmed or threatened.

Employees are discouraged from using mace or other potentially hazardous substances. Consider alternate methods of self-protection, such as personal alarms, whistles, and cell phones.

Calling the Police

In a situation involving a hostile client, a worker or supervisor may decide it is necessary to call the police. A worker may call the police without involving a supervisor.

There may be times when the worker is not able to phone for police assistance or may not be able to give a message to someone else to call. Each office or unit should set up procedures to handle these situations. For example, a verbal code can be set up so, when given, other workers will know that a potentially violent situation exists and that the police should be called.

Assault by a Client

If a client assaults you, first and always attempt to escape the assault. If escape is not possible, you may use proper reasonable force to defend yourself from injury or loss.

Under Iowa Code Section 704.3, a worker is “ ... justified in the use of reasonable force when he or she reasonably believes that such force is necessary to defend himself or herself or another from any imminent use of unlawful force.”

This section is included to ensure that workers know that they have the right to use reasonable force to defend themselves. It is hoped that this will not become necessary and that workers will be able to control the client and not let a situation develop that would call for the use of force.

Force should only be used for the purpose of defending oneself or another and only as a last resort. If time and the situation permit, escape and call the police.

The police should be called any time an employee is assaulted by a client. Any employee assaulted by a client is encouraged to file a complaint with the authorities. The county attorney, as the state’s representative, has the sole discretion in determining whether or not to pursue a complaint.

If the county attorney’s office chooses to pursue the complaint, the employee shall cooperate with the county attorney’s office to aid in prosecution and will be allowed work time to pursue the complaint.

Examples of Potentially Violent Situations

The following examples are not meant to be a complete list of potentially violent situations that may confront field staff. They are included to provide a representation of such situations and actions that might be acceptable.

1. In the waiting room, a client is loud or verbally abusive, disturbing those around or disturbing office operations.

The client should be approached in a neutral (but not impersonal) manner and asked to quiet down. Explain that the client is disturbing the rest of the office. If the client does not respond to this request and continues to cause a disturbance, the police may be called.

2. A client is reacting inappropriately to children, slapping them in the face or spanking them frequently. (This implies some judgment on the part of the observer.)

A worker with some knowledge of appropriate parent/child behavior should approach this person, explain the inappropriate behavior towards the children and its possible consequences, and offer alternate disciplinary measures. Workers are not to force personal standards on others. However, behavior which might be suspect in the context of a child protective case shall not be tolerated.

3. In a client interview, after the details of the current situation are discussed and the possibilities for assistance become a spoken reality, a client becomes emotionally upset.

Every effort should be made to deal with angry clients in a neutral but assertive manner. If the worker is overly sympathetic with the client, the client is likely to view this as an indication that the agency has the power to assist but will not. The overly sympathetic attitude may provoke additional negative responses from the client.

What must be conveyed during an emotionally charged session is that the worker recognizes the client's feelings and the urgency of the situation. But the position of either the worker (or the Department) and the alternatives that exist need to be made clear. If this is not satisfactory, and disorderly conduct continues, other action will have to be taken, such as termination of the interview or calling the police.

4. A work location started receiving gang markings on the building. This building was not in an area where gang activity was prevalent.

Local police were called and they did training on the subject. External lighting was upgraded on the building and in the parking lot. The plan for protecting staff, particularly second shift, was evaluated and upgraded. There were no problems in this location but potential was there.

5. An employee was married to a convicted felon and management was not aware of the situation. The spouse was suddenly released from prison on a technicality. The employee advised management that she was being stalked.

Additional security was added. The policy for notification of other employees and protective measures for both the employee and the workplace were implemented until the situation was defused.

6. An employee with a boisterous voice that carried worked in an “open” office environment. The worker in the adjacent work area was very bothered by the voice. Over time this irritation progressed from nasty voice-mail saying “shut up” to a three-page letter threatening physical harm.

The employees’ supervisors met to discuss the letter. The supervisor of the employee making the threats did not want to do anything until asked “What do we need to do, wait until we have a physical attack on our hands before you act?” The employee was moved to a location where the complaining worker could no longer hear the boisterous voiced employee.

7. An employee under progressive discipline had been warned that termination was a possibility. The employee appeared to understand and was reasonable until terminated. At this point, the employee became enraged and threatened both the terminating supervisor and his family.

Police were called and an outside guard service provided for the supervisor and his family until things calmed down.

8. An employee was terminated for bizarre behavior. Security was advised to watch for him for several days, but they did not take this request seriously. In fact, he was allowed in the building the following morning by a security guard who did not know he had been terminated. He was waiting inside the building for the supervisor when he arrived at 6 a.m. It took the supervisor 40 minutes to get the ex-employee to leave.

“Not all ‘bad’ behaviors have to be what we normally think of as threatening to make employees feel uncomfortable,” according to the supervisor. “That 40 minutes lasted forever in my mind ... and at any point, he could have become very violent and I would have had no way to protect myself.”

9. A male employee was angry because a female employee would not go out with him. Things escalated and she attacked him. In the scuffle that ensued, she claimed her 11-year-old breast implants were damaged. This incident resulted in a major workers compensation claim.

10. During a job interview, an applicant stated his five-year goal was “to become President of the United States.” The interviewer advised not hiring the person, but the manager just laughed and hired him anyway.

Two years later, the employee blew up at a supervisor and three other employees, threw tools and other objects at them, and threatened them. The police had to be called. Eight years later, the ex-employee is still trying to get his job back.

HUMAN SERVICES INSTITUTIONS

Residential clients should be allowed to live in the least restrictive environment possible that is appropriate for their behavior.

Abuse of residential clients will not be tolerated. Each institution shall ensure that staff are adequately trained and that the proper level of intervention is used for:

- ◆ Self-defense.
- ◆ Prevention of escapes.
- ◆ Break up of fights.
- ◆ Protection of others from personal injury.
- ◆ Placement of an unwilling person in custody.

Each institution shall have written procedures to ensure that the use of restraint and seclusion of residential clients is properly applied.

Incidents of violence by residential clients that do not result in death or serious injury are not subject to formal reporting procedures. Each institution shall have an internal procedure in place to ensure the reporting and review of all other incidents of violence involving clients.

Incidents resulting in death or serious injury of a residential client shall be reported to the deputy director for field operations immediately. All contacts with news media concerning the incident shall be documented and forwarded to the deputy director’s office immediately.

INCIDENTS AND COMPLAINTS

Any employee who has been the victim of workplace violence, or who has a concern about potential workplace violence within the context of this policy, is directed to bring the matter to the attention of the employee's supervisor, appointing authority, or designee, in accordance with the Department's established complaint procedure.

If the concern or complaint involves the employee's direct supervisor, the employee may go to the next higher supervisor with the concern or complaint or, in the alternative, to the Iowa Department of Personnel. All complaints shall be promptly investigated by the appointing authority or the Iowa Department of Personnel.

Incidents and complaints shall be reported on form 552-0669, *Workplace Violence Report*.

In the event of a situation requiring immediate intervention by law enforcement personnel, contact the appropriate law enforcement agency immediately.

Immediately following an incident, the first priority shall be to obtain whatever emergency medical assistance may be required for those involved. The Workers Compensation form, *First Report of Injury*, shall be completed and submitted as required.

Whenever possible, the supervisor shall meet with the employees involved and any witnesses to discuss the incident in totality. The supervisor shall immediately prepare a written report of the incident on form 552-0669, *Workplace Violence Report*, and submit it to the appropriate division administrator, the Division of Organizational Development and Support, and the Iowa Department of Personnel.

When a threat has been received, a plan shall be developed to prevent the violent act or protect the threatened individual and included in the *Workplace Violence Report* and faxed to the Threat Assessment Team at the Iowa Department of Personnel at (515) 242-6450.

Incidents resulting in death or serious injury shall be reported to the appropriate deputy director's office in Central Office immediately. All contacts with news media concerning the incident shall be documented and forwarded to the appropriate deputy director's office immediately.

A copy of all complaints received and their resolution shall be forwarded to the Iowa Department of Personnel within ten working days after receipt of a complaint and ten working days after resolution of the complaint. Interim reports will be provided as requested.

Employees who are victims of a violent incident or indirectly affected by violent incident should be offered the Employee Assistance Program.

The following sections give additional information on:

- ◆ OSHA reporting requirements.
- ◆ Remedies for violations of policy.
- ◆ Threat assessment.
- ◆ Property damage.
- ◆ Post-incident counseling.
- ◆ Legal action.

OSHA Reports

Fatalities of employees resulting from workplace violence are required to be reported on the OSHA 200 log. Injuries and illnesses also must be reported if they result in one of the following:

- ◆ Loss of consciousness.
- ◆ Restriction of work or motion.
- ◆ Transfer to another job or termination of employment.
- ◆ Medical treatment beyond first aid.

In addition, IOSHA reporting guidelines require the employer to verbally report all incidents, including workplace violence incidents, that result in the death of an employee or the hospitalization (inpatient admission) of three or more employees within eight hours after the employer learns of the incident.

The Division of Organizational Development and Support is responsible for all reports to IOSHA for Central Office. Field work sites and institutions are responsible for reporting directly to IOSHA.

Remedies for Violations of Policy

Corrective action will be taken to remedy violations of this policy when warranted, up to and including the discharge of parties whose conduct violates this policy.

Any manager or supervisor who fails to properly act upon employee complaints or on personal knowledge of conduct in violation of this policy shall be subject to disciplinary action, up to and including discharge.

Threat Assessment

A Threat Assessment Team is available from the Iowa Department of Personnel to assist managers and supervisors in managing workplace violence incidents. The team will monitor all reports of threats or violence and provide consultation services to agencies.

The Threat Assessment Team is a technical resource to agency personnel in properly assessing, evaluating, and managing violence incidents. Contact 515-281-3087 for assistance.

Property Damage

The state of Iowa is self-insured. State-owned equipment damaged as a result of an incident of violence will be replaced or repaired as necessary at state expense. Likewise, county-owned equipment will be replaced or repaired at county expense.

Personal property of employees damaged as a result of an incident of violence may be replaced at state expense in accordance with Department of Revenue and Finance Financial Management Division Handbook, Procedure Number 230.450.

Post-Incident Counseling

When multiple people are involved (directly or indirectly) in a violent workplace incident, both of the following post-incident debriefing teams should be contacted immediately. If the situation does not meet their criteria, they can make appropriate referrals to other sources.

These specially trained teams provide counseling to help those involved in the violent situation deal with the emotional trauma associated with the incident. It is widely accepted that failure to deal with this post-incident emotional trauma can have long-range life-altering consequences for those involved.

Iowa Crisis Response Team

The Iowa Crisis Response Team (ICRT) deals primarily with the victims and the community involved in violent incidents. Their goals are to:

- ◆ Help plan and implement immediate and long-range response after a catastrophe or disaster.
- ◆ Provide emotional and respite support.
- ◆ Provide focused training on immediate crisis response and long-term stress reaction to trauma.
- ◆ Provide group debriefing sessions to people involved in the violent incidents.

They can be particularly helpful where:

- ◆ The crime or trauma affects a community or people who are strongly affiliated with each other.
- ◆ There are multiple witnesses to the trauma.
- ◆ The victims are of special significance to the community, such as government, community, and media leaders.
- ◆ Community members are exposed to carnage or misery.
- ◆ The incident attracts significant media attention.

The National Organization for Victim Assistance (NOVA) Iowa Crisis Response Team (ICRT) contacts are:

- ◆ Alison Whall, Attorney General's Office, at (515) 281-5044 or (800) 373-5044 or Awhall@ag.state.ia.us.
- ◆ Marty Anderson at (515)-281-5044 or (800) 373-5044 or manders@ag.state.ia.us.

Critical Incident Stress Debriefing Team

The Critical Incident Stress Debriefing Team (CISD) deals primarily with the emergency responders who responded to the violent incidents. Their goal is to:

- ◆ Help lessen the impact of a critical incident on emergency personnel.
- ◆ Accelerate the normal recovery process through support and education.

Some examples of critical incidents include:

- ◆ Sudden death or serious injury to a child
- ◆ Serious injury or death of an emergency worker
- ◆ A prolonged or difficult rescue effort
- ◆ Victim and family known by responder
- ◆ A victim with overwhelming traumatic injuries
- ◆ Natural disasters or mass casualty incidents
- ◆ Suicides
- ◆ Excessive media coverage of an event
- ◆ Several difficult incidents within a short period of time

The following are nine signs of “stress” that may appear in persons that may benefit from CISD:

- ◆ Insomnia or nightmares
- ◆ Loss of or excessive appetite
- ◆ Inability to physically relax
- ◆ Pain in the neck or lower back, headaches
- ◆ Overpowering urge to cry or run and hide
- ◆ General irritability, hyperexcitation or depression
- ◆ Emotional tension and alertness, feeling of being “keyed-up”
- ◆ Increased smoking, use of alcohol, or medications
- ◆ Diarrhea, indigestion, queasiness in the stomach, and sometimes vomiting

The Iowa CISD Network contact is: Ellen McCardle-Woods, Department of Public Health (Bureau of EMS), at (515) 377-2237 or Emwoods@health.state.ia.us.

The Critical Incident Stress Management Teams statewide hotline number is (877) 225-2476.

Ames	Davenport	Fort Madison	Sioux City
Burlington	Des Moines	Mason City	Spencer
Cedar Rapids	Dubuque	Ottumwa	Waterloo
Council Bluffs	Fort Dodge		

Legal Action

Under Iowa law, the responsibility for prosecution of criminal acts lies solely with the respective county attorney. Neither the Department of Human Services acting as a Department nor an individual acting alone can prosecute criminal action. These matters are the responsibility of the county attorney in conjunction with the grand jury.

Any person may go to a county attorney, local police, county sheriff's office, or magistrate to file a complaint if they feel their rights have been violated. Once a complaint is filed, the county attorney has complete discretion regarding prosecution.

The Department of Human Services encourages employees who feel a criminal act has been committed against them while in a work station to take the steps necessary to initiate legal action. The employee's supervisor will facilitate the employee's initial contact with the county attorney.

Should the county attorney's office decide to prosecute, work time will be allowed for this purpose. Any changes affecting the weekly work schedule must be made with supervisory approval.

If an employee is injured on the job, recovery for those injuries must be pursued through the worker's compensation law. State employees are not exempt from the worker's compensation law and must use those avenues for filing civil suits.

If an employee desires legal representation under these circumstances, the employee must pay for all of the own legal expenses. Vacation, compensatory time, or time outside of the scheduled workday must be used to pursue legal action involving civil suits.

PRACTICAL ADVICE FOR PERSONAL SAFETY

You are responsible for your own personal safety. No number of policies and procedures or amount of training can help unless you take safety seriously and are willing to take precautions that will reduce the possibility of becoming a target at or away from the work site. Following is a list of common safety precautions that you should consider:

- ◆ Be aware of your surroundings. Know who is near you and which way you can run if necessary. If you sense danger, trust your instincts.
- ◆ Walk quickly and present an air of self-confidence in your demeanor. Don't act like a victim.
- ◆ Don't give out your home address. List your phone number in local directories so that only family and friends can easily find you.
- ◆ Don't be predictable. Vary your arrival time or route to and from the work site each day.
- ◆ Park in open, well-lighted areas and always lock your vehicle.
- ◆ Don't carry a weapon; it can be used against you. Have your car keys ready when approaching your vehicle and carry them so they can be used for self-defense.
- ◆ Keep your automobile in good working condition and have a full tank of gas.
- ◆ Before entering your car, check the rear seat. When approaching, be sure to look under the car. Once inside the car, keep all doors locked and windows up at all times.
- ◆ Consider carrying a cell phone for emergencies. Ask for identification from people who arrive in response to your emergency call.
- ◆ Don't accept a ride from a stranger even if your car breaks down. Ask the stranger to send help from a service station.
- ◆ Raise the hood of your vehicle to alert other drivers to your trouble. Tie a white cloth, handkerchief, or anything white to the door handle or antenna nearest the road.
- ◆ Always ask anyone driving you home to wait until you are safely inside.
- ◆ Never pick up hitchhikers.
- ◆ Don't work alone in an emergency area, especially at night.
- ◆ Don't go to unfamiliar or high-crime areas alone. Use the "buddy system" and carry a whistle or other safety device for added protection.

- ◆ Arrange your work schedule so you can make new or questionable visits early in the day. You'll be less likely to find loitering and illegal activities.
- ◆ Make sure someone knows where you are and when you will return and check in periodically. Call ahead to let people at your destination know your approximate time of arrival.
- ◆ Avoid darkness and isolated or unfamiliar neighborhoods. If necessary, walk in the middle of the street itself.
- ◆ Don't carry large amounts of cash or credit cards. Carry only what you need in your pockets. Avoid carrying a purse.
- ◆ Don't wear expensive jewelry that may attract a thief or that can be used to strangle you during a violent incident.
- ◆ If someone demands your purse, money, or jewelry give it to the person. Your life is worth more.
- ◆ If people are loitering on the street or sidewalk, walk around them or cross the street.
- ◆ If you think you're being followed, change direction, move to the middle of the street, or head to an area where there are people.
- ◆ Once on the road, if you feel you are being followed:
 - Stay on well-traveled streets.
 - Head for a police or fire station, or flag down a patrol car.
 - Stay in your car and keep your doors locked. Use your horn until you get someone's attention.
- ◆ If someone continues to follow you, run and scream if the person gets too close. Noise is your best defense.
- ◆ If you are using an elevator, use an empty one if possible. Always stand next to the door and the control panel. If you have a problem, push all the buttons so the elevator stops on all the floors, providing a better chance of escape. Press the appropriate floor number yourself. Don't ask someone else to do it. If someone suspicious gets on while you're already in the elevator, get off as soon as possible.
- ◆ Don't eat or drink anything without knowing that it is safe.
- ◆ If you are attacked or threatened, call the police.
- ◆ Look for public phones. You don't need money to call 911.



THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES
JESSIE K. RASMUSSEN, DIRECTOR

August 15, 2000

GENERAL LETTER NO. 24-F-1

ISSUED BY: Division of Organizational Development and Support

SUBJECT: Employees' Manual, Title 24, Chapter F, ***VIOLENCE-FREE WORKPLACE***,
Title page, new; Contents (page 1), new; and pages 1 through 27, new.

Summary

As part of the state's commitment to provide a violence-free workplace for employees and for those we serve, this chapter has been developed as a guide for promoting a safe working environment. Procedures are included to report incidents of violence.

Effective Date

Upon receipt.

Material Superseded

None.

Additional Information

Refer questions about this general letter to your regional administrator or institution superintendent.