

Attachment B

Preventing and Addressing Workplace Violence

A. Introduction.

There are no fail-safe measures to ensure that violence will not occur. Our chances to prevent acts of violence greatly improve with increased awareness of potential warning signs and rapid response to a potential problem. Employees and supervisors are encouraged to do their part and report any inappropriate or unacceptable behavior that is disruptive, provoking, harassing, threatening, or unsafe. Early action and intervention can serve to diffuse a potentially dangerous situation and prevent the occurrence of violence.

This document, therefore, highlights warning signs, identifies intervention procedures, and provides some specific steps to take if individuals find themselves in a violent or threatening situation. The likelihood of a violent act occurring to or being committed by a FEMA employee or visitor in a FEMA facility is not high, but the occurrence of such an incident could have catastrophic consequences. Prevention is an essential approach to minimize the occurrence of workplace violence. Prevention efforts are not limited to those discussed in this document. They only serve as suggested ways to handle adverse circumstances.

B. Identify and Evaluate Unacceptable Behavior.

The employee's immediate supervisor is responsible for evaluating signs of unacceptable behavior or misconduct and taking appropriate action to put the employee on notice that such acts will not be tolerated. In most cases, the supervisor will face behavior or misconduct that can be handled administratively. There may also be instances when the supervisor will need to make a quick decision on whether the situation creates an immediate danger and requires the removal of the employee from the work site and/or the assistance of appropriate security personnel or law enforcement officials. Contingency plans for such occurrences shall be developed and disseminated

locally so supervisors will know whom to contact in cases of emergency. It is imperative that supervisors work closely with the security staff and human resources staff to ensure actions taken are in accordance with personnel management guidance.

C. Warning Signs and Examples of Unacceptable Behavior.

Recent studies indicate violent occurrences rarely happen without some warning. Before actually becoming violent, there are patterns of behavior or other activities that may serve as warning signs of violence. **However, not everyone exhibiting warning signs will become violent.** Examples of violent behavior range from property damage to verbal abuse, threats, harassment or physical assault. The following list is not intended to be all inclusive but provides some examples:

1. Concealing or using a weapon.
2. Obsession with weapons.
3. Physically assaulting a co-worker.
4. Making direct or indirect threats, either in person or in writing, through phone calls or electronic mail.
5. Stalking, harassing or showing undue focus on another person.
6. Intimidating or instilling fear in others.
7. Talking about “getting even”.
8. Throwing or striking objects.
9. Actions which damage, destroy, or sabotage property.
10. Physically aggressive acts, like shaking fists at another person, kicking, verbally cursing at others, pounding on desks, punching a wall, angrily jumping up and down, and screaming at others.

According to the experts, whenever a person engages in violent behavior, he or she has chosen aggression over nonviolent alternatives. It is possible to intervene and prevent a violent incident at any point, using appropriate strategies. Key elements to successful intervention include treating employees fairly and with dignity, and in no instance, giving the employee the perception of provocation or personal attack.

It is difficult to predict human behavior. Different scenarios are possible depending upon the personality types and mood of the individuals involved. Some individuals are overly reactive but nonviolent, while others may react violently with little apparent provocation. In order for supervisors and employees to be knowledgeable of the warning signs and appropriate action to take, local training shall be offered.

D. Intervention/Investigation.

With assistance from the Crisis Management Team, the supervisor will intervene quickly to investigate and take appropriate disciplinary/adverse action on all acts or potential acts of violence. Appropriate action shall be taken when standards of conduct are violated, when the employee's job performance or job performance of others is affected, or when the mission of FEMA and efficiency of the service are affected. In offices with no security or employee relations staff, the supervisor should consult with the staff by phone. An EAP counselor should also be contacted for assistance as soon as possible, when warranted.

The most valuable information can often be obtained from co-workers who may be more familiar with a particular employee than the employee's supervisor. All employees are encouraged to identify and report acts of violence and potential violence. Supervisors must not tell the employee who made the report due to the potential for aggressive or threatening behavior toward the employee who reported the incident and may discourage employees from reporting acts of violence. Reporting of a potential problem using anonymity, such as a hotline, may be implemented locally. Employees are also advised that frivolous unfounded accusations of violent acts against others will not be tolerated, and that such reports may subject the employee to appropriate discipline.

1. Intervention Techniques.

a. When an employee exhibits signs of violence, and the situation is not life threatening, diffuse the anger by using the following techniques:

- 1) Meet with the employee in private to discuss the inappropriate behavior. Build trust by listening and treating the employee with respect.
- 2) Do not argue, get defensive, or be sarcastic.
- 3) Take all threats or acts of violence seriously.
- 4) Counsel the employee about the misconduct and how it affects the work of other employees, with a specific warning on future disciplinary action if behavior continues. Appropriate discipline may be warranted for a first offense, depending on the facts involved.
- 5) Inform the employee that EAP services are available and recommend that the employee take advantage of them.
- 6) Call the EAP Counselor for consultation on the employee's behavior. You should also contact the servicing Employee and Labor Relations Specialist for assistance.

b. If you are unable to diffuse the situation and the threat of violence persists:

- 1) Remain calm and do not put yourself or any staff member in a position to be injured.
- 2) If you are meeting alone with the employee, ask the employee to remain and excuse yourself from the meeting.
- 3) Call the appropriate officials as outlined in the Crisis Management Plan for assistance, including the EAP.

4) After the situation has calmed down, counsel the employee in writing on the effect of the violent behavior and initiate appropriate disciplinary action based on the misconduct and/or disruption.

c. If a violent situation occurs:

1) Remain calm and do not put yourself or any staff member in a position to be injured.

2) Call the appropriate officials as outlined in the Crisis Management Plan for assistance, including the EAP.

3) Once the danger has passed, take appropriate disciplinary action.

2. Results of Investigation.

a. For Extreme Misconduct:

1) Supervisor and appropriate members of the CMT shall meet with the employee and advise that misconduct is unacceptable and that access to the building is restricted, until further notice.

2) Advise employee of placement on administrative leave (paid non-duty status) until it is decided what, if any, action will be taken against the employee.

3) If administrative leave is not feasible nor desirable, you may detail employee to another location until a decision can be made on what, if any, action will be pursued.

4) Collect keys, ID, and notify security guard of restricted access to building. Provide security guard with a photo of the employee.

5) Make arrangements for employee to be driven home by a non-FEMA employee, if necessary (i.e., call a family member or friend).

6) Have security guard or security division staff escort employee from the premises.

7) Notify employees of work unit of employee's restricted access to avoid inadvertent unauthorized access to the work site.

8) If there is a civil violation, such as an assault, call the Federal Protective Service to arrest the employee. A civil offense is outside the control of administrative procedures managed by the CMT or the Agency.

9) Conduct inquiry or investigation, and upon completion, determine what action, if any, is warranted, such as a proposed suspension or removal, or some lesser action, as appropriate.

b. For Less Extreme Misconduct:

1) If the offense is not extreme, the supervisor should counsel the employee and issue a verbal or written warning.

2) For a second offense that is determined to be not extreme, issue a letter of reprimand to be placed in the employee's Official Personnel Folder.

3) If there is a third offense or if the initial or subsequent offense is extreme, issue a proposed suspension or proposed removal, as determined appropriate.

c. Written Notices: Written warnings, reprimands, proposal notices and decision notices must be coordinated with the Employee and Labor Relations Division and Office of General Counsel prior to issuance to employee.