

**LUCAS COUNTY, OHIO
BOARD OF COMMISSIONERS**

NUMBER: 18a

**TITLE: WORKPLACE VIOLENCE
PREVENTION POLICY**

RESOLUTION #: 12-427

EFFECTIVE DATE:
May 1, 2012

TYPE:
POLICY X
PROCEDURE X

SUPERSEDES:
POLICY #18
PROCEDURE

I. SCOPE

This policy covers all employees directly under the appointing authority of the Board of Lucas County Commissioners.

II. PURPOSE

To communicate the Board's commitment to provide its employees with a workplace that is free from violence and to provide procedures for responding to acts or threats of violence committed:

- a. By one employee against another
- b. By an employee against a third party (for example, a citizen or client)
- c. By a third party against an employee
- d. Against the County as an entity

III. POLICY

The Board of Lucas County Commissioners recognizes the need for a work environment free of violence for employees and the visiting public. Specific acts of workplace violence committed by or against an employee, including the following, are prohibited and will not be tolerated by the Board of Lucas County Commissioners:

- a. Physical acts of bodily harm, including hitting or forcefully shoving
- b. Verbal or written threats of physical violence, through force, threat of force, or intimidation (including the use of the mail, phone, electronic mail or any other media)
- c. Willful, malicious and repeated following of another person ("stalking")
- d. Sabotage or deliberately damaging County property
- e. Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices while on County property or conducting County business

IV. PROCEDURE

a. Required Postings

To comply with the State of Ohio's law regarding concealed carry, all County facilities shall have clearly posted signage prohibiting guns on County property.

b. Reporting Incidents or Threats of Violence and Initial Response

1. Any violent act or known threat of a specific violent action directed toward a specific individual or group of individuals will be taken seriously. If violence appears imminent, employees should take the precautions necessary to assure their own safety and the safety of others, including notifying law enforcement and emergency responders via 9-1-1 as soon as possible.
2. Any employee having knowledge of an act or threat of violence involving him/herself or another employee must report the incident to a supervisor as soon as possible. (If the person allegedly making the threats or committing the violent act is the employee's direct supervisor, then the report shall be made directly to the Human Resources/Personnel Department.)
3. In situations of potentially imminent harm or where an act has already occurred that involves physical injury, the appropriate law enforcement authorities and emergency responders shall be contacted immediately by the supervisor, if not already contacted by the employee who was threatened. If the agency/department involved has internal security staff, they will also be notified immediately.
4. Once notified, supervisors must report the act or threat of violence to their department head as soon as possible. The department head shall then notify the County Administrator as soon as possible.
5. If the threat is not imminent, upon notification of the County Administrator, law enforcement officials shall be consulted and all reasonable actions will be taken to reduce the possibility of a violent act.
6. Nothing in this policy prohibits an employee from independently filing criminal charges and/or a police report.
7. Employees are encouraged to inform management of any threats or acts of domestic violence, "stalking", or restraining/protective orders that they have obtained which list County owned or leased facilities. After discussion with the employee and review of restraining/protective orders if applicable, relevant information shall be shared with the necessary parties (for example, building security, other units within the employee's department that may have a legitimate business reason to meet with the other individual, etc...) only to the extent necessary to protect the safety of employees and/or comply with the order. Confidentiality will be maintained insofar as it is legal but is not guaranteed depending upon the facts of the case. The County will consider taking the following actions in reported cases of domestic violence:
 - Modifying the employee's work time, assignments or locations when both the perpetrator and victim work at the same location or department

- Granting leave requests (such as the emergency use of accrued vacation, authorizing an unpaid leave, etc...) if the employee needs to be absent from work as a direct result of domestic violence
 - Working collaboratively with the County's EAP (if provided) or other appropriate medical professionals when considering corrective actions related to the job performance of a victim of domestic violence
8. It is a violation of this policy to retaliate in any way against any employee or citizen who files a complaint; it is also a violation for employees to file frivolous complaints.

c. Investigations

1. In cases where the person allegedly making the threat or committing the act is an employee, the Human Resources/County Personnel Department will conduct an investigation using the investigation guidelines outlined in the County's "Harassment Prevention Policy".
2. Any investigation by the Human Resources/County Personnel Department will be limited to employment-related issues. It will not interfere with any law enforcement investigation into the same allegations.
3. In cases where the alleged perpetrator is not an employee, the County and/or the victim may request that an investigation be conducted by the appropriate law enforcement agency. In general, it will be the county's practice to meet any act of violence, threat or intimidation against its employees by a third party with an immediate response, including legal action where appropriate.
4. The County and its employees shall cooperate fully with law enforcement authorities during any investigation.

d. Personal Counseling

Where appropriate, employees (both victims and those making threats or committing acts) shall be referred to the County's Employee Assistance Program (EAP), if provided. This action alone does not prevent further steps (including discipline) from being taken against those making the threats or committing the acts.

e. Confidentiality

Information about an incident or threat will be disclosed on a need-to-know basis only, so that a fair and thorough investigation can be conducted. Every effort will be made to ensure the confidentiality of the employees involved as permitted by Ohio law.

f. Background Checks

1. Prior to an applicant being recommended for any position, the Human Resources Department shall complete both a reference check and (where permitted by law) a check of criminal records. Convictions will be reviewed regarding the applicability to the job duties, the nature and seriousness of the offense, and the length of time since the offense occurred.

2. Any applicant making false statements on the employment application and/or any supporting documents shall not be considered for a position. If the discrepancies become known after the applicant has been hired, the applicant will be subject to disciplinary action up to and including removal.

g. Building Security Audits

The County's loss control staff in cooperation with the Lucas County Facilities Department shall coordinate audits on a periodic basis of county facilities to determine building-related security concerns (such as lighting, accessibility, alarms, etc.). Recommendations for building security improvements shall be made to the Board of Lucas County Commissioners for their consideration.

h. Employees Working in the Field

If a job task requires an employee to visit another person outside of the office (the client's home, for example), then the following steps shall be taken prior to the employee completing the work:

1. The employee involved shall meet with his/her immediate supervisor to review all related case files. Departments shall institute a method to readily identify clients who are known to be violent or harassing (an example would be to use a color-coded system on client files).
2. If the client/customer/third party is known to have a history of violent or harassing behavior, then a reasonable combination of steps may be taken to reduce the potential risk. Examples include, but are not limited to, the following:
 - i. Another employee (preferably the supervisor) may accompany the employee.
 - ii. Appropriate law enforcement agency may be notified so they can be in the area.
 - iii. The employee(s) may be provided with a reliable means to communicate in an emergency (such as a hand held radio or portable phone, if one is available).
 - iv. The employees(s) may be instructed to notify his/her supervisor immediately upon arrival at and departing from the field location.
 - v. The client may be asked to conduct business in the office instead.
3. Employees performing tasks in any "lockdown" facility shall only begin work after the employee has received verification from the facility's staff that the immediate area is secure, unless the work is "emergency" in nature, in which case the facility shall be requested to provide adequate security while the work is in progress. Employees should contact their immediate supervisor for additional assistance with any such concerns.

i. Employee Identification

Employees under the jurisdiction of the Board of Lucas County Commissioners shall wear or possess appropriate employee identification whenever conducting County business that may involve interaction with the public.

j. Training & Education

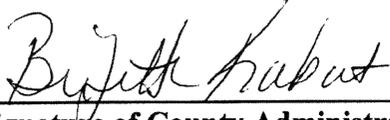
1. The Human Resources/Personnel Department will ensure that this policy has been disseminated and is accessible to covered employees, including new hires.
2. The Human Resources/Personnel Department and Risk Management staff shall provide periodic information and training programs. Such information and programs shall include ways to anticipate, avoid and deal with threats or acts of job-related violence and guidelines for supervisors and department heads on recognizing symptoms of potentially violent persons and situations.
3. Annually, the Human Resources/Personnel Department will provide resources to all covered departments to assist them in reminding employees of this policy.

k. Discipline

1. Violations of this policy shall be considered to be a "failure of good behavior" as defined by ORC 124.34 and/or applicable collective bargaining agreements. Any employee found in violation of this policy, or any supervisor who knowingly allows a violation of this policy, shall be subject to disciplinary action, up to and including removal.
2. In addition, the employee(s) involved may be subject to criminal prosecution and the resulting penalties thereof.

l. Administrative Leave

ORC 124.388 permits the Lucas County Board of Commissioners to place an employee on paid administrative leave only in circumstances where the health or safety of an employee or of any person or property entrusted to the employee's care could be adversely affected. In addition, ORC 124.388 also permits the Board to place an employee on administrative leave without pay for a period not to exceed two (2) months, if the employee has been charged with a violation of law that is punishable as a felony, subject to back-pay with interest should the employee not plead guilty to or be found guilty of a felony. In the event a department head believes that an employee should be placed on administrative leave, he/she will make his/her request in writing (e-mail is acceptable) to the County Administrator, specifying the reasons for the request; the County Administrator shall then approve or deny the request. If approved, paid administrative leave will not continue beyond the period needed for investigation and the disciplinary process.



Signature of County Administrator

5/7/12

Date