

**UTAH DEPARTMENT OF HUMAN SERVICES
POLICY AND PROCEDURES**

Reference: 02-13

Effective Date: July 15, 2008

Page 1 of 3

SUBJECT: WORKPLACE VIOLENCE

RATIONALE: The Department of Human Services is committed to providing a safe workplace for all employees. The purpose of this policy is to establish policy and procedures to report violence in the workplace and explain ways to reduce the risk of violence in the workplace. This is not a policy regarding firearms.

I. DEFINITIONS

As used in this policy:

- A. “Agency management” means any department official, including directors of divisions, offices, or institutions, and associated managers or supervisors.
- B. “Dangerous weapon” is as defined in U.C.A. 76-1-601 below, however, for purposes of this policy, firearms are excluded from that definition:
 - 1. any item capable of causing death or serious bodily injury; or
 - 2. a facsimile or representation of the item; and
 - a. the actor’s use or apparent intended use of the item leads the victim to reasonably believe the item is likely to cause death or serious bodily injury; or
 - b. the actor represents to the victim verbally or in any other manner that he is in control of such an item.
 - 3. The policy definition of “dangerous weapon” shall conform to Section 76-1-601 of the Utah Code, as amended.

II. POLICY

- A. The Department does not tolerate any type of workplace violence committed by or against employees, clients, the general public and/or property. Employees are prohibited from making threats or engaging in violent activities in the workplace. This policy does not inhibit or restrict the otherwise legal possession or use of firearms.
- B. Prohibited conduct includes, but is not limited to:
 - 1. intentionally causing physical injury to another person;
 - 2. making threatening remarks;
 - 3. behaving in an aggressive or hostile manner that creates a reasonable fear of injury to another person or unreasonably subjects another individual to emotional distress; including domestic violence in the workplace;
 - 4. intentionally damaging the employer’s property or property of another employee;
 - 5. possession of a dangerous weapon, other than a firearm, while on department property or while on department business; or
 - 6. committing acts motivated by, or related to, unlawful harassment.
- C. An employee may be exempted from portions of this policy if the conduct is a job requirement (e.g., security guard, Juvenile Justice Counselor in a secure facility, etc.).

UTAH DEPARTMENT OF HUMAN SERVICES POLICY AND PROCEDURES		
Reference: 02-13	Effective Date: July 15, 2008	Page 2 of 3
SUBJECT: WORKPLACE VIOLENCE		

- D. Although Utah law U.C.A. 53-5a-102 prohibits the agency from prohibiting or restricting firearms on public or private property, the employee should be aware that liability coverage may not extend to those actions. Further, there are special rules involving correctional facilities and mental health facilities under U.C.A. 76-8-311.1(2).

III. REPORTING PROCEDURES

- A. Any potentially dangerous situations, such as the following, shall be reported immediately by employees to agency management and/or the Bureau of Administrative Support/Risk Management (BAS/RM). Agency management shall report incidences to BAS/RM:
1. threatening the use of a dangerous weapon (other than a firearm) or bringing a dangerous weapon (other than a firearm) to the workplace;
 2. displaying an extreme level of hostility or anger; or
 3. threatening violent behavior.
- B. The identity of the referent may be kept confidential. All reported incidents shall be reviewed by agency management in consultation with the Bureau of Administrative Support/Risk Management.
- C. Reports of child or adult abuse shall be reported by agency management as required by law.

IV. DANGEROUS/EMERGENCY SITUATIONS

- A. Employees who have safety concerns in the workplace shall contact law enforcement.
- B. Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm, attempt to keep visual contact, and talk to the individual. If agency management or law enforcement can be safely notified of the need for assistance without endangering the safety of employees or others, such notice should be given by the employee as soon as possible.

V. RISK REDUCTION MEASURES

- A. **Support:** Employees who have workplace violence concerns may receive support and assistance from the Employee Assistance Program (EAP).
- B. **Safety:** Agency management may conduct reasonable inspections of the premises to evaluate and determine vulnerability to workplace violence or hazards and exercise discretion in providing solutions.
- C. **Training:** Employees are encouraged to attend “Violence in the Workplace” training, which is designed to prepare employees to protect themselves, clients and the public in a violent situation.

UTAH DEPARTMENT OF HUMAN SERVICES POLICY AND PROCEDURES		
Reference: 02-13	Effective Date: July 15, 2008	Page 3 of 3
SUBJECT: WORKPLACE VIOLENCE		

VI. ENFORCEMENT OF POLICY

- A. Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee who commits such acts may be subject to disciplinary action, up to and including termination.

- B. Non-employees engaged in violent acts on the employer's premises will be reported to the proper authorities. Employees shall cooperate fully with law enforcement and with prosecution.



Lisa-Michele Church, Executive Director
Department of Human Services

DATE: 07-15-2008