


Chief Administrative Office POLICY MEMORANDUM	Date of Issue 10/10/00 05/05/2017 – Rev 03/08/2018 – Rev 03/26/2018 - Rev	Expiration Date N/A	No. 34R
TO: ALL Divisions and Departments		SUBJECT:	
SIGNATURE: 		POLICY ON VIOLENCE IN THE WORKPLACE	

PURPOSE & SCOPE – The purpose and scope of this policy is to establish procedures for minimizing and responding to acts of violence by Lexington Fayette Urban County Government (LFUCG) employees, customers, the general public, and anyone who conducts business with the LFUCG.

POLICY – The LFUCG does not tolerate workplace violence, or the threat of violence, by any of its employees, customers, the general public, or anyone who conducts business with the LFUCG. The LFUCG will strive to provide a workplace that is free from intimidation, threats, and violent acts.

DEFINITIONS

Workplace violence includes, but is not limited to intimidation, bullying, stalking, disruptive behavior, harassment, threats, physical attacks, intentional property damage, or domestic and family violence that occurs at work.

Bullying is unwanted offensive and malicious behavior that undermines an individual or group through persistently negative attacks. The behavior generally includes the element of vindictiveness, and is intended to humiliate, intimidate or demean the recipient.

Intimidation includes but is not limited to unwarranted behavior intended to frighten or induce duress.

A threat is the expression of intent to cause physical or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat and regardless of whether the threat is contingent, conditional, or future.

Physical attack is unwanted or hostile physical contact with another person such as hitting, fighting, pushing, shoving or throwing objects.

Property damage is intentional damage to property that includes property owned by the LFUCG, employees, or others (the public, other agencies, companies, or vendors).

Stalking involves harassing an individual in person, in writing, by telephone or by electronic format. Stalking also involves following an individual, spying on them, alarming the recipient, or causing them distress and may involve physical violence or the fear of physical violence.

Supervisors as noted in this document, include Commissioners, Directors, Managers, Supervisors and any individual with the responsibility for supervision of another employee(s).

PREVENTION OF VIOLENCE IN THE WORKPLACE / Threat Assessment – The LFUCG subscribes to the concept of a safe work environment and the prevention of workplace violence. Prevention efforts include, but are not limited to, informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the sanctions imposed for violating this policy, and providing a reporting system to report incidents of violence without fear of reprisal.

Threat assessments should be conducted periodically or whenever the physical layout of the workspace is significantly altered. The supervisor responsible for that workspace will examine the escape routes and communicate any changes to all employees working in the immediate area. As needed, a security audit conducted by the Division of Police in coordination with LFUCG Security may be requested by the Director to determine whether security measures, such as panic alarms, are necessary and effective. All employees should openly communicate with each other and their supervisor(s) to be aware of any unusual activity that may identify the potential for or actual occurrence of a violent incident.

REPORTING THREATS – INTERNAL AND EXTERNAL – Each incident of violent behavior, whether the incident is committed by another employee or a member of the public, shall be reported to the victim/witness' immediate supervisor or next level supervision. The supervisor of an employee aggressor shall also be notified. Directors or the Administration shall assess and investigate the incident and determine the appropriate action to be taken – both to address the immediate situation and, subsequently, to take further action. They shall also notify the Division of Police of all perceived violations of criminal statutes and ordinances and shall inform the CAO's office and the Division of Human Resources for investigation of all reported incidents of workplace violence for evaluation to prevent future occurrences.

In critical incidents in which a serious threat or injury occurs, emergency responders such as Division of Police and the Division of Fire and Emergency Services shall be immediately notified. As necessitated by the seriousness of the incident, the Director of Human Resources or a designee may assemble a Crisis Response Team consisting of representatives from the CAO's Office, Division of Risk Management, Division of Human Resources, Employee Assistance Program, Department of Law, Division of Police, Division of Fire and Emergency Services and others as deemed necessary to assess the situation and recommend appropriate corrective actions.

Employees who, in good faith, report actual or suspected violent behavior shall not be subject to any form of retaliation or harassment. The names of employees reporting acts of violence shall be kept confidential to the extent possible. Any retaliation or harassment, however, shall be reported by the employees to their supervisors or the next level of supervision for investigation and disposition.

Even in the case where an employee has not secured a court order but fears for his or her safety, the employee should notify the Division of Police immediately and should inform his or her immediate supervisor.

PROHIBITED ACTIONS AND SANCTIONS – It is a violation of this policy to engage in any act of workplace violence. Any employee who has been determined to be in violation will be subject to Section 6 of the Lexington-Fayette Urban County Government Uniform Guidelines on Disciplinary Action up to and including dismissal. The victim will be responsible for initiating any criminal actions against the aggressor.

EMPLOYEES ASSISTANCE PROGRAM (EAP) – Should an employee become the victim of an incident of workplace violence, the LFUCG will offer the assistance of EAP to help the employee cope with any effects of the incident. An employee who commits an act of violence may be referred to the EAP in accordance with Section 6 of the LFUCG Uniform Guidelines on Disciplinary Action.

OFF-THE-JOB – An employee may be involved in a personal non-criminal dispute with family members or neighbors. If the situation escalates, individuals sometimes secure "Restraining Orders," "Protective Orders," "Injunctive Orders," or other court orders. When an employee requests a court order, he or she should include the work location as well as the place of residence in the order. The employee should inform the supervisor of the issuance of such an order and provide a description of the individual(s) cited in the order.

Even in the case where an employee has not secured a court order but fears for his or her safety, the employee should notify the Division of Police immediately and inform his or her immediate supervisor. The employee has the burden of procuring a court protective order.

EMPLOYEE TRAINING – The Division of Human Resources will provide mandatory training for all Supervisors. The department/division supervisors will orient all new and existing employees to LFUCG procedures regarding reporting incidents of violence, what to do if the employee is threatened or if an incident of violence actually takes place, and dealing with the after-effects of an act of violence.

MAINTENANCE OF THIS POLICY – This policy shall be maintained and updated by the CAO's office.

STATISTICS – For EEO reporting, the Division of Human Resources shall establish and maintain a database to generate management data/statistics on the incidence of staff workplace violence in the LFUCG.