


# Workplace Violence

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	<b>Louisiana Department of Health (LDH)</b>	
	<b>Policy Number</b>	85.1
	<b>Content</b>	LDH Policy for Maintaining a Violence-Free Workplace
	<b>Effective Date</b>	March 18, 2013
	<b>Inquiries to</b>	Office of Management and Finance Division of Human Resources, Training and Staff Development P.O. Box 4818 Baton Rouge, Louisiana 70821-4818

If there is a discrepancy between an LDH Policy and a Program Office or facility policy, the LDH policy shall govern/override/supersede the conflicting section within the Program Office or facility policy.

## I. STATEMENT OF POLICY

The Louisiana Department of Health (LDH) is committed to achieving and maintaining a violence-free workplace for its employees and those visiting or conducting business at its worksites. LDH will take reasonable steps to create a safe and secure work environment free of violence, aggressive acts, verbal and non-verbal threatening behavior and harassment toward or by its employees or others, including domestic violence that may affect the workplace.

Any employee who commits an act of workplace violence, makes a credible threat, or engages in assault or battery on another person shall be subject to disciplinary action, up to and including termination.

Matters concerning clients shall be addressed in accordance with the LDH Abuse and Neglect Policy.

## II. APPLICABILITY

This policy applies to all LDH employees.

## III. EFFECTIVE DATE

The effective date of this policy is March 18, 2013.

## IV. DEFINITIONS

- A. Assault: an attempt to commit a battery, or the intentional placing of another in reasonable apprehension of receiving a battery.
- B. Battery: the intentional use of force or violence upon another; or the intentional administration of a poison or other noxious substance to another.
- C. Credible Threat: a statement or action that would cause a reasonable person to fear for the safety of himself or that of another person and does, in fact, cause such fear.
- D. Violence: the commission of an assault or battery or the making of a credible threat. In this context, acts of violence include unwarranted exertions of force or power, such as any intentional actions or words meant to embarrass, ridicule, degrade or provoke another that results in physical or emotional injury to that person or any verbal, physical, or psychological threat or assault on an individual intended to cause, or actually resulting in, physical and/or psychological damage.

Such behavior includes but is not limited to:

- Unwelcome name-calling, obscene language, and other abusive behavior.
  - Intimidation through direct or veiled threats.
  - Physically touching another individual in an intimidating, malicious, or sexually harassing manner.
  - Physically intimidating others including such acts as obscene gestures, “getting in your face,” fist-shaking, blocking the free movement of another person or throwing any object.
- E. Workplace (or worksite): any site where an employee is placed for the purpose of completing job assignments, inclusive of surrounding LDH properties and parking garages.
- F. Workplace violence: violence that takes place in or at the workplace or has its origins in, or connection with, workplace relationships, even if occurring off-site and/or after hours, whether inflicted by an employee, manager, supervisor, co-worker, customer, family member, or even a stranger.
- G. Domestic Violence, also known as **domestic abuse, spousal abuse, battering, family violence, and intimate partner violence (IPV)**, is a pattern of behavior which involves the abuse by one partner against another in an intimate relationship such as marriage, cohabitation, dating or within the family, home life or household affairs. Domestic violence can take many forms, including physical aggression or assault (hitting, kicking, biting, shoving, restraining, slapping, throwing objects, battery), or threats thereof; sexual abuse; emotional abuse; controlling or domineering; intimidation; stalking; passive/covert abuse (e.g., neglect); and economic deprivation.

- H. Appointing Authority – An officer or employee authorized by statute or by lawfully delegated authority to make appointments to positions in the State Service.

## V. POLICY PROVISIONS

### A. Incident Response and Evaluation

1. All acts or threats of violence should be taken seriously when received. An employee who has been threatened or assaulted by another person at the workplace or who witnesses such acts shall immediately report the situation to his immediate supervisor or other manager in his chain of command. The Appointing Authority and Human Resources shall be notified as soon as possible.
2. At the time an act of violence occurs, the following guidelines should be followed by those witnessing the act or able to take action:
  - a. Take immediate action to prevent further deterioration of the situation, including providing immediate first aid if needed and calling for appropriate medical or emergency attention, and seeking to protect individuals from harm.

If the situation is not thought to present an immediate danger:

- (1) Separate the individuals involved and isolate them until they are interviewed and their statements are taken.
- (2) Separate witnesses until they are interviewed and their statements are taken.
- (3) Document all actions and statements.

b. If the situation is thought to present an immediate danger:

- (1) Contact building security and/or local law enforcement and/or medical emergency personnel if needed.
- (2) Order all those presenting the danger to leave the State facility immediately (unless taking this action itself adds to the risk of immediate danger).
- (3) Do not attempt to physically remove an individual (leave it to law enforcement officers or facility security).
- (4) Document all actions and statements, including the use of photography if available, of participants and location of the event(s).

### B. Communication

1. LDH supports open communication among all employees on the issues of workplace safety, security and health.

## **VI. RESPONSIBILITIES**

Appointing Authorities' responsibilities are:

Holding managers under their supervision accountable for adhering to this policy.

Manager's responsibilities are:

Ensuring that each employee under his supervision is made aware of this policy and its contents.

Promoting a safe and violence-free work environment and reporting incidents that threaten employee safety to Human Resources and the Appointing Authority.

Posting the local law enforcement and building security telephone numbers in an area accessible to employees.

Supervisors' responsibilities are:

Complying with this policy in any fashion instructed by management.

Periodic review of this policy with all employees.

Discussions of workplace violence prevention during scheduled safety meetings.

Promoting a safe and violence-free work environment and reporting incidents that threaten employee safety to his manager.

Treating workplace violence incidents, complaints and concerns seriously.

Every LDH supervisor shall treat reports with sensitivity and discretion and maintain confidentiality to the extent possible.

Employees' responsibilities are:

Adhering to this policy.

Reporting to her/his immediate or on-site supervisor all threats or assaults made towards her/him by another individual, either at the workplace, or having an origin in, or connection with, the workplace.

Reporting to his immediate or on-site supervisor all incidents of violent or inappropriate behaviors in the workplace which he observes or of which he is informed.

Human Resources' responsibilities are:

Ensuring that this policy and subsequent revisions are provided to all employees.

Posting and distributing information on preventing workplace violence; and  
Establishing and implementing procedures to inform supervisors about responding to workplace violence, hazards, or threats of violence.

Keeping all reports and the identification of parties confidential, except those who have a legitimate need to know and to the extent required by law.

Performing investigations and trainings on this policy.

## **VII. QUESTIONS**

Questions regarding this policy should be directed to Human Resources, Training and Staff Development.

## **VIII. VIOLATIONS**

Failure to comply with this policy may result in disciplinary action, up to and including termination.

## **IX. MISCELLANEOUS**

Domestic protective orders and other court orders concerning documented or potential acts of violence not arising out of the workplace setting (domestic or family violence issues, e.g.), shall be communicated to an employee's supervisor, whether the employee is the person for whose protection the order was issued or is the person against whom the order was issued.

The employee's supervisor shall maintain confidence of that communication except to notify Human Resources, whose obligation shall be to notify the Appointing Authority and security detail, whose obligation shall be, in those settings which provide building security, the highest level of that security detail.

Each employee so affected is under a continuing obligation to notify, as previously set forth, of any changes or modifications or extinguishment of any such order, etc.

## **X. DISCIPLINARY ACTIONS**

Any employee who violates this policy may be subject to disciplinary action up to and including dismissal from employment.

## XI. REVISION HISTORY

<b>Date</b>	<b>Revision</b>
March 18, 2013	Policy created
October 10, 2019	Policy reviewed – no changes