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MEASUREMENT
SENSITIVE**

**DOE G 444.1-1
XX-XX-20XX**

GUIDE ON PREVENTING AND RESPONDING TO ALL FORMS OF VIOLENCE IN THE WORKPLACE

[This Guide describes acceptable, but not mandatory means for complying with requirements. Guides are not requirements documents and are not to be construed as requirements in any audit or appraisal for compliance with associated rule or directives.]



**U.S. DEPARTMENT OF ENERGY
Office of the Chief Human Capital Officer**

FOREWORD

DOE POLICY 444.1, "PREVENTING AND RESPONDING TO ALL FORMS OF VIOLENCE IN THE WORKPLACE": STATES, THE DEPARTMENT OF ENERGY IS COMMITTED TO:

- promoting a safe environment for its employees, by working with its employees to prevent workplace violence. Violence, domestic violence, sexual assault, stalking, threats of violence, harassment, intimidation, bullying and other disruptive behaviors interfering with a civil workplace will not be tolerated; all reports of incidents or concerns will be taken seriously and will be dealt with appropriately; and
- providing appropriate resources to address and prevent inappropriate behavior, maintaining multi-program response teams to help supervisors assess and address these behaviors and incidents, and assisting employees who have been adversely affected by such behaviors on or off-site

To ensure all sites have the tools to implement processes, we have created this guide. Each site is expected to develop its own site specific set of procedures/process to implement DOE Policy 444.1 Preventing and Responding to all forms of violence in the Workplace.

This guide is a broad overview of the basic tools for a site to develop its site specific procedures. It is not intended to define, address, and explain in detail all aspects of workplace violence and actions to take once it occurs. This guide is provided to assist each site with the development of their site procedures/process that will serve that specific site and the workforce. This guide and the additional references should provide the necessary tools for a site to develop site specific procedures. Each site is encouraged to use as much detail as necessary to define and address all aspects of workplace violence when developing their procedures. As part of those procedures, it needs to be emphasized in the site-specific protocol and clear what supervisors and employees need to know to do in emergency situations, such as call 911 or the site emergency number and the steps to take for non-emergency situations.

Table of Contents

| | |
|---|----|
| FOREWORD | i |
| 1 INTRODUCTION | 1 |
| 1.1 General | 1 |
| 1.2 Applicability | 1 |
| 1.3 Using This Guide | 1 |
| 2 TERMS | 1 |
| 2.1 What are forms of workplace violence? | 1 |
| 2.2 What is the purpose of a Threat Assessment Team? | 4 |
| 2.3 What is an Emergency Response Team? | 5 |
| 3 DOE ACTIONS | 5 |
| 3.1 What programs are in place to prevent workplace violence? | 5 |
| 3.2 What emergency plans are in place to help ensure a safe work environment? | 6 |
| 3.3 How are workplace violence issues addressed? | 7 |
| Table 3.01 | 7 |
| 3.4 Are workplace violence issues kept confidential? | 9 |
| 4 ROLES AND RESPONSIBILITIES | 9 |
| 4.1 What is Security's role regarding workplace violence? | 9 |
| 4.2 What is Human Resources's role regarding workplace violence? | 10 |
| 4.3 What is EAP's role regarding workplace violence? | 11 |
| 4.4 What is the role of ADR with regard to workplace violence? | 11 |
| 4.5 What is Facility Management's role regarding workplace violence? | 13 |
| 4.7 What are the Supervisor's roles regarding workplace violence? | 13 |
| 5 EMPLOYEE ACTIONS | 14 |
| 5.1 How are potential workplace violence situations identified? | 13 |
| 5.2 What can I do to help prevent workplace violence? | 14 |
| 5.3 To whom should I report workplace violence? | 15 |
| 5.4 What should employees do if they feel they are in imminent danger? | 14 |
| 5.5 What if I work in a remote location or overseas? | 15 |
| 6 RECOVERY | 16 |
| 6.1 What are the factors that may influence the intensity of the trauma? | 15 |
| 6.2 How can the organization overcome the impact of an incident? | 17 |

| | | |
|------------------|--|----|
| 7 | TRAINING AND ADDITIONAL INFORMATION | 17 |
| 7.1 | What training is available regarding workplace violence and who should be trained? | 18 |
| 7.2 | Where can I find more information on workplace violence? | 20 |
| APPENDIX A | | 1 |

1 INTRODUCTION

1.1 General

Each employee has a responsibility to help make the Department of Energy (DOE) a safe and civil workplace. The Department's expectation is that each employee will treat all other employees, as well as customers and potential customers of DOE's programs, with dignity and respect. Employees can and should expect management to care about your safety and to provide as safe a working environment as possible by having preventive measures in place to immediately deal with threatening or potentially violent situations that may occur. This includes but is not limited to: violence, domestic violence, sexual assault, stalking, threats of violence, harassment, intimidation, bullying and disruptive behavior that may affect personnel in the workplace.

Supervisors, in coordination with Labor Management and Employee Relations (LMER), Security, the Employee Assistance Program (EAP), Office of General Counsel (OGC) and any other appropriate local resources, have the obligation to deal with inappropriate behavior by employees, to provide employees with information and training on workplace violence prevention, and to put effective security measures in place.

1.2 Applicability

This guide provides information that is generally applicable to the entire DOE workforce regardless of duty station or level of seniority and its customers, and visitors.

1.3 Using This Guide

This document is an overview of guidelines for workplace violence issues. For ease of readability by all personnel, this guide is arranged in sections by topic, with paragraph titles written as questions. Policies and other information regarding workplace violence can be found in **Section 7.2, "Where can I find more information on workplace violence?"** Used in conjunction with information and instructions from the organizational level and/or at each individual site, this guide will assist DOE employees in preventing and responding to workplace violence.

2 TERMS

This section provides basic explanations for some of the terms commonly used. These descriptions are not meant to be legal descriptions of the terms, nor do they encompass all possible meanings. They are provided for general reference.

2.1 What is workplace violence?

Workplace violence can be any threat or acts of violence against persons or property; or verbal threats, intimidation, harassment, bullying; or other inappropriate, disruptive behavior that causes fear for personal safety at or outside of the work site.

A number of different actions in the work environment can trigger or cause workplace violence (e.g., anger over disciplinary actions or the loss of a job, resistance by a customer to regulatory actions, disagreement by a member of the public with DOE policy or practices, etc.). It may even be the result of non-work-related situations, such as domestic violence, road rage, or hate incidents or crimes (i.e., violence, intolerance or bigotry, intended to hurt and/or physically/psychologically intimidate someone because of their age, race, ethnicity, national origin, religion, sexual orientation, or disability). Workplace violence can be inflicted by an abusive employee, a supervisor, co-worker, customer, family member, or even a stranger. Whatever the cause or whoever the perpetrator, workplace violence is not acceptable and will not be tolerated at any DOE location.

There is no sure way to predict human behavior, and while there may be warning signs, there is no specific profile of a potentially dangerous individual. The best prevention comes from identifying and addressing any possible problems early.

2.2 What is Domestic Violence, Sexual Assault and Stalking?

There are behaviors that can take place that can lead to disruption in the workplace that supervisors should be aware of and can deal with if the situation arises. Domestic violence, sexual assault, and stalking are serious problems that can affect individuals, families, and communities. The effects of domestic violence, sexual assault, and stalking spill over to the workplace in numerous ways, introducing significant costs and safety concerns. Domestic violence, sexual assault, and stalking have the potential to affect every Federal workplace across the United States. It is the policy of the Federal Government to promote the health and safety of its employees by acting to prevent domestic violence, sexual assault, and stalking within the workplace and by providing support and assistance to Federal employees whose working lives are affected by such violence.

- **Domestic Violence:** Domestic violence is a pattern of coercive behavior, including acts or threatened acts, that are used by a perpetrator to gain power and control over a current or former spouse, family member, current or former intimate partner, current or former dating partner, or person with whom the perpetrator shares a child in common. This behavior includes, but is not limited to, physical or sexual violence, emotional and/or psychological intimidation, verbal abuse, stalking, economic control, harassment, threats, physical intimidation, or injury.
- **Sexual Assault:** Sexual assault refers to a range of behaviors, including but not limited to, a completed nonconsensual sex act (e.g., rape, sodomy, and child molestation), an attempted nonconsensual sex act, and/or abusive sexual contact. Sexual assault includes any sexual act or behavior that is perpetrated when someone does not or cannot consent.
- **Stalking:** Stalking refers to harassing, unwanted, or threatening conduct that causes the victim to fear for his or her safety or the safety of a family member.

2.3. What are some behaviors of concern?

The continuum of violent acts ranges from the more common non-physical acts such as bullying, verbal threats to the less common physical acts such as battery, aggravated assault, and even homicide, these may include:

- **Stalking:** as stated above, this can happen at the workplace or the effects of outside stalking may impact productivity of an employee.
- **Bullying:** Bullying occurs when people use their power, via verbal, physical or other means to control or harm others. Workplace bullying occurs when a person or group of people in a workplace single out another person for unreasonable, embarrassing or intimidating treatment.
- **Harassment:** Occurs when unwelcome comments or conduct unreasonably interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment. A conduct is unwelcome if the employee did not solicit, instigate or provoke it, and the employee regarded the conduct as undesirable or offensive. When the harassment is based on race, color, religion, sex, national origin, age, disability, genetic information or any other protected class, it becomes an Equal Employment Opportunity (EEO) matter and is handled through Office of Civil Rights or other appropriate channels.
- **Active Shooter:** Is an individual actively engaged in killing or attempting to kill a person or persons in a confined and populated area, typically through the use of firearms.¹ The overriding objective of an active shooter is to commit mass murder, rather than other criminal conduct such as robbery, hostage taking, terrorism, etc. In the event the Department experiences an Active Shooter, the objective is to minimize casualties. Events happen quickly and are often over before law enforcement or other help arrives.

This FBI Quick Reference Guide (<http://www.fbi.gov/about-us/cirg/active-shooter-and-mass-casualty-incidents/active-shooter-tent-card-090513.pdf>) is available for sites that would like to implement processes and procedures specific to an Active Shooter. See the reference section and Employee Awareness training for more specific information.

Employment Situations and Triggers

Along with "at risk" profiles, the organization and individual sites should be sensitive to "trigger situations." These are events that could serve as a catalyst to push a violence prone employee over the edge. Normal, emotionally stable employees may show little or no reaction to "trigger situations." If they do react, it is usually in a controlled and reasonable manner. The "at risk" employee on the other hand, may view trigger situations as events that justify a violent response.

¹ *Active Shooter Quick Reference Guide*, Federal Bureau of Investigation, <http://www.fbi.gov/about-us/cirg/active-shooter-and-mass-casualty-incidents/active-shooter-tent-card-090513.pdf>

It would be impossible to list every conceivable "trigger situation" but there are some events which are common to the workplace and should always be viewed as potentially dangerous.²

The most common types of employment junctures are:

- Job reassignment;
- Disciplinary action;
- Downsizing or workforce cutbacks;
- Non selection for a lateral or promotional opportunity;
- Termination;
- Work environment deterioration³.

DOE must carefully manage these and other "trigger situations." In many of the above situations, the organization and/or site has considerable control over the conditions under which interaction with the employee occurs. Through preplanning, it is possible to exercise this control in a manner that ensures that the possibility of a violent reaction will be markedly reduced.

2.3 What is the purpose of a Threat Assessment Team?

The purpose of a threat assessment is to determine the seriousness of a potentially violent or stressful situation and how best to intervene. Since it is impossible to know with any certainty whether a threat is going to be carried out, management should always treat threats in a serious manner and act as though the person may carry out the threat. Threat Assessment Teams are interdisciplinary team that works with management to assess the potential and evaluate the risk of potential workplace violence. The approach and the timing of these evaluations will be specific to the circumstances of the potentially violent situation. Threats from sources outside the agency may require additional actions and/or coordination with local law enforcement agencies.

When necessary, a Threat Assessment Team will be convened at the direction of the site's leadership. The purpose of the Threat Assessment Team is to evaluate the risk of potential violence and provide guidance on managing the situation in a way that protects employees.

Members of a Threat Assessment Team will vary, but typically include representatives from:

- Management;
- Representative from Human Resources (HR)/Labor Management and Employee Relations (LMER) and Employee Assistance Program (EAP);
- Security Office and/or Local Law Enforcement;
- Office of General Counsel (GC).

² *Preventing Workplace Violence: Management Considerations*, Robert A. Gardner, CPP, <http://www.crimewise.com/library/wpv.html>

³ *Campus & Workplace Violence Prevention and Crisis Management Resource Manual*, Virginia Tech University, http://www.hr.vt.edu/employeescorner/files/file_hr_Crss_Mgmt_Rsrc_Mnl.pdf

Once a threat assessment is completed, site security, in coordination with HR and management, will decide whether additional measures are needed to close any security gaps. Where appropriate and not a security breach, management shall explain to employees and customers the course of action being taken and why, to alleviate misunderstandings and confusion.

2.4 What is an Emergency Response Team?

The Emergency Response Team usually consists of many of the same individuals who make up the Threat Assessment Team, but its purpose is to deal with the immediate consequences/ramifications of a violent situation and the aftermath, as well as take the necessary steps to prevent similar future occurrences. The team assists management and employees by:

- Assisting with attempts to de-escalate and manage the situation;
- Facilitating and coordinating response actions to ensure that appropriate follow-up action is taken (e.g., investigations, union notification, victim assistance, preventive and corrective actions);
- Serving as a resource and information source in regards to workplace violence concerns;
- Communicating with employees so that they are informed;
- Coordinating with the media (this would be done through the Public Affairs staff);
- Addressing administrative issues.

3 DOE ACTIONS

This section provides some of the measures DOE employs with regard to workplace violence issues.

3.1 What programs are in place to prevent workplace violence?

DOE has many programs in place to help prevent workplace violence. Some of the options available to help ensure a safe workplace are:

- **Pre-Employment Screening** – DOE has comprehensive, federally mandated pre-employment screening requirements which consist of background investigations based on position risk and sensitivity levels and reference checks. Applicant or pre-employment drug testing is also conducted as appropriate in accordance with DOE O 343.1, Federal Substance Abuse Testing Program, January 30, 2014, and consistent with Federal laws and regulations.
- **Security** – There are a variety of ways that DOE helps to ensure safety and security, including: employee photo identification badges, security, police, guard services, and individually coded key cards for access to buildings and grounds.
- **Alternative Dispute Resolution (ADR)** – ADR techniques are most effective in resolving disputes when a conflict is identified early and one of the following is used:

ombudspersons, facilitation, mediation, shuttle diplomacy, interest-based problem solving, and peer review.

- **Employee Assistance Program (EAP)** – This program provides professional counselors who are available to discuss problems that can adversely affect job performance and conduct. EAP counselors help employees deal with stress, marital, financial, substance abuse, and communication issues that may underlie potentially violent situations.
- **Threat Assessment Team** – This interdisciplinary team will work with management to assess the potential for workplace violence and, as appropriate, develop and execute a plan to address it.
- **DOE Work and Family Life Programs** - (e.g., flexiplace, child care, maxi-flex, telework, annual, sick, and advanced leave, Family Medical Leave Act and the Leave Transfer/Bank programs, etc.) These programs can be used during the assessment of a situation to assist employees in the event of a workplace situation. Additional information on workplace flexibilities maybe found in OPM Guidance for Agency-Specific Domestic Violence, Sexual Assault, and Stalking Policies (see <http://www.opm.gov/policy-data-oversight/worklife/reference-materials/guidance-for-agency-specific-dvsas-policies.pdf>).

Note: It is important to remember that different measures may be appropriate for different locations and work settings. For this reason, you should be familiar with DOE's procedures on workplace violence, be familiar with local procedures for dealing with workplace threats, emergencies and DOE policies on workplace flexibilities. In addition to dealing with immediate situations, timely intervention may also assistance from the local union and adherence to local collective bargaining agreements (cba). Depending on the situation, a Threat Assessment Team or Emergency Response Team may be convened by Site management or any team member.

3.2 What emergency plans are in place to help ensure a safe work environment?

Each site has emergency plans (also called Occupant Emergency Plans (OEP)) that describe procedures to follow during a fire or other emergency. These plans should also include provisions for incidents of workplace violence. Co-located sites should have one unified emergency plan in place. The plan should be specific to the type of facility, the workers it covers and should be available to all employees working at a site or facility. The plan should also describe:

- Procedures for calling for help;
- Procedures for calling for medical assistance;
- Procedures for notifying the proper authorities or whoever is acting in their place (e.g., security personnel, the police, other law enforcement organizations);
- Emergency escape procedures and routes;
- Procedures for evacuation of special needs employees/visitors;
- Safe places to congregate inside and outside of the facility;
- Procedures for shelter in place;

- Procedures to secure the work area where an incident took place;
- Procedures to account for all employees if a facility is evacuated;
- Procedures for identifying personnel who may be called upon to perform medical or rescue duties;
- Training and education for employees regarding incidents of workplace violence and the emergency action plan;
- Procedures for regularly evaluating and updating the plan;
- Procedures for debriefing participants to identify lessons learned.

3.3 How are workplace violence issues addressed?

No matter how effective DOE and Site policies and plans are in detecting and preventing incidents, there are no guarantees against workplace violence. Even the most responsive employers face this issue. When a violent incident does occur, it is essential the response: be timely, appropriate to the situation, and understanding of employees' perspectives. While the actual procedures may vary based on each organization's and individual site needs and specific workplace violence issues, the following table is a general outline of workplace violence issues and how they may be addressed. Management and supervisors may refer to the workforce discipline order for assistance in employee discipline:

| Table 3.01 | | | |
|---|--|--|--|
| Addressing Workplace Violence Issues | | | |
| Categories/Levels | Examples | Intervention | Who to Call |
| LEVEL I – • Implied (Covert) Threats • Verbal/Mental Abuse • Bullying/ Harassment/Badgering • Inappropriate Tones (threatening) or Gestures (menacing) | • Screaming, yelling, disruptive behavior • "You'll pay for this." • "You'll be sorry." • Name calling, berating, belittling, sarcasm • Unfounded criticism – "You can't do anything right." | <u>Employees:</u> • Report to Supervisor or 2nd level Supervisor • Document <u>Supervisors:</u> • Report to your Supervisor • Consult with Security, LMER, and EAP as necessary • Define/Address the Problem • Document | Supervisor, Security LMER,EAP, Ombudsman Office, Office of Civil Rights, Employees concern program |

| | | | |
|--|---|--|--|
| <p>LEVEL II –</p> <ul style="list-style-type: none"> • Threatening Gestures • Specific (Overt) Written or Verbal Threats • Property Abuse/Mishandling • Stalking | <ul style="list-style-type: none"> • Raising hand or object to strike someone • Any written or verbal threat to harm, avenge, or retaliate • Throwing objects, slamming doors, slamming fists on desk, hitting or kicking walls or objects • Monitoring a co-worker's activities to satisfy personal objectives (unwarranted attention) • Refusing to leave an area (office) when asked to do so • Intentionally crowding to intimidate • Blocking access to or exit from the area | <p><u>Employees:</u></p> <ul style="list-style-type: none"> • Report to Supervisor or 2nd level Supervisor • Document <p><u>Supervisors:</u></p> <ul style="list-style-type: none"> • Report to your Supervisor • Consult with Security, LMER , and EAP as necessary • Make a plan of action (propose discipline , mandatory anger management referral, victim assistance) through EAP • Document | <p>Supervisor , Security</p> <p>LMER, EAP, Ombudsman Office, Office of Civil Rights, Employees concern program</p> |
| <p>LEVEL III –</p> <ul style="list-style-type: none"> • "Scuffles" (Physical Contact) • Destruction of property • Assault – Physical, Sexual, Armed • A presently occurring loss-of-control event creating fear of imminent harm • Unauthorized possession of firearms or other weapons on government premises | <p>Shoving, grabbing, jabbing, poking, or prodding</p> <ul style="list-style-type: none"> • Tripping or intentionally bumping or jostling • Breaking equipment • Breaking or putting holes in doors, walls, windows, etc. • Intentional use of objects for purpose of destruction – fire, bombs, chemicals, vehicles, etc. • Any intentional harmful physical contact • Unremitting rampage of loud, threatening, or incoherent speech • Bringing an unauthorized | <p><u>Any/All Staff</u></p> <ul style="list-style-type: none"> • Activate Emergency Response Procedures – Do NOT try to handle on your own. • Report to a Supervisor or Manager • Assist in maintaining calm if possible • Assist in victim care if possible • Leave the area if necessary for your safety • Document <p><u>Supervisors:</u></p> | <p>Supervisor, Security,</p> <p>LMER, EAP, Ombudsman Office, Office of Civil Rights, Employees concern program</p> |

| | | | |
|--|----------------|---|--|
| | weapon on site | <ul style="list-style-type: none">• Arrange for debriefing after resolved (all persons impacted)• Coordinate plan of action (disciplinary action, mandatory anger management referral, victim assistance) with LMER, and EAP AFTER THE INCIDENT. | |
|--|----------------|---|--|

Timely intervention is key, depending on the situation, a Threat Assessment Team or Emergency Response Team may be convened by Site Management or a team member.

3.4 Are workplace violence issues kept confidential?

All incidents of workplace violence are kept confidential to the extent possible. Information obtained during a threat assessment will be released to individuals needing the information to conduct an appropriate investigation into the situation, protect Department personnel, or confront the person making the threat. Typically, this includes: security staff, GC, employee relations staff, medical personnel (as necessary), and management/supervisory personnel.

Note: EAP counselors are prohibited by confidentiality regulations from disclosing information obtained from employees without their written consent unless an employee poses a threat to himself \herself or others (such as specifically threatening another). (Refer to the Code of Federal Regulations (CFR) Title 42, Public Health, Part 2.) All employee clients are informed of the limits of the confidentiality on their first visit and specifically told that threats of harm to self or others must be reported.

Note: Questions from the news media related to incidents of workplace violence must be forwarded to the appropriate Public Affairs Office.

4 ROLES AND RESPONSIBILITIES

This section provides a listing of some of the major roles and responsibilities as they relate to workplace violence issues.

4.1 What is Security's role regarding workplace violence?

The Site Security Office is the front line for addressing workplace violence. The Security Office should have response procedures in place for actual and potential acts of workplace violence. In accordance with the local policies, the Security Office may also do the following:

- Participate on the Threat Assessment Team;

- Provide properly trained and equipped security forces to prevent, deter, and respond to threats and/or incidents of workplace violence;
- Conduct investigations into threats and incidents, as appropriate;
- Conduct regular threat assessment surveys of the organization and individual sites to determine emergency plans, evaluate the level of security preparedness, and detect and cure any gaps in security policies and procedures;
- Serve as the facility security expert by keeping management advised of the risk of violence, the security gaps identified by threat assessments, and the means to close those gaps, including use of latest technology;
- Work with facility management personnel to improve the physical security aspects of the buildings, grounds, parking lots, etc;
- Train facility personnel in security measures and violence prevention techniques;
- Work closely with facility personnel to ensure buildings, areas, and grounds are safe for employees and visitors;
- Determine jurisdictional restrictions and identify alternative law enforcement agencies that may be able to provide assistance, including notification and liaison planning;
- Provide threat assessment personnel who can assist the organization and individual sites in determining the best way to protect personnel;
- Suggest safety and security measures that need to be implemented;
- Escort potentially violent individuals safely off the premises, suspending access to the premises until they have been cleared for re-entry, and escort individuals who have been removed or terminated.

4.2 What is the Human Resources role regarding workplace violence?

The Human Resources office works closely with the Security Office, Supervisors, and the EAP to help prevent and respond to workplace violence by:

- Participating on the Threat Assessment Team;
- Providing supervisory training which may include basic leadership skills (e.g., setting clear standards of conduct and performance, addressing employee problems promptly with referral to EAP for early intervention, and using probationary periods effectively), performance management, counseling, discipline, ADR, and other management tools;

- Providing technical expertise and consultation to help supervisors determine what course of administrative action is most appropriate in specific situations;
- Collaborating with the LMER to determine whether sufficient evidence exists to justify taking disciplinary or corrective action (once the investigation of any misconduct is complete) and advising management accordingly;
- Helping supervisors, in collaboration with the employee and the Disability Program Manager, determine proper reasonable accommodation if necessary;
- Encouraging the use of workplace flexibilities and advising supervisors and employees what options are available (contact the Servicing HR Office).

4.3 What is EAP's role regarding workplace violence?

The Employee Assistance Program (EAP) plays a significant role in workplace violence prevention and response. Below are a few examples of how the EAP may be useful to an organization or individual sites:

- Participating on a Threat Assessment Team;
- Providing short-term counseling and referral services to employees;
- Consulting with the Threat Assessment Team when a potential for violence exists or an actual incident is reported;
- Consulting with supervisors to identify specific problem areas, develop action plans to resolve issues in the early stages, and encourage employees to contact the EAP when personal problems have adversely affected job performance or conduct;
- Assisting in the prevention of workplace violence through:
 - Early involvement in organizational changes including downsizing, reorganization, and transition;
 - Training employees to deal with angry co-workers and customers, conflict resolution, and communication skills;
 - Training supervisors to consult with EAP and LRER regarding individual employee issues as soon as they surface without diagnosing the cause.

Each site has access to trained EAP counselors who can assess and make recommendations to address workplace stress and violence issues. Supervisors can utilize the skills of EAP specialists to assess whether a situation needs to be brought to the attention of management. EAP counselors can also be used to strategize ways to deal with uncomfortable or potentially threatening situations. Seemingly insignificant conflicts between co-workers or supervisors can

sometimes erupt into dangerous situations, especially if the problem goes unchecked. In many cases of worker-on-worker violence, minor non-violent conflicts went unresolved and built up until they were no longer manageable. By intervening early in an interpersonal conflict, whether it is among co-workers or an employee and a supervisor, the situation may be resolved before it gets out of control.

Employees may also contact EAP specialists directly for counseling regarding home or workplace issues. Issues such as: interpersonal conflict, finances, substance abuse, eldercare, stress, or anxiety/depression may negatively impact an employee's job performance or attendance and could also underlie potentially violent situations. EAP specialists often refer employees to other professional services and resources within the community for further information, assistance, or long-term counseling.

Confidentiality is an essential component of EAP services. Employees who seek EAP services are afforded considerable privacy by laws, policies, and professional ethics of EAP providers. It is common practice for the EAP to inform employees in writing about the limits of confidentiality at the first meeting.

4.4 What is the role of ADR with regard to workplace violence?

Alternate Dispute Resolution (ADR) is comprised of processes designed to help parties resolve conflicts with the assistance of neutral third parties. ADR can be used as an alternative to address employee disputes and/or concerns in administrative and/or negotiated venues, informal and at times formal administrative avenues of redress —i.e., EEOC, or to help disputing parties resolve a problem that they cannot resolve on their own. Some ADR processes include facilitation, conciliation, mediation, shuttle mediations and Ombudsman.

Information concerning ADR can be obtained by contacting the Office of Conflict Prevention and Resolution. <http://energy.gov/oha/services/applications-exceptions/alternative-dispute-resolution>. ADR can help prevent the escalation of conflict into violent or potentially violent situations. The key is using ADR early, before emotions or conduct make discussion a non-option. For example, a mediator properly trained in listening and communicating can defuse tensions, clear up misunderstandings, and open the door to further productive dialogue. By helping uncover misunderstandings or enabling an individual to discuss fully in a safe setting, the result may be not only immediate resolution of an issue, but improved relations and communications for the future.

ADR may be an appropriate vehicle for resolving many kinds of disputes. ADR may be an option for a problem if:

- Parties are so committed to their views that progress is stuck;
- Communication styles between disputing parties require third-party assistance;
- You want to resolve a dispute but do not want to file a formal complaint;
- You want to resolve the conflict quickly.

Note: ADR may not be appropriate when the parties are so hostile toward each other that sitting down together might be unsafe. For an ADR program to be successful, it must be one that is trusted by those who use it. Trust can be created by:

- Having the users of the program involved in designing the program;
- Selecting neutral third parties who are competent and truly neutral;
- Having the program operated by a trusted and respected office/individual.

4.5 What is the role of General Counsel?

General Counsel will work with Security, Human Resources, supervisors, and the EAP to help prevent and respond to workplace violence by:

- Participating on a Threat Assessment Team;
- Providing technical expertise and consultation to help supervisors determine what course of administrative action is most appropriate in specific situations;
- Collaborating with the site's security office to determine whether sufficient evidence exists to justify taking disciplinary or corrective action (once the investigation of any misconduct is complete) and advising management accordingly.
- Encouraging the use of workplace flexibilities and advising managers and employees what options are available (contact the Servicing HR Office)

4.6 What is Facility Management's role regarding workplace violence?

Facility Management should work closely with the site security office and/or appropriate agency HR representatives to help maintain a safe environment for all people who access the worksite. This includes not only keeping buildings and grounds well maintained, but: participating with security personnel in threat assessment surveys; keeping management informed of the physical status of the site or facility; and supporting budget requests with justification for security upgrades, when appropriate.

4.7 What is the Supervisor's roles regarding workplace violence?

Supervisors should:

- Take all threats seriously. If any doubts arise as to the seriousness of a threat, contact the site security office and/or LMER for counseling and/or advice (Refer to Table 3-01, Addressing Workplace Violence Issues, for additional information.);
- Inform employees of DOE and Site's workplace violence policies and procedures;
- Ensure that employees know specific procedures for dealing with workplace threats and emergencies, and how to contact police, fire, and other safety and security officials;

- Review all applicable provisions in your respective cba;
- Ensure that employees with special needs are aware of emergency evacuation procedures and have assistance as necessary regarding emergency evacuation situations;
- Promptly report all threats brought to your attention to management, LMER, and the EAP if necessary;
- Ensure that events are properly investigated and addressed considering Weingarten rights where applicable for bargaining unit employees;
- Become familiar with contacts in the site's security office, LMER, and the EAP staff;
- Coordinate with the site's security office and LMER knowledgeable regarding the services they can provide for prevention, response, and follow-up;
- Become familiar with all the employee flexibilities available at your site through DOE's worklife programs (e.g., flexiplace, child care, maxi-flex, telework, annual/sick/advanced leave, etc.);
- Know that timely response is a measure that leads to success in the prevention of workplace violence.

5 EMPLOYEE ACTIONS

This section provides some of the measures employees can take with regard to workplace violence issues.

5.1 How are potential workplace violence situations identified?

Sometimes it's difficult to identify workplace violence before it occurs, but recognizing and addressing some of the possible early warning signs is a key step to prevent violence in the workplace. Some early signs of potential workplace violence include but are not limited to:

- Misconduct, see workforce discipline order;
- Acting angry or withdrawn;
- Threatening or intimidating words or behavior;
- Direct or veiled threats of harm;
- Intimidating, belligerent, harassing, bullying, or other inappropriate and aggressive behavior;
- Numerous conflicts with supervisors and other employees;

- Bringing a weapon to the workplace, brandishing a weapon in the workplace, making inappropriate references to guns, or fascination with weapons;
- Statements showing fascination with incidents of workplace violence, statements indicating approval of the use of violence to resolve a problem, or statements indicating identification with perpetrators of workplace homicides;
- Statements indicating desperation (over family, financial, and other personal problems) to the point of contemplating suicide;
- Pending or recent layoffs;
- Drug/alcohol abuse;
- Extreme changes in behavior.

5.2 What can each employee do to help prevent workplace violence?

Every employee is responsible for helping to prevent workplace violence. The following are a few things that may help prevent workplace violence:

- Become familiar with DOE's and site's policy regarding workplace violence;
- Be familiar with organizational and al or local procedures for dealing with workplace threats and emergencies;
- Question unknown visitors and/or report strangers to supervisors and security;
- Be aware of any threats, physical or verbal, and/or any disruptive behavior of any individual and report these threats or behavior to supervisor/security;
- Be familiar with and take advantage of the resources of the EAP;
- Take all threats seriously;
- Be familiar with local emergency and evacuate plans and procedures. When notified to evacuate, shelter in place, or to take other protection measures, do so immediately. Warn, but do not wait for others, and follow the directions of emergency services personnel.

5.3 To whom should employees report workplace violence to?

Employees should be aware of and follow the procedures each site has established on workplace violence. In general, workplace violence should be reported to your supervisor, security, and LMER.

Some organizations have also established hotlines that employees can use to make non-emergency referrals to government and contractor human resource departments, EAP program officials, and security forces, and may be appropriate to report workplace violence.

Refer to Table 3-01, Addressing Workplace Violence Issues, for additional information.

5.4 What should employees do if they feel they are in imminent danger?

If employees feel they are in immediate danger, they should call their organization's security office or 911. It is better to err on the side of safety than to risk having a situation escalate. Note that employees should check with their organization or individual site to identify the recommended emergency number and if an outside line is required to dial that number.

If you ever have concerns about a situation that may turn violent, employees should notify their supervisor or a member of leadership immediately, and follow the specific reporting procedures provided each organization or local site's procedures.

Important: Unless there is no other alternative, employees should NOT confront individuals who appear to be an immediate threat. Employees should contact their organizations or local site's security office or 911 immediately.

5.5 What if employees work in a remote location or overseas?

DOE has a number of employees who work in the field or in places around the world, sometimes alone. Like other U.S. workers and citizens, DOE field employees are not immune to crime perpetrated against them while on the job, whether the crime is job related or not. Some DOE employees could possibly be threatened and/or attacked while working on non-government property or overseas environments. Each organization's or local site's security office, in coordination with the U.S. Department of State, should provide employees with specific safety guidelines appropriate to situations likely to be encountered by employees traveling in or assigned to an overseas environment.

In general, employees working alone and away from the office should prepare daily work plans and keep a contact person informed of their locations throughout their tour of duty. When necessary and feasible, management can implement a "buddy system" policy or provide for back-up, such as police assistance, so that workers do not enter a potentially dangerous situation alone.

6 RECOVERY After a Workplace Violence Incident

Returning the workplace to a functional condition after an incident occurs is a critical part of workplace normalcy. Although the hope is that violence will not occur, the office/site must be prepared to initiate healing and recovery efforts if a situation does occur.

6.1 What are the factors that may influence the intensity of the trauma and recovery?

- Duration of the event;
- Amount of fear the employee(s) or victim(s) experienced;
- The level of personal control experienced by the employee or victim during the incident. Extent of injury or loss the employee or victim experienced (i.e., loss of property, self-esteem, physical or psychological well-being, etc.);
- Other variables including previous traumatic experiences, recent losses or deaths, and other intense, emotional stresses.
- In some cases, the employee requires flexibilities to recover from an incident whether an incident occurred on site or an incident off-site (such as domestic violence, sexual assault or stalking) but is impacting the working environment. These flexibilities may include:
 - Annual Leave;
 - Advanced Annual Leave;
 - Sick Leave;
 - Advanced Sick Leave;
 - Leave Without Pay;
 - Family Medical Leave Act (FMLA);
 - Leave Transfer Program;
 - Telework;
 - Flexible Work Schedules.

Employees and supervisors should work with their human resource offices to see what flexibilities may work for any of these situations.

6.2 How can the organization overcome the impact of an incident?

- Have management present at the work site: Employees need to be reassured and be able to ask questions of first line supervisors, supported by senior level management.
- Provide Information to Employees: LMER office in conjunction with management may assist in reassuring and communicating with employees.
- Have Crisis Response Professionals: After major traumatic incidents, employee assistance services may need to be supplemented by response teams of professional emergency mental health consultants.

7 TRAINING AND ADDITIONAL INFORMATION

This section provides training information, as well as documents and references for obtaining additional information relating to workplace violence.

7.1 What training is available regarding workplace violence and who should be trained?

Workplace violence awareness and training are a critical part of workplace violence prevention. Training is necessary for all employees, as well as for the staff in offices that may be involved in responding to an incident of workplace violence. Each site will provide appropriate training according to local policies developed to address workplace violence. Such training may be administered collaboratively by HR, FEOSH, EAP, security or other stakeholders and offered to all DOE employees.

Employees

All employees should be trained on how to recognize and report incidents of violent, intimidating, threatening, bullying, and disruptive behavior. Refer to Table 3-01, *Addressing Workplace Violence Issues*, for additional information on defining incidents and determining who an employee should call in the event of any act of violence. All employees should have phone numbers for quick reference during a crisis or an emergency. Refer to Appendix A, Workplace Violence Quick Reference Phone List, for a chart that may be helpful in collecting and maintaining these numbers.

Training on workplace violence is crucial to maintaining an informed workforce. Workplace violence training for employees may include the following topics:

- Department and organizational workplace violence policy;
- Encouragement to report incidents and the procedures to do so;
- Ways of preventing or defusing volatile situations or aggressive behavior if possible;
- Diversity training to promote understanding, acceptance, and tolerance of co-workers and customers from different races, genders, religions, abilities, ethnic backgrounds, and sexual orientations;
- Ways to deal with hostile persons;
- Managing anger;
- Techniques and skills to resolve conflicts;
- Stress management, relaxation techniques, and wellness training;
- Security procedures (e.g., the location and operation of safety devices such as alarm systems);
- Personal security measures;
- Programs operating within the Organization and local sites that can assist employees in resolving conflicts (e.g., EAP, ADR, union etc.).

Supervisors

In addition to the training suggested above for employees, special attention should be paid to general supervisory training. The same approaches that create a healthy, respectful and productive workplace can also help prevent potentially violent situations. It is important that supervisory training include basic leadership skills such as setting clear and consistent standards, addressing employee problems promptly, and using probationary periods, performance

counseling, discipline, and other management tools fairly and conscientiously. These interventions can keep difficult situations from turning into workplace violence. Supervisors do not need to be experts in dealing with violent behavior, but need to know which experts to call, and be committed and willing to seek advice and assistance from those experts.

The following are areas that may be included in supervisory training:

- Ways to encourage employees to report incidents in which they feel threatened for any reason by anyone inside or outside the organization or local site;
- Procedures for consulting HR, EAP, Security, or the Federal Protective Services, with any questions regarding the seriousness of a reported incident;
- Skills in behaving compassionately and supportively towards employees who report incidents;
- Procedures for taking disciplinary actions and how to ensure that decisions are made fairly and applied consistently across the organization;
- Basic skills in handling crisis situations;
- Basic emergency procedures, including who to call and what support resources and services are available;
- Appropriate screening of pre-employment references;
- Basic skills in conflict resolution.

Responders to Workplace Violence Issues

Security, HR (LMER), and EAP staff that may respond to workplace violence issues should be trained on how to respond to such issues. This training will also allow site personnel to know experts throughout the organization or local site who can help when confronted with potentially violent situations.

Agency personnel who serve on assessment and response teams need to be competent in the skill area they are representing and need to know when and who to call for additional help.

Participating in programs and training sessions sponsored by government and professional organizations, reading professional journals or other literature, and networking with others in the profession they are representing, are all helpful tools for team members to use in preparing to deal with workplace violence situations. In some cases where participation on a team is a collateral duty, employees may need special supplemental training.

These staff members also need to understand enough about each other's professions to allow them to work together effectively. Assessment and response team training should include

discussion of policies, legal constraints, technical vocabulary, and other considerations that each profession brings to the interdisciplinary group.

7.2 Where can I find more information on workplace violence?

Each site is required to ensure that a local workplace violence policy is in place. This document is meant as a guide, to work in coordination with the organization's procedures. There are regulations that govern workplace violence, as well as a number of other publications that are helpful references and were used in the development of this guide. Additional information on preventing and responding to workplace violence can be obtained in the references below:

- DOE Policy 444.1;
- *Dealing with Workplace Violence: A Guide for Agency Planners*, United States Office of Personnel Management, OWR-09 ;
- "Guidance for Agency-Specific Domestic Violence, Sexual Assault, and Stalking Policies" (see <http://www.opm.gov/policy-data-oversight/worklife/reference-materials/guidance-for-agency-specific-dvsas-policies.pdf>), issued in February 2013, by the Office of Personnel Management (OPM), on behalf of an interagency workgroup.
- "Violence in the Federal Workplace: A Guide for Prevention and Response" (see <http://www.dhs.gov/sites/default/files/publications/ISC%20Violence%20in%20the%20Federal%20Workplace%20Guide%20April%202013.pdf>), issued in April 2013, by the Interagency Security Committee (ISC)
- Preventing Workplace Violence: Management Considerations, Robert A. Gardner, CPP, <http://www.crimewise.com/library/wpv.html>;
- Campus & Workplace Violence Prevention and Crisis Management Resource Manual, Virginia Tech University, http://www.hr.vt.edu/employeescorner/files/file_hr_Criss_Mgmt_Rsrc_Mnl.pdf;
- Guidance for Agency-Specific Domestic Violence, Sexual Assault, and Stalking Policies, U.S. Office of Personnel Management, February 2013 (Adapted from Workplaces Respond to Domestic Violence and Sexual Assault. 2012. <http://www.workplacesrespond.org>;
- Active Shooter Quick Reference Guide, Federal Bureau of Investigation, <http://www.fbi.gov/about-us/cirg/active-shooter-and-mass-casualty-incidents/active-shooter-event-quick-reference-guide-04-29-14>;
- Domestic Violence National Hotline: 1-800-799-7233 | 1-800-787-3224 (TTY);
- <http://www.thehotline.org/>.

APPENDIX A
WORKPLACE VIOLENCE QUICK REFERENCE PHONE LIST

This appendix is provided as a guide for employees to collect all contact information relevant to workplace violence issues. This page can be printed and filled in with information applicable to your department and local site. It is recommended that you keep this information readily available.

| QUICK REFERENCE PHONE LIST FOR WORKPLACE VIOLENCE ISSUES | | |
|--|------|-------|
| Title | Name | Phone |
| EMERGENCY NUMBER (911 OR XXX) | | |
| Workplace Violence Hotline | | |
| First Line Supervisor | | |
| Second Line Manager | | |
| LMER Office | | |
| Security Office | | |
| EAP Office | | |
| Health Unit | | |
| Remote/Overseas Assistance | | |
| HR Office | | |
| | | |
| | | |