

## COUNTY OF HAWAII VIOLENCE IN THE WORKPLACE POLICY

### BACKGROUND

Violence in the workplace is an issue for every working person. Employers increasingly understand that the enormous amount of violence that occurs in the United States involves many of their workers.

Acts of violence in the workplace occur for a variety of reasons. It may come in the form of a fellow employee bringing a weapon to work because of dissatisfaction with his/her employment situation, or an estranged spouse seeking retribution, or a disgruntled citizen retaliating against action taken by the employer.

The sheer number of workplace deaths in the United States caused by assaults and other violent acts has prompted the Occupational Safety and Health Administration to make the subject of workplace violence an important priority.

According to the Department of Labor's Bureau of Labor Statistics, there were 6,083 deaths in the workplace in 1992. Highway accidents were the leading cause of death in the workplace, representing 1,121 deaths and 18% of the total number of workplace deaths. Homicide was the second leading cause of death, with 1,004 deaths and 17% of the total. For women, homicide was the leading cause of death in the workplace, representing 40% of the total number of workplace deaths.

A study conducted by the Society for Human Resource Management in 1993 found more than a third of the 479 human resource professionals responding had experienced violence in the workplace since 1989. About 75% of the incidents were fistfights or similar altercations, 17% were shootings, 8% were stabbings, and 6% were rapes or sexual assaults.

Under the "general duty" clause of the Occupational Safety and Health Act of 1970 (OSHA), employers are required to provide a safe and healthy working environment for all employees.

Employers have a legal duty to attempt to minimize violence that occurs in or results from their workplace. An incidence of violence can disrupt the workplace enormously, tarnish the employer's reputation and contribute to long-lasting employee morale and productivity problems.

## **POLICY**

Acts of violence, threats of violence, and harassment will not be tolerated in the working environment of the County of Hawaii.

The County of Hawaii is committed to promoting and maintaining a safe and healthy work environment for all of its officers and employees free of violence and harassment.

**Any act of violence, threat of violence, or harassment of County of Hawaii officers, employees, or members of the public on County premises or worksites or which act causes damage to County property shall be reported to the department/agency head and to the Managing Director and must also be immediately reported to the police.**

**Any act of violence, threat of violence, or harassment occurring outside of County of Hawaii premises or worksites but related to one's County employment shall be immediately reported to the employing department/agency head or Managing Director and must also be reported to the police.**

Possession, use or threat of use of any weapon, including firearms, is not permitted at work or on County property, including County vehicles, unless such possession or use of a weapon is a necessary and approved requirement of the job as reflected in the official position description.

There shall be no retaliation or harassment against an employee for reporting real or implied violent behavior or harassment in the workplace. Any such retaliatory or discriminatory action shall be reported by the employee to the department/agency head or Managing Director and dealt with promptly by management.

In the aftermath of a violent workplace or harassment incident, the department/agency head or Managing Director shall provide post-trauma debriefings, including appropriate counseling, to affected County officers and employees, as needed, for immediate recovery and a smooth transition back to work.

The Department of Civil Service shall promulgate appropriate procedures to implement this policy.

## **DEFINITIONS**

**"Acts of Violence"** includes any physical force, verbal and non-verbal threats, and harassment.

Examples of acts of violence include the following:

- Gun shot and/or gun shot wounds.
- Rape, sexual assault or sexual abuse.
- Stabbing.
- Strangulation.
- Other forms of physical harm resulting in injury or death.
- Robbery.
- Kidnapping.
- Terroristic threatening.
- Stalking.
- Verbal threats or abuse which includes verbal intimidation and swearing.
- Property theft.
- Property damage.

**"Violence"** means physical force used against persons or property so as to injure, damage, or destroy.

**"Threat"** includes but is not limited to an expression of intention to hurt, destroy, retaliate, or intimidate.

**"Harassment"** means an intentional or knowing course of unwelcomed conduct directed at an individual that seriously alarms, disturbs consistently or continually bothers an individual, and that serves no legitimate purpose.

## **OBJECTIVES**

The objectives of this policy are to:

1. Protect the health, safety and welfare of all officers, employees, and members of the public while on County of Hawaiï premises and worksites.

2. Prevent violent behavior and harassment of officers, employees, and members of the public on County of Hawaii premises and worksites.
3. Comply with Federal and State legal requirements by providing a safe and healthy working environment for all County of Hawaii officers and employees.
4. Establish reporting requirements for any act or threat of violence and harassment on County of Hawaii premises and worksites, and provide County officers and employees post-trauma debriefings for immediate recovery and a smooth transition back to work.

**VIOLATIONS**

**Persons violating this policy will be subject to prosecution for criminal violations of the law. Officers and employees violating this policy will be subject to disciplinary action including dismissal.**

Approved: \_\_\_\_\_



**Stephen K. Yamashiro, Mayor  
County of Hawaii**

Date: \_\_\_\_\_

1/4/95