



CHAPTER: Employee Conduct and Relations Standards

SUBJECT: Violence In The Workplace

POLICY NUMBER: 4.505

PAGES: 5

**RELATED POLICIES: ENABLING RESOLUTION: REVISION DATE(S): 12/07
267-2007 269-2007 117-10 7/10 06/13 6/15 5/16
116-10 122-2013**

DEPARTMENT OF PRIMARY RESPONSIBILITY: HUMAN RESOURCES DIVISION

SPECIAL NOTES: This Policy/Procedures Manual does not in any way constitute an employment contract. Sedgwick County reserves the right to amend this Manual at any time subject only to approval by the Board of County Commissioners and the Governing Body of Sedgwick County Fire District Number One.

I. PURPOSE

The objective of this Policy is to achieve the following:

1. Reduce the potential for violence in and around the workplace.
2. Encourage and foster a work environment that is characterized by respect and healthy conflict resolution.
3. Mitigate the negative consequences for employees who experience or encounter violence in their work lives.
4. Outline the procedures to be followed when a threatening or violent incident occurs in the workplace.

II. DEFINITIONS

As used in this policy, these terms are defined as follows:

- A. Active Shooter:** An individual actively engaged in killing and/or attempting to kill people in a confined and populated area; in most cases, active shooters use firearms(s) and there is no pattern or method to their selection of victims.
- B. Potentially Dangerous Weapon:** Any instrument capable of producing bodily harm. These instruments may include any item that, when used in a violent manner, may potentially cause bodily harm, regardless of whether the primary purpose of the item is to cause bodily harm.

- C. Workplace Violence:** An act or behavior that is physically assaultive. This includes, but is not limited to, acts or behaviors that:
1. Consist of a communicated or reasonably perceived threat to harm or endanger another individual or to destroy property;
 2. Would be interpreted by a reasonable person as menacing or carrying the potential for physical harm to the individual; or
 3. Involves carrying (other than what is authorized in Section III(B)) or displaying weapons, destroying property or throwing objects in a manner reasonably perceived to be threatening.
- D. Shelter in Place:** To remain in a location which can be secured by locking or barricading the entrance/exit point(s), preferably where more than one entrance/exit point exists without windows.

III. POLICY

A. General Intent

Sedgwick County is committed to providing a safe environment for working and conducting business. Likewise, all employees bear some responsibility for helping to maintain a violence-free workplace (i.e., refraining from acts of violence, promoting a safe working environment and governing him or herself accordingly).

Any employee experiencing an act or threat of violence, whether it be from another Sedgwick County employee or from an individual outside the organization, is asked to report such an act or threat to his or her immediate supervisor or another manager. Any violent act(s) or threat(s) committed by a Sedgwick County employee will subject that employee to disciplinary action, up to and/or including termination and/or prosecution, as appropriate.

B. Possession and Use of Potentially Dangerous Weapons by Employees

1. In the interest of maintaining a workplace that is safe and free of violence, this policy provides guidelines for employees regarding possessing or using potentially dangerous weapon(s) on County property, in County vehicles, or in any personal vehicle which is used for County business.
2. Employees may possess the following potentially dangerous weapons in the situations and manner set forth below:
 - a. Knives, as authorized by K.S.A. 21-6302, as amended
 - b. Firearms, if the employee is:
 - i. Engaged in military or law enforcement activities;
 - ii. Required to carry a gun or other weapon in the regular course of his or her employment with Sedgwick County; or

- iii. Not on posted County property that prohibits such items.

Pursuant to K.S.A. 75-7c10(f)(1), an employee may carry within those County buildings that are **not** posted, as well as vehicles that are used for County business. The employee is responsible for knowing whether or not a building outside of Sedgwick County's control, that an employee is travelling to as part of his or her employment, is posted prohibiting conceal carry and adhering to that posting.

C. Procedure for Workplace Violence Situations

Active Shooter. There are two distinct scenarios for an active shooter situation: (1) those situations in which the violence is occurring in the employee's place of work, but not in the employee's immediate work area; and (2) those situations that are occurring in the employee's immediate work area. The response to these two situations is outlined below.

1. Situation in building, but not immediate work area

- a. For active shooter situations occurring in the Main Courthouse, Historic Courthouse, or Munger Building, employees are instructed to "shelter in place" until given the "all clear."
 - i. Employees should listen for announcements over the building PA system and follow the instructions given.
 - ii. Employees should be aware that they may be expected to "shelter in place" for multiple hours before given the "all clear"
 - iii. **IT IS IMPORTANT TO FOLLOW INSTRUCTIONS AS GIVEN!**
- b. For active shooter situations occurring in any other multi-story County building, staff of that building will develop appropriate active shooter procedures and communicate those procedures to employees.

2. Situation in immediate vicinity (or in a single-story building)

- a. **Run**
 - i. Have an escape route and plan in mind
 - ii. Leave personal belongings behind
 - iii. Keep hands visible (up and next to face) to law enforcement
- b. **Hide**
 - i. Hide in an area out of the shooter's view
 - ii. Block entry to hiding place by barricading and locking doors
 - iii. Silence cell phones and all other communication devices
 - iv. Turn off televisions or radios (i.e., make the area appear unoccupied)
- c. **Fight**
 - i. Used only as a last resort when employees' lives are in danger
 - ii. Attempt to incapacitate the shooter(s)
 - iii. Act with physical aggression (i.e., throw items at active shooter(s))
 - iv. **Do not** hunt or go after an active shooter(s)

- d. **Call 911 (if/when safe to do so) and report the following information:**
 - i. Location of active shooter(s)
 - ii. Number of shooter(s)
 - iii. Physical description of shooter(s)
 - iv. Number and type of weapon(s) held by shooter(s)
 - v. Number of potential victims at your location
3. **When the active shooter(s) has left the employee's immediate vicinity:**
 - a. Do not go towards sound of gun fire or screaming
 - b. Determine whether to run or hide, but be prepared to fight
 - c. Call 911 and provide relevant information
 - d. Notify and maintain contact with supervisor, department head or division director
4. **When law enforcement arrives:**
 - a. Remain calm and follow instructions
 - b. Put down any items in your hands (e.g., cell phone, weapon, bag, jacket, etc)
 - c. Raise hands near face and spread fingers apart
 - d. Keep hands visible at all times
 - e. Avoid pointing, screaming or yelling
 - f. Do not stop to ask officers for help or directions
 - i. First officers on scene will **not** stop to help injured persons
 - g. Expect rescue teams (additional officers and emergency medical personnel) to follow initial officers on scene
 - i. These first responders will treat and remove any injured person(s)
 - ii. Be advised that able-bodied employees may be called upon to assist
5. **Once you reach an area of safety:**
 - a. **DO NOT LEAVE** unless and until instructed to do so. Be advised that employees may be held in/at the area of safety until the situation is under control and all witnesses have been identified and questioned.
6. **Once area is given "all clear," Division and Department Heads will:**
 - a. Account for all of their employees
 - b. Report any missing or unaccounted for employees to Incident Command
 - c. Follow instructions issued by Incident Command
 - d. Refer to Continuity of Operations (COOP) Plan

Act of Violence

1. Determine if the act of violence constitutes an emergency. An emergency exists when physical contact has been made or the threat of physical contact has been made in the immediate proximity of one or more employees and is directed at any employee then present.
2. If the act of violence **does** constitute an emergency:
 - a. Call 911

- b. Inform immediate supervisor and appropriate Department Head
 - c. Request that the parties separate without personally becoming involved
3. If the act of violence does **not** constitute an emergency:
- a. Contact immediate supervisor, who should inform both the Department Head and the Director of Human Resources
 - b. The Director of Human Resources will inform the County Manager and the Division Director
 - c. The immediate supervisor will document the act in writing and will include the following details:
 - i. Summary of the incident and/or threat
 - ii. Names of the person(s) involved
 - iii. Date, time, and location of threat or act
 - iv. Name of witness(es)
 - v. Who was informed
 - vi. Summary of action taken, if any
 - d. The Director of Human Resources will coordinate any further response needed.

D. Training

The Division of Human Resources shall be responsible for implementing this Policy, disseminating it to employees (supervisors and non-supervisors) and conducting training in conjunction with appropriate subject matter experts with respect to their roles and responsibilities.

E. Employee Responsibilities

In the event any act of violence or accidental discharge of a firearm occurs, it shall be the responsibility of the employee to file a written request for legal counsel pursuant to the Kansas Tort Claims Act (K.S.A. 75-6101, et seq.) for any action in which the employee is named as a defendant. Any request for the County to provide for the defense of the employee shall be made to the County Clerk or the Board of County Commissioners and must be made within 15 calendar days from receipt of service of process or demand letter received from a claimant or claimant's legal counsel. It shall be in Sedgwick County's sole discretion as to whether an employee acted within the scope of his or her employment and whether a defense will be provided. Any decision to provide a defense to the employee shall be strictly contingent on the employee cooperating in good faith in the defense of the claim or action, regardless of whether employment with the County is continued for the duration of the proceedings.

Any damage caused to Sedgwick County property as a result of an act of violence or accidental discharge of a firearm shall be the responsibility of the employee that caused the damage.