



CHAPTER: Employee Conduct and Relations Standards

SUBJECT: Violence In The Workplace

POLICY NUMBER: 4.505

PAGES: 4

RELATED POLICIES: **ENABLING RESOLUTION:** **REVISION DATE(S): 12/07**
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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:

- A. Reduce the potential for violence in and around the workplace.
- B. Encourage and foster a work environment that is characterized by respect and healthy conflict resolution.
- C. To mitigate the negative consequences for employees who experience or encounter violence in their work lives.
- D. Outline the procedures to be followed when a threatening or violent incident occurs in the workplace.

II. Policy

Sedgwick County is committed to providing, in so far as reasonable within available resources, a safe environment for working and conducting business.

All employees are responsible for helping to maintain a violence free workplace, refraining from acts of violence and promoting a safe working environment. To that end, each employee is required to govern himself or herself accordingly. In addition, any employee experiencing an act or threat of violence whether from another 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. The County intends to use legal, managerial, administrative and disciplinary procedures to secure the workplace from

violence and to reasonably protect employees and members of the public. Any violent act(s) committed by employees will be subject to disciplinary action, up to and/or including termination, or prosecution as appropriate.

As outlined further in Section IV, some employees may wish to carry a gun for personal protection. Employees may carry their concealed handgun at their workplace if the building entrances are not posted against concealed carry by members of the public.

With regard to using a gun, law enforcement, courthouse security or other employees authorized to carry weapons within the scope of their employment are the only individuals authorized to use deadly force while acting for and on behalf of Sedgwick County. Under no circumstances will any other employee use deadly force as a function of their job with the County. If an employee who is not authorized uses deadly force, he/she will not have the immunities or be entitled to the same indemnity afforded law enforcement, courthouse security or other employees authorized to carry weapons within the scope of their employment. The County will also not provide for, reimburse, or pay, attorney fees or costs of the employee in defense of that use of deadly force in any criminal or civil proceeding.

III. Definitions

- A. Potentially Dangerous Weapons: A potentially dangerous weapon is any instrument capable of producing bodily harm, in a manner under circumstances and at a time and place, that manifests an intent to harm or intimidate another person or that warrants alarm for the safety of another person. These may include items which are obvious of the potential to harm, such as, but are not limited to, guns, knives (other than pocket) and explosives or items which are not obvious to cause potential harm but could, depending on the way the item is manipulated, such as, but are not limited to, throwing a chair, chemicals, stapler, drinking glass, etc.
- B. Workplace violence as referred to in this Policy includes, but is not limited to, an act or behavior that:
 - 1. Is physically assaultive;
 - 2. Consists of a communicated or reasonably perceived threat to harm or endanger another individual or to destroy property;
 - 3. Would be interpreted by a reasonable person as carrying potential for physical harm to the individual or a reasonable person would perceive as menacing;
 - 4. Involves carrying (other than what is authorized in Section IV) or displaying weapons, destroying property or throwing objects in a manner reasonably perceived to be threatening.

IV. Possession And Use Of Potentially Dangerous Weapons By Employees

- A. In the interest of maintaining a workplace that is safe and free of violence, the possession or use of a potentially dangerous weapon is prohibited on County property, in County vehicles, or in any personal vehicle which is used for County business, except as provided in Subsection B:
- B. Exceptions to Potentially Dangerous Weapons Prohibition:
 - 1. Employees of Sedgwick County may carry knives concealed on their person as authorized by K.S.A. 21-6302, as amended.
 - 2. Employees of Sedgwick County may possess a firearm on County property if:
 - a) Engaged in military or law enforcement activities;
 - b) They are required to carry a gun or other weapon in the course of their work duties for Sedgwick County; or
 - c) They adhere to posted building prohibitions.

V. Procedure

- A. If a workplace violence act or altercation occurs and constitutes an emergency, a witness should:
 - 1. Contact 911;
 - 2. Inform an immediate supervisor and the appropriate Department Head;
 - 3. Request parties to separate without becoming physically involved.
- B. In instances that do not constitute an emergency, contact the immediate supervisor who will in turn inform the appropriate Department Head, then the Director of Human Resources, who will in turn inform the County Manager. The Department Head should notify his/her Division Director as soon as possible. The immediate supervisor or Department Head is responsible for documenting the incident or threat. Documentation should be in written form and include: 1) summary of incident or threat; 2) the names of the persons involved; 3) date, time, location of threat or incident; 4) names of witnesses; 5) who was informed; 6) summary of action taken, if any.
- C. The Department Head will contact the Director of Human Resources who will take responsibility for coordinating any further response to the incident, including assessment and investigation.

VI. Training

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