

PINELLAS COUNTY UNIFIED PERSONNEL SYSTEM WORKPLACE VIOLENCE POLICY



I. Purpose

The purpose of this Administrative Policy is to provide guidance to employees, supervisors, and managers, when they encounter a situation that they believe could result in workplace violence. Pinellas County Government has no tolerance for threats of violence or violent acts in the workplace.

II. Authority

The Appointing Authorities set administrative policy for departments within the Unified Personnel System.

III. Responsibility

Department and Division Heads within the Unified Personnel System shall be responsible for compliance with the provisions of this administrative policy as it relates to their employees and offices.

IV. Procedures

The procedures are divided into two sections: (A) Reducing the Risk of Potential Workplace Violence; and, (B) Dealing With Potential Violence.

Section A. Reducing the Risk of Potential Workplace Violence

1. Application Form

The Unified Personnel System's employment application form requires applicants to list prior employers, reasons for leaving prior employment and total time worked in prior jobs. In addition, it requires applicants to explain any gaps of time which are not accounted for and inquires whether or not the applicant has ever been fired or asked to resign (if so, the applicant must explain).

The application form notes that failure to complete the information requested may lead to disqualification of the applicant. The application also authorizes the employer to investigate all statements provided on the form. The authorization reads in part:

"Pinellas County has my authorization to thoroughly investigate my work and personal history that is job-related. I will hold no person, corporation, or organization liable for giving or receiving information in this investigation.

All information provided will be considered in reviewing my application, and a false answer to any question may be grounds for denied employment, or for dismissal after beginning work. All statements are subject to verification, including a background check of police records and former employers.

By my signature, I hereby authorize Pinellas County Government to obtain college or university transcripts, and/or employment references from my former employers."

The hiring Department checks for gaps in employment on the application. Prior to hiring an applicant, the County obtains proof of identity. As applicable, the County will obtain Department of Motor Vehicle (DMV) records and driver's license status.

2. Conviction Records

The Unified Personnel System asks applicants to disclose convictions on the employment application form. This inquiry is accompanied by a disclaimer that, "a prior record of conviction(s) will not necessarily disqualify you from consideration. Each case is considered individually considering the nature of the offense and requirements of the job."

As part of new hire processing, the employees are fingerprinted and these fingerprints are forwarded to the appropriate law enforcement officials for a search of criminal records. If the employee fails to disclose a conviction, this information is forwarded from Personnel to the Appointing Authority for appropriate action.

3. Reference Checks

The hiring department should perform reference checks with at least two of the applicant's former employers.

4. Drug Testing

The Unified Personnel System has a Drug-Free Workplace Program in compliance with the Federal Drug-Free Workplace Act of 1988 and Florida Workers' Compensation law. A copy of the County's Drug-Free Workplace Policy is made available to prospective employees and provided upon hire. The County requires a signed acknowledgement as a condition of hire. Offers of employment may be made contingent upon successful completion of a drug and alcohol screening.

All Job announcements include a notice of participation in the Federal Drug-Free Workplace Act. All employment applications specify that drug screening may be required depending upon area of assignment and nature of position. Only applicants under final consideration for such positions are given a drug screening test.

5. Employee Assistance Program (EAP)

Under the Employee Assistance Program, the County has a program for counseling employees with personal problems. A Personnel course entitled Employee Assistance Program (part of the Basic Supervisory Skills Series) is required supervisory training to be completed within the first year of promotion to supervision. Any supervisor should confidentially report an employee who appears to exhibit violent or disruptive behavior which could harm either the employee or other individuals to the Department Head and to the Risk Management Department. Based upon the information received, a decision is made so as to alert the employee's supervisor, Appointing Authority, Department of Justice and Consumer Services, and/or police.

6. Grievance Procedure

Our grievance procedure is considered a positive "problem solving" vehicle for classified employees. It provides a systematic way for employees to air complaints and to receive a response from management.

7. Policy Regarding Firearms and Weapons

It is the policy of Pinellas County Government that except as specifically provided in F.S. 790.251 employees are prohibited from possessing firearms or other weapons on County premises or during working hours while on duty.

Employees in possession of deadly weapons are subject to discipline pursuant Personnel Rule XXIV, Section J24 regarding deadly weapons which reads:

"That the employee possesses a deadly weapon, while on County owned or leased property, or in a County owned vehicle or personal vehicle while being used for County business except as specifically provided in Florida Statute §790.521. Prohibited possession under this Rule shall also apply to a deadly weapon located in an employee's privately-owned vehicle if such vehicle is parked on County owned or leased property.

For the purposes of this Rule, a "deadly weapon" shall be defined as any instrument which will cause death or great bodily injury when used in the ordinary and usual manner contemplated by its design and construction and includes, but is not limited to, the following:

Firearms; clubs; knives, other than a common pocket knife with a folding blade or an eating utensil; stun guns; brass knuckles; and numchucks, throwing stars, and other martial arts weapons.

Exceptions to the above prohibitions may be granted by Appointing Authorities to employees whose duties require them to carry such an item or who have a need to carry a firearm or deadly weapon for their own personal protection."

8. Supervisory and Management Training

All supervisors and managers shall complete training on "Causes and Prevention of Workplace Violence," conducted by the Risk Management Department as part of *Safety and the Supervisor Training* in support of the Basic Supervisory Skills Series.

9. Video Surveillance

For security purposes, video surveillance equipment has been installed which records activities on a 24-hour basis in certain common areas such as lobbies, hallways, parking garages, entrances, and exits for some County buildings. Where such cameras have been installed, an appropriate notice has also been posted in order to make the public aware of such surveillance.

B. Dealing with Potential Violence

1. On-The-Job

There are situations where relationships between employees, or between an employee and the supervisor, result in strong negative feelings by the individuals involved. Any persons involved in situations where they fear that physical retaliation may occur, or where someone has made verbal threats of physical violence, should immediately discuss it with their supervisor or with management, if the supervisor is involved. (Also, reference Section IV, B, 5. Management Actions.)

2. Dealing With The Public

Similar situations could occur in employee contacts with the public. While the County has a strong commitment to customer service, it does not intend for employees to be subjected to continuous verbal or any physical abuse by citizens. As in 1. above, persons involved in situations where they fear that physical retaliation may occur, or where someone has made verbal threats of physical violence, should immediately discuss it with their supervisor. Further concern over the possibility of physical violence should be immediately discussed with management and reported to the Risk Management Department. (Also, reference Section IV, B, 5. Management Actions and Section IV, A, 5. Employee Assistance Program).

3. Emergency Situations

In emergency situations where an employee is facing a clear and imminent threat that could at any immediate moment result in bodily harm, 911 may be called for police intervention prior to notifying management.

4. Off-The-Job

An employee may be involved in a personal non-criminal dispute with family members or neighbors. If the situation escalates, individuals may sometimes secure an injunction order or similar order from the Court. To secure an injunctive order, the employee will need to go to the Clerk of the Circuit Court at any one of the following locations:

Civil Court Records
Clearwater Courthouse
315 Court Street
Clearwater, FL 33756
Telephone: (727) 464-3267

St. Petersburg Branch Office
545 1st Avenue North
St. Petersburg, FL 33710
Telephone: (727) 582-7771

South County Branch Office
1800 66th Street North
St. Petersburg, FL 33701
Telephone: (727) 582-7681

North County Branch Office
29582 US 19 North
Clearwater, FL 33761
Telephone: (727) 464-8700

An injunction for protection order can be issued, upon completion of the petition for injunction for protection against domestic, repeat, dating, or sexual violence. A hearing will be scheduled prior to issuance of a permanent court order.

If an employee does request a court order, he/she should include the work location as well as place of residence in the order. The employee shall inform the supervisor of the issuance of the order and provide a description of the individual cited in the order. Within 24 hours after the court issues an injunction order, the Clerk's Office forwards a copy of the order to the Sheriff's Office for service of process and the data

entry of the information into a Domestic and Repeat Violence Injunction Statewide Verification System so that local police agencies can access the information.

Even in the case where an employee has not secured a Court order but fears for his/her safety, the employee should notify the Sheriff or Police Department immediately and inform his/her supervisor as soon as practical.

5. Management Actions

When any of the above situations is brought to the attention of Department management, an evaluation of the severity of the situation must be made immediately. If it is concluded that there is any likelihood that violence could result, management shall:

- a.) Call 911 for Police Department intervention if indicated.
- b.) Inform employees who are likely to come in contact with the subject. Provide a description of the subject and instructions on actions to be taken if the subject comes to the work site.
 - Alert a supervisor who is familiar with the situation.
 - Discuss an action plan with affected employees. This plan will depend on the circumstances and seriousness of the situation
 - In formulating a plan, department heads may include whom to notify, escape route, call Police, etc.
- c.) Contact the Director of Risk Management. Provide background information on the incident as well as the steps already taken. The Director of Risk Management will coordinate a response appropriate to the nature of the threat. If law enforcement has not been called and their involvement is indicated, Risk Management will contact the Department of Justice and Consumer Services, who will initiate the contact with appropriate authorities. If an immediate response is not required, follow-up and counseling may be conducted by department management and/or Personnel Department EAP.

If investigation and follow-up of the incident requires a meeting with the employee, and if department management feels more security is required, the Department of Justice and Consumer Services will make arrangements with the appropriate law enforcement agency.

- d.) Provide the same information to General Services for notification of security personnel.
- e.) If an employee has made a threat of violence, has initiated a violent act or has violated the policy regarding firearms and weapons, management will take disciplinary action, up to and including, termination.
- f.) In the event an act of violence has occurred, a detailed summary shall be forwarded to the Department of Justice and Consumer Services for further investigation and maintenance of records. The Risk Management Department shall coordinate with the Personnel Department to provide for any post-incident psychological counseling that may be indicated.

6. Departmental Responsibilities

Pinellas County Government is a highly decentralized organization with many diverse functions. Department and division heads must assume direct responsibility for the safety and security of their employees. This Workplace Violence Policy is a framework and guideline in which managers can develop plans specific to their particular needs. This policy focuses on preventive and responsive measures that should be followed. Day to day operational security must remain the department's responsibility. This would include areas like:

- Access controls
- Perimeter security
- Security hardware
 - Cameras
 - Buzzers
 - Electric Locks
- Rapport with local police and in-house security
 - Precinct officers
 - Bailiffs
 - Contract Security

Department crisis management teams

- Office Layout
- Barriers
- Escape routes
- Safe rooms

Pre-employment screening

- Prior employers

7. Procedural Checklist for Response to (Potentially) Violent Acts

a. Incident is brought to supervisor's attention

- Supervisor observes behavior
- Employee reports to supervisor
- Third party intervention

b. Supervisor verifies incident

- Obtains facts - How, when, where, what, how many, who, why.
- If the incident is a "threat", it will require subtle investigation by management before further action is taken.
- If an incident has occurred, the investigation will be more direct and responsive to seriousness of the act
- If serious and disruptive, call police.

c. Alert Department Management

- If there is any likelihood that violence could result, management shall refer to Workplace Violence Policy, Section IV, B, 5. Management Actions.