

## **POLICY 203: WORKPLACE VIOLENCE**

*ADOPTED: FEBRUARY 12, 2002 (REVISED: JUNE 20, 2017)*

### **Policy:**

It is the policy of Lee County to provide a safe environment for working and conducting business. Lee County will not ignore, condone, or tolerate acts of violence committed by or against County employees, or members of the public, while on Lee County property or while performing Lee County business at other locations. County employees determined to be in violation of this policy will be subject to appropriate disciplinary action, up to and including discharge from employment.

### **203:1 VIOLENCE DEFINED**

1. The term “violence” has been defined as: An unjust or unwarranted exertion of force, action, power or vehement rough language against a person, property, rights or laws of an injurious or destructive nature.
2. The word violence in this policy shall include, but is not limited to, any act or behavior that:
  - a) constitutes a physical assault;
  - b) consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of an individual;
  - c) carries the potential for physical harm to another individual (as would be interpreted by a reasonable person);
  - d) involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening;
  - e) menaces another (as would be interpreted or perceived by a reasonable person); and
  - f) consists of a communicated or reasonably perceived threat to destroy property; or a reasonable person would perceive as obsessively directed, e.g. intensely focused on a grudge, grievance, or romantic interest in another person, and reasonably likely to result in harm or threats of harm to persons or property.
3. Violent acts and behavior can take any one of many forms. Such conduct might be physical or nonphysical, verbal or nonverbal, direct or indirect, and explicit or implicit.

### **203:2 RESPONSIBILITIES/ COMPLAINT PROCEDURE**

1. Lee County takes every workplace violence issue seriously. As a means for prevention, Lee County employees are strongly urged to take appropriate action immediately upon knowledge of violent behavior taking place either on Lee County property or regarding any legitimate interest of Lee County.
  - a) **Emergencies**
    - For immediate assistance in an emergency situation (e.g. assault, direct threat of immediate violence, suicide attempt, or any crime in progress) dial 9-1-1.

## **POLICY 203: WORKPLACE VIOLENCE**

*ADOPTED: FEBRUARY 12, 2002 (REVISED: JUNE 20, 2017)*

### **b) Incidents Not Rising to the Level of an Immediate Emergency**

1. If the complaint involves a non-emergency situation, employees are strongly urged to report the violent behavior to a supervisor. The supervisor shall report that complaint immediately to the Department of Human Resources (or the County Manager's Office as appropriate) in person or by telephone. Failure to follow this procedure subjects the supervisor to disciplinary action.
2. If the complaint accuses the employee's supervisor or someone in the direct line of supervision, or if the employee for any reason is uncomfortable in bringing the complaint to his or her immediate supervisor, the employee may bring the complaint to another supervisor, the Director of Human Resources or designees, or the County Manager's Office, as appropriate.

### **203:3 INVESTIGATION OF ALLEGATIONS**

Lee County recognizes that workplace violence investigations require discretion and sensitivity to protect the rights of all persons involved and shall proceed in a manner that demonstrates objectivity, fairness and a concern for confidentiality.

#### **203:3(a) INVESTIGATION ASSIGNMENT AND PROCEDURE**

##### *Who Shall Conduct Investigations*

1. Incidents involving emergency and/or criminal activity will be referred to the Lee County Sheriff's Department or the appropriate jurisdiction for investigation. An internal investigation may occur simultaneously if it does not interfere with the efforts of the outside investigator.
2. Incidents that do not involve an emergency situation and/or criminal activity, the Lee County Department of Human Resources, in consultation with the County Manager's Office and the County Attorney's Office, will determine the appropriate course of investigation.

##### *Investigation Process*

1. Due to the varying nature of violence in the workplace, Lee County reserves the right to conform its investigative process as appropriate to handle the sensitive and subtle considerations presented by workplace violence issues on a case-by-case basis.

#### **203:3(b) COOPERATION AND CONFIDENTIALITY**

1. Lee County employees are required to fully cooperate in any internal investigations that may be conducted. This includes, but is not limited to, answering all questions honestly and fully.

## **POLICY 203: WORKPLACE VIOLENCE**

*ADOPTED: FEBRUARY 12, 2002 (REVISED: JUNE 20, 2017)*

2. Employees interviewed at any time during an investigation shall keep any and all information that is shared during the investigation strictly confidential and shall not, except as required or permitted by law, discuss the information or the investigation with anyone other than authorized persons.
3. Failure to cooperate with an investigation, or failure to abide by the rule of confidentiality, will be grounds for disciplinary action.
4. Lee County will take all reasonable and lawful efforts to keep the information provided to it in the complaint and investigation process as confidential as practically possible to provide for a thorough investigation, and to the extent permitted by Florida Law.
5. Nothing in this section will apply to compromise an accused individual's rights protecting against self-incrimination in a criminal investigation.

### **203:3(c) RETALIATION PROHIBITED**

1. Retaliation against employees for reporting violent behavior or assisting in the investigation of a complaint is prohibited and will not be tolerated.
2. Retaliation includes, but is not limited to, such acts as refusing to recommend an employee for a benefit for which he or she qualifies, spreading rumors about the employee, encouraging hostility from co-workers, or escalating the violent situation.