

## MINNESOTA DEPARTMENT OF AGRICULTURE DEPARTMENT POLICY

Title: Zero Tolerance for Violence Policy

Policy #: 98-003

Authorized by: Thom Petersen, Commissioner

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### **Authority:**

Minnesota Statutes 15.86

### **Statement:**

"Violence is the abusive or unjust exercise of power, intimidation, harassment and/or the threatened or actual use of force which results in or has a high likelihood of causing hurt, fear, injury, suffering, or death."

### **Introduction:**

Workplace violence generally falls into three categories

1. A violent act or threat (perceived or real) by a current or former employee, supervisor, manager, persons having involvement with a current or former employee such as an employee's spouse, significant other, relative, or another person who has had a dispute with an employee.
2. A violent act or threat (perceived or real) directed against department customers or other workplace visitors who receive service from the agency.
3. A violent act by someone totally unrelated to the work environment, wherein the purpose of their visit is to commit a criminal act such as robbery or bombing.

It is important to note that violent acts are frequently the end result of long-standing disputes or unresolved arguments beginning with a disrespectful comment or action and escalating to more serious levels of violence. It is accurate to say there is a continuum of violence that often begins with such acts as name calling or other negative comments progressing to pushing, shoving or shouting, which may lead to further physical assaults.

To prevent workplace violence, it is important to look at the complete workplace climate or environment rather than just how we respond to individual incidents of violence in the workplace. We must be aware of outside factors that impact the safety of the workplace environment such as the spillover effects of family violence into the workplace.

### **Agency Goal:**

It is the goal of the Minnesota Department of Agriculture to maintain an environment free from threats or acts of violence. Any violent actions or threats toward co-workers, the public we are serving, or from visitors towards employees of the department will not be tolerated.

**Policy:**

Each employee of the Minnesota Department of Agriculture is entitled to a workplace free from violent threats or acts and in turn will be responsible for maintaining a violence-free environment. A violence-free worksite will be maintained through the use of open communications, employee training and information, and when necessary, the enforcement of rules through disciplinary action.

The department will actively work to prevent and eliminate acts of work-related violence.

The department will clarify and enforce expectations regarding behaviors for employees and visitors.

The department will respond promptly, positively, and aggressively to deal with threats or acts of violence. This response may include involvement of law enforcement agencies, when appropriate.

The department prohibits possession of firearms and other dangerous weapons in the workplace or while on agency business (Appendix A).

All incidents of work-related threats or acts of violence will be treated seriously by the department. Reports of all such acts will be promptly investigated, and management will take action, as necessary, to appropriately address each incident.

The department will take disciplinary action against employees who are involved in the commission of work-related threats or acts of violence, up to and including discharge from State employment.

The department will support criminal prosecution of those who threaten or commit work-related violence against its employees or visitors to its workplaces.

The department shall provide periodic violence prevention information and training for management and staff. The training will cover the Zero Tolerance for Violence Policy and each employee's role in maintaining a safe work environment.

The department will clearly communicate the employee's role in maintaining violence-free worksites and respectful attitudes.

Pursuant to Minnesota Statute 15.86, this policy does not create any civil liability on the part of the State of Minnesota.

**Prevention:**

The department will work to prevent (perceived or real) acts of violence by employees, customers, or visitors using the following methods.

***Education/Training***

The department will provide training for management and staff through periodic department seminars, divisional meetings, and information distribution. Government and private resources may be used such as the State Employee Assistance Program and MMB.

## ***Building Security Measures***

The Freeman Building, Lab and surrounding property is protected by video recording cameras capable of recording activities in the parking ramps, building entrances, and various high security areas within the buildings.

The Building Security Policy requires key cards for access to the Freeman and Lab Buildings 24 hours per day.

The Department Security Policy requires that all full and part-time employees of the Minnesota Department of Agriculture (MDA) will wear photo identification badges which are displayed in a visible manner during and after regular building hours when at the Freeman and Lab Buildings.

The Department Security Policy also sets hours of use by employees, visitor registration, identification, and access.

Capitol Security will be used as on-site security when necessary.

## ***Discipline***

Necessary discipline for employee actions subject to this policy shall be determined by the department's appointing authority and by procedures agreed upon in the appropriate union contract.

## ***Code of Conduct***

Employees and visitors are expected to treat all persons with respect and dignity.

Behaviors such as shouting, name calling, swearing or other obscene language, throwing things, pushing, making threats, stalking, hitting, "making fun" of other people, slapping, grabbing, pinching, inappropriate touching, bullying, intimidation, harassment, unjust exercise of power, hazing, obscene gestures, negative racial or sexual comments, rape, assault, acts of "hate," fighting, "heated arguments," or carrying weapons, etc., are not appropriate in the workplace and will not be tolerated by the department employees or members of the public.

Discrimination or harassment, either verbal or physical, against any employee, applicant for employment, or members of the public because of age, race, color, creed or religion, veteran status, sex, disability, marital status, sexual preference, public assistance status, civil service status, national origin/ancestry, or political opinions or affiliations will not be tolerated by the department.

Any behavior not listed above deemed inappropriate by the commissioner of Agriculture and falling under the previous stated definition of violence shall not be tolerated (M.S. 15.86).

Verbal assault, threat of physical assault, and physical assault against inspectors or other employees on field assignments shall be addressed through the Department of Agriculture Policy on Verbal and Physical Assault of State Agriculture Inspectors (Addendum to 98-003).

## **Responsibilities:**

## ***Commissioner***

Establish and maintain a program which seeks to eliminate violence within the Department of Agriculture.

## ***Capitol Security***

Capitol Security will respond to situations that violate this policy.

## ***Managers***

All employees shall conduct themselves in accordance with this policy.

## ***Supervisors***

All employees shall conduct themselves in accordance with this policy.

## ***All Employees***

All employees shall conduct themselves in accordance with this policy.

## **Implementation:**

The promotion of a violence-free workplace will be accomplished using the following methods:

The Zero Tolerance for Violence Policy will be posted on the MDA Employee Uddernet and divisions will be responsible for distributing copies of the policy to out-state offices for posting.

Division directors will discuss the policy with staff during division meetings.

Violence prevention information and other resources will be made available through the Human Resources Office.

## **Response:**

### **Physical Assault at the Freeman or Lab Building**

At the occurrence of a violent physical incident or assault at the Freeman or Lab Building, employees are to immediately leave the scene if able and relocate to a safe location. Once at the safe location, call 911 ASAP, report the incident and location, and request Police response as well as any necessary emergency medical aid (ambulance, etc.). Any injured persons shall travel by ambulance or report directly to an Emergency Room or clinic without delay if any medical attention is required. Contact the MDA Safety Administrator or member of the Human Resources Division to initiate the Injury Reporting Process.

Capitol Security officers will also be notified immediately of the incident through the E-911 notification system whenever 911 is dialed from a Freeman or Lab building landline. If able, employees involved in the incident should also notify Capitol Security directly at the front desk or by calling their dispatch number at 651 296-2100. The Freeman front desk receptionist will provide arriving Police and back-up Capitol Security Officers from other buildings with directions to the incident location.

The responding Capitol Security Officers will perform the following functions as necessary:

- coordinate situational assessments and evaluations;
- assist with attempts to de-escalate/properly manage potentially violent situations, when possible to do so;
- facilitate and coordinate response actions of appropriate resources, both internal and external; and
- ensure that appropriate follow-up action is taken which may include some or all of the following steps depending on the nature of the incident; threat assessment, investigation, victim assistance, preventative, and/or corrective actions.

### **Threat of Violence at the Freeman or Lab Building**

Immediately after the occurrence of a threat of physical violence at the Freeman or Lab Building (either through direct person-to-person verbal contact, in writing/email, or over the phone) the employee directly involved with the incident is to immediately report it directly to the Capitol Security Switchboard at 651 296-2100.

Capitol Security will take a report of the incident, call Law Enforcement if necessary, and dispatch the nearest Capitol Security Officer(s) to the scene if the incident occurred on location and is still in progress.

The responding Capitol Security Officers will perform the following functions as necessary:

- coordinate situational assessments and evaluations;
- assist with attempts to de-escalate/properly manage potentially violent situations, when possible to do so;
- facilitate and coordinate response actions of appropriate resources, both internal and external; and
- ensure that appropriate follow-up action is taken which may include some or all of the following steps depending on the nature of the incident; threat assessment, investigation, victim assistance, preventative, and/or corrective actions.

Any MDA employees involved with our in witness to either a physical assault or threat of violence must notify their immediate supervisor ASAP after the incident and complete an Incident Report form located on the MDA Employee Uddernet.

**NOTE:** For response steps to take after a physical assault or threat of violence that does **Not occur at Freeman or Lab building** (for example: field site, out-state office, public establishment, etc.) please refer to the *Verbal and Physical Assault of State Agriculture Inspectors Policy* located on the MDA Employee Uddernet.

## **Appendix A DANGEROUS WEAPONS**

For the purposes of this plan and policy, the following items are considered to be "dangerous weapons":

- any weapon which, per applicable law, is illegal to possess;
- any firearm, loaded or unloaded, assembled or disassembled, including pellet, "BB," and stun guns (electronic incapacitation devices);
- replicate firearms, as defined in Minn. Stat. 609.713;
- knives (and other similar instruments) with a blade length of more than three (3) inches, other than those present in the workplace for the specific purpose of food preparation and service or for specific job assignments;
- any "switchblade" knife;
- "brass knuckles," and similar weapons;
- bows, cross bows, and arrows;
- explosives and explosive devices, including fireworks and incendiary devices;
- "throwing stars," "numchucks," clubs, saps, and any other item commonly used as, or primarily intended for use as, a weapon;
- any object that has been modified to serve as, or has been employed as, a dangerous weapon;
- any other item so designated by the commissioner of Agriculture.

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**Policy of:** Human Resources Division