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# **Workplace Violence Plan**

Prevention, Response and Recovery

December 2021

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## Plan Approval

This Plan has been reviewed and approved by:



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Barnett (Bud) Rosenfield, Ombudsman  
Office of Ombudsman for Mental Health and Developmental Disabilities

## Record of Revisions

Version	Description	Date
1.0	Plan development	12/16/2021
2.0	Plan finalization	12/29/2021

## Data Practices

Three sections of the Minnesota Government Data Practices Act may impact data disclosure obligations regarding workplace violence.

1. Minnesota Statutes Section 13.43, Subdivision 15, states that agencies are entitled to disclose private personnel data or confidential investigative data on employees to law enforcement entities for the purpose of reporting a crime or alleged crime committed by an employee, or for the purpose of assisting law enforcement in the investigation of a crime committed or allegedly committed by an employee.
2. Minnesota Statutes Section 13.43, Subdivision 11, states that, in limited circumstances, private personnel data can be disclosed to protect employees or others from harm.
3. Minnesota Statutes Section 13.39, Subdivision 2, states that nonpublic civil investigative data can be disclosed if the agency determines that access will aid the law enforcement process or promote public safety.

## Introduction

The Office of Ombudsman for Mental Health and Developmental Disabilities (OMHDD) strives to create and sustain a safe work environment for all team members, partners, customers, vendors, and visitors. We believe in supporting a workplace culture where all team members feel safe, respected, and are free from any form of harassment. The information provided in this plan is a framework for the prevention of, response to, and recovery from incidents of workplace violence.

## Definitions

Workplace violence is defined as behavior that results in the actual or reasonably perceived threat of physical or emotional harm to an individual or property.

Workplace is defined as a location where team members perform job duties. The location need not be a permanent location, physical building, or state owned/leased property. It includes team member telework locations.

Workplace violence generally falls into three categories:

1. A violent act or threat by a current or former team member, or someone who has some involvement with a current or former team member, such as a team member's spouse, significant other, relative, or another person.
2. A violent act or threat by a partner, customer, vendor, or visitor.
3. A violent act by someone unrelated to the work environment who intends to commit a criminal act.

## Goals and Objectives

OMHDD has a policy of zero tolerance of workplace violence. It is an agency goal to achieve a work environment that is free from threats and acts of violence. Our objectives are to:

1. Maintain awareness among team members and customers about potential violence in the workplace and its prevention and OMHDD's violence prevention plan.
2. Provide awareness and educational opportunities for team members at all levels of the organization that include the following information:
  - The workplace violence plan
  - Effects of workplace violence
  - Prevention of workplace violence
  - Supervisory/managerial responsibilities
  - Employee responsibilities
  - Incident response and recovery procedures
3. Maintain procedures to be used when incidents occur.
4. Ensure facility security plans are communicated to appropriate team members.

5. Communicate personal security procedures and avenues for assistance to team members.
6. Continually monitor and evaluate the effectiveness of this plan.

## Requirements

### Statewide Requirements

Under the Minnesota Freedom from Violence Act (Minn. Stat. § 1.50) the State of Minnesota adopted a policy of zero tolerance of violence. By law (Minn. Stat. § 15.86), state agencies:

- Must adopt a goal of zero tolerance of violence in and around the workplace.
- Are encouraged to develop a plan that describes how they will eliminate the potential for violence in and around the agency workplace. This toolkit is designed to assist in that process.

The following statewide policies are applicable to violence in the workplace and adopted by OMHDD:

- Minnesota Management and Budget HR/LR Policy #1329 Sexual Harassment Prohibited
- Minnesota Management and Budget HR/LR Policy #1418 Drug and Alcohol Use
- Minnesota Management and Budget HR/LR Policy #1432 Respectful Workplace
- Minnesota Management and Budget HR/LR Policy #1436 Harassment and Discrimination Prohibited
- Minnesota Management and Budget HR/LR Policy #1444 Workplace Violence Prohibited

### Employee Policies and Procedures

The following OMHDD policies/procedures are applicable to violence in the workplace:

- Harassment and Discrimination Prohibited Policy (mn.gov)
  - Harassment Prohibited Policies Complaint Form (mn.gov)
- Workplace Violence Policy Prohibited (mn.gov)
- Guns in the Workplace Policy (mn.gov)
  - OMHDD Prohibition of Weapons Policy

## Customers, Visitors, and Vendors

OMHDD has procedures to provide a framework for interactions with customers, visitors, and vendors and communicates these to all team members. Procedures define the expectations of behaviors and interactions with customers, visitors, and vendors in the workplace environment. They include:

- Procedures for dealing with customers, visitors, and vendors, especially in difficult or hostile situations.
- Standards of conduct for employees, including procedures for interactions, telephone communications, etc. with customers, visitors, and vendors.
- Standards of conduct for customers, visitors, and vendors.
- Complaint processes for customers, visitors, and vendors.

## Coordination with State Agency Partners

Our workplace violence plan can be shared with our state agency partners. The OMHDD plan and procedures should be coordinated with similar state agency partner plans and procedures. State agency partner employees must report their complaints or concerns using their agency procedures.

## Roles and Responsibilities

### Team Members

- Know what to do in an emergency (link to the emergency plans put them in the annex)
- Know how to report a concern or emergency
  - Call 911 if it is an emergency
  - In Central Office, contact Metro Square Security at 651-266-2266 for an emergency or a non-emergency event
    - AMRTC Switchboard for emergency and non-emergency events: 651-431-5000
    - MSH Security Office for emergency and non-emergency events: 507-985-2126
  - Contact your supervisor or manager
  - Contact HR
    - Jodie Segelstrom, [jodie.segelstrom@state.mn.us](mailto:jodie.segelstrom@state.mn.us), 651-259-3768
- Abide by and promote our policy of zero tolerance of violence in all contacts with coworkers, supervisors, customers, visitors, and vendors.
- Be familiar with and follow workplace violence prevention policies and procedures.
- Be familiar with and adopt the workplace violence prevention practices shared by Human Resources.
- Ensure your personal contact information, emergency contacts, and home address are current in Employee Self Service. If you experience an emergency during the workday, OMHDD may need to reach your emergency contacts or direct first responders to your home address if you are teleworking.
- Participate in training and exercises.

- Be subject to appropriate corrective action up to and including discharge if found to have violated the provisions of policies and the plan.

## **Managers and Supervisors**

Managers and supervisors play a critical role in identifying, preventing, responding to, and recovering from threats and incidents of workplace violence. Managers and supervisors are expected to set a respectful tone and to reflect behavior important in prevention and de-escalation of interactions among team members. Managers and supervisors are often the first to know when a threat arises because they are the first line of contact for team members. It is important they know how to fill this important role.

Should you become aware of a situation you should do the following:

- Call 911 if it is an emergency
- Contact your Senior Leader (Ombudsman or Deputy Ombudsman) or HR to review the situation.
- Complete the team member Threat Assessment Report form
- Inform employees of policies, plans, and procedures and enforcing compliance.
- Coordinate policies, plans, and procedures with state agency partners as applicable.
- Promote positive behavior and lead by example through modeling appropriate behavior, by treating team members and customers with respect and dignity.
- Emphasize creating a workplace where established standards of conduct are clear, communicated, and consistently enforced, and where corrective action, including discipline, is used fairly and appropriately to deal with instances of unacceptable behavior.
- Treat all reports of violence or threats of violence seriously, regardless of the individual or behavior involved.
- Take immediate action to resolve or stabilize violent situations in the workplace and protect people from harm.
- Coordinate the recovery of the services your team provides following an incident.
- Gather suggestions and ideas from team members to keep policies, plans and procedures up-to-date and relevant and provide them to Human Resources.
- Understand that knowingly participating in or tolerating workplace violence or retaliation against employees or customers making a report are subject to discipline up to and including discharge.
- Report all potential violence or acts of violence regardless of individual or behaviors witnessed on agency WPV threat assessment form.
- Not be complacent in reporting potential violence or acts of violence regardless of individual or behaviors witnessed.



## Senior leadership

- Know and understand the agency workplace violence plan.
- Ensure our agency's plan reflects the values and behaviors that promote respect in the workplace.
- Inform team members of policies, plans, and procedures and enforcing compliance.
- Set the tone for a culture of respect. Model the importance of proactive workplace violence prevention and response.
- Coordinate policies, plans, and procedures with state agency partners as applicable.
- Support human resources, safety, facilities, and others during the regular review and improvement of the plan and procedures.
- Participate in training and exercises.
- Gather suggestions and ideas from employees to keep policies, plans and procedures up-to-date and relevant.
- Know what to do when an incident of workplace violence occurs. Determine the need to activate other OMHDD emergency plans, including the emergency operations plan and continuity of operations plan.
- Not be complacent in reporting potential violence or acts of violence regardless of individual or behaviors witnessed.

## Prevention

### Promoting a respectful workplace

Managers and supervisors are key to implementing a workplace culture that treats people professionally and respectfully. They can prevent issues from arising and de-escalate unacceptable behaviors before they become larger concerns.

HR/LR Policy #1432 on Respectful Workplace specifically addresses standards of respectful and professional conduct. Managers and supervisors should be familiar with the policy's objectives and responsibilities regarding the workplace and the public service environment.

In the context of preventing workplace violence by preventing behavior from escalating, managers and supervisors should pay attention to aspects of team member behavior and always help to encourage respect and professionalism. Managers and supervisors should lead by example by:

- Reflecting respectful and professional behavior at all times
- Setting clear standards of conduct for everyone in the workplace
- Promoting positive behavior
- Responding in a timely fashion to issues that arise
- Notifying human resources when behavior may violate a workplace policy, such as harassment or discrimination
- Attempting informal resolution of matters among involved parties when appropriate
- Using effective and non-retaliatory problem-solving techniques
- Making team members aware of options for formal complaint procedures

## Workplace design and employee awareness

State agencies conduct business in a wide variety of settings. It is important for each agency and each worksite to thoroughly examine the needs of employees and customers. Consult with appropriate team members in Admin's REC's Division for specific questions and guidance about each state-owned facility. If a worksite is leased from a third-party landlord, consult with the landlord regarding how to best secure the worksite. See the appendix for a more detailed list of considerations. Variables that can influence safety include:

- Access to cash
- Contact with the public
- Type and location of waiting areas
- Whether work areas are shared with other organizations
- Remote, isolated, or off-site work areas
- If in a leased space, consult with building landlord or facilities management.
  - Central Office: Brian Galloway, Ramsey County, Metro Square Building Services Manager, 651-248-4806, [brian.galloway@co.ramsey.mn.us](mailto:brian.galloway@co.ramsey.mn.us)
  - Duluth: Cheryl Rossi, A&L Properties, [Cheryl.Rossi@alproperties.us](mailto:Cheryl.Rossi@alproperties.us)
  - Lake City: Glen Bunkowski, [glen@bunkowske.com](mailto:glen@bunkowske.com)
  - AMRTC
  - St. Peter FMHP
  - Fergus Falls
  - Glencoe
  - Brainerd

## Safety

OMHDD Central Office Metro Square Building Safety Plan

## Warning signs

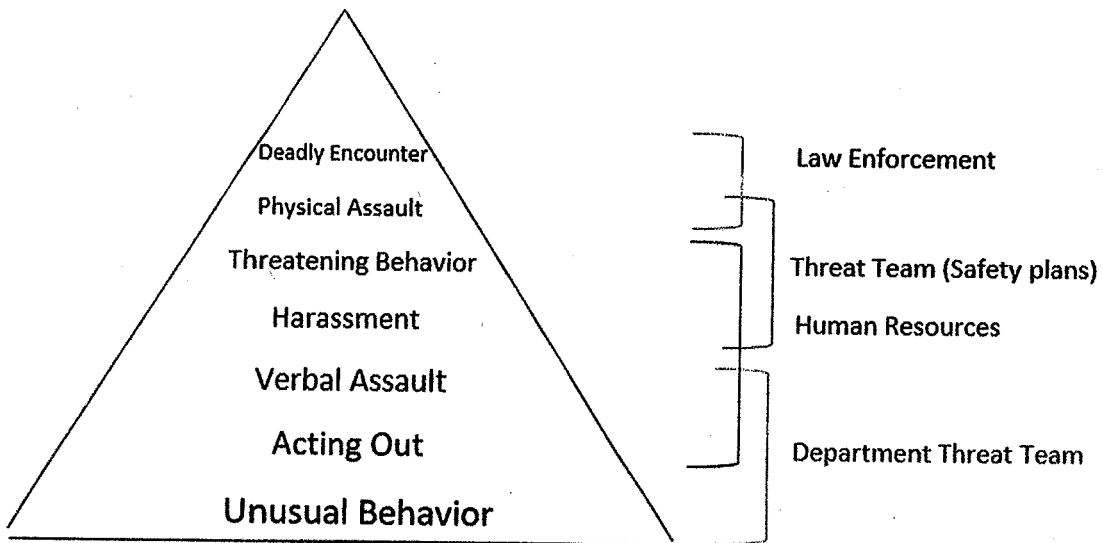
Managers and supervisors must be familiar with warning signs of potential violence by both team members and people outside the agency. Management should be trained and prepared to assist in the response when a threat arises. Find information on identifying the warning signs of potentially violent behavior or suicide for the appendix.

Managers and supervisors should consider active involvement through periodic reminders in the form of formalized employee training, emails, and other communication for raising awareness about the importance of escort policies, threat reporting procedures, and key card usage for their area of responsibility.

## Training and Resources

- Capital Security Active Shooter training
- Dealing with difficult people training
- Workplace Violence and Prevention training
- De-escalation exercise
- [Homeland Security Active Shooter Training Video](#)

## Pyramid of Responsibility



## **Telework**

OMHDD has a responsibility to address domestic and other types of violence when they intrude upon the telework environment or have the potential to impact the safety and productivity of teleworkers. Increased use of telework because of the COVID-19 pandemic has increased the risks of domestic violence. The National Institute for Occupational Safety and Health (NIOSH) has classified workplace violence into four types—one of which is “personal relationship” violence where the perpetrator has a harmful relationship with a team member that impacts the work environment. This impact has increased with many more team members working remotely.

On the other hand, in cases where team members are the perpetrators, workplace harassment (and other forms of violence) may continue whether team members are in person, teleworking, or on leave. State and Admin policies prohibit the use of devices to harass others through emails, phone calls, text messages, and video conferencing platforms.

## **Non-State Owned or Leased Facilities**

HR/LR Policy #1422 is applicable to all employees of MMB regardless of work location including leased or non-state owned or leased facilities. OMHDD’s Workplace Violence Plan is applicable in these spaces. Landlords and other tenants may also have their own violence prevention and incident response plans. In cases where leased spaces occur, Managers and Supervisors should familiarize themselves and conduct training for their staff on building evacuation and emergency procedures.

## **Notification and Activation**

### **Incident Reporting Procedures**

All incidents falling under the definition of violence as stated in the plan should be reported using the agency Threat Assessment Form.

Managers/supervisors must also be prepared to report situations of a violent or potentially violent nature, including:

- How to report to facility security personnel at the workplace.
- When to call 911 or local law enforcement
- What actions a team member or team member(s) could take to get away from a potentially violent situation

### **Contacting Security or Law Enforcement**

In general, team members should contact law enforcement directly and immediately in situations such as a medical emergency or imminent danger that involves a threat to life or property, when criminal activity occurs, or when a workplace violence incident occurs. Capitol Security or facility security personnel must be contacted immediately after someone contacts law enforcement.

## Response

Managers/supervisors must also be prepared to respond to situations of a violent or potentially violent nature, including what actions a team member or team member(s) could take to get away from a potentially violent situation

### Incident Command Team

Depending on the scale and impacts of the incident, senior leadership may decide to activate the incident command team to manage the response to and recovery from the incident.

See the OMHDD's Emergency Operations Plan.

### Responding to hostile behavior

In the event of direct threats and physical assault, **call 911 immediately** and follow OMHDD's worksite safety or emergency response plans. Do not physically engage a hostile or threatening person, unless as a last resort. Managers and supervisors should be familiar with general tactics for addressing hostile behavior. Response guidelines include:

- Respond promptly and genuinely when employees alert others to a situation
- Remain calm
- Assess: Determine if the situation is:
  - Contained
  - Ready for de-escalation
  - Threatening
- Consult and/or act if needed
- Refer to resources (threat assessment team, security, human resources, Employee Assistance Program, etc.)
- Alert building safety, security, or other appropriate resources

### Responding to violent intruders

Should an individual become violent in the workplace, managers and supervisors should take action immediately by contacting security or law enforcement. It is important to be familiar with OMHDD's emergency response plan, including contact information and what actions to take immediately. Considerations include:

- Remain as calm as possible and set the example for all team members
- Ensure emergency services are contacted, as needed
- Evacuate staff and visitors via a pre-planned evacuation route to a safe area (if applicable)
- Lock and barricade doors if evacuation is not possible
- Account for staff and visitors

# Recovery

## Follow-up after an incident

Once the threat of a workplace violence incident has subsided, managers and supervisors should be familiar with general tactics for recovering the workplace after hostile behavior. General guidelines in response include:

- Assess whether any additional threats could arise because of or in conjunction with the incident.
- In consultation with human resources and Admin leadership, consider a debriefing session to discuss the incident with employees to help calm anxieties and dispel rumors about the incident
- Check in with affected team member(s) by asking how they are doing and what they need – including connecting them with the Employee Assistance Program (EAP), as needed (*see “Employee Care” below*)
- Follow OMHDD procedures for reporting and filling out forms.
- Evaluate the incident for gaps or deficiencies in emergency response plans.

What should be done to recover after a violent situation or incident, including:

- Team member leave options.
- Employee referral to the Employee Assistance Program.
- Continuity of operations steps to take if the workplace is unavailable, key staff are unable to report to work, etc. following the incident.

After an incident, managers and supervisors should consult with Senior Leadership and other OMHDD leaders for their expertise in returning to normal operations. While the details will vary across incidents and agencies, key disciplines that may be helpful to engage include:

- **Communications:** Both internal and external communications may be impacted by an incident and ongoing communications should be coordinated within Admin (Communications, leadership, HR, legal, etc.), the Governor’s office.
- **Legal:** Witness statements or physical evidence may need to be collected. Legal counsel should be consulted.
- **Facilities:** Admin’s REC’s Division and third-party landlords should be involved if the physical workspace is impacted, if there are possible blood borne pathogens or other biohazards that require proper cleaning, and if safety devices or other equipment requires maintenance or replacement.
- **Continuity:** An incident may trigger the activation of OMHDD’s COOP plan. Consult agency continuity planners and keep the COOP Coordinator informed (Deputy Ombudsman Lisa Harrison-Hadler).

- **Human resources:** Work with Admin's human resources to address personnel or labor relations issues.
- **Employee Assistance Program:** If team members need services to address their general well-being, EAP is an excellent resource for options.
- **Safety:** Meet with appropriate staff/teams to discuss the incident and gather lessons learned.
- **ADA Coordinators/Affirmative Action:** Agency ADA coordinator should be involved to provide support to team members.

## Continuity of Operations

The impacts of workplace violence can very quickly halt operations. There may be certain types of incidents that are disruptive enough to activate the Continuity of Operations Plan (COOP). While this will likely be a sensitive time for team members, critical services must resume in a timely manner. Senior leadership, with managers/supervisors, will need to review the impact of the incident to guide them on recovery actions and timelines.

See OMHDD's Continuity of Operations Plan.

## Team Member Care

Once a threat has subsided and immediate safety and health concerns have been addressed, the attention of OMHDD leadership, managers, supervisors, and human resources staff should turn to the well-being of team members. If an incident is severe enough to cause team members to leave the workplace, provide guidance on when and where work will resume. When appropriate, OMHDD leadership may consider whether to offer paid administrative leave.

The Employee Assistance Program (EAP) is a useful resource when communicating with and providing support to team members on a group or individual basis. Individuals respond differently to stressful situations and EAP is available to help navigate these dynamics. EAP and Organizational Health (OH) can help OMHDD address the mental and emotional well-being of employees once all physical threats are resolved. EAP/OH's Team Recovery Meetings are facilitated discussions that reduce the likelihood of uncertainty, isolation, and distraction that follow disruptive or shocking events.

## Awareness, Training, and Exercises

Human Resources, Communications, Continuity of Government Office, and the Safety Officer, will lead the promotion of awareness of the workplace violence policies, plan, and procedures. Training will include information on responding to and reporting violence-related incidents as well as assistance in maintaining a violence-free workplace.

Methods include:

- Working with other state agency safety officers, the State Employee Assistance Program (EAP), facilities management and physical security staff in developing information for team members related to personal security and violence prevention.
- Sharing information on violence prevention topics, policies, procedures, plans, expectations, resources, and other information to team members to increase their awareness of violence-in-the-workplace issues.
- Designing and conducting exercises to regularly practice responding to potential incidents of workplace violence. In addition to regular emergency notification drills, these could include responding to a threatening client or hostile member of the public, a phone threat, a suspicious package, disputes among employees, suspected domestic violence impacting the workplace (including telework, infrastructure maintenance outside of a state owned/leased facility, etc.), or responding to an armed intruder.

Human Resources will provide advice and counsel including follow-up to ensure incidents are appropriately resolved and future incidents avoided.

## **Plan Review and Maintenance**

### **After Action Review and Improvement Planning**

OMHDD conducts an After-Action Review and Improvement Planning (AAR/IP) following all tests and exercises. Exercise planners are responsible for initiating and completing the AAR/IP and those participating in the test or exercise will have the opportunity to provide input to the report. The AAR will address the effectiveness of the test or exercise, identify areas for improvement, and document these in an IP. Copies of the AAR/IP are maintained by Human Resources.

OMHDD also conducts an AAR/IP following an incident resulting in the activation of this plan. The AAR will address the effectiveness of the response and recovery, identify areas for improvement, and document them in an IP. Copies of the AAR/IP are maintained by Human Resources.

### **Plan Review**

Human Resources will coordinate the review and maintenance of this plan. The plan will be reviewed on an annual basis. Changes may also be made due to information or guidance received from Minnesota Management and Budget. Changes will be tracked using a record of changes table. Comments or suggestions for improving this plan may be provided to Human Resources.

## **Appendix & Attachments**

A) Agency Threat Assessment Form

B) COOP/COG Plan

C) Emergency Building Evacuation Plan



D) Training and Development

1. Managing Aggressive Behavior
2. De-escalation exercises
3. Using Empathy as a de-escalation tool
4. Active Shooter

E) Workplace Violence Roles and Responsibilities - Employee

F) Workplace Violence Roles and Responsibilities – Managers and Supervisors

G) Workplace Violence Roles and Responsibilities – Senior Leaders