

Policy: 2255-8- Preventing Workplace Violence and Workplace Bullying

Section: General Personnel Policies

Office/Department: Division of Human Resources

Reports To: Division of Admin/Gen Counsel

Contact: 404-631-1000

Purpose:

The Georgia Department of Transportation (GDOT) is committed to the prevention of workplace violence and the maintenance of a respectful working environment. GDOT employees, supervisors, and managers are expected to use safe work practices; follow policies, procedures, and directives; treat fellow employees and all work-related contacts with dignity, respect and fairness; and, assist in maintaining a safe and secure work environment.

General Provisions:

- GDOT will not tolerate acts or threatened acts of violence in the workplace, while on duty, or while off duty when the act is directed toward a work-related contact or otherwise bears a relationship to work.
- All employees should remain alert and be familiar with their surroundings in order to recognize potentially serious situations. Most acts of targeted workplace violence are preceded by direct or indirect threats. Employees at all levels must, therefore, take all threats seriously and report them as soon as possible.
- The Department reserves the right to conduct reasonable searches on any type of state property, including but not limited to desks, computers, electronic mail, lockers, work areas, state vehicles, etc. The Department also reserves the right to search any employee's personal property on state property for work-related reasons. Entrance onto GDOT property or job sites will be deemed consent.

Prohibited Behavior:

Examples of prohibited behavior include but are not limited to:

- Threatening, abusive, or intimidating language, gestures or written and/or electronic material.
- Fighting or other acts of violence, whether directed toward a manager, supervisor, co-worker, customer, contractor, or any other individual while on duty or while representing the Department.
- Deliberate false accusations of workplace violence.
- Stalking.
- Possession of a weapon by a GDOT employee in GDOT buildings (owned or leased), in GDOT vehicles or in GDOT restricted parking lots not accessible by the public (unless specifically necessitated by the requirements of the job and approved by management, e.g., GDOT investigators).
 - Note: Weapon includes an object, device, or instrument which when used against a person is likely to or actually does result in serious bodily injury or death or any replica, article, or device having the appearance of such a weapon. It includes any pistol, revolver, shotgun, rifle or any weapon designed or intended to propel a missile of any kind, or any dirk (short dagger), bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, knuckles, whether made from metal,

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thermoplastic, wood, or other similar material, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chukka, nun chuck, nun chaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun or taser.

- Reasonable use of tools while conducting business on the behalf of GDOT shall not constitute a violation of this policy. For example GDOT furnished machete, etc.

Corrective Action:

- Employees who commit acts of violence will be subject to disciplinary action, up to and including separation from employment.
- Employees who commit threats of violence will be subject to disciplinary action up to and including separation from employment, unless there are clear, mitigating circumstances that warrant a lesser penalty. The existence of any mitigating circumstances will be determined by management in consultation with the Office of Employment Relations and Safety (OERS)
- When mitigating circumstances exist and the accused employee is retained, the employee should, if appropriate, be referred to the Employee Assistance Program or to a behavioral health services program that deals with behavioral issues.
- If warranted due to the nature of the offense, post-separation monitoring of the workplace should occur to ensure the safety of those involved.
- If action involving non-employees is necessary, the appropriate supervisor, authorized official or OERS.

Reporting Acts or Threatened Acts of Violence:

- Employees are responsible for notifying their supervisors or other authorized officials of all acts or threatened acts of violence. In the event where the employee notifies the supervisor; the supervisors are responsible for notifying OERS immediately. Failure of an employee to report such acts or threats of violence shall be considered a basis for disciplinary action up to and including separation from employment.
 - **NOTE:** Safety precautions should be put in place, if determined appropriate, as soon as incidents are reported. Staff should be warned of potential danger if directly involved or likely to be involved.
- Employees must notify their supervisors or other authorized officials when any restraining order has been initiated by or against them. This includes issues of a personal nature (e.g., domestic disputes, stalking, etc.)
 - **NOTE:** In exceptional cases, a restraining order may be sought by the Department on behalf of employees under circumstances where employees are threatened or may be harmed due to the performance of work-related duties. OERS should be contacted for assistance.
- All alleged acts or threatened acts of violence are to be taken seriously. This includes anonymous reports. A form, [DOT 4461](#), Workplace Acts or Threatened Acts of Violence Report must be completed by the employee, supervisor or other authorized official for every threat or act of workplace violence, whether such act or threat occurred on or off of GDOT property. This report is also to be completed by the receiver of an anonymous report. The completed form is to be immediately forwarded to OERS. Employees who report acts or threatened acts of violence are protected from retaliation. Any acts of retaliation should be reported to OERS as soon as possible.

Investigation of Reports of Violence:

1. The appropriate Office Head/District Engineer or designee will review all reports of alleged acts or threats of violence. When the nature of the alleged act or threat of violence warrants investigation, management, in conjunction with OERS, shall determine the means of investigation. Available resources for investigations include: investigators with the Office of Legal Services, OERS, local management, and local law enforcement. In exceptional cases, after consultation with OERS and/or the Office of Legal Services, the Georgia Bureau of Investigation may be called in to assist with an investigation.
2. Investigations are to begin as soon as possible after a report, whether oral or written, is made.
3. Witnesses may be interviewed in person or by telephone, as determined necessary or appropriate.
4. Written statements may be requested. GDOT employees **must** provide written statements if requested to do so by management and must fully cooperate in any investigation of potential or actual workplace violence.
5. In the absence of an emergency, the accused employee/individual should be interviewed and given the opportunity to provide information regarding the alleged incident(s). The accused employee/individual should not be interviewed if this would create significant potential for harm to any individual.

NOTE: If the investigation involves non-employees, investigators should consult with appropriate officials (e.g., law enforcement) regarding available investigative options.

6. To the extent possible, reports of violence, investigations and determinations of action will remain confidential. Individuals in a "need to know" status will be informed of the findings and action.
7. The employees/individuals who reported the acts or threatened acts of violence will be informed of the findings and action. These employees/individuals are to report any reoccurrence of acts or threatened acts of violence to their supervisors, other authorized officials or OERS as soon as possible.

Crisis Management Plan:

1. Districts, Satellite Offices and the General Office are responsible for ensuring that a Crisis Management Plan is implemented in each work location. (See Sample Crisis Management Plan.)
2. Each GDOT District, Satellite Office, and the General Office must establish a committee that will oversee the implementation and management of the Crisis Management Plan. This responsibility may be included as part of an existing committee structure (e.g., Safety Committee, Evacuation Team, etc.) available at each work location.
3. Items to be reviewed and considered (recognizing that budgetary constraints may exist) include, but are not limited to :
 - a. Assessing security;
 - b. Enhancing interior and exterior lighting;
 - c. Installing alarm, intercom and/or electronic surveillance equipment systems;
 - d. Improving facility entrance requirements such as requiring all employees to wear ID badges and visitors to check in and wear visitor badges;
 - e. Establishing a relationship with local law enforcement officials before any incidents occur;
 - f. Determining methods of communicating incidents with law enforcement;
 - g. Preparing a workplace crisis reaction plan to follow should incidents occur;
 - h. Determining what position(s) and/or incumbent(s) will be "in charge" should incidents occur; and,
 - i. Establishing channels for reporting incidents.

Employees, supervisors and managers are to be advised of the Crisis Management Plan and trained on appropriate procedures to follow should incidents occur.

For additional information and assistance, please contact the Office of Employment Relations and Safety.

References:

History:

annual review: 03/20/24;
added to TOPPS: 01/12/05