

YOUTH SERVICES POLICY

Title: Violence-Free Workplace	Type: A. Administrative Sub Type: 2. Personnel Number: A.2.22
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References: ACA Standards 2-CO-1C-01, 2-CO-1C-02, 2-CO-1C-04, 2-CO-1C-11, 2-CO-1C-25, 2-CO-1D-02, 2-CO-1D-03 (Administration of Correctional Agencies); 4-JCF-2A-19, 4-JCF-2A-30, 4-JCF-6D-01, 4-JCF-6D-04, 4-JCF-6D-08, 4-JCF-6E-02 (Performance-Based Standards for Juvenile Correctional Facilities); YS Policy Nos. A.1.4 "Investigative Services", A.1.14 "Unusual Occurrence Reports", A.2.1 "Employee Manual", A.2.8 "Sexual Harassment", A.2.11 "Employee Assistance Program", A.2.20 "Critical Incident Stress Management (CISM) Program", A.2.24 "Staff Development and Training Plan", A.2.26 "Hiring and/or Promotional Interviews", A.2.47 "Equal Employment Opportunity", A.2.60 "Domestic Violence", A.7.1 "Safety Plan", C.1.3 "Crimes Committed on the Grounds of Youth Services Facilities/Office Buildings and/or Properties", and C.5.3 "Quality Assurance Reviews - Central Office Audits, Secure Facilities and Regional Offices"	
STATUS: Approved	
Approved By: Otha "Curtis" Nelson, Jr., Deputy Secretary	Date of Approval: 06/06/2023

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To promote a positive, respectful and safe work environment that fosters employees' productivity, safety and security.

To inform all employees of their responsibilities to keep YS' workplaces free of violence.

To set into place a plan for quickly responding to violence if it does occur.

III. APPLICABILITY:

All employees of Youth Services. The Deputy Secretary, Assistant Secretary, Undersecretary, Deputy Undersecretary, Chief of Operations, Probation and Parole Director - Juvenile, Youth Facilities Director – Statewide, Executive Management Advisor, General Counsel, Regional Directors, Facility Directors, and Regional Managers are responsible for implementation and monitoring of this policy.

IV. DEFINITIONS:

Assault - An attempt to commit a battery, or the intentional placing of another in reasonable apprehension of receiving a battery.

Battery - The intentional use of force or violence upon another; or the intentional administration of a poison or other noxious substance to another.

Credible Threat - A statement or action that would cause a reasonable person to fear for his own safety or that of another person and would, in fact cause such fear.

Domestic Violence - When a person has a pattern of coercive behavior that is used to gain power and control over another. The behavior includes, but is not limited to the following (refer to YS Policy No. A.2.60):

- Physical violence;
- Sexual, emotional or psychological intimidation;
- Verbal abuse;
- Stalking;
- Use of electronic devices to harass; and
- Economic coercion.

Employee Assistance Program (EAP) Unit Coordinator - Employee designated by the Unit Head to ensure that EAP services are provided and that EAP records are kept in a confidential manner.

Equal Employment Opportunity (EEO) – The operation of a system of human resource administration which ensures an environment that will provide an equal opportunity for public employment to all segments of society based on individual merit and fitness of applicants without regard to race, color, religion, sex, sexual orientation, gender identity, age, national origin, political affiliation or disability (except where sex, age or physical requirements constitute a bona fide occupational qualification necessary to the proper and efficient operation of the agency/organization). The Equal Employment Opportunity Commission (EEOC) is the federal regulatory body for EEO related complaints and charges.

Louisiana Employees Online (LEO) – Statewide management system which includes the Comprehensive Public Training Program (CPTP) providing online courses accessible to all state employees and which can be accessed at:
<https://leo.doa.louisiana.gov/irj/portal>.

Operations Shift Supervisor (OSS) - Responsible for a range of duties that support management in maintaining a safe, secure facility. Shift Supervisors oversee administrative and operational security activities during specific shifts; manage staff during each assigned shift; ensure adequate security coverage; lead count procedures; oversee the custody, supervision and control of secure care youth; manage frontline security staff; assist in controlling youth movement; assist in directing the use and issuance of keys, locks, and security equipment.

Unit Head – For the purpose of this policy, the Deputy Secretary, Facility Directors and Regional Managers.

Unusual Occurrence Report (UOR) - A document that must be completed by staff to report incidents or observations of events that may have an impact on any aspect of the agency. UOR forms shall be made available to all employees working in all areas at all times. Employees must complete and submit a UOR prior to the end of their tour of duty on the day the incident was observed or when the incident or observation of events comes to the employee's attention in any way. If a UOR form is not available, the employee must use any paper available to report the pertinent information. UORs may also be submitted by email (refer to YS Policy No. A.1.14).

Violence - The commission of an assault or battery or the making of a credible threat. In this context, an unwarranted exertion of force or power, including any intentional actions or words meant to embarrass, ridicule, degrade or provoke another that results in physical or emotional injury to that person or any verbal, physical, or psychological threat or assault on an individual intended to cause, or actually resulting in, physical and/or psychological damage is considered violence. Such behavior includes, but is not limited to the following:

- Unwelcome name-calling, obscene language, and other abusive behavior;
- Intimidation through direct or veiled threats;
- Physically touching another individual in an intimidating, malicious, or harassing manner, including unwelcome touching of a sexual nature (refer to YS Policy No. A.2.8); and
- Physically intimidating others with such acts as obscene gestures, "getting in your face," fist-shaking, and throwing any object.

Workplace (or worksite) - Any site where an employee is placed for the purpose of completing job assignments, inclusive of facilities surrounding properties and parking garages.

Workplace Violence - Violence that takes place in or at the workplace. Workplace violence can be committed by an abusive employee, a manager, supervisor, co-worker, customer, family member, or even a stranger.

V. POLICY:

It is the Deputy Secretary's policy to achieve and maintain a violence-free workplace for YS employees and those conducting business at its worksites.

YS will take every reasonable step to create a safe and secure work environment free of violence, aggressive acts, verbal and non-verbal threatening behavior and harassment toward or by its employees or the public they serve.

Any employee who commits an act of workplace violence, makes a credible threat, or engages in assault or battery on another employee shall be subject to disciplinary action, up to and including termination.

In addition, any criminal acts which may occur at a YS office or facility are serious matters and shall be reported, investigated and documented pursuant to YS Policy No. C.1.3.

VI. PROCEDURES:

A. Incident Response and Evaluation

1. All acts of violence should be taken seriously. A threat is considered an act of violence for purposes of this policy. Employees are encouraged to report all incidents of violence, including those which cause them to feel threatened. An employee who has been threatened or assaulted by another at the workplace shall immediately report the situation to their immediate supervisor if possible, or the unit's Human Resources (HR) Liaison, the unit's Employee Assistance Program (EAP) Coordinator or the Unit Head.

The supervisor to whom the incident is reported shall immediately notify the unit's HR Liaison, the EAP Coordinator or the Unit Head. The supervisor is responsible for notifying the Unit Head as soon as the situation allows. [The EAP is designed to assist and support employees who are experiencing personal concerns/problems (refer to YS Policy No. A.2.11).]

2. At the time an act of violence occurs, the following guidelines should be followed by those witnessing the act who are able to take action:
 - a. If the situation is not dangerous:
 - 1) Separate the individuals involved and isolate each until they are interviewed by Investigative Services (IS) and their statements are taken (refer to YS Policy No. A.1.4).

- 2) Separate witnesses until they are interviewed by IS and their statements are taken.
- 3) Document all actions and statements on a UOR **and** on the attached "Workplace Violence/Domestic Violence Incident Report". [see Attachment A.2.22 (a)].
 - b. If the situation is dangerous:
 - 1) Contact building security where available and contact the immediate or on-site supervisor and/or the Unit Head. When necessary, the Unit Head shall contact local law enforcement.
 - 2) Order all those presenting the danger to leave the facility immediately (unless this action must be taken by police/security).
 - 3) Do not attempt to physically remove an individual (leave it to the police/security).
 - 4) Document all actions and statements on a UOR **and** on a "Workplace Violence / Domestic Violence Incident Report" [see Attachment A.2.22 (a)].
3. Assistance shall be provided by the EAP Coordinator for victimized employees and those employees who may be affected by witnessing a workplace violence incident. Whenever an incident takes place, injured employees shall receive appropriate medical treatment and psychological evaluation as necessary.

If circumstances warrant, a review of a critical, violent or traumatic incident as described in this policy may be conducted pursuant to YS Policy No. A.2.20.

B. Communication

1. OJJ supports an open communication process among all employees on the issues of employee safety, security and health in the workplace (refer to YS Policy No. A.7.1). The process includes, but is not limited to, the following:
 - a. Periodic review of this policy with all employees;
 - b. Discussions of violence prevention in the workplace during new hire orientation (refer to YS Policy No. A.2.26) and during scheduled in-service trainings;

- c. Posting or distributing information on preventing violence in the workplace; and
- d. Establishing procedures to inform supervisors about responding to violence, threats of violence, and other hazards in the workplace.

All YS Supervisors, Facility Directors and Regional Managers shall treat reports of workplace violence with sensitivity and discretion, and maintain confidentiality to the extent possible.

VII. RESPONSIBILITY:

- A. The Deputy Secretary, Assistant Secretary, Undersecretary, Chief of Operations, Probation and Parole Director - Juvenile, Youth Facilities Director – Statewide, Executive Management Advisor, General Counsel, Regional Directors, Unit Heads, Section Heads, and all supervisors are responsible for the following:
 - 1. Holding YS employees under their supervision accountable for adhering to all aspects of this policy;
 - 2. Ensuring that each employee under their supervision is made aware of this policy and its contents;
 - 3. Complying with federal and state statutes, rules, regulations and/or procedures set forth in this policy;
 - 4. Posting the local police, building security and on-site supervisor telephone numbers in an area that is accessible to employees in their area/section;
 - 5. Promoting a safe and violence-free work environment, and reporting incidents that threaten an employee's safety to the unit's HR Liaison, EAP Coordinator or the Unit Head; and
 - 6. Treating workplace violence incidents, complaints and concerns seriously.
- B. YS Employees are responsible for the following:
 - 1. Adhering to all aspects of this policy;
 - 2. Reporting to their immediate or on-site supervisor all threats made against them or assaults on them by another individual at the workplace;
 - 3. Reporting to their immediate or on-site supervisor all incidents of violent or inappropriate behaviors in the workplace which they observe, or of which they are informed; and

4. Writing an Unusual Occurrence Report (UOR) documenting the incident (refer to YS Policy No. A.1.14).
- C. The Employee Assistance Program (EAP) Coordinator at the unit level is responsible for the following:
1. Ensuring that this policy and subsequent revisions are provided to section heads; and
 2. Keeping confidential all reports and the identification of parties, except to those who have a legitimate need to know and to the extent required by law.
- D. IS staff is responsible for performing investigations and assisting in training on this policy.

VIII. QUESTIONS:

Questions regarding this policy should be directed to the Central Office Director of Treatment and Rehabilitation who functions as the YS EAP Program Manager.

IX. VIOLATIONS:

Failure to comply with this policy shall result in disciplinary action, up to and including termination.

X. STAFF DEVELOPMENT:

New employees shall receive pre-service/orientation training on this policy within 90 days of hire.

All employees shall receive annual in-service training.

Records of compliance shall be tracked through LEO.

Previous Regulation/Policy Number: A.2.22

Previous Effective Date: 06/01/2022

Attachments/References: A.2.22 (a) Workplace - Domestic Violence Incident Report June2014.docx

Louisiana Department of Public Safety and Corrections
Office of Juvenile Justice
Workplace Violence/Domestic Violence Incident Report

When a workplace violence or domestic violence complaint is initiated, a written report of the alleged incident is required by policy.

Name of Person Making Statement (print): _____

Title: _____

Budget Unit/Section/Work Location: _____

Date of Incident: _____ Location of Incident: _____

Incident Duration: _____ a.m. to _____ a.m.

Names of Parties Involved:

Witnesses:

DETAILED DESCRIPTION OF INCIDENT (If necessary, attach additional sheets)

Signature of Person Making Statement

Date

Signature of Supervisor

Date

Signature of Budget Unit Head

Date

Signature of EEO Officer (Domestic violence incident only)

Date

Signature of PSS HR Director (Workplace violence incident only)

Date

Disposition of the Case:

NOTE: The contents of this statement will be kept confidential. Its contents will be released only to individuals with a legitimate need to know or if it becomes public record by virtue of an appeal to a court or other adjudicative body.

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