

PREVENTION OF WORKPLACE VIOLENCE AND DOMESTIC VIOLENCE IN THE WORKPLACE

Kitsap County recognizes that a workplace safe from the fear of violence is fundamental to the health and wellbeing of both employees and the public alike. Kitsap County is committed to protecting the safety of its employees and will not tolerate acts or threats of violence which involve or affect its officials or employees. Kitsap County recognizes that acts of workplace violence are serious safety concerns and desires to adopt a policy that prohibits acts by its officials or employees which may threaten or harm other officials or employees or members of the public. Kitsap County prohibits workplace violence and prohibits the possession of any weapons by officials, employees and volunteers, while conducting county business, while on the job, and while on any County worksite.

Section 1. Definitions. As used herein, the following terms shall be defined as follows:

1.1 “Dangerous Knife” means switch blade, swords, bayonet, dagger, bolo knife, or any other edged or pointed, cutting or stabbing device with a blade in excess of three inches (3”) in length.

1.2 “Firearms” are weapons capable of discharging a projectile by means of compressed air or chemical combustion.

1.3 “Threatening behavior,” is a person directly or indirectly communicating to another (e.g., using words, conduct, writing or stalking) with the intent to do or cause harm.

1.4 “Weapon” means, but it is not limited to, firearms, brass knuckles, electronic stunning devices, bows, crossbows, arrows, sling shot, dangerous knives and any martial arts device capable of being used to inflict bodily injury.

1.5 “Workplace Violence” is any verbal assault, threatening behavior, or use of, or attempt or offer to use, force upon or toward the person of another occurring in or arising from the worksite.

1.6 “Workplace” is: (1) The building or work area constituting the principal place where work is performed or assigned, including common areas (such as reception area or halls) and private or personal work areas (such as offices or group work stations); (2) Any remote areas where the employee is engaged in official business, including field locations; (3) Vehicles, either county-owned or privately-owned, when used while conducting county business. For purposes of this policy, workplace does not include an employee’s residence or personal remote work location.

Section 2. Workplace violence by any county official, employee or volunteer is prohibited.

Section 3. The possession or use of any firearm or weapon by a county official, employee or volunteer, while conducting county business, while on the job, and while in the workplace, is prohibited. Possession of a valid concealed weapons permit is not an exception under this policy.

Section 4. An act of workplace violence or the possession or use of any firearm or weapon by a county official or employee may result in disciplinary action including possible discharge.

Section 5. Exceptions:

5.1 Sheriff's Officers, Sheriff's Reserve Officers when on duty, Corrections Officers, Prosecutor's Investigators, the Security Coordinator, or Courthouse Security Staff, who are authorized to carry firearms in the performance of their duties, are not governed by Sections 2-4 of this policy while in the good faith performance of their official duties.

5.2 The use of force necessarily used by a public officer in the performance of a legal duty, or a person assisting the officer and acting under the officer's direction, is not governed by this policy if the use of such force was made while in the good faith performance of official duties.

5.3 The use of force in defense of oneself or others as prescribed by law is not governed by this policy.

5.4 Appropriate tools, equipment, devices and knives issued or approved by elected officials or department directors for their employees to be used in the course of employment are not considered dangerous weapons for purpose of this policy.

5.5 Employees who carry mace or pepper spray for their personal protection may carry these devices on to county property. Except as authorized by an elected official or department director, when on county property, these devices shall be concealed from sight and stored in a secure compartment, e.g., desk, cabinet.

Section 6. Workplace Violence Prevention Responsibilities:**County Responsibilities:**

6.1 Provide opportunities for training and education about violence and about reducing the risk of violence.

6.2 Take appropriate administrative, legal and/or disciplinary actions to respond to acts of violence and threats of violence in or affecting the workplace.

6.3 Maintain confidentiality of complaints and concerns to the extent allowed by law.

6.4 Adhere to all pertinent state rules and federal regulations regarding workplace violence.

6.5 County will not discriminate or retaliate against employees who file workplace violence complaints.

6.6 Address and investigate employee personal safety concerns and recommend appropriate action as necessary.

Employee Responsibilities:

6.7 If fear of violence is imminent, employee should immediately retreat then contact 911.

6.8 If the threat of physical violence does not appear imminent, employee shall still retreat and then request intervention from a supervisor or other available management staff.

6.9 Employees who are concerned about their personal safety while conducting county business shall report such concerns to their elected officials or department director.

Employees involved in a situation where they fear physical retaliation may take place or where someone has made verbal threats of physical violence should immediately notify their elected official or department director.

Section 7. Prevention of Domestic Violence in the Workplace:

Kitsap County will not tolerate domestic violence in or affecting the workplace. Kitsap County may not be aware of circumstances of domestic violence that an employee has experienced. The intent of this policy is to encourage employees who have experienced domestic violence or who are at risk of experiencing domestic violence to notify their supervisor or human resources representative so that the County may support the employee and assist the employee with obtaining needed resources.

Section 7.1 Definitions

Domestic Violence means:

- Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members;
- Sexual assault of one family or household member by another;
- A pattern of behavior in which a family or household member, or someone in a dating relationship uses physical violence, coercion, threats, intimidation, isolation and emotional, sexual or economic abuse to control and change the behavior of another family or household member, or other person in a dating relationship; or
- Stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member.

Family or Household Members means:

- Spouses or former spouses;
- Domestic partners or former domestic partners;
- Persons who have a child in common regardless of whether they have been married or have lived together at any time;
- Adult persons related by blood or marriage;
- Adult persons who are presently residing together or who have resided together in the past;
- Persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship;
- Persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship; and
- Persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

Dating Relationship means a social relationship of a romantic nature. Factors that may be considered in making this determination include:

- The length of time the relationship has existed;
- The nature of the relationship; and
- The frequency of interaction between the parties.

Section **7.2 County Responsibilities**

When circumstances of domestic violence are known to human resources or an employee's supervisor or manager, the County will make reasonable efforts to:

- Encourage the employee who has experienced domestic violence to seek assistance via Kitsap County's Employee Assistance Program (EAP) an/or other resources;
- Utilize EAP to assist with creation of a workplace safety plan in collaboration with the employee's department, when appropriate;
- Request EAP to provide referrals, as appropriate;
- Allow employee to take domestic violence leave, as provided by law; and
- Take other reasonable measures, as needed.

The County will take corrective or disciplinary action, up to and including termination, against an employee where it is determined that the employee:

- Used County resources to perpetrate domestic violence;
- Threatened, or committed an act of domestic violence in the workplace; or
- Perpetrated off-duty domestic violence that affects job performance or has an employment-related nexus.

If imminent danger exists, consider all safety options. A call to 911 may be necessary for police intervention. Employee safety is the first priority. Employees should immediately remove themselves from danger. Once safe, employees, supervisors, managers and human resources (HR) professionals should contact the **Employee Assistance Program (EAP)** when dealing with domestic violence issues. EAP is a free county resource that provides all County employees with counseling and coaching, including for instances of domestic violence. The EAP providers will assist with creating a workplace safety plan in collaboration with the employee's department, if needed, in addition to any additional resources the employee may need.

Section **7.3 Employee Responsibilities**

Employees who are experiencing domestic violence are encouraged, as appropriate, to take the following steps:

1. If imminent danger exists, consider all safety options. A call to 911 may be necessary for police intervention.
2. Ask for assistance from a supervisor, manager, human resources professional, or EAP. Notify a supervisor, manager, human resources professional or EAP of any safety or security concerns related to your workplace.

To contact EAP, call 1-800-553-7798 or access through your HR Benefits page