

SECTION 9.70 VIOLENCE-FREE WORKPLACE POLICY
Last Update: 11/03

State of Iowa

VIOLENCE-FREE WORKPLACE POLICY
for
Executive Branch Employees

I. Definitions

Violence is any act which is intended to intimidate, annoy, or alarm another person; or any act which is intended to cause pain or injury to, or which is intended to result in physical or personal contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act. (Iowa Code sections 708.1 and 708.7)

A dangerous weapon is any instrument or device designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death or injury upon a human being when used in the manner for which it was designed. Additionally, any instrument or device of any sort whatsoever which is actually used in such a manner as to indicate that the individual intends to inflict death or injury upon the other, and which, when so used, is capable of inflicting death upon a human being, is a dangerous weapon. Dangerous weapons include, but are not limited to, any offensive weapon, pistol, revolver, or other firearm, dagger, razor, stiletto, switchblade knife, or knife having a blade exceeding five inches in length. (Iowa Code section 702.7)

Personal contact means an encounter in which two or more persons are in visual or physical proximity to each other. Personal contact does not require a physical touching or oral communication, although it may include these types of contacts. (Iowa Code section 708.7)

II. Policy Statement

The State of Iowa recognizes that violence at work can seriously affect employee work performance and morale. Threats, intimidation, harassment, or acts of violence will not be tolerated. The State of Iowa further establishes, as its vision, that all of its officials, managers, supervisors and employees will treat each other with courtesy, dignity and respect. The State of Iowa is committed to a violence-free workplace, and its goal is to prevent violence in the workplace.

Accordingly, the State of Iowa is committed to:

1. Preventing the potential for violence in the work environment,
2. Reducing the negative consequences for employees who experience or encounter violence, and
3. Maintaining a work environment of respect and positive conflict resolution.

III. Prohibitions

- A. Employees are prohibited from the possession, sale, transfer or use of any dangerous weapon while engaged in state business, or on state property or the Employer's premises.

This prohibition shall not include peace officers and other state employees who have been issued professional weapons permits by the Commissioner of the Department of Public Safety for use by these employees when acting under the authority of their department. Further, this policy is not intended to restrict employees who live in state owned housing from the legal possession of weapons in their homes, if allowed by the appointing authority. This policy is not intended to restrict state employees from engaging in legal hunting and recreational activities on state owned property during off-duty hours.

- B. Employees are prohibited from engaging in harassment of another employee, supervisor, manager, vendor, customer or client in accordance with the State of Iowa's Equal Opportunity, Affirmative Action and Anti-Discrimination Policy.
- C. Employees are prohibited from making threatening or intimidating statements or engaging in threatening or intimidating behavior directed to another employee, supervisor, manager, vendor, customer or client.
- D. Employees are prohibited from communicating with another employee, supervisor, manager, vendor, customer or client by telephone, electronic means, or in writing without legitimate purpose or in any manner likely to cause the other person annoyance or harm. (Iowa Code section 708.7)
- E. Employees are prohibited from purposefully and without legitimate purpose having personal contact with another employee, supervisor, manager, vendor, customer or client with the intent to threaten, intimidate or alarm the other person.

IV. Affirmative Duties

- A. An employee who is the victim of workplace violence shall report the incident immediately in accordance with the procedures established by this policy.
- B. An employee witnessing workplace violence or the potential for such violence directed at another person or property of the state, shall report such incidents in accordance with the procedures established by this policy.
- C. When applicable, state officials and employees shall cooperate fully with all appropriate individuals in the investigation and prosecution of criminal acts, this policy, and the pursuit of any civil remedies in order to create and maintain a violence-free workplace.

V. Reporting Procedures

Any employee who has been the victim of workplace violence, or who has a concern about potential workplace violence within the context of this policy, is directed to bring the matter to the attention of his or her supervisor, or the appointing authority or his or her designee, in accordance with the department's established complaint procedure. If the concern or complaint involves the employee's direct supervisor, the employee may go to the next higher supervisor with the concern or complaint or, in the alternative, to the Iowa Department of Administrative Services – Human Resources Enterprise. All complaints will be promptly investigated by the appointing authority or the Iowa Department of Administrative Services – Human Resources Enterprise.

In the event of a situation requiring immediate intervention by law enforcement personnel, the appropriate law enforcement agency should be contacted immediately.

VI. Remedies for Policy Violations

Corrective action will be taken to remedy violations of this policy when warranted, up to and including the discharge of parties whose conduct violates this policy.

Any manager or supervisor who fails to properly act upon employee complaints or on personal knowledge of conduct in violation of this policy shall be subject to disciplinary action up to and including discharge.

A copy of all complaints received and their resolution shall be forwarded to the Chief Operating Officer of the Iowa Department of Administrative Services – Human Resources Enterprise within ten (10) working days after receipt of the complaint and ten (10) working days after resolution of the complaint. Interim reports shall be provided to the Director as requested.

August 1, 1996

Contact numbers outside the department:

Department of Administrative Services 515-281-3351

AFSMCE Local 515-246-1517