



# Violence in the Federal Workplace: A Guide for Prevention and Response

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1<sup>st</sup> Edition



Interagency  
Security  
Committee

# Change History

Rev. #	Date	Changes	Approver
1.0	1998	Initial issue	Office of Personnel Management
2.0	2010	Complete document revision	Interagency Security Committee
3.0	03/2013	Complete document edit and structural revision; separation of appendices into standalone documents	Interagency Security Committee

Office of Infrastructure Protection

*Violence in the Federal Workplace: A Guide for Prevention and Response*

Released by: The Interagency Security Committee

**NOTE:** This version of the *Violence in the Federal Workplace: A Guide for Prevention and Response* replaces any and all previous editions of the Office of Personnel Management’s handbook, *Dealing with Workplace Violence: A Guide for Agency Planners*. Eventually, this version will be replaced by the April 2015 edition upon its release.



## Message from the Chairperson

The protection of Federal employees and private citizens within U.S. government-owned or leased facilities is one of our top national priorities. The mission of the Interagency Security Committee (ISC), comprised of 53 Federal departments and agencies, is to develop security standards, best practices, and guidelines for nonmilitary Federal facilities in the United States.

As Chair of the ISC, I am pleased to introduce the new ISC guide titled *Violence in the Federal Workplace: A Guide for Prevention and Response*. This guide provides important information to assist department and agency security planners as they address a growing issue becoming increasingly present throughout both the public and the private sector: acts of violence in the workplace. To further assist Federal departments and agencies as they devise their plans, the guide provides planning suggestions to address and mitigate acts of violence in the Federal workplace. The guide also provides a variety of examples based on real-world events for planners to study and take into consideration.

This guide supersedes the Office of Personnel Management's handbook, *Dealing with Workplace Violence: A Guide for Agency Planners*, released in 1998. Consistent with Executive Order 12977 (October 19, 1995), this guide is intended to assist security planners for all buildings and facilities in the United States occupied by Federal employees for non-military activities. These include existing owned, to be purchased or leased facilities; stand-alone facilities; Federal campuses; and, where appropriate, individual facilities on Federal campuses and special-use facilities.

The guide contains significant updates and represents exemplary collaboration within the ISC working groups and across the entire ISC. ISC primary members approved the guide with full concurrence and will review and update as needed.

A handwritten signature in blue ink, appearing to read 'Caitlin Durkovich'.

Caitlin Durkovich

*Chair, Interagency Security Committee*

# Executive Summary

According to the figures released by the Federal Bureau of Investigation (FBI), the estimated number of violent crimes in 2011 declined for the fifth consecutive year. The 2011 statistics show the estimated violent crime rate decreased 4.5% decrease from the 2010 rate.<sup>1</sup> However and according to the latest known statistics from the Bureau of Labor Statistics (BLS), from 2006 to 2010, an average of 551 workers per year were killed as a result of work-related homicides. In 2010 (the last year for which final data are available), there was a reported total of 518 workplace homicides, or 11% of all fatal work injuries that occurred that year. Shootings accounted for 78% of all workplace homicides in 2010 (405 fatal injuries). More than four-fifths (83%) of these workplace homicides from shootings occurred in the private sector, while only 17% of such shootings occurred in government.<sup>2</sup> Five percent of all establishments in the United States experienced a violent incident in 2005, and half of the largest establishments (employing 1,000 or more workers) reported at least one incident.<sup>3</sup> No workplace is immune, and any government facility can serve as the setting for an incident of workplace violence. The April 1995 attack on the Alfred P. Murrah Federal Building in Oklahoma City provides an extreme example of how an office setting can be affected by workplace violence, in this case terrorism. This single act killed 168 people, injured 800 more, and was the largest terrorist attack on American soil prior to the September 11, 2001 attacks. It remains the most deadly terrorist attack ever perpetrated by an American citizen on American soil.

Fortunately, tragic events such as these are still the exception: most acts of workplace violence occur as some form of verbal or non-verbal threat, bullying, harassment, or non-fatal physical assault. However, it is important to remember acts of physical workplace violence might start as some form of non-physical assault, so agencies must take all threats seriously and respond appropriately. It is also important to note a threat will not lead to a violent act in the great majority of cases. The threat itself, however, damages workplace safety and must be addressed.

An act of workplace violence generally can be categorized as one of four types<sup>4</sup>:

- **Criminal Intent:** The perpetrator has no legitimate relationship to the agency or its employees and is usually committing a separate crime, such as robbery, in conjunction with the violence.
- **Customer/Client:** The perpetrator has a legitimate relationship with the agency and becomes violent while being served by the agency. This category includes customers, clients, patients, students, inmates, and any other group to whom the agency provides services. Employees working for government agencies servicing large segments of the public on a daily basis are likely to be exposed to this type of workplace violence.
- **Employee-on-Employee:** The perpetrator is a current or former agency employee who attacks or threatens another current or former employee(s) in the workplace.
- **Personal Relationship:** The perpetrator usually does not have a relationship with the agency but has a personal relationship with an agency employee. This category includes domestic violence that spills over into the workplace.

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<sup>1</sup> For the 2011 crime statistics, please see the FBI web site at [www.fbi.gov/news/pressrel/press-releases/fbi-releases-2011-crime-statistics](http://www.fbi.gov/news/pressrel/press-releases/fbi-releases-2011-crime-statistics), accessed March 29, 2013.

<sup>2</sup> For the BLS statistics, please see the BLS web site at [www.bls.gov/iif/oshwc/cfoi/osar0016.htm](http://www.bls.gov/iif/oshwc/cfoi/osar0016.htm), accessed March 29, 2013.

<sup>3</sup> (BLS, 2005)

<sup>4</sup> (California/Occupational Safety and Health Administration, 1995; University of Iowa, 2001)

It is also worth noting that, according to the Occupational Safety and Health Administration, workers are at greater risk of becoming victims of workplace violence if they:

- exchange money with the public;
- deliver passengers, goods, or services; or
- work alone or in small groups during late night or early morning hours,
- work in high-crime areas, or
- work in community settings and homes experiencing extensive contact with the public.<sup>5</sup>

In addition to the standard descriptions of incidents and the classification categories – mentioned above – in use since at least 2000, newer classification systems focus on triggers and intent, often distinguishing predatory from affective violence. Identifying triggers and intent supports risk assessment and prediction of recurrence and the required prevention strategies.<sup>6</sup>

## ES.1 Planning, Prevention, and Response

Chapter 4 of the guide introduces a process for developing an effective workplace violence prevention and response program. It guides an agency’s planning group through the basic steps of developing programs, policies, and prevention strategies.

## ES.2 Investigations, Assessments, and Other

Chapter 5 offers basic technical information on several areas of expertise that may be involved in workplace violence programs at the individual level. Its purpose is to serve as a reference for planning group members as they find themselves working with colleagues whose professional backgrounds are different from their own. While in no way comprehensive enough to serve as a manual for training, it provides guidance to the planning group as it becomes more familiar with the larger issues entailed in the process of evaluating threat and determining a proper level of facility security. It also provides guidelines regarding the technical language, legal constraints, and special issues each person’s professional background brings to the interdisciplinary group.

## ES.3 Workplace Security

*Violence in the Federal Workplace: A Guide for Prevention and Response, Appendix A: Threat Assessments, Countermeasures, Awareness, and Case Studies* (hereafter referred to as Appendix A) provides general information regarding the process of evaluating threat to Federal facilities and making a Facility Security Level determination, two critically important pieces of any program aimed at preventing and responding to violence in the Federal workplace. Appendix A starts with a brief introduction to the risk assessment and management processes facilities’ management should implement and maintain for the physical security of nonmilitary Federal facilities. Such attention to the physical security of a facility can enhance the degree of deterrence against an act of workplace violence as well as the degree of mitigation should an act of violence occur.

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<sup>5</sup> (Department of Labor [DOL], 2002)

<sup>6</sup> (Meloy JR. Empirical basis and forensic application of affective and predatory violence. *Aust N Z J Psychiatry*. 2006 Jun-Jul;40(6-7):539-47)

## **ES.4 Awareness and Resources**

Also listed in Appendix A are Federal government, non-Federal government, and computer system resources either used to develop this guide or available to the reader for further research and information. A listing of the Department of Homeland Security’s free courses, materials, and workshops to better prepare the public to deal with an active shooter situations and to raise awareness of behaviors that represent pre-incident indicators and characteristics of active shooters can also be found in this section.

The information provided in this guide is based on the collective expertise and experience of Federal Government law enforcement officers, security specialists, criminal investigators, attorneys, employee relations specialists, Employee assistance program counselors, forensic psychologists, and union officials. It consists primarily of “lessons learned” from many years of experience with actual cases involving potentially violent employees. The guidance covers not only the macro issues of facility security, but also incidents of physical violence such as shootings and assaults and the far more prevalent incidents of intimidation, “bullying,” and other inappropriate behaviors. It also covers incidents involving employees and incidents involving individuals from outside the agency threatening violence against agency employees.

## **ES.5 Case Studies**

The last section in Appendix A presents case studies for the planning group to use in analyzing agency needs, planning programs, and training personnel to respond to instances of workplace violence. The case studies introduce a wide range of challenges an agency may face and provide discussion questions to help the planning group develop the most effective approaches to these challenges.

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# 1.0 Introduction

This document supersedes and updates the handbook produced by the U.S. Office of Personnel Management (OPM) in 1998 and includes updates contributed by the Interagency Security Committee Working Group on Violence in the Federal Workplace. It provides both a framework for Federal departments and agencies to use in the protection of the Federal workforce and facilities from acts of violence as well as guidelines for creating workplace violence prevention and response programs. The document also addresses facility security issues unique to such incidents.

Workplace violence can potentially affect every Federal employee throughout the United States. It is the responsibility of Federal managers and supervisors to plan for a wide variety of potential incidents that could impact their employees and facilities. The continuum of violent acts ranges from the more common non-physical acts such as incivility, bullying, gestures, expressions, and verbal threats to the less common physical acts such as battery, aggravated assault, homicide, and acts of terrorism. Violence or threats of violence can occur anywhere. For the purpose of this document, the workplace includes numerous types of environments such as, but not limited to, office space, retail settings, and field work.

Any Federal worker, including office workers with little public contact, can be exposed to workplace violence. Acts of violence in the workplace generally fall into one of four categories:

- 1) Criminal intent;
- 2) Customer/client;
- 3) Employee on employee; or
- 4) Personal relationship.

As part of a comprehensive workplace hazard prevention and response program, it starts with management commitment and employee involvement. Equally important is the understanding that, while human resource components may serve as the lead in development of the program, different scenarios may require different offices/personnel to serve as the primary lead for the response when an act of violence occurs. However, the program's ultimate success depends on teamwork both within and outside the organization. As such, it is important to involve the recognized labor organizations in the workplace in the early stages of program development. As employee representatives and advocates, labor organizations can provide valuable input on programs affecting the health and safety of the Federal workforce. Planning team members should include, for example, facility security staff and local and state law enforcement and emergency personnel when developing actual plans and programs (discussed in Chapter 4).

Victims and coworkers who survive workplace assaults may experience psychological distress or physical injury. Federal employees in organizations such as the National Institute for Occupational Safety and Health (NIOSH) and the Occupational Safety and Health Administration (OSHA) play a leading role in helping employers recognize and respond appropriately to the risks and consequences of workplace violence. At the same time, the risk of violence specifically directed against Federal employees received increased attention over time, particularly in the wake of the tragic loss of life in the terrorist bombing of the Alfred P. Murrah Federal Building in Oklahoma City on April 19, 1995.

Even before the Oklahoma City tragedy, Federal managers and specialists, like their private sector counterparts, were becoming more aware of the dangers of workplace violence and began developing preventive programs for their employees. This was a challenging endeavor. When they turned to the private sector for expert guidance, they often found the advice either was not necessarily compatible with Federal laws and regulations or failed to cover issues faced by Federal employees. However, in

attempting to develop their own programs, agencies often discovered they lacked the expertise necessary for a truly comprehensive approach.

To complicate matters further for program planners (both then and now), public interest and media attention tend to focus on dramatic but rare incidents of violence, such as shootings in office settings. This presents the dual challenge of reducing employees' anxiety about rare risk factors while focusing their attention on more likely sources of danger. Undue anxiety about relatively infrequent but high profile incidents can stand in the way of identifying more significant but less dramatic risk factors such as poorly lit parking lots or gaps in employee training programs. This anxiety can make it more difficult to cope with one of the most common workplace violence problems: the employee whose language or behavior frightens coworkers.

## 2.0 Purpose

The Occupational Safety and Health Act of 1970<sup>7</sup> (the Act) was written, “...to assure safe and healthful working conditions for working men and women ....” Among its specifications, it stipulated:

- The development and promulgation of occupational safety and health standards by the Department of Labor (Section 6 of the Act, 29 USC §655) that led to the creation of OSHA. OSHA is tasked with, among other things, developing, promulgating, and enforcing the standards required by Section 6 of the Act.
- The requirement for Federal agencies to establish and maintain occupational safety and health programs (Section 19 of the Act, 29 USC §668) that led to the development of Executive Order (EO) 12196, Occupational Safety and Health Programs for Federal Employees, issued February 26, 1980. EO 12196 prescribes additional responsibilities for the heads of Federal agencies, the Secretary of Labor, and the General Services Administration (GSA). Among other things, the Secretary of Labor, through OSHA, is required to issue basic program elements for Federal agency occupational safety and health (OSH) programs. These basic program elements are set forth in 29 CFR §1960.
- The creation of the National Institute of Occupational Safety and Health (NIOSH) as part of the Centers for Disease Control and Prevention in the Department of Health and Human Services (Section 22 of the Act, 29 USC §671) that performs research in fields related to occupational safety and health, and provides OSH-related information, education, and training. NIOSH is a world leader in helping to prevent work-related illness, injury, disability, and death through its activities of gathering information, conducting scientific research, and translating the resulting knowledge gained into a variety of products and services, such as training materials and recommendations for improving safety and health in the workplace.

Section 19 of the Act, EO 12196, and the basic program elements under 29 CFR §1960 apply to all agencies of the Executive Branch except military personnel and uniquely military equipment, systems, and operations. Within OSHA, the Office of Federal Agency Programs provides Federal agencies with the guidance necessary to implement effective occupational safety and health programs.

While OSHA did not promulgate a regulation specific to workplace violence, 29 CFR §1960.8(a) requires agencies to “furnish to each employee employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm.” Much like Section 5(a)(1) of the Act is the “General Duty Clause” for private sector employers, this regulation tasks Executive Branch agencies with the general duty of protecting Federal employees from workplace hazards not covered by specific OSHA standards.

EO 12977 established the Interagency Security Committee (ISC) pursuant to the recommendations contained in the Department of Justice’s *Vulnerability Assessment of Federal Facilities*<sup>8</sup> report issued in June 1995. The ISC’s mandate is to establish security policies and standards “to enhance the quality and effectiveness of security in and protection of buildings and facilities in the United States occupied by federal employees for nonmilitary activities ....”

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<sup>7</sup> 29 USC §651 et. seq.

<sup>8</sup> <http://www.justice.gov/>; search document title as location periodically changes.

## 3.0 Contributors

The ISC recognizes the Federal partners who provided resources and staff time for preparation of this document. These partners include: the Department of Health and Human Services' (HHS) Office of Security and Strategic Information, OSHA's ISC Chief Human Capital Officers Council, Department of Labor, Department of Homeland Security's (DHS) Federal Protective Service (FPS), OPM, United States Postal Service, United States Postal Inspection Service, Department of Commerce, Department of Defense's Defense Information Systems Agency; Department of Veterans Affairs' Veterans Health Administration (VHA), and Uniform Services University of the Health Sciences.

This guide builds upon the contributions of experts from many professions and many Federal agencies. The ISC wishes to thank OPM and everyone who contributed to the development of the OPM handbook *Dealing with Workplace Violence: A Guide for Agency Planners* (1998), particularly the work conducted by the Department of Justice and FPS on issues concerning law enforcement and security. Special thanks also go to those individuals who lent their expertise, experience, and talents to OPM's effort in providing answers to some of the more difficult questions about handling potentially violent situations. For a list of individual contributors to *Violence in the Federal Workplace: A Guide for Prevention and Response*, please see Appendix A.

## 4.0 Planning, Prevention and Response

The central theme emerging from the shared experience of these specialists from different disciplines is this: while some cases of workplace violence can be dealt with swiftly and easily by a supervisor with the assistance of just one specialist or one office, most cases can be resolved more easily and effectively if there is a joint effort planned in advance by specialists from different disciplines.

Many people who have never experienced workplace violence believe it will never happen in their office. Violent incidents are relatively rare, but they do occur and lives can be lost. A little preparation and investment in prevention could save a life. There is no strategy that works for every situation, yet the likelihood of a successful resolution is much greater if there are preparations.

In dealing with the more common incidents generated by employees, the experience of agencies with developed programs show supervisors are more willing to confront employees who exhibit disruptive and intimidating behavior when they are supported by a group of trained and experienced specialists. Supervisors who receive training are prepared to reach out to others when they know a situation is beyond their expertise. This team approach promotes creative solutions and much needed support for the supervisors in dealing with difficult situations that might otherwise be ignored.

Ignoring a situation usually results in escalation of the problem. Morale and productivity are lowered and effective employees leave the organization. On the other hand, dealing effectively with situations like hostility, intimidation, and disruptive conflict creates a more productive workplace. This can have a deterrent effect on anyone contemplating or prone to committing acts of physical violence. Employees will see improper actions have consequences and disruptive behavior is not tolerated in their organization.

### 4.1 Section 1: Program Development

Workplace violence can occur in any work environment. For this reason, it is important for all Federal agencies to establish a written workplace violence prevention program.

Successful workplace violence prevention strategies are multi-dimensional, encompassing a structured training program as well as clearly established reporting and incident communication procedures. Training ensures workers are aware of potential hazards and how to respond when a violent situation occurs. Employees should be encouraged to report incidents with the assurance management will take such reports seriously and act on them promptly and appropriately. Finally, the agency's communication procedures should be defined for all levels and employees should receive training on communication strategies and techniques.

There are many different approaches agencies can take in developing plans to prevent workplace violence. An approach that works well in one agency may not be suitable for another. This section outlines some broad guidelines to assist agencies:

- Analyze their current ability to handle potentially violent situations;
- Fill any existing skill gaps;
- Develop a procedure for employees to report incidents; and
- Develop response plans.

### **4.1.1 Forming a Planning Group**

Successful agency programs usually start by forming a planning group. The planning group evaluates the agency's current ability to handle violent incidents and recommends ways to strengthen its response capability.

Typically, members of a planning group include representatives from management, employee relations, employee assistance program (EAP), law enforcement, and security. Organizations too small to have a law enforcement/security component often have a representative of FPS (when they have jurisdiction) or the local police. Depending on the size and structure of the agency, membership may also include representatives from safety, health unit, medical department, office of Equal Employment Opportunity, public affairs, and other appropriate offices. The planning group should identify a lead member with primary responsibility for developing and implementing the organization's workplace violence prevention and response policy and programs.

The Office of the General Counsel (OGC) and the Office of Inspector General (OIG) should always be extended an invitation to participate in the planning group. When these offices are not represented on the planning group, they usually act as consultants to it.

While many offices may be represented on the planning group, only a few of them will generally be involved in responding to reported incidents. For example, representatives from employee relations, EAP, and security often make up the incident response team. Typically, representatives from the other offices will not be involved in responding directly to incidents, but they will act as consultants to the incident response team and play an active role only in certain types of situations. In addition, to better coordinate and maximize the effectiveness of prevention and response efforts, co-located agencies should have one unified response plan in place rather than each agency creating a separate plan.

### **4.1.2 Working with Your Union**

An agency should involve the recognized facility labor union(s) early in the process of planning workplace violence prevention and response programs. Unions are the elected representatives of bargaining unit employees and are legally entitled to negotiate over many conditions of employment of those employees. Although some of the substantive issues relating to workplace violence, including issues concerning internal security may be outside the duty to bargain, this does not negate consultation and discussion with the union.

Union involvement is particularly appropriate where there are labor management partnership councils. It is a good practice to involve recognized unions before policy decisions are made to provide them the opportunity both to express employees' concerns and to bring to bear their expertise and knowledge.

### **4.1.3 Steps in the Planning Process**

#### **1. Analyze agency's current ability to handle potentially violent situations**

Conducting a risk assessment and analysis of the agency's current ability to handle potentially violent situations is the first step in the planning process. Looking at previous incidents that occurred at the agency and in the area and evaluating the causes and how effectively they were handled is a good way to start. Attention should be given to identifying patterns of risk and

potential prevention strategies; for example, where a particular workgroup is having a number of complaints in a given period of time.

Also, reviewing the case studies in Appendix A of this guide and analyzing the incident response of other agencies can help planning groups determine if their own agency is prepared to handle similar occurrences.

### **Staff Expertise**

Managers should be aware of specialized organizations within their agencies and the policies relating to their defined roles and responsibilities. Identifying and understanding the agency's in-house capabilities enables them to lead an effort incorporating staff expertise into the organization's program, whether in the area of prevention or in designing an appropriate response. Identifying gaps in specific skills, such as threat assessment and management, may guide training plans.

### **Level of Security and Jurisdictional Issues**

An important part of the analysis is to examine the current level of security of the facility. Follow the advice of the security office or, if in a building without a security staff, contact FPS (when they have jurisdiction), the agency's internal police force if available, or local law enforcement about recommended basic security measures. Determine in advance all jurisdictional issues among the various security and law enforcement entities that may be involved in an emergency situation.

Response time is one of the critical factors in addressing incidents of workplace violence. All employees should be informed as to the security and/or law enforcement entities they should contact in the event of an incident. Contact information for those security and/or law enforcement entities should be made available to all employees.

## **2. Fill the skill gaps**

Skill deficiencies exist even in large agencies with numerous resources at hand. In some organizations training is needed (see Chapter 4, Section 3 for a discussion of training). However, crisis situations occur infrequently, and it is often not practical to maintain in-house expertise for every aspect of the agency's response plan.

If this is the case, suggested sources of outside assistance are listed below.

### **Other Government Agencies**

Get to know specialists in other government agencies. Federal agencies often share expertise, especially when crisis situations occur. They are also an invaluable source for learning about new training materials and effective training approaches.

### **Law Enforcement Agencies**

If either in-house law enforcement or FPS is available, get to know the responders. Keep in mind many personnel who are not in the security arena or are not accustomed to working with police personnel may find interaction somewhat intimidating. Invite the responders to an informal meeting that allows for positive dialogue and an opportunity for non-security personnel to ask questions and get to know the responders. In addition, add them to the planning group. In-house

law enforcement and the FPS can provide valuable insight as to how they will respond and assist your group.

In the event in-house law enforcement or FPS is not available, get to know local law enforcement officers. Invite them to work with the planning group. They can recommend security measures, and identify jurisdiction, and what they would do if called during an incident. They can also teach employees personal safety techniques on how to avoid becoming a victim.

### **Other Community Resources**

Locate and work with resources in the community. For example, if there is no immediate access to emergency mental health consultation, work with the local community mental health department, “hotline” staff, hospital, or emergency crisis center. A nearby university may have faculty who are willing to be consulted.

### **3. Develop a procedure for employees to report incidents**

The primary consideration in developing a reporting procedure in the context of a workplace violence program is to make sure it encourages employees to report all incidents, even minor ones. Employees should report all incidents to management if he or she is the victim of violence, believes he or she has been threatened with violence, witnesses an act or threat of violence towards anyone else, or has reason to believe he, she, or others may be victimized sometime in the future at the workplace or as a result of employment with the agency. Generally the agency’s Occupant Emergency Plan (OEP) or other emergency plan has established reporting mechanisms. Planners should review those procedures to determine whether, for purposes of workplace violence incidents, any specialized procedures are appropriate. Credibility for any reporting system will be dependent upon whether reports are quickly, effectively, and confidentiality handled.

Before a reporting procedure is announced to employees, ensure the agency staff who will be responding to reported incidents are trained and able to handle any reported incidents.

Also important to the success of any reporting system is management’s encouragement for reporting incidents. Agency managers must create an environment demonstrating management will always respond immediately to reports of incidents and to employee concerns in order to protect employees from danger, unnecessary anxiety concerning their welfare, and the loss of productivity.

Incident reports should be reviewed on a periodic basis to provide feedback for lessons learned.

### **4. Develop plans to respond to workplace violence incidents**

Given the wide range of incidents and situations that can occur at the worksite (from disruptive behavior to shootings) and, within that range, the wide variation of threatening and disruptive behaviors, it is difficult for agencies to specifically define the responsibilities of the different offices possibly involved in responding to an incident under a workplace violence prevention and response program. Agencies found it useful to classify incidents in broad categories such as emergency/non-emergency, emergency/threats/bullying/disruptive behavior, or co-worker/outsider. Some agencies belong to industry groups with predictable risks, such as health care, corrections, and education, as the vast majority of violence incidents in the workplace arise from client-professional interactions. Those may require formal standing approaches to threat assessment and management.

One such example is the Disruptive Behavior Committee and Patient Record Flagging process in health care developed in the Veterans Health Administration (VHA). Such interdisciplinary committees are standing groups trained to assess incidents, evaluate the risk of recurrence, and provide guidance on prevention in the future. Training addresses clinical threat assessment and law enforcement issues. Employee threat assessment teams function under a different set of rules, such as patient care delivery, and in a clinical system and has different rules than human resources regulations under OPM. Corrections facilities have other obvious regulatory constraints and opportunities, and those influence fundamental strategies in threat assessment and management. Agencies must consider their administrative rules and processes in order to remain within the appropriate boundaries before such incidents occur.

It is unlawful to possess firearms or other dangerous weapons in Federal facilities, unless explicitly authorized by 18 USC §930. Federal agencies must post the notice in the Appendix to § 102-72 of the Code of Federal Regulations. Agency employees should be trained to report suspected violations immediately to a building security official, a supervisor, or other appropriate authority.

Using these broad categories, agencies can determine the offices that would generally respond to each type of incident and what role each office would play in the response effort. Agencies can appropriately plan for both immediate responses and long-term responses.

To facilitate developing a plan that works for a given agency, a series of case studies are provided in Appendix A of this guide providing examples of the plans used to handle a number of situations.

It becomes apparent from reviewing these examples that plans for a coordinated response to reported incidents must be kept flexible. Responsibility for overall coordination and direction is usually assigned to one individual or one office. The coordinator must have the flexibility to use the plan as a guideline and not a mandatory set of procedures. More importantly, the coordinator must have the latitude to tailor the recommended response to the particular situation. It is important to recognize threatening situations often require creative responses. Given this, the importance of flexibility cannot be overemphasized.

Violence cannot always be prevented because violent incidents are not always predictable, but risk can be reduced by planning ahead and being prepared to act swiftly to deal with threats, intimidation, and other disruptive behavior at an early stage.

The case studies in Appendix A highlight the need for backup plans in situations calling for an immediate response where the individual responsible for a certain aspect of the response effort is unavailable. Taking a team approach in responding to a potentially violent situation is an ideal way to provide backup coverage. A team approach ensures all staff in employee relations, EAP, security, and other offices are thoroughly trained and prepared to work together with management to deal with potentially violent situations. It ensures coverage regardless of which staff member in each of the offices is on duty when an incident occurs.

## 4.2 Section 2: Development of Written Policy Statements

### 4.2.1 Advantages of Written Policies

Once a workplace violence prevention and response program is ready to be implemented, agencies must decide whether to issue a written policy statement. There are advantages to issuing a statement. It informs employees the violence policy covers intimidation, harassment, and other inappropriate behavior that threatens or frightens them. It also encourages employees to report incidents, informs employees of how to report an incident, and demonstrates senior management's commitment to dealing with reported incidents.

Agency programs can also be implemented without a written policy statement. In agencies without a written policy statement, employees are often given information about the program (especially how to report an incident) in training sessions, on posters, in newsletter articles, or by other similar methods. It is important to note agencies have an inherent right to take action against employees who engage in disruptive or threatening behavior regardless if the agency issued a written policy statement or not.

### 4.2.2 Policy Statement Contents

A workplace violence policy statement should convey that:

- All employees are responsible for maintaining a safe work environment;
- Employees are obligated to act appropriately on the job;
- The policy covers not only acts of physical violence, but also harassment, intimidation, and other disruptive behavior;
- The policy covers incidents involving coworkers and incidents involving individuals from outside the agency who commit violence against agency employees;
- The agency will respond appropriately to all reported incidents; and
- The agency will act to stop inappropriate behavior.

Supervisors and all of the offices involved in responding to incidents will be supported by agency management, in accordance with their individual agency's plans, in their efforts to deal with violent and potentially violent situations. The policy statement should also provide examples clearly indicating some of the behaviors that constitute workplace violence, along with specifying prohibited actions and their consequences. Examples of prohibited behaviors could include but are not limited to:

- Direct threats or physical intimidation;
- Implications or suggestions of violence;
- Stalking;
- Possession of weapons of any kind on agency property, including parking lots, other exterior agency premises, or while engaged in agency activities in other locations or at agency-sponsored events, unless such possession or use is a requirement of the job;
- Assault of any form;
- Physical restraint or confinement;
- Dangerous or threatening horseplay;
- Loud, disruptive, or angry behavior or language that is clearly not part of the typical work environment;

- Blatant or intentional disregard for the safety or well-being of others;
- Commission of a violent felony or misdemeanor on agency property; and
- Any act that a reasonable person would perceive as constituting a threat of violence.

### 4.2.3 Recommended Approaches

Consider the following recommendations in developing a written policy statement.

A written policy statement should be brief and simple. Implementation details can be provided in training and in more detailed backup documents. For example, roles and responsibilities of the various offices involved in responding to potentially dangerous situations can be outlined in memoranda of understanding or in operating manuals/instructions rather than in the written policy statement issued to all agency employees. This approach gives agency staff the flexibility they will need to deal creatively with fluid, unpredictable situations.

There are disadvantages to using defined terms such as violence, threats, and harassment in your written policy statement. Definitions can discourage employees from reporting incidents they do not believe fall within the definition. The reporting system should not deter employees from reporting situations they feel are of a threatening nature. An employee knows a threat or intimidation or other disruptive behavior when he or she experiences it; definitions are not necessary. The scope of the organization's concept of one or more of the terms in the policy can be clarified by use of examples. For instance, you may want to give examples of verbal and non-verbal intimidating behavior.

Another consideration is that definitions are often restrictive and may create legal problems in the future when taking disciplinary actions against perpetrators of workplace violence. Use of definitions can make it more difficult to defend a case on appeal. For example, there could be negative consequences from employing the term "zero tolerance." Use of the term could make it more difficult to defend a case on appeal because a third party could conclude, however mistaken and inappropriate, the agency did not consider an appropriate penalty for the particular offense.

There are other possible consequences. The term "zero tolerance" might appear to eliminate any flexibility an agency has in dealing with difficult situations even if there is a lack of intent on the part of the perpetrator. Another undesirable side effect is the appearance of inflexibility can discourage employees from reporting incidents because they do not want to get their co-worker fired when they just want the behavior stopped. This appearance of inflexibility may also discourage early intervention in potentially violent situations.

Consult OGC for the legal implications of the draft policy. Agencies wishing to issue a written policy statement can use the following sample, changing the format and tone as appropriate, and adapting it for their own situations.

The following sample written policy statement contains language similar to "zero tolerance" but addresses the previously mentioned concerns. It says the agency will not tolerate violent or disruptive behavior and then clarifies what that means by stating "that is, all reports of incidents will be taken seriously and dealt with appropriately."

**Figure 1: Sample Written Policy Statement**

<p>MEMORANDUM FOR EMPLOYEES OF THE DEPARTMENT OF _____</p> <p>FROM: DEPARTMENT OR AGENCY HEAD</p> <p>SUBJECT: Workplace Violence</p> <p>It is the [insert Department or Agency name]'s policy to promote a safe environment for its employees. The Department is committed to working with its employees to maintain a work environment free from incidents that could be construed as violence, threats of violence, harassment, intimidation, and other disruptive behavior. While this kind of conduct is not pervasive at our agency, no agency is immune. Every agency will be affected by disruptive behavior at one time or another.</p> <p>Violence, threats, harassment, intimidation, and other disruptive behavior in our workplace will not be tolerated; that is, all reports of incidents will be taken seriously and will be dealt with appropriately. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.</p> <p>Your cooperation is critical to implementing this policy effectively and maintaining a safe working environment. Do not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. If you observe or experience such behavior by anyone on agency premises, whether he or she is an agency employee or not, report it immediately to a supervisor or manager. Supervisors and managers who receive such reports should seek advice from the Employee Relations Office at xxx-xxx-xxxx regarding investigating the incident and initiating appropriate action. <b>[PLEASE NOTE: Threats or assaults that require immediate attention by security or police should be reported first to security at xxx-xxx-xxxx or to police at 911.]</b></p> <p>I will support all efforts made by supervisors and agency specialists in dealing with violent, threatening, harassing, intimidating, or other disruptive behavior in our workplace and will monitor whether this policy is being implemented effectively. If you have any questions about this policy statement, please contact _____ at xxx-xxx-xxxx.</p>
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### 4.3 Section 3: Prevention

One major component of any workplace violence program is prevention. The topics in the previous sections, such as program development and union involvement, are important parts of a workplace violence prevention program. This section will focus on additional measures that can be taken to reduce the risk of violent behavior.

### 4.3.1 Workplace Violence Prevention Program

All workplace violence prevention programs should meet minimum requirements set forth in Section 19 of the Act, EO 12196, and the basic program elements under 29 CFR § 1960. In addition, it is important to conduct an annual audit of the program to determine any changes that need to be addressed. A sample workplace violence prevention program checklist is provided at the end of this section for reference.

#### 4.3.1.1 Facility Security and Protection

Agencies should use their existing OEPs as the starting point when developing a workplace violence prevention program. The plan should include where applicable and not limited to:

- Notification protocols for reporting incidents;
- Plan initiation and communication;
- Employee notification, communication, and instructions;
- Procedures for determining whether to evacuate, shelter-in-place, or deep shelter a facility;
- Contingency plans for maintaining facility operations;
- Establishment of threat assessment teams (employee and client);
- Chain of command and notification protocols;
- Perimeter security/deep shelter if applicable;
- Protective force communication/protocols;
- Protective force equipment donning guidelines;
- Plans for conducting training exercises, drills, and other response and preparedness evaluations;
- Initial responder notification protocols;
- Incident command hierarchy and instructions;
- Medical response and resource; and
- Coordination and response planning with other compound facilities such as adjacent day-care facilities or other neighboring entities.

#### 4.3.1.2 Reporting

Accurate and early reporting that provides for a well-timed intervention can be instrumental in resolving issues of workplace incivility and bullying before incidents escalate into physical violence. Developing and implementing reporting procedures for workplace bullying and incivility are just as important as establishing procedures for reporting physical violence.

Employees who feel they are victims of bullying, verbal or electronic harassment/cyber bullying (e.g. e-mails, text messages, web-pages), psychological violence, or emotional abuse need to report the problem as these behaviors can negatively impact the victim, work environment, and employee productivity. Employees may want to document the incidents in order to assist with remembering the details, dates, and frequency of the incidents. Early reporting of perceived abuse allows management to quickly address and correct a problem before it has the opportunity to become more severe. The level of the management chain where an employee reports this type of incident will depend on who is committing the non-physical violence. If a direct supervisor is the perpetrator, then the employee needs to move up one level on the management chain to report the violence.

Procedures for reporting workplace violence incidents vary according to the type and intensity of violence involved, and most Federal workplaces have a variety of reporting options. Depending on the nature of the situation, resources available in-house, and the need for security/law enforcement involvement, the report may go to one or more of the following:

- The employee's supervisor;
- In-house security;
- Threat assessment team;
- FPS; or
- Local law enforcement.

In addition to established reporting procedures, agencies should allow for employees who have safety or reprisal concerns to submit anonymous (to the extent possible) reports. Regardless of the specific reporting procedures, maintaining a successful workplace violence prevention and response program requires agencies to investigate all reports and follow up with the appropriate actions where necessary. However, agencies should keep in mind that if there is no complainant, a law enforcement entity may feel there is no crime to investigate.

#### **4.3.1.3 Communication**

Prompt, accurate communication during a workplace violence incident or any other type of emergent event is essential. The communication section of the workplace violence plan should identify how the agency will notify the affected employees and facility occupants and who will provide that notification. Also, this section of the plan must include provisions for communicating information to employees who have a vision or hearing impairment and/or for those whom English is not their primary language.

#### **4.3.1.4 Field Worker Concerns**

Special measures need to be implemented for workers assigned to field locations or who perform their duties outside a Federal facility. Circumstances related to field work present a different set of concerns for workplace violence incidents. Workers have encountered violence while conducting compliance inspections, home visits, customer service duties, and other field assignments.

Each field assignment involves its own set of risk factors for violence. It is essential employees on assignment in the field be trained and provided with assignment-specific safety guidelines. Other techniques useful for increasing the safety of field assignments and working environments include but are not limited to:

- A communication system including a designated contact at the home office;
- A daily work plan, schedule, and predetermined phone call check-in times;
- A "buddy system" (i.e. a partner); and/or
- Law enforcement back-up.

#### **4.3.1.5 Workplace Violence Incident Response**

Regardless of the nature of the workplace violence incident, the safety and security of all employees must be a top priority for any response personnel. It is important to understand workplace violence incidents do not necessarily get reported via a phone call to security. The

security response process must be flexible enough to handle any situation that manifests in the workplace and in whatever manner it may be reported. While Federal agencies already have a variety of emergency response-oriented plans, the workplace violence response plan must also consider the threat may arise internally rather than externally.

#### **4.3.1.6 Facility Response**

A threat of workplace violence, whether external or internal, may result in the need to evacuate the facility, shelter-in-place, or enact a deep shelter status. The facility's OEP should address what action is appropriate for the situation.

- If evacuation of the facility is necessary, then following the emergency evacuation plan procedures will result in a prompt and orderly evacuation of occupants in a quick and safe manner.
- In an instance where the threatening situation is occurring from the exterior or perimeter of the facility, sheltering-in-place may be the safest course of action. This shelter-in-place area should be pre-designated internal location that has been chosen to protect individuals when conditions outside the facility are more dangerous than inside or when outside conditions are unknown.
- Some types of workplace violence events may result in a deep shelter mode being ordered. During a "deep shelter" employees will be told to stay in their current locations, lock doors and other access points, and refrain from moving to other locations within the facility until the threat has been mitigated.

To ensure employees are prepared for potential evacuation, the agency should distribute to each employee a viable occupant emergency plan outlining procedures to follow in the event of fire, bomb threats, civil demonstrations, threats of violence both inside and outside the office, natural disasters, etc.

#### **4.3.1.7 Domestic Violence in the Workplace**

Every instance of domestic violence that spills into the workplace is different; it is likely that separate action plans will be necessary for each individual's situation. Domestic violence can occur in the workplace in the form of harassing or threatening phone calls or emails to the victim, visits to the workplace, increased employee absenteeism, and other personal or electronic harassment/intimidation tactics.

The perpetrator usually has an indirect connection to the workplace through a current or previous relationship with an employee. The offender may be an employee's current or former spouse or significant other, a relative, or a friend.

Victims can change their contact information and residences, but most are reluctant to do so and have some level of difficulty in changing jobs. Perpetrators of domestic violence use this fact to their advantage to gain access to the victims. A victim of domestic violence should inform their employer so their employer can take steps to prevent the violence from extending into the workplace. Some strategies that may be helpful include:

- Providing copies of restraining orders (if any) and a recent photo to security and management to prevent the perpetrator from entering the facility;
- Providing flexible scheduling;

- Offering security escorts to and from parking areas;
- Ensuring the employee is aware of employee assistance programs;
- Offering the employee use of a buddy system;
- Offering the employee transfer to another job; and/or
- Relocating the job and employee to another facility.

### 4.3.2 Warning Signs of Violence

The first question many people ask when starting to develop a workplace violence prevention and response program is: How can we identify potentially violent individuals? It is understandable that people want to know, and that "early warning signs" and "profiles" of potentially violent employees are in much of the literature on the subject of workplace violence. It would save time and solve problems if supervisors could recognize ahead of time what behaviors and personality traits are predictive of future violent actions.

#### 4.3.2.1 Indicators of Potentially Violent Behavior

No one can accurately predict violent behavior in non-mental health, non-institutionalized populations. However, indicators of increased risk of violent behavior are available. These indicators have been identified by the Federal Bureau of Investigation (FBI) National Center for the Analysis of Violent Crime, Profiling and Behavioral Assessment Unit in its analysis of past incidents of workplace violence.<sup>9</sup> These are some of the indicators:

- Direct or veiled threats of harm;
- Intimidating, belligerent, harassing, bullying, or other inappropriate and aggressive behavior;
- Numerous conflicts with supervisors and other employees;
- Bringing a weapon to the workplace, brandishing a weapon in the workplace, making inappropriate references to guns, or fascination with weapons;
- Statements showing fascination with incidents of workplace violence, statements indicating approval of the use of violence to resolve a problem, or statements indicating identification with perpetrators of workplace homicides;
- Statements indicating desperation (over family, financial, and other personal problems) to the point of contemplating suicide;
- Pending or recent layoffs;
- Drug/alcohol abuse; and
- Extreme changes in behavior.

Each of these behaviors is a clear sign that something is wrong. None of these signs should be ignored. By identifying the problem and dealing with it appropriately, supervisors may be able to prevent violence from happening.

One cannot tally the factors, arrive at a "score," and then render from that score a probability violence will occur. Because each violence risk factor is embedded in a unique context, a given factor may contribute to the risk formulation to varying degrees. The subject who exhibits only one of the factors listed may in fact pose an extreme risk of violence if that one factor is

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<sup>9</sup> Please see the main FBI web site at [www.fbi.gov/about-us/cirg/investigations-and-operations-support](http://www.fbi.gov/about-us/cirg/investigations-and-operations-support), and also see [www.fbi.gov/stats-services/publications/workplace-violence](http://www.fbi.gov/stats-services/publications/workplace-violence), accessed March 29, 2013.

something like “brandishing a weapon in the hospital workplace while staring intently at her doctor.”

A thorough threat assessment will also consider any “good news” in relation to the subject. That means mitigating factors against the risk of violence must also be considered. For example, a disruptive employee with a strong desire and commitment to complete his/her Federal career and retire may present less actual risk of further violence than another employee who has no expectation of reaching retirement. A subject with strong family connections and no wish to disappoint others similarly may pose less of a risk. Sometimes strong religious conviction will mitigate violence. These and other possible mitigating factors should be evaluated as part of a complete threat assessment while maintaining the subject’s privacy.

Agency planning groups should ensure the appropriate staff member (or an incident response team) is prepared to assist supervisors and other employees in dealing with an incident of workplace violence. Some behaviors require immediate police or security involvement, others constitute actionable misconduct and require disciplinary action, and others indicate an immediate need for an EAP referral.

On the other hand, it is seldom (if ever) advisable to rely on what are inappropriately referred to as “profiles” or “early warning signs” to predict violent behavior. Profiles often suggest people with certain characteristics, such as loners and men in their forties, are potentially violent. This kind of categorization will not help predict violence, and it can lead to unfair and destructive stereotyping. The same can be said of reliance on early warning signs that include descriptions of problem situations such as someone who is in therapy, had a death in the family, suffers from mental illness, or is facing a reduction in force.

Everyone experiences stress, loss, or illness at some point in life. All but a very few people weather these storms without resorting to violence. Supervisors should, of course, be trained to deal with the kinds of difficulties mentioned here, such as bereavement or mental illness. However, this training should focus on supporting the employee in the workplace, and not in the context of or on the potential for workplace violence.

When an analysis of indicators for increased risk of violence is paired with a review of risk mitigating factors, the threat assessment team should be alert to the situation in which the subject appears to have nothing to lose. For those individuals, the fear of disciplinary action or even dismissal or incarceration is no longer a deterrent.

There are some violence risk instruments, normally used by trained mental health professionals, available to agencies concerned with the possibility of workplace violence. The Historical Clinical Risk Management (HCR)-20<sup>10</sup>, is an evidence-based instrument. Originally designed as a research tool, it can be useful as an applied device for assuring that all of the evidence-based risk factors are considered by the threat assessment team.

The Workplace Assessment of Violence Risk (WAVR)-21 (revised) is a proprietary instrument.<sup>11</sup> It is believed the WAVR-21 is the only workplace violence assessment tool

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<sup>10</sup> Webster, C., and others, *HCR-20: Assessing Risk for Violence, Version 2*. Burnaby, British Columbia, Canada: Mental Health, Law, and Policy Institute, Simon Fraser University, 1997.  
<http://www.minddisorders.com/Flu-Inv/Historical-Clinical-Risk-Management-20.html>

<sup>11</sup> WAVR (Workplace Assessment of Violence Risk)-21: A New Instrument for Assessing Workplace Violence Risk is a 21-item coded instrument for the structured assessment of workplace targeted violence risk.

currently marketed that is based upon current violence risk research and has been subjected to tests of statistical reliability. While the WAVR-21 is based upon the same body of research evidence as the HCR-20, it has the advantage of helping the threat assessment team to document review of not only risk factors but also risk mitigating factors. In addition, the WAVR-21 helps the threat assessment team track risk factors and risk mitigating factors that are dynamic in nature. The authors specify the WAVR-21 should only be used by qualified test users. Furthermore, neither the HCR-20 nor the WAVR-21 should be considered a psychological test.

### 4.3.3 Training

Training for all agency personnel is an important part of any workplace violence prevention and response program. The training may differ based upon the target audience and type of employee groups, but, at a minimum, agencies should provide initial and recurring training on the following topics to all current employees, newly hired employees, supervisors, and managers:

- An overview of the various aspects and types of workplace violence;
- Symptoms and behaviors often associated with those who commit the violent behavior;
- Security hazards found in the organization's workplace;
- The organization's workplace violence prevention policies and procedures;
- Reporting requirements and processes;
- Specialized training on creating a positive work environment and developing effective teams;
- Training to improve awareness of cultural differences (diversity);
- Tips for protecting oneself and fellow coworkers;
- Response plan, communication, and alarm procedures; and
- Supervisory training in conducting a peaceful separation from service.

One example of a training program is the VHA's Prevention and Management of Disruptive Behavior (PMDB) employee education program.<sup>12</sup> PMDB utilizes a tiered approach to training that maps onto the results of a comprehensive workplace violence risk assessment and is generally well-received by the VHA's individual facilities. Such an approach allows the VHA's individual medical centers to tailor their training programs to address the unique needs of their own diverse workforce.

PMDB is organized into four levels of training:

- Level I: Violence Prevention Awareness Training (1.5 hours on-line, Web-based training). Appropriate as a curriculum element in new employee orientation training.
- Level II: Observational and Verbal De-Escalation Skills (4 hours face-to-face training). Appropriate for employees assessed to be at low risk for workplace violence and/or for employees whose job duties require excellence in customer service interactions.
- Level III: Personal Safety Skills (4 hours of face-to-face training). Appropriate for employees who would benefit from having knowledge of basic self-protection and physical attack evasion and escape techniques. The combination of Level II and Level III

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<http://www.wavr21.com/brief.html>

<sup>12</sup> For more information, please see the VA web site at [www.publichealth.va.gov/employeehealth/threat\\_management/index.asp](http://www.publichealth.va.gov/employeehealth/threat_management/index.asp) and [www.prevention.va.gov/VHA\\_Prevention\\_Policies\\_and\\_Guidelines.asp](http://www.prevention.va.gov/VHA_Prevention_Policies_and_Guidelines.asp), accessed March 29, 2013.

training is appropriate for employees assessed to be at moderate risk for workplace violence.

- Level IV: Therapeutic Containment Skills (4 hours of face-to-face training). Appropriate for employees who may need to contain physically disruptive individuals in order to protect themselves and others from serious injury. The combination of Levels II, III, and IV training is appropriate for employees assessed to be at high risk for workplace violence.

Levels I, II, and III of the PMDB program may be adapted for use in any Federal agency. Level IV might be appropriate for employees of any Federal agency who at times may have to safely, physically constrain patients, inmates, or customers without intentionally utilizing the infliction of pain to effect containment.

Management's commitment at all levels is an important concept to communicate during the training. The presence of senior management at training sessions will increase the visibility and credibility of the organization's top-level commitment to preventing workplace violence. Training should also be provided to affected employees whenever management is made aware of a new or previously unrecognized hazard and to employees given new job assignments for which specific workplace security training for that job assignment has not previously been provided.

Training sessions conducted by the agency's EAP, security, and employee relations staffs are particularly helpful, enabling employees to get to know experts within the agency who can help them when potentially violent situations arise. Employees and supervisors seek assistance at a much earlier stage when they personally know the agency officials who can help.

Providing appropriate training informs employees management will take threats seriously, encourages employees to report incidents, and demonstrates management's commitment to deal with reported incidents. The following are types of training that proved effective in preventing violence and other threatening behavior.

#### **4.3.3.1 Employee Training**

All employees should know how to report incidents of violent, intimidating, threatening, and other disruptive behavior. All employees should also be provided with phone numbers for quick reference during a crisis or an emergency.

In addition, workplace violence prevention training for employees should follow a specific curriculum and lesson plan and may include topics such as:

- Explanation of the agency's workplace violence policy or program;
- Encouragement to report incidents;
- Ways of preventing or diffusing volatile situations or aggressive behavior;
- How to deal with hostile persons;
- How to identify and respond to behavior brought about by medical conditions, such as the onset of diabetic coma or the abuse of drugs;
- Managing anger;
- Techniques and skills to resolve conflicts;
- Stress management, relaxation techniques, wellness training;
- Security procedures, e.g. the location and operation of safety devices such as alarm systems;

- Personal security measures; and
- Programs operating within the agency that can assist employees in resolving conflicts, e.g. the Employee Assistance Program, the ombudsman, and mediation.

OSHA recommends employees in health care and social services organizations should receive formal instruction on the specific safety and security hazards associated with their particular job or facility. Detailed information is available in OSHA's *Guidelines for Preventing Workplace Violence for Health Care and Social Service Workers*. (See Appendix A for website and ordering information.)

NIOSH also discusses the importance of training tailored to the specific risks in the employee's workplace. NIOSH's publication *Violence in the Workplace: Risk Factors and Prevention Strategies* discusses clearly identifiable workplace risk factors, such as dealing with the public, and emphasizes that training will be more useful and credible when it addresses risk factors specific to job tasks or locations. (See Appendix A for website and ordering information.)

The Department of Homeland Security (DHS) initiated a training program called the Physical Security Outreach Program that addresses crime prevention as well as workplace violence awareness training. In addition, the Federal Emergency Management Agency hosts on its Web site an online course titled *IS-106.13 Workplace Violence Awareness Training 2013*.<sup>13</sup>

The training program, including a plan for emergency evacuation, should be designed and practiced. The evacuation plan should include not only procedures for getting workers out of a building, office, or plant, but some method for those evacuated to assemble or check in to determine who is safe and who may still be missing. Evacuation plans should include provisions for employees with disabilities: for example, ensuring hearing-impaired employees receive warnings and a system for safely evacuating anyone who uses a wheelchair.

The amount and frequency of retraining and response drills -- reinforcing skills competency -- is a determination also driven by the needs of the employees based upon the results of the workplace violence risk assessment. At a minimum, it is suggested skill competency assessments be done at least once every two years and face-to-face retraining every four years. Individual work groups often request training at more frequent intervals (e.g. annually) and such requests should be enthusiastically honored.

#### **4.3.3.2 Supervisor Training**

In addition to the training suggested above, special attention should be paid to general supervisor training. The same approaches that create a healthy, productive workplace can also help prevent potentially violent situations. It is important that supervisor training include basic leadership skills such as setting clear standards, addressing employee problems promptly, conscientiously using the probationary period, performance counseling, discipline, and other management tools. These interventions can keep difficult situations from turning into major problems. Supervisors do not need to be experts on violent behavior, but they do need to be willing and knowledgeable about how to seek advice from experts.

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<sup>13</sup> Please see the FEMA web site at [www.training.fema.gov/EMIWeb/IS/courseOverview.aspx?code=IS-106.13](http://www.training.fema.gov/EMIWeb/IS/courseOverview.aspx?code=IS-106.13), accessed March 29, 2013

Some agencies include training on workplace violence as part of general supervisor training, some conduct separate training sessions on workplace violence, and some include it in crisis management training. Regardless of the approach taken, supervisor training should cover:

- Ways to encourage employees to report incidents that made them feel threatened for any reason by anyone inside or outside the organization;
- Skills in behaving compassionately and supportively towards employees who report incidents;
- Skills in taking disciplinary actions;
- Basic skills in handling crisis situations;
- Basic emergency procedures; and
- How to ensure appropriate screening of pre-employment references is completed.

Training sessions conducted by the agency's EAP, security, and employee relations staffs are particularly helpful, enabling employees to get to know experts within the agency who can help when potentially violent situations arise.

#### **4.3.3.3 Incident Response Team Training**

The members of the incident response team need to be competent in their own professions, and they need to know when to call for outside resources. Participating in programs and training sessions sponsored by government and professional organizations, reading professional journals and other literature, and networking with others in the profession are all helpful in gaining knowledge about dealing with workplace violence situations.

Team members also need to understand enough about each other's roles to allow them to work together effectively. Response team training should allow discussion of policies, legal constraints, technical vocabulary, and other considerations that each profession brings to the interdisciplinary group. Chapter 5 of this guide will introduce team members to key issues in professions other than their own.

Much of the incident response team training can be accomplished by practicing responses to different scenarios of workplace violence. The case studies in Appendix A of this guide are intended for this purpose. Practice exercises help departmental and agency personnel understand each other's responses to various situations to eliminate confusion or misunderstanding during an actual incident. In addition, practice exercises prepare the staff to conduct the supervisory training suggested above. Use practice exercises to see how the incident response team would deal with different situations.

Distinguishing the appropriate response training to the sources of threats represents a critical planning function as composition and applicable rules may differ dramatically. For example, patients who threaten or attack providers still have a provider-patient relationship: laws, regulations, and other patient care practice topics will influence both composition and response framework. Corrections and educational institutions have their own set of processes. Threats by co-workers involve administrative operations, underlie OPM regulations and Federal administration laws, and in most settings are driven by administrative oversight.

The team members also need to consult regularly with other personnel within the organization who may be involved in dealing with potentially violent situations. Those who are consulted on an ad hoc basis should receive some level of training as well.

### **4.3.4 Pre-Employment Screening**

Pre-employment screening is an important part of workplace violence prevention. Prior to hiring an employee, the agency should check with its personnel and legal departments, if necessary, to determine what pre-employment screening techniques (such as interview questions, background and reference checks, and drug testing) are appropriate for the position under consideration and are consistent with Federal laws and regulations. EO 10450 and Homeland Security Presidential Directive 12 (HSPD-12) require a background investigation for Federal employees, contractors, and affiliates.

#### **4.3.4.1 The Hiring Process**

Because individuals who exhibit violent or bullying behavior usually have a history of such actions, a thorough hiring process can serve as one important step in helping prevent violence in the workplace. Agencies should make use of three vital tools during the hiring process: a face-to-face interview with the applicant, an assertive check of work references, and use of a probationary period for new employees.

A face-to-face interview can provide some sense of how the applicant interacts with people, responds to problems and unfamiliar environments, and handles other workplace challenges. However, since an interview is only a snapshot of behavior, some applicants may be able to deceive even a seasoned hiring manager and conceal possible future performance issues behind a well-rehearsed, seemingly professional appearance.

If the applicant is suitable based on the interview, the hiring authority should perform a thorough, comprehensive check of past references and other background information. Previous employers, supervisors, colleagues, and subordinates can often provide valuable insight into the applicant's personality and behavior; past performance is often an accurate predictor of future success. As a precaution, employers must be alert because the reference list is usually provided by the applicant, who is not likely to list persons who will provide unfavorable reports. In addition, most bullying behavior is covert and typically is not reported officially, so the previous employer/supervisor may not be aware of such behavior. An additional item worth noting is that many previous employers will only provide an acknowledgement of employment. Therefore, a complete check of the applicant's work history, including their military service, and a check of any possible criminal record, should also impact the hiring decision.

If after the interview and reference check the decision is made to move forward and hire the individual, proper use of a probationary period is in the best interest of both the new employee and Federal employer. This allows time for the employee, supervisor, and other staff members to determine whether the employee can perform the job. The U.S. Merit Systems Protection Board's (MSPB's) August 2005 report, *The Probationary Period: A Critical Assessment Opportunity*, provides additional information.

#### **4.3.4.2 Challenges to the Hiring Process**

The processes of interviewing the applicant, checking references, and assessing adequacies during the probationary period are standard management procedures. However, on occasion, one or more of the steps is omitted or not thoroughly completed, thereby likely increasing the possibility of allowing a violent applicant into the workplace. Various factors can tempt managers to circumvent or omit one or more steps in the hiring process.

Among these factors:

- Vacant positions can create hardship for the organization, causing missed deadlines, increasing the workload on the remaining employees, and increasing the difficulty of accommodating leave requests.
- Managers may rely on their “intuitive ability” to spot the “real person” under the polite facade and choose to base the hiring decision on an interview alone.
- The legalities surrounding background checks and interviews may intimidate some managers and lead them to avoid both processes. Federal Government Executive Order 10450 and Homeland Security Presidential Directive 12 require a background investigation for employees, contractors, and affiliates.
- Those checking references may not be experienced at assertively probing in the questioning of former employers, superiors, colleagues, and subordinates.

#### **4.3.4.3 Resources and Support**

Senior management should be made aware of the challenges their hiring personnel face during the hiring process. Managers also need to use the resources available to them in departments such as human resources, Equal Employment Opportunity, and general counsel. Professionals from these departments can advise managers on how to conduct a thorough and legal evaluation of the applicant. The guidance from these subject matter experts can reduce managers’ liability and help navigate the hiring process thoroughly and efficiently.

#### **4.3.5 Security Measures**

Maintaining a physically safe workplace is part of any good prevention program. Agency facilities use a variety of security measures to help ensure safety. These include:

- Employee photo identification badges (should be constantly worn in plain sight);
- On-site guard services and/ or individually coded card keys for access to buildings and areas within buildings according to individual needs; and
- Guard enforced assistance in registering, badge issuing, and directing visitors in larger facilities.

Appendix A contains additional suggestions for preventive security measures and resources for obtaining additional information.

#### **4.3.6 Using Alternative Dispute Resolution as a Preventive Strategy**

Some agencies use ombudsman programs, facilitation, mediation, and other methods of alternative dispute resolution (ADR) as preventive strategies in their workplace violence programs. ADR approaches often involve a neutral third party who can assist disputing parties in resolving disagreements. ADR is most helpful in workplace violence programs at the point when a problem first surfaces: i.e., before an employee’s conduct rises to a level that warrants disciplinary action. The following is a short description of some ADR techniques agencies found useful in dealing with potential workplace violence problems at the very earliest stages.

##### **4.3.6.1 Ombudsmen**

Ombudsmen are individuals who rely on a number of techniques to resolve workplace disputes. These techniques include counseling, mediating, conciliating, and fact-finding. Usually, when an

ombudsman receives a complaint, he or she interviews the parties, reviews available information and policies, and offers options to the disputants. Ombudsmen do not typically impose solutions. The effectiveness of the ombudsman lies in his or her problem-solving ability. Generally, an individual not accepting an option offered by the ombudsman is free to pursue a remedy using another forum for dispute resolution.

#### **4.3.6.2 Facilitation**

Facilitation techniques improve the flow of information in a meeting between parties to a dispute. The term “facilitator” is often used interchangeably with the term “mediator,” but a facilitator does not typically become as involved in the substantive issues as does a mediator. The facilitator focuses more on the process involved in resolving a matter. Facilitation is most appropriate when the intensity of the parties’ emotions about the issues in dispute are low to moderate, the parties or issues are not extremely polarized, or the parties have enough trust in each other that they can work together to develop a mutually acceptable solution.

#### **4.3.6.3 Mediation**

Mediation uses an impartial and neutral third party who has no decision-making authority. The objective of this intervention is to assist the parties in voluntarily reaching an acceptable resolution of issues in dispute. Mediation is useful in highly polarized disputes where the parties are either unable to initiate a productive dialogue, or, in cases where the parties have been talking and have reached a seemingly insurmountable impasse.

A mediator, like a facilitator, makes primarily procedural suggestions regarding how parties can reach agreement. A mediator may occasionally suggest some substantive options as a means of encouraging the parties to expand the range of possible resolutions under consideration. A mediator often works with the parties individually to explore acceptable resolution options or to develop proposals that might move the parties closer to resolution.

#### **4.3.6.4 Interest-Based Problem Solving**

Interest-based problem solving is a technique that creates effective solutions while improving the relationship between the parties. The process separates the person from the problem, explores all interests to define issues clearly, brainstorms possibilities and opportunities, and uses a mutually agreed upon standard to reach a solution. It is often used in collective bargaining between labor and management in place of traditional, position-based bargaining. However, as a technique, it can be effectively applied in many contexts where two or more parties are seeking to reach agreement.

#### **4.3.6.5 Peer Review**

Peer Review is a problem solving process whereby an employee takes a dispute to a panel of fellow employees and managers for a decision. The decision may or may not be binding on the employee and/or the employer, depending on the conditions of the particular process. If it is not binding on the employee, he or she would be able to seek relief in traditional forums for dispute resolution if dissatisfied with the decision under peer review. The principal objective of the method is to resolve disputes early before they become formal complaints or grievances.

For a resource about alternative dispute resolution techniques, please see Appendix A.

#### **4.3.6.6 Termination of Employment**

Termination may be appropriate, but doing so in the heat of the moment without any time for evaluation or preparation may be precisely the wrong thing to do. Any removal or employment termination process must follow all established agency procedures. The manager should strive to maintain an atmosphere of dignity and respect and should use all available resources including professional assistance in assessing the potential physical and psychological consequences.

If the removal is due to downsizing, restructuring, or some other business issue, managers should not increase the employee's distress by treating him or her as potentially dangerous. Instead, the manager should treat the employee with respect, be supportive of the employee's job search, and ensure the employee is aware of the available resources such as placement services, job search training, and career counseling. In the rare instance when someone could become violent, properly trained coworkers are likely to notice behavioral changes signaling the need for more focused attention.

If the removal is "for cause," particularly if it is due to bullying or violent behavior, other forms of misconduct, or illegal actions, there may be potential for violence. Training supervisors to recognize the warning signs and make use of available resources can help them defuse the potential for workplace violence. Also, while most EAPs provide services to current employees, allowing recently terminated employees to access the program may be beneficial.

### **4.4 Conclusion to Planning, Prevention, and Response**

This document provides information related to the establishment of practical workplace violence prevention and response and facility preparedness programs within the Federal government framework. Recognizing that each government facility is unique in its physical environment, the goal of this document is to assist Federal agencies in developing and implementing agency specific workplace violence prevention programs. Agency leaders will be able to use this document and the reference documents (listed under Resources) to create sustainable programs. One sample of a checklist for creating a workplace violence prevention and response program is provided as follows:

<b>WORKPLACE VIOLENCE PREVENTION and RESPONSE PROGRAM CHECKLIST</b> <i>[SAMPLE]</i>	<b>Completion Date</b> <i>(mm/dd/yy)</i>	<b>Annual Audit Date</b> <i>(mm/dd/yy)</i>
Written workplace violence prevention policy statement		
Physical preparedness plan		
Workplace violence risk/threat assessment		
Awareness program that includes domestic violence at work		
Hiring process that includes background checks		
EAP		
Work/life program		
Alternative dispute resolution program		
Workplace violence prevention training		
Procedures for reporting workplace violence		
Communication procedures that include field workers		
Evacuation, shelter-in-place, and deep shelter procedures and drills		
Security plans for responding to violence		
Employee support services for those involved in violent incidents		
Incident investigation procedures		
Review plan for continuous improvement		

## 5.0 Investigations, Assessments, and Other

The information in this chapter provides guidance for the agency planning group that may be comprised of members of an agency's human resources, EAP, legal, and security offices as well as representatives of the agency's Facility Security Committee (FSC), union(s) (if present) and senior management among others. The information is neither technical information for professional investigators nor a summary of fact-finding or investigating procedures. Rather, it is intended to provide the agency planning group with a general overview of fact-finding/investigating considerations. It is also important to note this chapter discusses investigations that are administrative inquiries distinct from criminal investigations.

### 5.1 Section 1: Investigations

*"I can't work here anymore. I'm afraid he may actually kill one of us."*

The supervisor hears the details of the incident causing the employee to feel threatened. Now the supervisor has to do something. The incident cannot be ignored. It must be reported. Once reported, the members of the incident response team (along with the supervisor) must look into it.

#### 5.1.1 Incident Investigation

As the agency begins its incident investigation, it is important to ensure actions taken by the agency during the investigation do not impede potential criminal prosecutions.

Oftentimes, an incident investigation will be conducted by either trained internal staff and/or outside law enforcement at the same time as any post-trauma intervention. The investigation can be particularly disturbing for employees who were personally involved in, witnessed, or knew coworkers involved in the workplace violence event. It is important the investigation be conducted in a professional and sensitive manner.

Investigators should:

- Visit the scene of the incident as soon as possible;
- Treat respectfully any evidence that needs to be preserved until the scene is cleared;
- Interview injured and threatened employees and witnesses;
- Remind witnesses who are being interviewed that the investigation's goal is to prevent future incidents;
- Inform witnesses of their rights;
- Inform witnesses they can refuse to answer questions and can stop the interview at any time;
- Examine the workplace for security risk factors associated with the incident, including any reports of inappropriate behavior by the perpetrator;
- Determine the cause of the incident;
- Take mitigating action to prevent the incident from recurring; and
- Record the findings and mitigating actions taken.

The information gathered during an incident investigation is invaluable in the effort to continuously improve workplace violence prevention and response and facility preparedness programs.

#### 5.1.2 Understanding the Situation

As in all other serious administrative matters that come to the agency's attention, there is probably a want to learn more about what is going on in this situation. The needed information includes:

- **What** happened;
- **Who** was involved;
- **Where** did it happen;
- **When** did it happen;
- **Why** did it happen; and
- **How** did it happen?

### 5.1.3 What to do next

Sometimes taking a few minutes for a cursory overview will give enough information to know what to do next. Of course, if there is imminent danger, law enforcement must be notified immediately. If there is no imminent danger, deciding what to do next will depend on agency procedures and the strategy/relationship developed ahead of time within the agency’s Office of the General Counsel, Office of Inspector General, and the law enforcement organization that has jurisdiction over the worksite. (For information on law enforcement, see Chapter 5, Section 5, sub-section 5.6.2.) In most Federal agencies, these offices are notified immediately when certain types of reports are made, and they advise team members (or agency officials) on how to proceed with the investigation of the case.

## 5.2 Section 2: Types of Investigations

Often, one of the first decisions to be made is whether to conduct an administrative or a criminal investigation. The answer will depend on whether the facts as presented indicate possible criminal behavior. Since arriving at a decision generally involves discussion with law enforcement personnel, the Office of the General Counsel (OGC), the Office of Inspector General (OIG), and employee relations specialists, it is imperative to coordinate efforts fully with these offices ahead of time. Also, as discussed below, an important point of these discussions is to ensure actions taken by an agency during an administrative investigation do not impede potential criminal prosecutions.

### 5.2.1 Administrative Investigations

#### 5.2.1.1 Use a qualified investigator

If a decision is made to conduct an administrative investigation, it is important to use a qualified and experienced professional workplace violence investigator. The agency planning group should locate one or more such investigators before the need for an investigator arises. The agency probably has qualified

Additional considerations for the agency planning group, such as having well-defined agency policies on handling investigations, are discussed at the end of this section.

administrative investigators, for example, in the OIG. Other places to look in the agency might be employee relations and security. In some agencies, these offices have their own investigators; in others, they contract with private investigators or utilize the services of investigators from other Federal agencies. In any case, they should be able to help locate trained, qualified administrative investigators ahead of time.

It is important to use an investigator who conducts the investigation in a fair and objective manner. The investigation should be conducive to developing truthful responses to issues that may surface. It must be conducted with full appreciation for the legal considerations that protect individual privacy. It is imperative to maintain an atmosphere of candor and propriety.

### 5.2.1.2 Ensure criminal prosecutions are not compromised

Criminal prosecutions must not be compromised by actions taken during administrative investigations. It is necessary to ensure the administrative investigator, management, and all members of an incident response team understand actions taken during an administrative investigation may compromise potential criminal prosecutions. If the agency obtains statements from the subject of the investigation in the wrong way, the statements can impede or even destroy the ability to criminally prosecute the case. On the other hand, if handled correctly, statements made in administrative investigations could prove vital in subsequent criminal proceedings.

Therefore, in a case where a decision is made to conduct an administrative investigation and there is potential criminal liability, it is good practice to give the subject of the investigation what are usually called “non-custodial warnings and assurances.” That is to say the person is given the option of participating in the interview after being warned that any statements he or she makes may be used against him or her in criminal proceedings. The option not to participate in the interview is exercised by the person’s invocation of his or her Fifth Amendment right against self-incrimination. It should be noted that, since the person is not legally in custody, he or she is not entitled to an attorney.

If the investigator decides to compel the subject of an investigation to participate in an interview instead of being given an option to participate, then the investigator should give *Kalkines*<sup>14</sup> warning. This means the person is told: (1) he or she is subject to discharge for not answering; and (2) statements he or she makes (and the information gained as a result of these statements) cannot be used against him or her in criminal proceedings. Even if an investigator does not actually give *Kalkines* warning, if the investigator compels the subject to give a statement, the information in the statement (and the information gained as a result of the statement) cannot be used in criminal proceedings. Therefore, it may be advisable to only use this approach if there is a great degree of certainty the person being questioned will not be subject to criminal proceedings.

Since this may make criminal prosecution impossible, an investigator should never give *Kalkines* warning or compel statements from the subject of an investigation without the permission of the appropriate U. S. Attorney’s or prosecutor’s office. Such permission is usually obtained by the agency’s OGC or OIG. Since this is an extremely complicated consideration, be sure to work closely with your OGC, OIG, and law enforcement organization. In potentially violent situations, it is often difficult to determine whether the misconduct is a criminal offense. If there is the slightest doubt, it is advisable to look into the situation.

### 5.2.1.3 Preparation and Procedures in Administrative Investigations

A thorough and professional investigative product is the result of significant preparation and quality procedures. Personally obtaining information from individuals will constitute a significant part of any investigation. An awareness of the skills and techniques necessary for effective interviewing is required. In preparing for and conducting investigations, experienced professional administrative investigators found the following approaches to be effective.

### 5.2.1.4 Reviewing available information

The investigator, after thoroughly reviewing the information that gave rise to the investigation, is probably ready to begin the investigation process. Discrepancies or deficiencies in the information should be noted so they can be addressed during the interviews.

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<sup>14</sup> Derived from *Kalkines v United States*, 473 F. 2d 1391 (Ct. Cl. 1973).

### **5.2.1.5 Selecting an interview site**

Since the investigator is conducting an official investigation, he or she should conduct as many interviews as possible in an official environment, i.e., in government work space (instead of restaurants, cars, or private homes). Privacy is the most important consideration in selection of an interview site. The investigator should guarantee the room will be available for the entire interview, so there is no disruption of the interview once it begins. The interview room should be comfortably furnished with as few distractions as possible.

### **5.2.1.6 Scheduling the interview**

Depending on the circumstances of the situation, the investigator may or may not want to contact the individual in advance. In either event, the investigator should advise the individual of the general nature and purpose of the interview. If the individual declines the interview, the investigator should attempt to dissuade the individual and, if unsuccessful, ascertain and record the reasons for the declination. If the individual fails to appear more than once for the interview, the investigator should follow whatever policy has been decided upon by the agency ahead of time.

### **5.2.1.7 Allowing the presence of additional persons**

There may be instances when the investigator or the individual being interviewed wishes to have an additional person present (for cases involving bargaining unit employees, see the discussion in the next section). Investigators sometimes prefer to have an agency representative present when interviewing the subject of the investigation. In any event, the investigator should follow whatever policy has been decided upon by the agency ahead of time.

### **5.2.1.8 Adhering to the law regarding bargaining unit employees**

The provisions of law set forth in 5 USC §7114(a) (2) (B), commonly known as “Weingarten<sup>15</sup>” rights, covers any examination of a bargaining unit employee by a representative of the agency in connection with an investigation.

If a bargaining unit employee reasonably believes an investigation may result in disciplinary action and requests union representation, the agency has three options:

- Immediately terminate the interview;
- Continue the interview with the employee’s representative present; or
- Give the employee the option of proceeding with the interview without a representative or terminating the interview.

Since interpretation of this law is very complex, consult with your labor relations specialists or OGC when faced with such situations. Note: the law is currently unsettled as to whether Inspector General investigations are subject to 5 USC §7114(a) (2) (B).

### **5.2.1.9 Taking notes**

Since watching an investigator take notes can be intimidating to some people, it is important to establish rapport before beginning to take notes. The investigator should concentrate on observing the individual during the interview. Note taking should not unduly interfere with observation. Note taking materials should be positioned inconspicuously and not become a focus of attention. The investigator should learn and exercise the skill of taking adequate notes while still observing the individual and without

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<sup>15</sup> See *National Labor Relations Board v. Weingarten, Inc.*, 420 US 251 (1075)

distracting the person being interviewed. In some cases, it may even be useful to have a second investigator or other official present for the purposes of taking notes, corroboration of the statements given, and to ensure a third party is present to validate/invalidate claims if the subject accuses the interviewer of misconduct or prejudice during the interview.

Should note taking have a materially adverse effect on the interview process, the investigator may explain the purpose of note taking. The notes are intended for the investigator's use in preparing a report and are not a verbatim transcript of the interview. The investigator can modify or cease note taking so long as the information can be recorded in adequate detail after the interview.

#### **5.2.1.10 Maintaining control of the interview**

Questions developed ahead of time can be memorized, but they should never be read verbatim from a list or recited in a perfunctory manner. The investigator should know in advance the topics of concern to be covered. He/She should maintain a singleness of purpose during the interview and resist any efforts to shorten the interview or drift from topics of concern.

#### **5.2.1.11 Developing rapport**

The investigator should have a comfortable style that projects professionalism and competence. His/Her style should generate rapport with the person being interviewed. An open approach that conveys a willingness to communicate generally fosters rapport. Rapport is evident when the individual appears comfortable with the investigator and is willing to confide personally sensitive information. Continuing rapport can oftentimes be maintained if the investigator does not become judgmental when disagreeable conduct or information is disclosed. The investigator who can project empathy when appropriate to do so often gains special insight but, at the same time, no investigator should get personally involved with the case.

#### **5.2.1.12 Handling hostility**

If the investigator feels threatened by the individual being interviewed, the investigator should stop the interview and report the situation to the appropriate authorities.

Investigators may encounter argumentative individuals. When this type of hostility is encountered, the investigator can seek to defuse it by explaining the purpose of the interview and that the interview is a required part of the investigation. Reminding the interviewee that the investigator has full authority to conduct the interview and that the interviewee is required to cooperate may lessen the reluctance. (See, however, the discussion in section 5.2.1 regarding warnings that must be given when requiring the subject of an investigation to cooperate.)

Recognizing and acknowledging the person's hostility and the reason for it will sometimes let both parties reach the mutual understanding that the interview will proceed (whether or not the topics under discussion are related to the hostility).

If, after repeated attempts in various ways, an individual refuses to answer a specific question, the investigator should attempt to learn the reason. The investigator should record the refusal to answer any question and the reason. If the individual wants to terminate the interview, the investigator should attempt to learn the reason and to dissuade the individual by addressing the concerns. If the individual persists, the investigator should conclude the interview.

### **5.2.2 Interview Techniques**

This section contains questioning, listening, and observation techniques and suggestions.

### 5.2.2.1 Questioning Techniques

Questioning usually proceeds from general areas to specific issues. For example, comments on the dates and location of the incident are usually obtained before comments on the circumstances surrounding the event.

The investigator should usually frame questions that require a narrative answer. Soliciting “Yes” or “No” responses restricts the individual from providing information. Such responses are helpful when summarizing or verifying information, but they should be avoided when seeking to elicit new information.

The investigator should use questioning techniques that result in the most productive responses from the person being investigated. This requires the investigator to exercise judgment based on observation of attitude, demeanor, and actions during the interview. These may change at times during the interview. The investigator should be continuously alert to such changes and should modify questioning techniques accordingly.

### 5.2.2.2 Non-confrontational approach

The non-confrontational approach is best. Here are some examples of the non-confrontational approach.

- If a person refuses to answer follow-up questions about an issue, the investigator notes the refusal to answer and moves on to the next area of questioning. However, the investigator then comes back to the issue later.
- If the person raises his or her voice in the interview, the investigator maintains a calm, level voice, or lowers his or her voice.

### 5.2.2.3 Direct and Non-direct Questions

A direct question calls for a factual or precise answer. Direct questions are ordinarily used when covering background data.

Here are some examples of direct questions:

- Who told you that he made a threat?
- When did you notice that he had a gun?
- What were the circumstances surrounding the argument?

Non-direct questions are usually more appropriate in discussing opinions and feelings because they allow more latitude in responding.

Here are some examples of non-direct questions:

- What led you to say that?
- What made that unusual?
- Has this happened before to anyone?
- What was your reaction when he yelled at you?

### 5.2.2.4 Assumptive Questions

Assumptive questions assume involvement in the activity under discussion. The investigator can use assumptive questions when involvement has already been admitted, either at some other time or earlier in the interview. Assumptive questions allow the investigator to assist the individual in describing the degree of involvement, particularly when it is difficult to respond in narrative. The investigator puts the

individual at ease when using assumptive questions by demonstrating that the investigator is not shocked by the conduct being discussed.

Here are some examples of assumptive questions:

- Have you made similar statements to others?
- Is it fairly standard for you to carry a knife to work?

### **5.2.2.5 Summarizing Questions**

Summarizing questions are used to verify what has been said in summary form. The investigator uses summarizing questions to give the individual an opportunity to hear what the investigator understood. In concluding each segment of the interview, the investigator should pause after asking a summarizing question to allow the individual to respond and verify, correct, disagree with, or amplify a previous response.

Here are some examples of summarizing questions:

- In other words, it was not what he said, but the tone of his voice, that scared you?
- You are telling me that you were only joking when you said you would blow up the place?
- Have I got this straight? You did not think he would actually carry out his threat?

### **5.2.2.6 Listening Techniques**

Investigators should not be intent on listening for the end of an answer only so that they can get to the next question. If they do this, the meaning and sense of the answers will be ignored and lost. Careful attention to each response is what provides the basis for the next appropriate question, not a checklist of questions.

The person being interviewed may be signaling a problem with the area under discussion by not immediately responding to a question. The investigator should be patient and let the person respond. The urge to complete a statement for the person with an assumption of what the person was going to say should be suppressed.

Listen to the whole response for its substance, inferences, suggestions, or implications that there is more to be said or some qualification to the answer. Answers that are really non-answers, such as “that’s about right,” or “you know how it is,” are not helpful because they are not definitive. Do not accept this type of response. Press for more specificity. Some people may attempt to avoid responding by blaming a faulty memory. Follow-up questions that can stimulate responses are: “Do you mean you are just not sure?”, and, “But you remember something about it, don’t you?”

Investigators should both listen and think intensely throughout the interview, measuring what is being said with what is already known. Compare new information to other statements made in the interview and any other information in the investigator’s possession.

### **5.2.2.7 Observation Techniques**

Questioning and listening are not the only communicative aspects of the interview. Actions may strengthen the credibility of the spoken word or contradict it. Body movement, gestures, and other observable manifestations may provide clues to truth and deception. The investigator should be alert to behavior changes throughout the interview and assess the significance of those changes. While no single behavior indicates truth or deception, clusters of behavior patterns may be valuable clues to the truth of

what is being said. These patterns should prompt the investigator to pursue a certain or broader line of questioning.

### 5.2.3 Other Considerations for the Agency Planning Group

Here are other fact finding/investigating issues the agency planning group should address:

- Agency policy should be formulated ahead of time regarding such matters as no-shows for the interviews, whether to allow tape recording of the interviews, and whether to allow the presence of additional persons during the interviews. Policy should be based on sound legal analysis.
- Keep in mind the routine, administrative details cannot be ignored. Prior to beginning the actual investigation, the investigator should be given all administrative details, e.g., who gets the report and whom to contact regarding other administrative matters such as the investigator's pay, parking, and overtime.
- Consider giving the investigator the list of factors the MSPB will consider in making credibility determinations if the investigation leads to a case before the Board<sup>16</sup>. They are:
  - The witness' opportunity and capacity to observe the event or act in question;
  - The witness' character;
  - Any prior inconsistent statement by the witness;
  - A witness' bias or lack of bias;
  - The contradiction of the witness' version of events by other evidence or its consistency with other evidence;
  - The inherent improbability of the witness' version of events; and
  - The witness' demeanor.

Every step of the investigation should be objective, impartial, and unbiased.

The investigative report will contain:

- Statements of witnesses; and
- Documentary evidence.

Appendix A, Case Study 10 provides practical examples of some of the issues discussed in this section.

The investigative report generally does not include an analysis of the report.

- Both the investigator and the person who prepares the analysis of the report should be objective, impartial, and unbiased.
- Consider developing a letter signed by the agency head or high-level designated official authorizing the investigation and requiring employees to cooperate. (See, however, the information above regarding warnings to the subjects of administrative investigations when it is necessary to require cooperation.)
- Ensure all appropriate agency personnel are aware of the requirements discussed above regarding warnings when compelling statements from the subject of an administrative investigation.

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<sup>16</sup> See *Hillen v. Army*, 35 MSPR 453 (1987).

## **5.3 Section 3: Threat Assessment Assistance**

### **5.3.1 Threat assessment**

As the case studies in Appendix A illustrate, many cases involving threatening behavior can be handled expeditiously and effectively by a supervisor with the assistance of one or more members of the agency's incident response team. The security or law enforcement representative on the agency's team will ordinarily assess risks, often in consultation with the EAP and employee relations staff, and make recommendations for appropriate strategies and security measures to protect employees. However, it may be helpful for the agency's planning group to identify experts in threat assessment ahead of time in case a situation requires more expertise than team members can provide.

#### **5.3.1.1 Gathering information**

It is also a good idea to work out ahead of time who will gather the various types of information on an individual who makes a threat. Multiple sources of information need to be consulted to better understand the individual's behavior.

In some cases, the agency's incident response team can collect current and reliable information (including an investigative report) and then consult with a threat assessment professional to develop options for managing the situation. In other cases, the agency's incident response team uses a threat assessment professional to conduct the initial investigation, assess the risks, and make recommendations for managing the situation.

Threat assessment investigations differ from criminal or administrative investigations in that the purpose of the threat assessment investigation is to provide guidance on managing the situation in a way that protects the employees.

#### **5.3.1.2 Threat Assessment Resources**

Threat assessment is an evolving technical field. It is important to find a qualified professional to assist you if the need arises. Several Federal agencies have experienced threat assessment professionals within their organizations; some have threat management units within their criminal investigative services. If the agency does not have access to such professionals, law enforcement agencies (such as FPS, FBI, and state and local police) may be able to assist in identifying experts in threat assessment.

If the agency uses a threat assessment professional who is outside the organization, ensure the individual is aware of all relevant Federal laws and regulations. For example, as explained in Chapter 5, Sub-Section 5.4.4, Federal regulations in 5 CFR § 339 prohibit ordering a psychological examination under most circumstances and the threat assessment professional thus must understand the limits of the inquiry. Another example is the Privacy Act provisions of 5 USC §552a that include obligations for guarding personal data.

The Association of Threat Assessment Professionals (ATAP) is an international multidisciplinary association that includes members from Federal, state, and local law enforcement agencies; behavioral scientists working in the violence assessment and management arena; and corporate security personnel. The purpose of ATAP, a non-profit organization, is to promote research on violence, to develop ethical practices in the field of threat assessment and management to promote best practices, and to encourage networking across customary discipline boundaries.

ATAP published a document titled *Risk Assessment Guidelines Elements for Violence: Considerations for Assessing the Risk of Future Violent Behavior*<sup>17</sup>. In addition, ATAP published ethical guidelines available to members. A large number of Federal agencies are already represented among the ATAP membership.

### 5.3.2 Excerpts from *Threat Assessment: An Approach to Prevent Targeted Violence*

The remainder of this section, 5.3.2, consists of excerpts from a research brief on the topic of threat assessment issued by the U. S. Department of Justice’s National Institute of Justice. The brief, titled *Threat Assessment: An Approach to Prevent Targeted Violence*<sup>18</sup> and written by Robert A. Fein, Ph. D., Bryan Vossekuil, and Gwen A. Holden, explains the functions of a threat assessment program, including the investigation, risk assessment, and case management components.

This research brief can be especially helpful for an agency’s planning group to gain an understanding of the process of conducting threat assessments so that group members can better identify experts in threat assessment before they are actually needed and learn how they can coordinate efforts with them when the need arises.

**NOTE:** The excerpts in this section address “targeted violence.” However, targeted violence is the least common type of violence in many Federal agencies. While Federal agencies are sometimes the targets of predators, the agencies need to be fully aware of daily “violence” that disrupts the workplace and can be just as dangerous.

Traditional law enforcement activities aim to apprehend and prosecute perpetrators of violence after the commission of their crimes. In most circumstances, the primary responsibility of law enforcement professionals is to determine whether a crime has been committed, conduct an investigation to identify and apprehend the perpetrator, and gather evidence to assist prosecutors in a criminal trial. However, when police officers are presented with information about a possible future violent crime, their responsibilities, authority, and investigative tools and approaches are less clear. “Threat assessment” is the term used to describe the set of investigative and operational techniques that can be used by law enforcement professionals to identify, assess, and manage the risks of targeted violence and its potential perpetrators.

Individuals utter threats for many reasons, only some of which involve intention or capacity to commit a violent act. However, a person can present a grave threat without articulating it. The distinction between making and posing a threat is important.

- Some persons who make threats ultimately pose threats;
- Many persons who make threats do not pose threats; and
- Some persons who pose threats never make threats.

Postponing action until a threat is made can detract attention from investigation of factors more relevant to the risk of violence.

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<sup>17</sup> ATAP 2006

<sup>18</sup> Series: NIJ Research in Action, Published: September 1995, NCJ 155000. Disclaimer: Points of view in this document are those of the authors and do not necessarily reflect the official position of the U. S. Department of Justice.

Data from two studies suggest that at least some “approachers”—and attackers—of public officials/figures show an interest in more than one target.<sup>19</sup> U.S. Secret Service experience indicates that a number of would-be presidential assassins, such as Arthur Bremer and John Hinckley, considered several targets, and changed targets, before finally making an attack. Data on relationship stalking murders and workplace violence murders point to suicide, as well as homicide, as a possible outcome.<sup>20</sup> These examples suggest that, in some cases, the perpetrator may ultimately become his or her own final target.

The threat of sanctions, such as a long prison sentence, may not deter a person who desperately desires revenge or is prepared to die to achieve his/her objective. Passage of enforceable laws that define and prohibit behaviors presaging violent attacks is one important step in preventing such attacks. All fifty states, five U.S. territories, and the District of Columbia passed anti-stalking laws. In addition, authorities in some jurisdictions are reviewing various threat and harassment laws to determine applicability to threat-of-violence situations. However, laws by themselves are unlikely to prevent stalking, workplace, or public figure-centered violence; law enforcement and security professionals must also know how to identify, evaluate, and manage persons at risk of committing these violent acts.

### **5.3.2.1 Fundamental Principles of Threat Assessment**

Notwithstanding the growing importance of threat assessment for law enforcement and security professionals, systematic thinking and guidance in this area is lacking in many organizations. Some law enforcement and security communities currently do not have clearly articulated processes or procedures to steer their actions when they are made aware of threat-of-violence subjects and situations. Without guidelines for making threat assessments, otherwise competent law enforcement professionals may be less thoughtful and thorough than required in handling such incidents. To fill the void, this report presents four fundamental principles underlying threat assessment investigation and management. A model and process for conducting comprehensive threat assessment investigations follows thereafter.

- Violence is a process, as well as an act. Violent behavior does not occur in a vacuum. Careful analysis of violent incidents shows violent acts often are the culmination of long-developing, identifiable trails of problems, conflicts, disputes, and failures.
- Violence is the product of an interaction among three factors: the individual who takes violent action; stimulus or triggering conditions that lead the subject to see violence as an option, “way out,” or solution to problems or life situation; and a setting that facilitates or permits the violence, or at least does not stop it from occurring.
- A key to investigation and resolution of threat assessment cases is identification of the subject’s “attack-related” behaviors. Perpetrators of targeted acts of violence engage in discrete behaviors that precede and are linked to their attacks; they consider, plan, and prepare before engaging in violent actions.

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<sup>19</sup> Dietz, P. E. and D. A. Martell, *Mentally Disordered Offenders in Pursuit of Celebrities and Politicians*, National Institute of Justice, Washington, D. C., 1989, 83-NI-AX-0005; Dietz, P. E., D. B. Matthews, D. A. Martell, T. M. Stewart, D. R. Hrouda and J. Warren, *Threatening and Otherwise Inappropriate Letters to Members of the United States Congress*, *Journal of Forensic Sciences*, 36 (September 5, 1991): 1445-1468; Dietz, P. E., D. B. Matthews, C. Van Duyne, D. A. Martell, C. D. H. Parry, T. M. Stewart, J. Warren and J. D. Crowder, *Threatening and Otherwise Inappropriate Letters to Hollywood Celebrities*, *Journal of Forensic Sciences*, 36 (January 1, 1991): 185-209; and Fein, R. A. and B. Vossekuil, *The Secret Service Exceptional Case Study Project: An Examination of Violence Against Public Officials and Public Figures*, National Institute of Justice, study in progress, 92-CX-0013.

<sup>20</sup> For example, both Thomas McIlvane, in the Royal Oak, Michigan post office attack, and Alan Winterbourne, in the Oxnard, California unemployment office attack, killed themselves.

- Threatening situations are more likely to be successfully investigated and managed if other agencies and systems—both within and outside law enforcement or security organizations—are recognized and used to help solve problems presented by a given case. Examples of such systems are those employed by prosecutors; courts; probation, corrections, social service, and mental health agencies; employee assistance programs; victim’s assistance programs; and community groups.

### **5.3.2.2 Functions of a Threat Assessment Program**

The three major functions of a threat assessment program are (1) identification of a potential perpetrator, (2) assessment of the risks of violence posed by a given perpetrator at a given time, and (3) management of both the subject and the risks that he or she presents to a given target.

### **5.3.2.3 Identifying the Perpetrator**

The process of identifying a potential perpetrator involves: (1) defining criteria that could lead to a person becoming a subject of a threat assessment investigation; (2) determining the areas within the law enforcement or security organization responsible for receiving information about possible subjects and conducting threat assessment investigations; (3) notifying those individuals and organizations that might come in contact with—or know of—potential subjects about the existence of a threat assessment program; and (4) educating notified individuals and organizations about the criteria for bringing a concern about potential violence to the attention of investigators.

### **5.3.2.4 Assessing the Risks**

The second goal of a threat assessment program is to evaluate the risks persons under suspicion may pose to particular targets. Risk assessment involves two primary functions: investigation and evaluation.

### **5.3.2.5 Investigation**

The primary objective of a risk assessment investigation is to gather information on a subject and on potential targets. Multiple sources of information should be consulted to learn about a subject’s behavior, interests, and state of mind at various points in time.

- Personal interviews with the subject;
- Material created or possessed by the subject, including journals and letters, and materials collected by the subject, such as books and magazines, that may relate to the investigation;
- Persons who know or have known the subject, including family members, friends, coworkers, supervisors, neighbors, landlords, law enforcement officers, social service or mental health staff, and previous victims of unacceptable behavior (including violence) committed by the subject; and
- Record or archival information, including police, court, probation, and correctional records; mental health and social service records; and notes made by those aware of the subject’s interest in a particular target, such as security personnel, managers, victims, or colleagues.

### **5.3.2.6 Information about the subject**

At the beginning of a threat assessment investigation, it is important to secure detailed descriptions of the subject’s behaviors and actions that prompted other persons to notice the subject. The kinds of information useful for threat assessment include data about overwhelmingly or unbearably stressful experiences and the subject’s ability to cope at such times. Behavioral data about the subject’s motives, intentions, and capacities is critical.

Of particular importance is information about attack-related behaviors:

- The subject expressed interest in possible targets, including particular, identifiable targets;
- The subject communicated with or about potential targets;
- The subject considered and/or attempted to harm self or others;
- The subject secured or practiced with weapons; and
- The subject followed or approached potential targets, either with or without weapons, at events or occasions.

### 5.3.2.7 Interviewing the Subject

Whether to interview the subject of a threat assessment investigation can be a key question, and the decision depends on several factors:

- The investigator's need for information;
- The facts leading to initiation of investigation;
- The investigator's legal standing in relation to the subject;
- The resources available to the investigator;
- The investigator's training and experience in interviewing;
- The stage of the investigation; and
- The investigator's strategy for resolving the case.

A decision to interview a subject should be made on the basis of case facts. Generally, after a face-to-face contact between subject and target or the subject communicated a threat to the target, an interview is a good idea. An interview under such circumstances may have several goals. It may signal that the subject's behavior has been noticed, permit the subject's story to be related to a third party, gather information forming the basis for corroboration, and provide an opportunity for communicating the subject's behavior is unwelcome, unacceptable, and must cease.

Any interview is a vehicle for gathering information about the subject used to assess the threat a subject poses and to manage the threat. Therefore, threat assessment interviews are most productive if conducted respectfully and professionally. The task of the investigator is twofold: (1) to gather information about the subject's thinking, behavior patterns, and activities regarding the target(s) and (2) to encourage change in the subject's behavior. By showing an interest in the subject's life that is neither unduly friendly nor harsh, an investigator can increase the likelihood of the interview's success.

In some cases, however, an interview may intensify the subject's interest in the target or increase the risk of lethal behavior. For example, a desperate and suicidal subject, self-perceived as having been abandoned, who has been stalking a former partner, may sense time is running out and be prompted by an interview to engage in more extreme behavior before "they put me away." In such circumstances, the investigator may need to expend additional resources, perhaps increasing security for the target, arranging hospitalization or arrest of the subject, or monitoring or screening the subject. Subject interviews, therefore, should be considered and conducted within the context of overall investigative strategy.

### 5.3.2.8 Information about the Target

A man, who over days and weeks, follows a secretary whom he met once but has no relationship, appears to have picked out a potential target. An employee, fired by a manager whom he blames for discriminating against him and causing the breakup of his family, has told former coworkers that he will "get even." Once again, a potential target appears to have been selected. To prevent violence, the threat

assessment investigator requires information on the targeted individual. Relevant questions about the target might include the following:

- Are potential targets identifiable or does it appear the subject, if considering violence, has not yet selected targets for possible attack?
- Is the potential target well known to the subject? Is the subject acquainted with a targeted individual's work and personal lifestyle, patterns of living, or daily comings and goings?
- Is the potential target vulnerable to an attack? Does the targeted individual possess resources to arrange for physical security? What change in the target's lifestyle or living arrangements could make attack by the subject more difficult or less likely, e.g., is the targeted individual planning to move, spend more time at home, or take a new job?
- Is the target afraid of the subject? Is the targeted individual's degree of fear shared by family, friends, and/or colleagues?
- How sophisticated or naive is the targeted individual about the need for caution? How able is the individual to communicate a clear and consistent "I want no contact with you" message to the subject?

### **5.3.2.9 Evaluation**

A two-stage process is suggested to evaluate information gathered about the subject and the potential target(s). In the first stage, information is evaluated for evidence of conditions and behaviors consistent with planning an attack. The second stage of evaluation seeks to determine whether the subject appears to be moving toward or away from an attack. After analyzing the available data, the threat assessor is left with these questions:

- Does it appear more or less likely violent action will be directed by the subject against the target(s)? What specific information and reasoning lead to this conclusion?
- How close is the subject to attempting an attack? What thresholds, if any, were crossed (e.g., the subject violated court orders, made a will, given away personal items, expressed willingness to die or to be incarcerated)?
- What might change in the subject's life to increase or decrease the risk of violence? What might change in the target's situation to increase or decrease the risk of violence?

### **5.3.2.10 Case Management**

The first component of threat assessment case management involves developing a plan that moves the subject away from regarding violence against the target as a viable option. Such a plan is likely to draw on resources from systems within the threat assessment unit's parent organization, as well as those outside it. The second component is plan implementation. The best developed and supported case management plan will be of little use in preventing violence if the plan is not implemented and monitored. The plan must remain flexible to accommodate changes in the subject's life and circumstances. The final management component is formal closing of the case.

### **5.3.2.11 Case Management Development**

Once an evaluator determines a given subject presents a risk of violence to a targeted individual, the next task is to develop a plan to manage the subject and the risk. The evaluator then proceeds to identify those internal and external systems that may be helpful in managing the problems presented by the subject. In certain situations, such as those in which the subject is stalking an identifiable target in a

jurisdiction with an enforceable and effective anti-stalking law, the best way to prevent violence and minimize harm to the targeted individual may be to prosecute the case vigorously.

A good relationship between threat assessment investigators and prosecutors can influence the priority assigned to the case and the extent to which prosecutorial and judicial processes facilitate its resolution. Such relationships also may affect the court's disposition of the case, including sentencing of a convicted offender.

Even conviction and imprisonment, however, do not guarantee the target will be safe from the subject. If the subject is unable or unwilling to let go of the idea of a relationship with the target, or if the subject attributes the pains and misfortunes of his or her life to the targeted individual, it may make sense to consider strategies in which the subject is encouraged to change the direction, or intensity, of his/her interest. A subject engaged in activities that bring success and satisfaction is less likely to remain preoccupied with a failed relationship. Family, friends, neighbors, or associates may play a role in suggesting and supporting changes in the subject's thinking and behavior. In addition, mental health and social service staff may be of great assistance in aiding the subject to formulate more appropriate goals and develop skills and strengths likely to result in life successes.

At least one aspect of a case management plan concerns the target. If the subject is to be prohibited from contact with the target, the target needs to understand what to do (i.e., whom to call and how to contact the official handling the case) if the subject initiates direct or indirect contact.

#### **5.3.2.12 Case Management Implementation**

The most carefully crafted plan will have little effect if it remains in the investigator's files and is not translated into action. Although no procedures or techniques can guarantee that a subject of comprehensive threat assessment will not attempt violent action toward a target, two activities are known to help reduce the risk of violence, and, in the instance of a bad outcome, assist the threat assessment team in any post-incident review.

First, documentation of data and reasoning at every stage of a threat assessment investigation is essential. Undocumented or poorly documented information gathering and analysis is suspect in and of themselves, and they provide little foundation for review or for efforts to learn from—and improve on—experience. Without clear documentation, investigators are left with only their recollections that can be both partial and faulty and are subject to criticism as retrospective reconstruction. A carefully and comprehensively documented record may be criticized for imperfect data gathering or flawed analysis, but such a record also demonstrates both thoughtfulness and good faith—critical questions in any post-incident review.

Second, consultation at every major stage of the threat assessment process can be a significant case management tool. Consultants may be members of the threat assessment unit or external experts. To be effective, a consultant should be knowledgeable in areas relevant to the case and be known and trusted by the investigators. For example, in a case where a subject has a history of diagnosed mental disorders and the primary investigator is unfamiliar with mental health language and concepts used in the records, an expert in psychology or psychiatry can provide invaluable insight and advice.

In addition to providing special expertise, consultants may notice and raise unanswered or unexplored questions in a case. Even proficient investigators are occasionally vulnerable to “missing the forest for the trees.” A consultant, such as a fellow threat assessment specialist not involved with the case may offer a comment that can redirect or sharpen an ongoing investigation.

In the event of a bad outcome, use and documentation of consultant expertise may demonstrate the threat assessment team sought additional perspectives and ideas and did not suffer from “tunnel vision.”

### 5.3.2.13 Closing the Case

The final task of threat assessment case management is closing the case. When a threat assessor determines the subject moved far enough away from possible violent action toward the target to no longer causing appreciable concern, the case can be considered for closing. At this time, it may be important to ask:

- What changed in the subject’s life that appears to lessen the likelihood the subject is interested in or will attempt violent action toward the target?
- Which components of the case management plan seemed to affect the subject’s thinking or capacity to initiate violent action and to what extent?
- What life circumstances might occur that would again put the subject at increased risk of contemplating, planning, or attempting violent action toward the original target or other potential targets?
- Are there supports in place or can be developed that will be known and available to the subject at a future time when the subject is again at risk of moving toward violent behavior?

While social commentators and analysts may debate the myriad reasons that lead to growing national concern about targeted violence, law enforcement and security organizations are increasingly being called on to examine individual situations and make judgments and determinations about the risks of violence a single person might present to an identifiable target.

Appendix A, Case Study 4 provides practical examples of some of the issues discussed in this section.

In cases related to stalking behaviors, workplace violence, attacks on public officials and figures, and other situations where targeted violence is a possibility, comprehensive and carefully conducted threat assessment investigations can safeguard potential targets, deter potential attackers, and serve the public.

For further information about threat assessment, the publication titled *Protective Intelligence and Threat Assessment Investigations: A Guide for State and Local Law Enforcement Officials*<sup>21</sup> is available through the United States Secret Service website.

## 5.4 Section 4: Employee Relations Considerations

Understanding employee relations issues that come into play in violent and potentially violent situations is important for all members of an agency’s planning group. It helps in coordinating an effective response, in determining whether outside resources will be needed in certain situations, and in ensuring appropriate disciplinary actions are taken.

In many agencies, the employee relations staff coordinates the agency’s workplace violence program. One reason is that most reported incidents will result in some type of disciplinary action. Another reason is that, since the goal of the workplace violence prevention effort is early and effective problem behavior management, reporting incidents to the employee relations office can result in swift disciplinary action that stops the unacceptable behavior before it can escalate. When another office, such as the security office, is responsible for coordinating the response effort, immediate involvement of the employee relations staff is usually necessary for an effective response.

<sup>21</sup> [http://www.secretservice.gov/ntac/PI\\_Guide.pdf](http://www.secretservice.gov/ntac/PI_Guide.pdf)

This section will discuss:

- Administrative options available in removing potentially dangerous employees from the worksite;
- Taking appropriate disciplinary action based on violent, threatening, harassing, and other disruptive behavior;
- Responding to an employee who raises a medical condition/disability as a defense against the misconduct;
- Ordering and offering psychiatric examinations;
- Assisting employees in applying for disability retirement; and
- Information on appeals of disciplinary actions.

## 5.4.1 Administrative Actions to Keep an Employee Away from the Worksite

In situations where a disruption occurred on the job or where there is a belief the potential for violence exists, a supervisor may need to bar an employee from the worksite to ensure the safety of employees while conducting further investigation and deciding on a course of action.

### 5.4.1.1 Immediate, Short-term Actions

- Place employee on excused absence (commonly known as administrative leave). Placing the employee in a paid, non-duty status is an immediate, temporary solution to the problem of an employee who should be kept away from the worksite.

Some employees placed on excused absence consider this measure to be punitive. However, relevant statute and case law indicate that as long as the employee continues receiving pay and benefits just as if he or she were in a duty status, placing the employee in an excused absence status does not require the use of adverse action procedures set forth in 5 USC §7501 et. seq.

Agencies should monitor the situation and move toward longer-term actions (as discussed below) when it is necessary, appropriate, or prudent to do so. Depending on the circumstances, it may also be a good idea to offer the employee the option to work at home while on excused leave.

- Detail employee to another position. This can be an effective way of getting an employee away from the worksite where he or she is causing other employees at the worksite to be disturbed. However, this action will be useful only if there is another position where the employee can work safely and without disrupting other workers.

### 5.4.1.2 Long-term Actions

Supervisors are sometimes faced with a situation where information is insufficient to determine if an employee poses a safety risk, actually committed a crime, or has a medical condition that might make disciplinary action inappropriate. To take an employee out of a paid duty status, an agency must use adverse action procedures that require a 30-day paid status during the advance notice of the adverse action. Included below are the two types of actions that place an employee in non-duty status.

- **Indefinite suspension.** An indefinite suspension is an adverse action that takes an employee off duty until the completion of some ongoing inquiry, such as an agency investigation into allegations of misconduct. Agencies usually propose indefinite suspensions when they will need more than 30 days to await the results of an investigation, await the completion of a criminal proceeding, or make a determination on the employee's medical condition. Indefinite suspensions are 5 CFR § 752 adverse actions requiring a 30-day notice period with pay. This

means that 30 days after an indefinite suspension is proposed the employee will no longer be in a pay status until the completion of the investigation, completion of the criminal proceeding, or determination of the employee's medical condition.

- **Indefinite enforced leave.** The procedure for indefinite enforced leave is the same as for an indefinite suspension—§ 752 adverse action procedures. It involves making the employee use his or her own sick or annual leave (after the 30-day notice period with pay) pending the outcome of an inquiry.

## 5.4.2 Disciplinary Actions

Where the supervisor possesses the relevant information regarding violent, harassing, threatening, and other disruptive behavior, the supervisor must determine the appropriate disciplinary action.

Disciplining an employee for abusive, threatening, or violent behavior serves two purposes. For the abusive or violent employee, the disciplinary action should serve as an appropriate penalty for past conduct and a deterrent against future offenses. For the rest of the work force, it should serve to reaffirm the employer's commitment to a workplace free from threats and violence and reinforce employees' confidence that their safety is protected by strong but fair measures. To achieve those goals, penalties and the disciplinary process must be—and must be seen to be—proportionate, consistent, reasonable, and fair.

The selection of an appropriate charge and related penalty should be discussed with the employee relations staff and the OGC where appropriate. Some disciplinary actions are:

- **Reprimand, warning, short suspension, and alternative discipline.** These lesser disciplinary actions can be used in cases where the misconduct is not serious and progressive discipline may correct the problem behavior. These lesser disciplinary actions are an excellent means of dealing with problem behavior early in the process. They involve considerably fewer procedures than the adverse actions listed immediately below.
- **Removal, reduction-in grade, and suspension for more than 14 days.** Law and regulations<sup>22</sup> provide that an agency may take an adverse action against an employee only for such cause as will promote the efficiency of the service. A Federal employee against whom an adverse action is proposed is entitled to a 30-day advance written notice. A 7-day notice period instead of the usual 30 days is permitted “when the agency has reasonable cause to believe that the employee has committed a crime for which a sentence of imprisonment may be imposed.”<sup>23</sup>

In either case, the agency must give the reasons for the proposed action in the written notice and provide the employee an opportunity to respond. The agency must consider the employee's response and notify the employee when a decision has been made. If the agency's final decision is to take the proposed action, the employee must be advised of the appeal rights to which he or she is entitled and the time limits that apply to those appeal rights.

## 5.4.3 Disabilities as a Defense against Alleged Misconduct

The Equal Employment Opportunity Commission (EEOC) issued important guidance specifically addressing potentially violent misconduct by employees with disabilities. Although this guidance deals specifically with psychiatric disabilities, it applies generally to other disabling medical conditions. It advises that an agency may discipline an employee with a disability who violated a job-related rule

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<sup>22</sup> 5 USC §7513(a), 01/03/2012 (112-90); 5 USC §7701(c)(1)(b) 01/03/2012 (112-90) and 5 CFR §752 (01/01/2005)

<sup>23</sup> 5 CFR §7513(b) 01/03/2012 (112-90)

(written or unwritten) and consistent with business necessity, even if the misconduct is the result of the disability, as long as the agency would impose the same discipline on an employee without a disability. The guidance specifically states that nothing in the Rehabilitation Act prevents an employer from maintaining a workplace free of violence or threats of violence.

The guidance specifically states reasonable accommodation is always prospective. Thus, an agency is never required to excuse past misconduct as a reasonable accommodation. A reasonable accommodation is a change to the workplace that helps an employee perform his or her job and may be required, along with discipline, when the discipline is less than removal.

For a detailed discussion of these points, see *EEOC Enforcement Guidance on the Americans with Disabilities Act and Psychiatric Disabilities*, EEOC number 915.002, 3-25-97<sup>24</sup>. Interpretation of the Rehabilitation Act is complex, and any specific questions should be discussed with your OGC.

#### **5.4.4 Ordering and Offering Psychiatric Examinations**

Supervisors should gain a better understanding of their rights (and limitations) regarding psychiatric examinations for employees. There are some absolute prohibitions in Federal personnel regulations regarding what medical information a supervisor can demand from an employee and every supervisor should learn what can be ordered and what can be offered. Discuss specific questions with your OGC. However, below is some basic information on psychiatric examinations.

##### **5.4.4.1 Ordering a Psychiatric Examination**

Under 5 CFR § 339, an agency may order a psychiatric examination, or psychological assessment, under very rare circumstances.<sup>25</sup> The only time an employee can be ordered to undergo a psychiatric examination is:

- If he or she occupies a position requiring specific medical standards and the results of a current general medical exam the agency has the authority to order show no physical basis to explain actions or behavior that may affect the safe and efficient performance of the individual or others; or
- If a psychiatric examination is specifically required by medical standards or a medical evaluation program.

##### **5.4.4.2 Offering a Psychiatric Examination**

Under 5 CFR § 339, an agency may offer a psychiatric evaluation or psychological assessment (or it may ask the employee to submit medical documentation) in any situation where it is in the interest of the Government to obtain information relevant to an individual's ability to perform safely and efficiently, or when the employee has requested, for medical reasons relating to a psychiatric condition, a change in duty status, working conditions, or any other benefit or reasonable accommodation. If the employee decides not to be examined or to submit medical documentation, the agency should act on the basis of the information available.

#### **5.4.5 Disability Retirement**

Supervisors should also gain a better understanding of their rights and limitations regarding assisting employees with disability retirement applications. The restrictions on filing a disability retirement on behalf of an employee are rigorous, so supervisors should understand their role in encouraging and

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<sup>24</sup> Available at <http://www.eeoc.gov>

<sup>25</sup> 5 CFR §339.301 – 302 (01/01/2011)

assisting employees who wish to seek disability retirement. Below is some basic information on disability retirement.

Employees with medical disabilities may be eligible for disability retirement if their medical condition warrants it and if they have the requisite years of Federal service to qualify. In considering applications for disability retirement from employees, the OPM focuses on the extent of the employee's incapacitation and ability to perform his or her assigned duties. OPM makes every effort to expedite any applications where the employee's illness is in an advanced stage.

It is important to note that OPM's regulations<sup>26</sup> specifically provide that an individual's application for disability retirement does not stop or stay an agency's taking and effecting an adverse action. An agency should continue to process an adverse action even while informing the employee of his or her ability to file an application for disability retirement, or informing family members they can apply on behalf of the employee.

#### **5.4.5.1 Assisting Employees in Applying for Disability Retirement**

The agency can and should counsel the employee any time it believes a medical condition is causing a service deficiency and the employee is otherwise eligible for disability retirement. This does not mean the agency has a specific number of documents in hand to show the employee is medically incapacitated. It only means disability retirement is being presented as an option to the employee.

The agency cannot force the employee to file an application for disability retirement, despite its belief it is in his or her best interest. If the agency believes the employee does not understand the consequences of his or her choice not to do so, the next paragraph explains agency-filed applications for disability retirement.

#### **5.4.5.2 Agency-filed Application for Disability Retirement**

The conditions for filing an application for disability retirement on behalf of an employee are strictly limited. OPM set out five conditions that must be met before an agency can file on an employee's behalf.<sup>27</sup> If the following five conditions are met, the agency must file on the employee's behalf.

- The agency has issued a decision to remove the employee;
- The agency concludes, after review of medical documentation, the cause of the unacceptable performance, conduct, or leave problems is due to the disease or injury;
- The employee is institutionalized, or based on the agency's review of medical and other information, it concludes that the employee is incapable of making a decision to file on his or her own behalf;
- The employee has no representative or guardian with the authority to file on his or her behalf; and
- The employee has no immediate family member (spouse, parent, or adult child) who is willing to file on his or her behalf.

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<sup>26</sup> 5 CFR §831.501(d) (02/04/2013) [http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=f8a9bc18af98e4a9411a1f39862256c1&rgn=div5&view=text&node=5:2.0.1.1.18&idn\\_o=55](http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=f8a9bc18af98e4a9411a1f39862256c1&rgn=div5&view=text&node=5:2.0.1.1.18&idn_o=55)

<sup>27</sup> 5 CFR §831.1201-1206 (02/04/2013) (covering CSRS employees). For FERS employees, see 5 CFR §844.202 (01/01/2012).

## 5.4.6 Appeals of a Disciplinary Action

Once a disciplinary action is taken by an agency, the employee involved has options regarding his or her appeal (or challenge) to the agency's final decision. Various avenues of redress may be available to an employee including the agency's administrative or negotiated grievance system, EEOC, or the MSPB. Employees covered by a bargaining unit often turn to the union for guidance on their appeal rights.

Numerous holdings by third parties uphold agencies' rights to discipline employees who have threatened, intimidated, or physically injured their supervisors or coworkers, or otherwise caused a disruption in the workplace. However, since case law relating to disciplinary actions is constantly evolving, agency officials should always consult their employee/labor relations specialists and Office of the General Counsel when considering disciplinary actions.

Appendix A, Case Studies 3, 5, 10, and 12 provide practical examples of some of the issues discussed in this section.

## 5.5 Section 5: Employee Assistance Program Considerations

Employee Assistance Program (EAP) participation can be important to the success of an agency's workplace violence program. The EAP's role generally begins with participation on the agency planning group where decisions are made about the role the EAP will play in the workplace violence program. EAPs usually play an active role in early prevention efforts, sometimes participate on the incident response team, and generally assist with organizational recovery after an incident of workplace violence has occurred. This section will provide an overview of the EAP and then discuss considerations specific to workplace violence.

### 5.5.1 Overview of the Employee Assistance Program

Every Federal agency has an EAP that provides short-term counseling and referral services to its employees at no cost. These programs are staffed by professional counselors who are available to discuss problems that can adversely affect job performance, conduct, and reliability. EAPs are required to help employees deal with alcoholism or drug abuse problems, and most programs also help employees with other problems such as marital or financial problems. EAP counselors often refer employees to other professional services and resources within the community for further information, assistance, or long-term counseling.

EAPs differ from agency to agency in their structure and scope of services. Some are in-house programs, staffed by employees of the agency. Others are contracted or operated through an interagency agreement with the Department of Health and Human Services' (HHS) Division of Federal Occupational Health. Among contracted programs, services differ, depending on the terms of the contract and the relationship between the agency and the contractor.

Confidentiality is an important issue for EAPs. Employees who seek EAP services are afforded considerable privacy by laws, policies, and the professional ethics of EAP professionals. It is common practice for EAPs to inform employees in writing about the limits of confidentiality on their first visit.

Agency planning group members should familiarize themselves with the structure, scope, and special considerations of their agency's EAP. As the planning group explores the range of services provided, it may identify needs for expanding the program's existing array of services. EAP professionals should advise the agency planning group on the relevant laws, policies, and professional ethical constraints under which they operate, including the Privacy Act provisions of 5 USC §552a and the HHS Alcohol

and Drug Patient Confidentiality Regulation provisions of 42 CFR § 2. This will allow cooperative arrangements to be worked out for an appropriate EAP role.

## 5.5.2 The Employee Assistance Program's Role in Dealing with Workplace Violence

### 5.5.2.1 Supportive Resources and Care

Immediately after a violent incident, the main priority is to provide safety, security, and necessary medical attention by the appropriate security, law enforcement, and emergency medical response personnel. These designated personnel will secure the work area and assess the possibility of any continued threat. It is also important to account for all building occupants (employees, visitors, contractors, service providers, etc.), and it is vital they be able to contact family, friends, and significant others as soon as possible.

Victims, intended victims, bystanders, and coworkers may all experience both short- and long-term psychological distress as the result of a workplace violence incident. Exposure to traumatic events often leads to a range of strong emotional and physical responses, so it is important to engage and use available resources to evaluate at-risk individuals who may be in need of treatment. Agencies will likely have a variety of options for evaluating and providing support for those who may be affected. Some of those options may include:

- EAPs;
- Private practice mental health services;
- Community mental health resources;
- Educational sessions on stress responses, coping, and available services;
- Facilitating existing support networks; and
- Providing opportunities for private, individual discussions.

EAP staff members generally assist in policy and strategy development and help determine the EAP's role on the agency's workplace violence incident response team. EAPs bring a special expertise to the planning process. They are in an optimal position to assist with many of the activities conducted by the planning group.

### 5.5.2.2 Role in Early Prevention Efforts

- **Promotion of the EAP.** The effectiveness of a workplace violence program is greatly enhanced in an organization with an active, well-known EAP presence. Agencies with active programs promote the EAP by issuing periodic statements from top management endorsing the program and reminding employees of the services offered by the EAP, having counselors attend staff meetings to familiarize agency employees with the counselors, and having counselors give special briefings and seminars for managers, employees, and union stewards.
- **Information dissemination.** EAPs often provide booklets, pamphlets, and lending libraries of books and videos about such topics as domestic violence, stress reduction, and dealing with angry customers.
- **Early involvement in organizational change.** When an agency is facing reorganization, restructuring, or other organizational change that may have a negative effect on employees, the EAP can help, through individual or group sessions, keep information flowing, keep feelings under control, prevent potential outbursts, provide constructive outlets for feelings, and help employees plan for the future.

- **Employee and supervisory training.** Much of the employee training described in Chapter 4, Section 3 is conducted by EAP staff. For example, counselors can train employees on such topics as dealing with angry coworkers and customers, conflict resolution, and communications skills. Since EAP staff understands how important it is that supervisors (and coworkers) refrain from diagnosing an employee’s problem, they are in an excellent position to explain the delicate balance between identifying problem behavior early on and labeling an individual as potentially violent. EAP counselors can train supervisors to deal with problems as soon as they surface without diagnosing the employee’s problem.

### **5.5.2.3 Participation on an Incident Response Team**

Since every reported incident of workplace violence is different and every agency is structured differently, EAP participation on an incident response team will depend on many factors. Issues need to be clarified ahead of time to avoid misunderstanding and conflict. Team members need to understand that if a case is being discussed and the counselor says, “Sorry, I can’t help you with this one,” they should neither expect an explanation nor assume the counselor is being uncooperative. Advance planning can help to identify ways of coping with these types of issues. If, for example, the EAP is large enough, then different staff members may play different roles or the staff may be able to identify other professionals who can be brought in to ensure all needs are addressed. Working with other members of the planning group and the incident response team in advance can clarify the EAP’s role when an incident arises.

### **5.5.2.4 Consultation with Supervisor when an Incident is Reported**

Depending on the type of incident reported, it is often important for a counselor, along with an employee relations specialist and security officer, to be part of the incident response team that consults with the manager. In some situations, such as potential suicides, the EAP can play a major role. In other situations, such as dealing with an employee who frightens coworkers, but who has not actually done or said anything warranting discipline, the EAP can assist other team members in working with the supervisor to plan an effective response.

### **5.5.2.5 Response/Intervention**

The counselor can help with conflict resolution in situations reported early enough for such an intervention. The counselor can work with the victim by giving advice and guidance, or with the perpetrator by helping to diffuse the anger/hostility that could lead to violence. The counselor can help clarify options and procedures for situations where substance abuse or mental illness seems to be a factor. For example, states differ in their laws regarding civil commitment for psychiatric treatment. The counselor can explain to other team members the EAP role in such a situation and can coordinate with other community resources to develop contingency plans for various emergency situations. These and other examples are illustrated in the case studies in Appendix A.

### **5.5.2.6 Follow-up to a Violent Incident**

Many EAPs are prepared to respond promptly to a variety of needs that may exist after a violent incident. Prompt individual interventions with employees who had particularly stressful experiences are sometimes necessary. Debriefing sessions for groups are often conducted two or three days after the incident. The EAP can also act as consultants to management in helping the organization to recover.

### **5.5.2.7 Individual Interventions**

Though most employees will need only brief intervention, provision should be made for the few who may need longer-term professional assistance. Strategies for identifying these employees and guiding them as smoothly as possible from emergency-centered interventions to more extensive mental health care should be included in the planning.

The EAP may approach these responsibilities in different ways, depending on the size and experience of its staff. In some cases, internal EAP resources may be sufficient, but in others, additional staffing will be necessary. EAP staff members who do not have expertise in traumatic incident counseling may wish to develop in-house expertise or keep close at hand the phone numbers of resources to contact should an incident occur. Potential sources of additional help, for example, private contractors, community mental health resources, and university or medical school programs, might be explored.

### **5.5.2.8 Critical Incident Stress Debriefings**

Many EAPs are trained to participate on Critical Incident Stress Debriefings (CISD) teams. See discussion of the CISD process in Chapter 5, Section 5.7.

### **5.5.2.9 Acting as Consultants to Management**

Since management bears the brunt of responsibility after a violent incident and can find itself dealing with unfamiliar challenges under high stress, the EAP can be very helpful in facilitating an optimal response. It can provide managers with information on traumatic events and can assist them in analyzing the situation and developing strategies for the organization's recovery. An effective EAP needs to be familiar not only with post-disaster mental health care, but also with management practices facilitating recovery and with other resources that may need to be mobilized.

In thinking about an organization's recovery, there is a temptation to focus narrowly on care-giving responses such as debriefings and counseling discussed above. Essential as these services are, they are only part of the picture. The way the manager conveys information, schedules responsibilities, sets priorities, and monitors employee performance after a violent incident can play a vital role in helping or hindering recovery. Some EAPs are trained to provide this type of consultation. Agencies will find *A Manager's Handbook: Handling Traumatic Events* helpful in this regard. See Section 7 in this chapter for further information on organizational recovery and Appendix A for information on obtaining a copy of the *Manager's Handbook*.

## **5.5.3 Other EAP Considerations for the Agency Planning Group**

### **5.5.3.1 Should the EAP Take the Incident Report?**

Most agencies do not use the EAP as the office responsible for taking incident reports on workplace violence. Following are some of the reasons cited by agencies.

Because confidentiality requirements prohibit EAP counselors from disclosing information, putting a counselor in the position of informing the other members of the intervention team about the report could lead to serious misunderstandings among agency employees and harm the credibility of the EAP. It sometimes takes years to build the EAP into a viable program trusted by employees to keep any contacts confidential and the dual role could diminish this viability.

In addition, the incident reports could get confused with EAP records covered by the agency's internal system of records for its EAP under the Privacy Act. Records filed and retrieved by name or other personal identifier are subject to the Privacy Act provisions of 5 USC §552a. Since each agency's system of records is different, it is a good idea to check with the agency's Privacy Act Officer regarding

the systems notice for the agency's EAP. The systems notice covers who can gain access to the records and how amendments are made to the records.

Many times the EAP counselor will be the person who first hears about an incident involving threatening behavior, even though the agency's reporting system provides for another office to take incident reports. Managers and employees often feel comfortable telling the counselor about a situation that frightens them. The agency's planning group should decide ahead of time the types of reports the counselors should handle alone and the types that should be reported to the other team members, always making sure each member of the team understands the confidentiality requirements of the EAP.

Please refer to the following OPM website for further information on this section:

[http://www.opm.gov/Employment\\_and\\_Benefits/WorkLife/OfficialDocuments/HandbooksGuides/Confidentiality\\_EAP/index.asp](http://www.opm.gov/Employment_and_Benefits/WorkLife/OfficialDocuments/HandbooksGuides/Confidentiality_EAP/index.asp).

### **5.5.3.2 Should the EAP be the First to Intervene?**

Agencies who have had experience with the EAP as the first intervener in workplace violence situations report they do not recommend this approach for the following reasons:

- Issues of confidentiality cause numerous conflicts for the counselors; and
- It could lead to a perception of treating perpetrators of workplace violence as victims needing counseling rather than as perpetrators needing discipline.

Therefore, the agency planning group should ensure procedures developed ahead of time allow for flexibility and do not require counselors to be the first interveners in situations where this would be inappropriate.

### **5.5.3.3 Should the EAP Perform Psychological Exams?**

Organizations with experience in offering psychological or psychiatric examinations usually recommend that these not be performed by the EAP staff. The process of conducting examinations is not only time consuming and highly specialized, but fits poorly with other EAP responsibilities. Thus, most agencies find it preferable, if offering such an examination, to have it done by an "outsider" such as an external contractor. Some agencies have professional mental health staffs in addition to the EAP and utilize them for this type of evaluation. The EAP can then take the role of teacher and facilitator, helping everyone involved to understand the report of the examination and put its recommendations into practice.

Appendix A, Case Studies 1, 2, 6, 9, 11, 13, 14, and 16 provide practical examples of some of the issues discussed in this section.

## **5.6 Section 6: Workplace Security**

Law enforcement, security officers, and the designated Facility Security Committee (FSC) members should be involved in all stages of the planning process in an effective workplace violence prevention program. They can play an active role in prevention, intervention, and response to threatening situations, in addition to their traditional role of responding to actual incidents of physical violence. This section will provide general ideas and considerations that can help the agency planning group gain a greater understanding of the ISC's Facility Security Level (FSL) determination process and an understanding of some of the law enforcement/security issues such as jurisdiction. It is also intended to help those Federal offices that do not have in-house security or law enforcement identify the appropriate organizations that can assist them. To request access to the ISC documents, please contact the ISC at [ISCAccess@dhs.gov](mailto:ISCAccess@dhs.gov).

## 5.6.1 Making the Facility Security Level Determination

The initial FSL determination is the first step in developing the highest achievable security countermeasures for a facility. The determination should be made early enough in the space acquisition process to allow for the implementation of required countermeasures or reconsideration of the acquisition caused by an inability to meet minimum physical security requirements.

Risk assessments will be conducted at least every five years for Level I and Level II facilities and at least every three years for Level III, Level IV, and Level V facilities. The FSL will be reviewed and adjusted, if necessary, as part of each initial and recurring risk assessment.

The responsibility for making the final FSL determination rests with the tenant(s), who must determine the risk management strategy to pursue in order to reduce the risk.

For single-tenant Government-owned or –leased facilities, a representative of the tenant agency will make the FSL determination, in consultation with the owning or leasing department or agency and the security organization(s) responsible for the facility.

In multi-tenant Government-owned or –leased facilities, the designated official, in coordination with a representative of each Federal tenant (i.e., the FSC), will make the FSL determination in consultation with the owning/leasing department or agency and the security organization(s) responsible for the facility.

When the security organization(s) and the owner/leasing authority do not agree with the tenant agency representative or designated official with regard to the FSL determination, the ISC as the representative of the Secretary of Homeland Security will facilitate the final determination.

The FSL determination should be documented, signed, and retained by all parties to the decision. Once the FSL for the facility is determined, protective countermeasures appropriate for the facility as prescribed by ISC standards are to be taken.

## 5.6.2 Law Enforcement and Security Assistance

During the planning phase, law enforcement/security officers can:

- Identify situations they can address;
- Identify when and how they should be notified of an incident;
- Indicate whether their officers have arrest authority;
- Identify jurisdictional restrictions and alternative law enforcement agencies that may assist;
- Identify threat assessment personnel who partner with the agency to protect threatened employees;
- Advise on what evidence is necessary and how it can be collected or recorded;
- Utilize collected or recorded evidence to decide the appropriate level of action to take;
- Explain anti-stalking laws applicable in the agency's jurisdiction;
- Explain when and how to obtain restraining orders;
- Suggest security measures to be taken for specific situations; and
- Arrange for supervisor/employee briefings or training on workplace violence issues such as:
  - Personal safety and security measures;
  - Types of incidents to report to law enforcement/security;
  - Types of measures law enforcement/security may take to protect employees during an incident;
  - Suggestions on how to react to an armed attacker;

- Suggestions for dealing with angry customers or clients;
- Suspicious packages;
- Bomb threats;
- Hostage situations; and
- Telephone harassment and threats.

When potentially violent situations arise, law enforcement/security officers can work with the incident response team to:

- Provide an assessment of the information available;
- Determine whether law enforcement intervention is immediately necessary;
- Identify what plan of action they deem appropriate; and
- Determine who will gather what types of evidence.

### **5.6.3 Physical Security Measures**

Planning groups should review security measures and procedures as well as make recommendations for modifications and improvements. Many Federal agencies have numerous security measures in place that can reduce the risk of workplace violence. These include:

- Closed circuit cameras;
- Silent alarms;
- Metal detectors;
- Two-way mirrors;
- Electronic access systems;
- Barriers to prevent cars from driving too close to the building;
- Emergency internal code words;
- Extra lighting in the parking lots; and
- Escorts to and from parking lots after dark.

The information in the following section regarding physical security has been provided by the Department of Homeland Security's (DHS) Federal Protective Service (FPS).

### **5.6.4 Physical Security in GSA Owned or Leased Buildings**

There are more than 900,000 employees working in approximately 9,000 GSA owned or leased Federal buildings. DHS is the agency responsible for ensuring the safety and security of people while on Federal property owned or leased by GSA. This section contains recommendations and requirements for agencies in GSA controlled or leased space.

#### **5.6.4.1 Regulations**

Federal Property Management Regulations 41 CFR § 101-20 and EO12656 specifically require GSA to provide standard protection services by coordinating an OEP that is a short-term emergency response program establishing procedures for safeguarding lives and property during emergencies.

#### **5.6.4.2 U.S. General Services Administration Designated Official**

Each GSA-owned or -leased facility has a designated official. A designated official is either the highest ranking official of the primary occupant agency of a Federal facility or a designee selected by mutual agreement of occupant agency officials. The designated official is responsible for developing, implementing, and maintaining an Occupant Emergency Plan that consists of procedures developed to

protect life and property in specific Federal-occupied space under stipulated emergency conditions. In addition, the designated official's responsibilities include establishing, staffing, and training an Occupant Emergency Organization, comprised of agency employees designated to perform the requirements established by the OEP.

According to the regulations, the GSA must assist in the establishment and maintenance of such plans and organizations. All agencies occupying a facility must fully cooperate with the designated official in the implementation of the emergency plans and the staffing of the emergency organization. GSA must:

- Provide emergency program policy guidance;
- Review plans and organizations annually;
- Assist in training of personnel; and
- Ensure proper administration of Occupant Emergency Programs.

In leased space, GSA will solicit the assistance of the lessor and in the establishment and implementation of plans.

The regulation states decisions to activate the Occupant Emergency Organization shall be made by the designated official or by the designated alternate official. Decisions to activate shall be based upon the best available information, including an understanding of local tensions, the sensitivity of target agencies, and previous experience with similar situations. Advice shall be solicited from the GSA buildings manager, the appropriate FPS official, and from Federal, state, and local law enforcement agencies.

### **5.6.5 Physical Security Survey**

A major goal of FPS, when they have jurisdiction, is to provide better protection for Federal employees and visitors by pinpointing high-risk areas in Federal buildings. This is accomplished through a Physical Security Survey conducted by a security specialist. The survey is a comprehensive, detailed, technical on-site inspection and analysis of the current security and physical protection conditions.

If the agency does not have current security procedures in place, the head of the agency may ask the agency's security office (if a non-FPS facility) or a regional FPS office to conduct a physical security survey in the effort to ensure that employees are working in a safe and secure environment. There is a listing of FPS offices at the end of this section.

The following are some examples provided by the FPS of ways to improve office and/or building security:

- Post a security guard at the main building entrance or at entrances to specific offices;
- Install a metal detector or closed-circuit television camera or other device;
- Issue all employees photo identification cards;
- Assign temporary passes to visitors;
- Contract guards should be required to call Federal offices to confirm an appointment as necessary;
- Request an escort for all visitors: customers, relatives, or friends;
- Brief employees on an action plan should a threatening or violent incident occur;
- Establish code words to alert coworkers and supervisors that immediate help is needed; and
- Install silent, concealed alarms at reception desks.

The following are some examples provided by FPS of options to improve security in the event of a threatening or violent individual:

- Ensure officers or guards have a clear view of the customer service area at all times;
- Arrange furniture and partitions so front-line employees are surrounded by a barrier;
- Provide an under-the-counter duress alarm system to signal a supervisor or security officer;
- Establish an area in the office for employees and/or customers to escape;
- Provide an access-control combination lock on access doors; and
- Mount closed circuit television cameras from a central security office for the building.

Additional resources regarding options to improve employee security can be found in the Resources portion of this document.

Note: Any measure not covered under the standard security agreement with FPS may have a fee associated with that service.

## 5.6.6 Computer Security

Agency planning groups should address ways to safeguard computer systems. There are cases where employees sabotaged computer equipment, computer systems, and computer records. Therefore, whenever a threat of sabotage is suspected, procedures should be initiated to prevent the person from having access to the facility's computer system.

It is important to act quickly whenever there is reason to believe an employee or former employee may commit such an act. It is standard practice to collect identification cards, building passes, keys, and parking passes when employees leave their jobs; however, blocking access to computer systems or networks is sometimes overlooked.

When terminating employees, some agencies bar the individual from the premises and eradicate their passwords to computer systems that are accessible from outside the premises.

*"The agency planning group, as part of the response plan, should talk to the information/computer security officer or computer system administrators to determine the vulnerability of the computer networks and the procedures that need to be implemented to lock individuals out of these systems."*

Identifying all access to information is sometimes difficult to determine; often, it is not readily available in one central place. For example, information technology administrators may know who has access to various computer systems, and the facilities manager may know who has access to the computer systems that control the building's heating, air-conditioning, and other support functions for the facility. The agency planning group, as part of the response plan, should talk to the information/computer security officer or computer system administrators to determine the vulnerability of the computer networks and the procedures that need to be implemented to lock individuals out of these systems.

## 5.6.7 Examples of Handouts

The following pages contain examples of handouts developed by FPS that can be used by or adapted for your agency. In addition, a listing of the FPS regional offices is provided at the end of this section. The regional offices may be contacted for additional brochures and literature on office safety and security. Printer-friendly versions of the materials are also available.

### 5.6.7.1 Desk Card

Figure 1 summarizes the actions you should or should not take in a hostile or threatening situation. Print out and detach the card, fold the card into a "tent," and tape the ends together underneath so that the card

will stand up on your desk with the text facing you. Review the card often. If you are confronted by an angry, hostile, or threatening customer or co-worker, you will know what you should do. Everyone in your office, including supervisors and managers, should follow these same procedures. Copies can be made of this card so that all employees have their own card.

**Figure 1: Sample Reference Card for Coping with Threats and Violence (Source: Federal Protective Service and U.S. General Services Administration, 1998)**

### **Coping with Threats and Violence**

**For an angry or hostile customer or co-worker:**

- Stay calm and listen attentively
- Maintain eye contact
- Be courteous and patient
- Keep the situation in your control

**For a person shouting, swearing, and threatening:**

- Signal a co-worker or a supervisor that you need help
- Use a duress alarm system or prearranged code words
- Do not make any calls yourself
- Have someone call the FPS, contract guard, or local police

**For someone threatening you with a gun, knife, or other weapon**

- Stay calm and quietly signal for help
- Use a duress alarm or code word
- Maintain eye contact
- Stall for time
- Keep talking, but follow instructions from the person who has the weapon
- Never try to grab a weapon
- Watch for a safe chance to escape to a safe area

#### **5.6.7.2 Reference Card**

Figure 2, Telephone Threats, lists guidance for how to approach a threatening phone call. Everyone in your office, including supervisors and managers, should follow these same procedures. Make copies of the card if you need to so everyone will have his or her own card.

**Figure 2: Sample Reference Card for Coping with Telephone Threats (Source: Federal Protective Service and U.S. General Services Administration, 1998)**

<h3>Telephone Threats</h3> <ul style="list-style-type: none"><li>• Keep calm</li><li>• Keep talking</li><li>• Don't hang up</li><li>• Signal a co-working to get on an extension</li><li>• Ask the caller to repeat the message and write it down</li><li>• Repeat questions if necessary</li><li>• For a bomb threat, ask for the location of the bomb and detonation time</li><li>• Listen for background noises and write down a description</li><li>• Note the caller's gender, voice pitch, accent, additional sounds</li><li>• Try to get the person's name, exact location, and telephone number</li><li>• Signal a co-worker to immediately call the FPS, contract guard, or the local police</li><li>• Notify your immediate supervisor</li></ul>
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### 5.6.7.3 Emergency Phone Numbers

Figure 3, Emergency Telephone Numbers, provides a sample template for having all the emergency numbers for our building in one place. Carefully tear out the "Emergency Phone Numbers" card. Tape this card on your desk by your phone.

**Figure 3: Sample Emergency Phone Card for Emergency Telephone Numbers (Source: Federal Protective Service and U.S. General Services Administration, 1998)**

<h3>Emergency Telephone Numbers</h3> <p>Federal Protective Service (FPS): _____</p> <p>Building Security: _____</p> <p>Local Police/Sheriff: _____</p>
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### 5.6.8 Federal Protective Service Offices

For more information on coping with threats and violence in Federal offices, other crime prevention, security surveys, and protection assistance, write or call your nearest FPS, Public Buildings Service, U.S. Department of Homeland Security at one of these regional addresses:

<p><b>Washington, DC Metropolitan Area</b>  Southeast Federal Center  3rd &amp; M Streets S. E.  Washington, DC 20407-0001  (202) 690-9632</p>	<p><b>Crime Prevention Program</b>   18th &amp; F St., NW  Washington, DC 20405-0002  (202) 501-0907</p>
<p align="center"><b>U.S. Office of Personnel Management</b>  1900 E Street, NW  Washington, DC 20415  (202) 606-1800   TTY (202) 606-2532</p>	
<p><b>Region I</b>  <i>Connecticut, Maine, Massachusetts, New Hampshire, Vermont, Rhode Island</i>  10 Causeway Street, Room 108  Boston, MA 02222-1098  (617) 565-5776</p>	<p><b>Region II</b>  <i>New York, New Jersey, Puerto Rico, U. S. Virgin Islands</i>  26 Federal Plaza  New York, NY 10278-0013  (212) 264-4255</p>
<p><b>Region III</b>  <i>Delaware, Maryland and Virginia, Pennsylvania, West Virginia</i>  100 Penn Square, East  Philadelphia, PA 19107-3396  (215) 656-6043</p>	<p><b>Region IV</b>  <i>Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee</i>  401 West Peachtree Street, NW  Atlanta, GA 30365-2550  (404) 331-5132</p>
<p><b>Region V</b>  <i>Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin</i>  230 South Dearborn Street  Chicago, IL 60604-1503  (312) 353-1496</p>	<p><b>Region VI</b>  <i>Arkansas, Louisiana, New Mexico, Oklahoma, Texas</i>  819 Taylor Street  Fort Worth, TX, 76102-6105  (817) 334-3559</p>
<p><b>Region VII</b>  <i>Iowa, Kansas, Missouri, Nebraska</i>  1500 Bannister Road  Kansas City, MO 64131-3088  (816) 926-7025</p>	<p><b>Region VIII</b>  <i>Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming</i>  Building 41, Denver Federal Center  Denver, CO 80225-0546  (303) 236-5869</p>

<p><b>Region IX</b>  <i>Arizona, California, Hawaii, Nevada, Guam, U.S. Trust Territory of the Pacific</i>  450 Golden Gate Avenue  San Francisco, CA 94102-3400  (415) 522-3440</p>	<p><b>Region X</b>  <i>Alaska, Idaho, Oregon, Washington</i>  400 15th Street, SW  Auburn, WA 98001-6599  (206) 931-7529</p>
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## 5.7 Section 7: Organizational Recovery Post-Incident

Despite the best-laid plans of any Federal agency, violence in the workplace can and does happen. Agencies should develop both policies and procedures designed to head off these occurrences as well as preparations to deal with the aftermath of such incidents. Quite often, management focuses on continuity of operations; however, mitigating the impact such incidents have on office personnel is equally important. This section provides information designed to assist management with helping an organization to recover after an incident of workplace violence.

### 5.7.1 Management Steps to Help an Organization Recover

Provided below are several initial steps management can take when an incident of workplace violence occurs.

#### 5.7.1.1 Ensure a Management Presence at the Work Site

Managers need to spend ample time with their employees. Employees need to be reassured of their concern, and they need to be able to ask questions. Senior management should ensure immediate supervisors are supported in this role, relieved of unnecessary duties, and not pulled away from their subordinates to write lengthy reports or prepare elaborate briefings.

#### 5.7.1.2 Share Information with Employees

It is important for managers to share information with the rest of the workplace community as rapidly and honestly as possible, so false reports and irrational fears do not spread and make the situation worse. Employees will have many questions, and they need the answers, often more than once, if they are to resolve the experience for themselves. Information will develop over time; therefore, information strategies need to be simple and fluid. A notice board at the elevator or a recorded message on a "hotline" number may suffice for the basics, and organizations might also consider establishing a user-friendly system for individual questions.

#### 5.7.1.3 Include Union Leadership

Union representatives can help in reassuring employees after an incident and in getting information to employees.

#### 5.7.1.4 Bring in Crisis Response Professionals

Prior to an incident, the planning group should identify trained mental health professionals in the agency's EAP or the community who would be available to respond in the event of an incident. Some organizations may wish to develop their own in-house capacity to deliver best practices in psychological aspects of incident response, since these may not be available locally. Psychological service can offer victims and their coworkers comfort, information, support, and help with practical needs. It can also spot

those who appear most troubled by the event and may need more intensive psychological attention in the future.

When an incident occurs, involve emergency mental health consultants as soon as possible. They will generally meet with management first, working down the chain, and then with employees. Based on the findings, consultants will offer various services. Examples of possible services include the following:

- **Support Informal Debriefing:** The formal debriefing does not end the recovery process. Provide opportunities for employees to talk informally with one another when they feel a need to discuss the experience. A comfortable break area and flexibility about break times may be all that is needed.
- **Support Care giving within Work Groups:** Keep work units together as much as possible, and try not to isolate employees from their normal support groups at work. Show respect and support for employees' efforts to care for one another.
- **Handle Critical Sites with Care:** Initially, the site of a violent incident will be secured as a crime scene. After the authorities clear the scene and collect necessary information, management needs to be sensitive to a number of issues. It is helpful if employees don't have to come back to work and face painful reminders such as blood stains or broken furniture. But on the other hand, the area should not be so "sanitized" that it gives the appearance that management is pretending nothing happened. If someone has died, that person's work area will be a focus of grieving and it needs to be respected as such.
- **Buffer Those Affected from Post-Event Stresses:** Effective coordination with the media and timely dissemination of information can help reduce media pressure on those who are the most vulnerable. Questions from the news media relating to incidents of workplace violence should be forwarded to the appropriate public affairs staff for the agency. Assistance with benefits and other administrative issues can reduce the burden on victims and families.
- **Help Employees Face Feared Places or Activities:** Returning soon to a feared site, if only briefly, can help prevent lasting effects such as phobic responses. Having a friend or loved one along or being supported by close work associates may make the first step much easier.
- **Remember the Healing Value of Routine:** Getting back to a regular routine can be reassuring, and a sense of having a mission to perform at work can help the group recover its morale. The return to work must be managed in a way that conveys appropriate respect for the deceased, the injured, and the traumatized.
- **Follow-Up with Those Exposed to Extreme Stressors:** Some individuals may be especially at risk for continuing emotional problems due to the nature of their exposure (e.g., survivor of a severe physical assault; sexual assault survivor). Follow-up with these individuals can facilitate monitoring of continuing stress reactions and enable increase in intensity of services as needed.

### 5.7.2 The Critical Incident Stress Management Process

Following traumatic events in the workplace, employees often experience short-term behavioral and mood adjustment problems or symptoms of post-traumatic stress disorder. Agency managers should address these issues by advising all employees to access the agency's EAP service to assist with any strong negative emotions, anger, sleep problems, or other normal reactions to the abnormal event. In addition, most Federal employees will have mental health services available through their Federal health insurance benefits. Seeking help for adjustment problems should be characterized by managers in a

normalizing manner, but should not be pushed or mandated. Not all EAP services have immediately accessible emergency response capability. It is important to determine this capacity exists, EAP providers have been trained, and the planned response is consistent with best response practices.

Generally, immediate behavioral health responses should not be attempted except by a mental health professional well-versed in the risks and benefits of “psychological first aid” and crisis counseling methods. In more recent years, research studies of the most commonly used formal crisis intervention process, stress debriefing, consistently show that stress debriefing does not prevent development of post-traumatic stress disorder or depression, and some investigators found there is a risk of possibly exacerbating mental health symptoms when CISD and related approaches are applied. Methods of Psychological First Aid (PFA) have been endorsed by groups of experts as an alternative to stress debriefing for immediate response in the first hours and days post-incident.

PFA is not an adequate post-incident response. Rather it should be part of a more comprehensive set of activities that would also include survivor education, ongoing monitoring and follow-up, and referral for more intensive services as needed. Such comprehensive approaches have sometimes been called Critical Incident Stress Management.

Keep in mind none of the information provided in this section should take the place of specialized training in the field.

#### **5.7.2.1 Purpose of Behavioral Health Response**

Behavioral health responses to traumatic events should form part of an integrated system of services and procedures with a purpose to achieve several goals:

- Prevention of traumatic stress;
- Mitigation of traumatic stress;
- Intervention to assist in recovery from traumatic stress;
- Acceleration of recovery whenever possible;
- Restoration to function; and
- Maintenance of worker health and welfare.

#### **5.7.2.2 The Response Team**

A Response team, generally comprised of mental health professionals and trained peer support personnel, provides a variety of services including:

- Psychological First Aid;
- Defusings;
- Demobilizations after a disaster;
- Informal discussions;
- Significant other support services;
- Work support groups;
- Individual consults (one-on-one); and
- Follow-up services.

For the purposes of this discussion, the focus will be on Psychological First Aid (PFA).

### 5.7.3 The Psychological First Aid Model

The impact of a critical incident on an individual's life appears to be mitigated, to some degree, by the availability of intervention resources used at various stages following the incident. The PFA model assists the victims of critical incidents with their recovery process.

The PFA model involves a set of core actions, described below:

- 1. Contact and Engagement**

Goal: Respond to contacts initiated by affected persons or initiate contacts in a non-intrusive, compassionate, and helpful manner.

- 2. Safety and Comfort**

Goal: Enhance immediate and ongoing safety and provide physical and emotional comfort.

- 3. Stabilization (if needed)**

Goal: Calm and orient emotionally-overwhelmed/distraught survivors.

- 4. Information Gathering: Current Needs and Concerns**

Goal: Identify immediate needs and concerns, gather additional information, and tailor PFA interventions.

- 5. Practical Assistance**

Goal: To offer practical help to the survivor in addressing immediate needs and concerns.

- 6. Connection with Social Supports**

Goal: To help establish opportunities for brief or ongoing contacts with primary support persons or other sources of support, including family members, friends, and community helping resources.

- 7. Information on Coping**

Goal: To provide information (about stress reactions and coping) to reduce distress and promote adaptive functioning.

- 8. Linkage with Collaborative Services**

Goal: To link survivors with needed services, and inform them about available services that may be needed in the future.

These core goals of PFA constitute the basic objectives of providing early assistance (e.g., within days or weeks following an event). They will need to be addressed in a flexible way, using strategies that meet the specific needs of affected groups. The amount of time spent on each goal will vary from person to person and with different circumstances according to need.

### 5.7.4 Is a Behavioral Health Response Warranted?

One determination to make is whether a formal behavioral health response consultation with mental health experts is warranted. Though not all-inclusive, some examples of important questions to explore when assessing the need for such a response are these:

- What is the nature of the incident?

- Is the incident of sufficient magnitude as to cause significant emotional distress among those involved?
- How many individuals are affected by the incident?
- What signs and symptoms of distress are being displayed by the witnesses to the incident?
- Are the signs and symptoms growing worse as time passes?
- Are any of the following key indicators of a need for a response present: behavior change, regression, continued symptoms, intensifying symptoms, new symptoms arising, or group symptoms?

As these and other questions are explored, some instances may not warrant a formal debriefing. There may be a decision to briefly meet with the group(s) affected by the incidents to further assess the need for a formal debriefing. Under these circumstances, a critical incident stress defusing may be appropriate.

### **5.7.5 Conclusion**

Although it is well established that incidents of workplace violence and other traumatic events can sometimes lead to development of post-traumatic stress disorder and other problems in some survivors, the effectiveness of PFA and other early interventions after these events is less clear. CISD has been shown not to prevent mental health problems, but PFA, although based on expert consensus, has not yet been tested in research. PFA and other educational and supportive methods should be employed following potentially traumatic events, and delivered by trained mental health professionals and other trained behavioral response team personnel.

## 6.0 Acknowledgments

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## List of Abbreviations/Acronyms/Initializations

ADR	Alternative Dispute Resolution
ATAP	Association of Threat Assessment Professionals
CFR	Code of Federal Regulations
CISD	Critical Incident Stress Debriefing
DHS	Department of Homeland Security
EAP	Employee Assistance Program
EEOC	Equal Employment Opportunity Commission
EO	Executive Order
FSC	Facility Security Committee
FSL	Facility Security Level
F. 2d	Federal Reporter, Second Edition
FBI	Federal Bureau of Investigation
FPS	Federal Protective Service
GSA	General Services Administration
HCR	Historical Clinical Risk Management
HHS	Department of Health and Human Services
HSPD	Homeland Security Presidential Directive
ISC	Interagency Security Committee
MSPB	Merit System Protection Board
MSPR	Merit System Protection Reporter
NIOSH	National Institute for Occupational Safety and Health
OEP	Occupant Emergency Plan
OGC	Office of General Counsel

OIG	Office of the Inspector General
OPM	Office of Personnel Management
OSHA	Occupational Safety and Health Administration
PFA	Psychological First Aid
PMDB	Prevention and Management of Disruptive Behavior
PSOP	Physical Security Outreach Program
USC	United States Code
VHA	Veterans Health Administration
WAVR	Workplace Assessment of Violence Risk

## **Appendix A: Threat Assessment, Countermeasures, Awareness, Resources, and Case Studies**

Please see the attached Appendix A stand-alone document.