



## WORKPLACE VIOLENCE

Effective Date of Policy: 2/1/2021	Next Scheduled Review: 7/1/2026
Last Reviewed: 7/1/2024	Policy Number: OCC-09
Date Policy Last Revised: 7/1/2024	Replaces Policy Number:
Approved: Trey / Commission	Approval Date: 7/1/2024

Reference: Title VII of the Civil Rights Act 1964; 42 U.S.C. § 2000e et seq.; [25 O.S. § 1101 et seq.](#); [74 O.S. § 840-1.1 et seq.](#); [74 O.S. § 954](#); [Merit Rules – OAC Title 260](#)

### A. Workplace Violence

The Commission maintains a safe and secure workplace free from violence, harassment, intimidation, bullying, and other disruptive behavior for all Commission employees and patrons. The Commission prohibits violence or threats of violence. Any Commission employee who believes they have been subjected to conduct that violates this policy is encouraged to promptly confer with their supervisor or the Human Resource Manager. Employees who violate this policy are subject to discipline, up to and including termination.

[Policy OCC -07: Discrimination and Harassment](#)  
[Policy OCC -08: Equal Employment Opportunities](#)  
[Policy OCC-11: Employee Complaint Management](#)  
[Employee Input / Feedback](#)

### B. Definitions

“Workplace violence” means any act or threat of physical aggression by any individual that occurs at the work site. Its intended target may be another individual or object combined with a reasonable potential for physical or psychological trauma to victims and/or witnesses.

“Weapon” means any pistol, revolver, shotgun, or rifle, whether loaded or unloaded, knife, club, or any device that can be potentially used to commit harassing behavior, threat of violence, or violence.

“Carry” means to carry upon or about one’s person, or in a purse or other container belonging to the person.

“State property” means any structure, building, or office space owned or leased by the State of Oklahoma.

“Bullying” means repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more employees against another or others, at the place of work or in the course of employment.

### **C. Harassment, Violence, and Bullying**

All employees and patrons shall be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public will not be tolerated. This prohibition includes all acts of harassment, including harassment based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats and acts of violence, both direct and indirect, shall be reported as soon as possible to a supervisor. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. All suspicious individuals or activities shall be reported immediately to the Police Department (911) or the Capitol Patrol Division of the Oklahoma Highway Patrol at (405) 521-2316. When reporting a threat of violence, the employee should be as specific and detailed as possible.

The Commission will promptly and thoroughly investigate all reports of actual violence or threats of violence and suspicious individuals or activities. The identity of the individual making a report will be protected to the extent practical. To maintain workplace safety and the integrity of its investigation, the Commission may suspend employees, either with or without pay, pending investigation.

The Commission will not tolerate bullying. Bullying may be intentional or unintentional. Prohibited conduct includes the following:

- Verbal bullying (slandering, ridiculing, or maligning a person or their family);
- Name calling which is hurtful, insulting, or humiliating; abusive and offensive remarks;
- Physical bullying (pushing, shoving, kicking, poking, tripping, assault, or threat of physical assault, damage to a person's work area or property);
- Gesture bullying (non-verbal threatening gestures or glances that can convey threatening messages); and/or
- Power bullying (making excessive demands, such as assigning work that is impossible to perform or is clearly unnecessary; making demeaning demands, such as assigning work that is clearly below the employee's ability or experience or assigning no work at all; intruding or invading into the employee's personal life; or socially or physically excluding or disregarding a person in work-related activities).

The Commission encourages employees to bring disputes or differences with other individuals to the attention of their supervisor or the Human Resource Manager before the situation escalates into potential violence.

### **D. Weapons**

No employee shall carry firearms, weapons, or other dangerous or hazardous devices or substances on state property, in state vehicles, or while performing duties for the Commission unless the employee is required to carry or transport hazardous material in the course of their assigned duties.

### **E. Oklahoma Self-Defense Act**

Notwithstanding any license obtained under the Oklahoma Self-Defense Act, it is unlawful to carry any concealed or unconcealed handgun into any "structure, building, or office space which is owned by the state for the purpose of conducting business with the public" pursuant to [21 O.S. § 1277](#). It is the policy of the Commission that no employee shall carry a weapon on state property or while performing duties for the Commission unless the employee is required to carry or transport weapons or other prohibited material in the course of their assigned duties.

## **F. Removal from Duty**

Employees may be removed from duty to diffuse a potential “violence in the workplace” situation by placing the employee on administrative (“cooling off”) leave per [OAC 260:25-15-50](#). An employee’s time on administrative leave under this section shall not exceed 32 hours in a 12-month period.

## **G. Protective or Restraining Orders**

Employees who have obtained or who have applied for a protective order or restraining order shall immediately notify their division director to facilitate the enforcement of the order.

## **H. Responsibilities**

Employees shall alert a supervisor and/or law enforcement, if appropriate, to report any concerns about safety or security; report incidents or potential violent incidents, and report cooperation with an investigation process. Supervisors shall encourage employees to report and log all incidents and threats, and report all violent, or potentially violent incidents, even if there are no injuries. A report can be made by submitting a written statement of the incident to the division director. The division director will immediately notify the targeted employee and take all reasonable actions possible to prevent an incident in accordance with Commission policy. The division director or the Human Resource Manager will also provide for prompt medical evaluation and treatment when warranted after each incident; promptly report violent incidents to the local police department; discuss the circumstances of any incidents of assault with the employee; provide an opportunity for employees to share information about ways to avoid such problems in the future; and encourage employees to use the Employee Assistance Program (EAP). Employees may contact the Employee Assistance Program at [EAP@odmhsas.org](mailto:EAP@odmhsas.org), or call (405) 248-9007.

[Employee Assistance Program](#)

## **I. Employee Complaints**

Any employee with the Commission who believes they have been subjected to conduct that violates this policy is encouraged to promptly confer with their supervisor or the Human Resource Manager.

[Policy OCC -11: Employee Complaint Management](#)  
[Employee Input / Feedback](#)

## **J. Retaliation**

No hardship, no loss of benefit, and no penalty may be imposed on an employee as punishment for filing or responding to a bona fide complaint of discrimination or harassment; appearing as a witness in the investigation of a complaint; or serving as an investigator. Retaliation or attempted retaliation is a violation of this policy and will be subject to discipline up to and including termination.