Office of the Commissioner

Threats, Unusual Incidents and Workplace Violence Policy and Procedures

Policy #: DHHS-11-14

Issue Date: 10/28/14
Revised Date: 12/14/18

I. SUBJECT

Policy and Procedures to Deal with Threats, Unusual Incidents and Workplace Violence involving Maine Department of Health and Human Services' employees and/or buildings.

II. POLICY STATEMENT

DHHS will strive to maintain an environment for all that is free from violence. Civility, understanding and mutual respect toward all members of the workplace community are intrinsic to excellence and are an integral part of safety in the workplace. DHHS will not tolerate violence or threats of violence in any form. There shall be a set of procedures to deal with threats against DHHS employees and buildings. Employees shall cooperate fully with the investigating law enforcement agency, including submission of detailed written reports and attendance at any interviews or hearings requested.

III. RATIONALE

DHHS considers threats directed against its employees and others in service to DHHS as serious offenses subject to prosecution to the fullest extent of the law. In keeping with this philosophy, the Department of Health and Human Services pledges to protect all Departmental employees to the extent possible. DHHS will cooperate fully with law enforcement officials in assisting in the apprehension and prosecution of any person who threatens an employee or building. Supervisors and managers are authorized to take immediate and appropriate measures to protect the safety of employees, clients and the public at DHHS locations. This includes, but is not limited to, securing the building, relocating employees to secure areas, or evacuating the building. Nothing in this policy shall prevent the employee from reporting the threat in the event a threat is not reported by a supervisor/management.

IV. DEFINITIONS

1. For this policy, "employee" is defined as a staff member, contractor or contract employee, volunteer, or other individual performing work or services for DHHS.
2. For the purpose of this policy statement, the term “threat” is defined to be:

   a. Anything determined by the employee receiving the threat as being threatening, including an intimidating/aggressive demeanor, tone of voice, gesture, or a sense of violation of the employee’s sense of security or space.
   
   b. Any oral or written communication or gesture directed to or against any Department of Health and Human Services employee that articulates/conveys an intention to inflict physical, emotional, or financial harm or to damage property.
   
   c. A threat may originate from any person, to include, but not limited to: clients, contractors, other employees, and/or outside entities.
   
   d. A threat directed at an employee that is reasonably related to an employee’s job is considered a threat, regardless of whether the employee is in the workplace or off duty when the threat occurs.

3. Point person: one individual identified through discussion with local leadership and Office leadership in order to maintain communication throughout DHHS and also with law enforcement, to ensure that there is a consistency in the communication relating to the incident.

4. Bomb threat: a threat that mentions a bomb or other term for an explosive device.

5. Violence by customers or clients: the assailant who either receives services from or is under custodial supervision of an affected employee.

6. Violence by co-workers: the assailant has some employment-related involvement with the workplace, which includes, but is not limited to, former employee, co-worker, supervisor, manager, or contractor. These threats are handled through Human Resources and not via this policy.

7. Violence by personal relations: which includes, but is not limited to, spouse, former spouse, significant other, friend, family members or acquaintance. Domestic Violence Policy can be found at [http://www.maine.gov/dhhs/policies/domviopolicy.pdf](http://www.maine.gov/dhhs/policies/domviopolicy.pdf)

8. Violence by strangers: involves verbal threats, threatening behavior or physical assaults by an assailant who has no legitimate business relationship in the workplace.

9. Unusual Incident: anything determined by an employee to be of concern that may not involve a direct threat. This may include such things as needing to report that law enforcement was called to a building to remove a client who was not stating a threat; panic button being activated at a location for police assistance; an event/incident occurring in a nearby office that may impact our office/employees; building evacuation; anything else out of the ordinary.
V. PROCEDURE STATEMENT

A. Procedures for dealing with threats from entities external to DHHS

1. **Imminent** – Weapon is visible or physical violence is occurring or about to occur.

<table>
<thead>
<tr>
<th>Imminent</th>
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<tbody>
<tr>
<td>Police notified by any and the quickest means possible – 911, Panic button</td>
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<tr>
<td>Building goes on lock down – communication goes out to warn others by the quickest means possible.</td>
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<tr>
<td>Other offices and departments in the same location are notified by any means possible of threat.</td>
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<tr>
<td>Employees, contractors, clients, visitors are to leave if possible through the safe route.</td>
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<tr>
<td>Police assume control of the area.</td>
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<tr>
<td>After</td>
</tr>
<tr>
<td>Debrief with all parties to evaluate how the incident was handled and recommendations for improvement</td>
</tr>
<tr>
<td>Report written and submitted to all parties for review and acceptance of recommended changes</td>
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2. **High level threat** - Threats of physical harm directed toward employee(s) that can include an immediate specific threatening action.

<table>
<thead>
<tr>
<th>High</th>
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</thead>
<tbody>
<tr>
<td>Threat recognized</td>
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<td>Security determined</td>
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<td>Determined to be high</td>
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<tr>
<td>Employee is the immediately notify supervisor of threat.</td>
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<tr>
<td>Supervisor is to contact the local police department to inform them of the threat and determine if more action is needed. Develop a safety plan to protect employees and all necessary personnel.</td>
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<td>Threat report is submitted to the employee and submitted to the Commissioner’s Office.</td>
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<td>Supervisor or designated point person is to log high, with copy to all designated parties – that is, other offices in the building, other locations of the same office, other police departments (to determine how severe the threat is).</td>
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<tr>
<td>The threat report is distributed to all supervisors and the threat distributed to all employees, as necessary.</td>
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<tr>
<td>Point person is to continue communications to various parties until there is resolution to the threat.</td>
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<tr>
<td>Debrief with all parties to evaluate how the incident was handled and recommendations for improvement</td>
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**NOTE:**

**In District Offices:** the Business Manager or Office Manager will take the lead for building security measures.

**In Augusta Central Offices:** the Office/Division Director or other top supervisor immediately available in the building will take the lead for building security, in consultation with a Deputy Commissioner.
3. **Low level threat** - All Other threatening comments, gestures, actions or a heightened sense of threat (e.g., "if I don’t get my check something very bad is going to happen...")

4. **Unusual Incident/Report Only** – incidents that do not fall into any threat category but in which there is a level of concern; an explanation identifying the actions taken will be documented on the Unusual Incident/Threat Reporting Form.

**B. Further Action - Ad Hoc Committee**

Departmental/Office leadership can institute additional action plans if called for, based on the information gathered.

If further action is to be taken, or a need for additional research on the person making the threat, the supervisor, manager or Office leadership can request that the Ad Hoc Committee, appointed by the Commissioner, review the situation and any other relevant information to make a recommendation for further action.

If the Ad Hoc Committee decides to take further action based on gathered information, and a need for communication to other offices or other DHHS entities such as the Commissioner's Office, a point person will be designated to coordinate efforts and communication. The point person will be at the location and will keep all entities informed.

**C. Bomb threats**

The staff person receiving a threat should attempt to ascertain as much information as possible by using the bomb threat information sheet. When the call ends, the person will immediately notify the Supervisor, District Operations Business Manager, and Office Manager. They will determine if evacuation and contacting law enforcement is necessary. Bomb threats may require immediate evacuation of the affected facility.
D. Procedures for dealing with threats from entities' internal to DHHS

1. Violence involving patient to patient incidents or staff to patient issues at Riverview Psychiatric Hospital or Dorothea Dix Psychiatric Hospital are covered in other policies, with their own procedures; staff members are to be familiar with them.

2. Any staff member, contractor or contract employee, volunteer, or other individual performing work or services at DHHS who commits an act or threatens violence is subject to disciplinary action, up to and including dismissal, irrespective of any civil and or criminal proceedings or penalties. Threats between and among these entities are handled by Human Resources and not via this policy.

E. Other Guidelines

The following are guidelines for action in a violent or potentially violent situation:

a. When possible and appropriate, diffuse and separate parties directly involved in a potential violent situation.

b. Report any threatening actions by anyone to your supervisor, the police agency responsible for your facility, and/or others as indicated.

c. Resolve the causes of the incident by action taken that will minimize any reoccurrence.

d. Discipline those involved in the above act as deemed appropriate.

e. Follow-up with those involved to ensure every action is taken to reduce staff risk and exposure to workplace violence.

f. Prevention guidelines include immediate reporting of all threatening actions; reporting signs of harassment or any signs of violence, and implementing an individualized safety plan for the employee who is threatened (Guidelines for individualized safety plans are attached to this policy).

VI. UNUSUAL INCIDENT/THREAT REPORTS

Once the Deputy Commissioner or designee receives the Unusual Incident/Threat Report forms, they will be compiled, analyzed and distributed as deemed appropriate by DHHS Executive Management.

Note: As of revision of this policy, the threat reports are being redesigned to include an electronic format and reporting. Guidelines and directions for the new threat report will be disseminated and this part of the policy will be updated reflecting the changes.

VII. DISTRIBUTION

The distribution of this policy will be to all employees via e-mail and posting on the DHHS Intranet.
VIII. ATTACHMENTS/WEBSITE LINKS

Safety Plan Guidance – Attachment A

Bomb Threat Information Sheet can be found at: http://inet.state.me.us/dhhs/forms/documents/bomb-threat-card.docx

Domestic Violence Policy can be found at: https://www.mainegov/dhhs/policies/documents/Domestic-Violence-Policy-DHHS-12-05.pdf

Unusual Incident/Threat Report Form can be found at: http://inet.state.me.us/dhhs/forms/documents/Threat-and-Unusual-Incident-Reporting-Form-November-2018.doc

December 14, 2018

Date

Bethany Hamm
Acting Commissioner
Supervisors/managers shall work with threatened employees to develop a safety plan.

**Considerations in Developing Safety Plans**

*Note: Any or all of the following may be implemented, as necessary and as practicable:*

- The employee possibly obtaining a protection order from the district court;
- Temporary relocation of the employee’s work site;
- Offer a parking spot close to the building;
- Escort the employee to and from their vehicle;
- Employee commuting to work with others;
- Change of employee’s phone number and e-mail address;
- Remove voice mail from the employee’s phone and have the employee’s calls screened;
- Change of employee’s work assignment, as possible, and/or work schedule;
- Providing a picture of the perpetrator (if available) to reception areas, police, security, etc.;
- Employee providing information of an emergency contact person should the employer be unable to contact the employee; and
- Other considerations the employee or supervisor/manager may suggest.