



**State of Oklahoma**  
**Human Capital Management Division**  
**Office of Management and Enterprise Services**  
**Policies and Procedures**  
**Anti-Violence/Bullying - Violence in the Workplace**

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<b>Approved: Lucinda Meltabarger</b>	<b>Approval Date: 09/01/2012</b>

**Reference** Title VII of the Civil Rights Act 1964, Age Discrimination Act of 1975, and Americans with Disabilities Act of 1990 / Reference: 260:25-15-50 / Oklahoma Self Defense Act. / Title 21 § 1277

**Policy**

It is the policy of the Office of Management and Enterprise Services (OMES) to maintain a safe and secure workplace free from violence, harassment, intimidation, bullying, and other disruptive behavior for all OMES employees and patrons. The safety and security of the agency's employees, patrons, and property shall be a priority of all employees of this agency. This policy is intended to ensure all employees understand that no weapons are to be carried upon or about their person while on state property or while performing duties for the agency notwithstanding any license issued to the employee pursuant to the Oklahoma Self-Defense Act. Carrying a weapon on state property is prohibited and will not be condoned or tolerated.

All employees shall comply with this policy. OMES has NO tolerance for violence or threats of violence. Appropriate measures will be taken to ensure that prohibited conduct does not occur. Employees who violate this policy are subject to discipline, up to and including termination.

## **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(s) or object(s), and there is 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 and/or in the course of employment.

## **Implementation**

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. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of State property without proper authorization.

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 that is 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, managers or Human Resources Department. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, the employee should be as specific and detailed as possible.

All suspicious individuals or activities shall also be reported immediately to a supervisor, manager, Human Resources or the Police Department (911).

OMES will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the OMES individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, OMES may suspend employees, either with or without pay, pending investigation.

Individuals determined to be responsible for threats or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination.

OMES encourages employees to bring disputes or differences with other individuals to the attention of their supervisor, manager or the Human Resources Department before the situation escalates into potential violence.

OMES will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

Bullying may be intentional or unintentional. OMES considers the following types of behavior examples of bullying:

**Verbal Bullying:** slandering, ridiculing or maligning a person or his/her 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, glances which can convey threatening messages.

**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. Socially or physically excluding or disregarding a person in work-related activities.

### **Weapons**

No employee shall carry a weapon on state property or while performing duties for OMES.

### **Concealed Weapons**

Concealed weapons carried by any person having concealed handgun license pursuant to Title 21 § 1277 are prohibited in any building owned or leased by the state.

Properly authorized weapons carried by certified police and security officers are not prohibited.

The Capitol Patrol Division of the Oklahoma Highway Patrol should be contacted if there is a violation of this policy on state property and the violation is posing an imminent threat to persons or property. If the state property is not within Oklahoma County or Tulsa County, local law enforcement should be contacted by calling 911. Employees shall then notify a supervisor, manager or Human Resources Department as soon as possible. This applies to staff as well as visitors and clients.

### **Removal from duty**

HCM may place an employee on administrative leave or leave without pay to defuse potentially violent or inappropriate behavior on a case-by-case basis.

### **Protective or Restraining Orders**

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

### **Employees' Responsibilities**

Alert a supervisor, manager or Human Resources to any concerns about safety or security;  
Report incidents or potential violent incidents to a supervisor, manager or Human Resources;  
Cooperate with an investigation process.

### **Supervisors' Responsibilities**

Encourage employees to report and log all incidents and threats;  
Report all violent or potentially violent incidents, even if there are no injuries, by submitting a written statement of the incident to the Human Resources department;  
Immediately notify the targeted employee and take all reasonable actions possible to prevent an incident in accordance with OMES policy;  
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 incidents of assault with employee;  
Provide opportunity for employees to share information about ways to avoid such problems in the future;  
Encourage employees to use the OMES Employee Assistance Program (EAP).

### **The Complaint Process**

Employees are strongly urged to utilize the complaint procedure as outlined in the OMES Complaint and Investigation Process policy to report violence or threat of violence. However, filing groundless and malicious complaints is an abuse of this policy, and it is prohibited.

### **Retaliation**

No hardship, loss of benefit, or penalty may be imposed on an employee as punishment for:

1. Filing or responding to a bona fide complaint of discrimination or harassment.

2. Appearing as a witness in the investigation of a complaint.
3. Serving as an investigator.

Retaliation or attempted retaliation is a violation of this policy and anyone who does so will be subject to severe sanctions up to and including termination.