



# U.S. FISH AND WILDLIFE SERVICE TRANSMITTAL SHEET

PART 054 FW 2	SUBJECT Serious Incidents Workplace Violence	RELEASE NUMBER 432
FOR FURTHER INFORMATION CONTACT Division of Human Resources		DATE June 2, 2003

## EXPLANATION OF MATERIAL TRANSMITTED:

This chapter provides guidance on preventing and responding to workplace violence.

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**Deputy** DIRECTOR

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## FILING INSTRUCTIONS:

Remove:

None

Insert:

054 FW 2, 06/02/03, FWM 432  
Exhibit 1, 054 FW 2, 06/02/03, FWM 432  
Exhibit 2, 054 FW 2, 06/02/03, FWM 432

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**2.1 What is the purpose of this chapter?** This chapter establishes Fish and Wildlife Service policy for preventing and responding to workplace violence. As used in this chapter, the terms “we” and “our” refer to the Fish and Wildlife Service.

**2.2 To whom does this chapter apply?** This chapter applies to all Service employees.

**2.3 What are the authorities for establishing this chapter?**

**A.** 5 CFR 752, Adverse Actions.

**B.** 5 CFR 2635, Standards of Ethical Conduct for Employees of the Executive Branch.

**2.4 What is the Service policy regarding workplace violence?** Every Service employee deserves to be treated with respect, dignity and fairness. We will not tolerate violence or threats of violence by or against any Service employee. Violent outbursts, intimidation, threats, harassment, bullying, or other forms of abusive, aggressive or disruptive behavior will not be excused or tolerated. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.

**2.5 What are the definitions used in this chapter?**

**A. Incident Response Team.** An interdisciplinary team trained to respond to reported threats, violent acts, or potentially violent situations through activation of the Incident Response Plan. Members of the team may vary depending on the circumstances but typically will include representatives from:

- (1) Human Resources.
- (2) Employee Assistance Program.
- (3) Law Enforcement and/or Security.
- (4) Federal Protective Service.
- (5) Management.
- (6) Unions, where applicable.
- (7) Office of the Solicitor.
- (8) Conflict Resolution Office.

**B. Threat.** Any oral or written expression or gesture that could be interpreted by a reasonable person as conveying an intent to cause physical harm to persons or property.

**C. Workplace Violence.** Assaults, other violent acts, or threats that occur in or are related to the workplace and entail a substantial risk of physical or emotional harm to individuals, or damage to Government resources or capabilities.

**2.6 What are the responsibilities under this chapter?**

**A.** The **Director** is responsible for overall direction of the Service’s workplace violence prevention and intervention program.

**B.** The **Assistant Director - Budget, Planning and Human Resources** is responsible for administration of workplace violence prevention and intervention policy.

**C.** The **Chief, Division of Human Resources** is responsible for development of the Service workplace violence prevention policy and for providing Servicewide consultation services concerning such policy.

**D. Regional and Assistant Directors will:**

- (1) Promote management and employee efforts to eliminate intimidating and harassing behaviors and violence.
- (2) Support the Service’s workplace violence prevention and intervention program.

**E. Human Resources Officers will:**

- (1) Establish an Incident Response Team (IRT). Each Region will establish a minimum of one team; however, other teams may be established as necessary, such as at field stations.
- (2) Educate employees on violence prevention.
- (3) Provide technical expertise and consultation to help supervisors determine what course of administrative action is most appropriate in specific situations. See paragraphs 2.11 and 2.12 and Exhibit 1.
- (4) Determine if sufficient evidence exists to justify taking disciplinary action once the investigation of any misconduct is complete.
- (5) Help supervisors determine proper reasonable accommodation.
- (6) Coordinate with the Incident Response Team as appropriate.

**F. Supervisors and managers will:**

- (1) Inform employees of Service workplace violence policies and procedures.
- (2) Ensure that employees know specific procedures for dealing with workplace threats and emergencies, and how to contact police, fire, and other safety and security officials.
- (3) Ensure that employees with special needs are aware of emergency evacuation situations.

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(4) Respond to potential threats and escalating situations by utilizing proper resources from: local law enforcement and medical services, Federal Protective Service, human resources staff, and the Employee Assistance Program.

(5) Take all threats seriously.

(6) Coordinate with the servicing human resources office as necessary.

**G. Employees will:**

(1) Be familiar with Service policy regarding workplace violence.

(2) Secure their own workplace.

(3) Question and/or report strangers to supervisors.

(4) Be vigilant for any threats, physical or verbal, and/or any disruptive behavior of any individual and report such to supervisors. See paragraph 2.10.

(5) Be familiar with local procedures for dealing with workplace threats and emergencies.

(6) Take all threats seriously.

(7) Attend training provided on violence prevention and awareness.

**H. The Incident Response Team will:**

(1) Designate a leader and define membership.

(2) Develop an Incident Response Plan (IRP) to ensure that employees and supervisors know who to contact and how to respond to violent acts or threats of violence that arise in the workplace. The IRP will be developed for the local area. See paragraph 2.7.

(3) Assess threats of violence (e.g., determine how specific the threat is, if the person threatening the worker has the means for carrying out the threat, etc.).

(4) Determine the necessary steps to prevent the threat from being carried out.

(5) Respond as needed to incidents of violence.

(6) Assist with attempts to de-escalate and manage the situation.

(7) Facilitate and coordinate response action to ensure that appropriate follow-up action is taken (investigations, victim assistance, preventive and corrective actions).

(8) Conduct periodic reviews of violent incidents to identify ways in which similar incidents can be prevented in the future.

**2.7 What does the Incident Response Plan include?** Each plan will:

**A.** Identify members of the Incident Response Team.

**B.** Provide guidelines on minimizing danger to employees and visitors in the event of a “traumatic” violent incident at a Service facility. It should also provide guidance on how to respond when such incidents occur.

**C.** Cover basic issues, such as:

(1) Who is responsible for building security.

(2) How to obtain medical attention.

(3) Roles of local law enforcement and/or the Federal Protective Service.

(4) Role of employees and supervisors.

(5) How the building should be evacuated if necessary.

(6) How employees should contact their supervisors if cut off from the work site.

(7) How to continue operations under unusual circumstances.

(8) Identification of resources for response to a traumatic event.

(9) How to handle accommodations for injured employees.

(10) An inventory of individuals with special skills that could be used during a violent situation.

**D.** Cover basic issues, such as:

(1) Who is responsible for building security.

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(10) An inventory of individuals with special skills that could be used during a violent situation.

**2.8 Are there ways to prevent workplace violence?** No matter how effective policies and plans are in detecting and preventing incidents, there are no guarantees against workplace violence. When a violent incident does occur, it is essential that the response be timely, appropriate to the situation, and carried out with the recognition that employees are traumatized and that the incident's aftermath has just begun.

**2.9 Are there indicators of potential workplace violence?**

**A.** Recent studies indicate violent occurrences rarely happen without some warning. Before actually becoming violent, there are patterns of behavior or other activities that may serve as warning signs of violence. The following are warning indicators of potential workplace violence. See Exhibit 2 for additional guidance on identifying and evaluating violent situations.

- (1) Intimidating, harassing, bullying, belligerent, or other inappropriate and aggressive behavior.
- (2) Bringing a weapon to the workplace (unless necessary for the job), making inappropriate references to guns, or making idle threats about using a weapon to harm someone.
- (3) Direct or veiled threats of harm.
- (4) Numerous conflicts with supervisors and other employees.
- (5) 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.
- (6) Substance abuse.
- (7) Extreme changes in behaviors.
- (8) Statements indicating desperation (over family, financial, and other personal problems) to the point of contemplating suicide.

**B.** Be aware of external threats from organizations or the public. See Exhibit 2 for some types of external threats.

**2.10 What should I do if someone shows signs of potential violence?**

If the offending person is...	You should...
A coworker	Notify the employee's supervisor immediately.

If the offending person is...	You should...
A customer	Notify your supervisor immediately.
Your subordinate	Evaluate the situation by taking into consideration what may be causing the employee's problems.
Your supervisor	Notify your supervisor's manager

**2.11 Who determines appropriate disciplinary action for offenders?** If relevant information is available regarding violent, harassing, threatening, and other disruptive behavior, the supervisor must determine the appropriate disciplinary action. Supervisors should always consult with the servicing human resources office and the Office of the Solicitor when considering disciplinary action. See Exhibit 1 for additional guidance on employee relations considerations.

**2.12 What actions are available to keep an employee away from the worksite?** When a disruption occurs on the job or where there is a belief that the potential for violence exists, a supervisor may need to keep an employee away from the worksite to ensure the safety of employees while conducting further investigation and deciding on a course of action. The following four options are available:

**A. Immediate Short-term Actions.**

**(1) Place employee on excused absence (commonly known as administrative leave).** Placing the employee in a paid, nonduty status is an immediate, temporary solution to the problem of an employee who should be kept away from the worksite. Some employees consider this a punitive measure. However, relevant statute and case law have indicated that as long as the employee continues receiving pay and benefits just as if he or she were in a duty status, excused absence does not require the use of adverse action procedures set forth in 5 CFR 752. Depending on the circumstances, it may also be a good idea to offer the employee the option to work at home while on excused absence, if appropriate. Monitor the situation and, when necessary, take longer-term actions as discussed in subparagraph B, below.

**(2) Detail employee to another position.** This can be an effective way of getting the employee away from the worksite, where he or she is disturbing other employees. However, this action will be useful only if there is another position where the employee can work safely and without disrupting others.

**B. Longer Term Actions.**

**(1) Indefinite suspension.** An indefinite suspension is an adverse action that takes an employee off-duty until the

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completion of an ongoing inquiry or investigation into allegations of misconduct. An indefinite suspension is usually appropriate when more than 30 days is needed to await the results of an investigation, await the completion of criminal proceedings, 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 after an indefinite suspension is proposed and a final decision is made to impose the suspension, the employee will not be in a pay status. The employee remains on indefinite suspension until completion of an investigation, completion of criminal proceedings, or determination is made on a medical condition.

**(2) Indefinite enforced leave.** The procedure for placing an employee on enforced leave for over 14 days is the same as for an indefinite suspension. 5 CFR 752 adverse action procedures must be used before such action can be effected. It involves making the employee use his or her own sick or annual leave after the 30-day notice period with pay has expired. The employee remains on enforced leave pending the outcome of the investigation, criminal proceedings, or determination is made on a medical condition.

**2.13 Can disciplinary action be appealed?** Once a disciplinary action is taken, the employee has the right to challenge the final decision. The avenues of redress available include the Service's administrative or negotiated grievance system, the Service's equal employment opportunity complaint process, or the Merit Systems Protection Board.