

Policy 2512

From Human Resources

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PERSONNEL POLICY

MANUAL

MoDOT Personnel Policy Title: Workplace Security

Policy Number: 2512 **Chapter Title:** Employee Conduct

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Approved By: Micki Knudsen, Human Resources Director

(Signature on file)

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POLICY STATEMENT

The Missouri Department of Transportation is committed to increasing the safety of its employees while at work by establishing procedures for reporting, investigating, and responding to incidents of threatened and/or actual violence. Discrimination, harassment, and retaliation against person(s)

reporting or responding to behavior prohibited under this personnel policy are strictly prohibited. Also prohibited is any interference or obstruction by an employee with any departmental investigation that is deemed necessary under this personnel policy. Violation of this policy may result in discipline, up to and including termination.

DEFINITION

Prohibited Behavior - Includes any communication or physical actions intended or reasonably expected to threaten, intimidate, or harm another person. This includes, but is not limited to:

- A. Violent threats, expressed as verbal comments, directly or indirectly expressed in a veiled or conditional manner to another person(s).
- B. Violent threats that may be communicated through any written or pictorial documentation, including computer memorandum(s).
- C. Physical actions such as hitting, pushing, kicking, holding, impeding, physical gestures, or forcibly blocking the movement of another person(s).

PROVISIONS/REQUIREMENTS

1. The department prohibits any person from carrying a firearm or weapon of any kind that is readily capable of lethal use into a department-owned or occupied building as provided in Section 571.030.1(8) of the Revised Statutes of Missouri (RSMo), whether or not the person has a permit to carry a concealed firearm. The department will post signs prohibiting such firearms or weapons in MoDOT-owned or occupied buildings. The department further prohibits firearms or any weapon readily capable of lethal use in any department equipment or vehicles, whether or not the person has a permit to carry a concealed weapon. This personnel policy does not apply to any on-duty federal, state, county, or municipal law enforcement officer(s) possessing the duty and power of arrest for violation of the general criminal laws of the state or nation. Further, this policy is not intended to prohibit storage of a concealed or unconcealed firearm or other weapon capable of lethal use in a personal vehicle while parked on department property, as long as the firearm or weapon capable of lethal use remains in the vehicle at all times and is not brandished on department property.
2. For the protection of other employees, any employee being stalked or otherwise threatened off the job is strongly urged to notify his/her immediate supervisor or the local Human Resources (HR) office or the district/Central Office security coordinator. Attached to this policy is guidance for domestic violence prevention. In those cases where a restraining order has been issued, the employee is required to notify his/her immediate supervisor, the local HR office, or the district/Central Office security coordinator. If reported to the immediate supervisor, the supervisor is required to immediately forward the information to the local HR office or the district/Central Office security coordinator.

3. Any employee who has been subjected to behavior prohibited by this personnel policy, or who has knowledge of behavior prohibited by this personnel policy, is required to immediately and accurately report the matter to his/her immediate supervisor (next higher supervisor if the concern is concerning the immediate supervisor), the local HR representative, or the district/Central Office security coordinator.

This includes any violations of this personnel policy an employee may have witnessed or heard that another person has received, and is job-related or might be carried out on department property or connected to department employment. Employees are responsible for making this report regardless of the nature of their relationship to the individual who initiated the prohibited behavior. The failure to report such incidents under this personnel policy could result in disciplinary action, up to and including termination.

4. This personnel policy does not preclude employees from contacting law enforcement or emergency personnel at any time should the incident/behavior, in their estimation, warrant an immediate intervention by law enforcement personnel.

5. Any employee intentionally making a false report under this personnel policy will be subject to disciplinary action, up to and including termination.

6. To effectively respond to incidents under this personnel policy, the department has established Threat Assessment Teams (TATs) within each district and the Central Office. These teams are responsible for investigating and coordinating responses to incidents occurring within their respective locations. The TATs will work in conjunction with appropriate department officials from the Central Office, as well as local law enforcement and emergency agencies when necessary, to coordinate and respond to incidents as they occur.

It is suggested, but not required, that the TATs should include the following representatives during an incident response: district/division management member, a HR manager, the district/Central Office security coordinator, Central Office Risk and Benefits (RB) management representative and, when appropriate, the immediate supervisor from the work unit where the incident occurred. Additionally, a chief counsel representative from the Central Office may be involved should an incident warrant such input. Members of the district TATs will be appointed by the respective district engineer, while the Central Office TATs will be appointed by the director of the department or a designated representative.

7. All incidents reported to supervisory personnel under this personnel policy shall be promptly forwarded to the HR manager/director or district/Central Office security coordinator to determine if the involvement of TAT is necessary. In the event of a report requiring immediate intervention by law enforcement personnel, the appropriate law enforcement agencies will be contacted immediately.

8. When appropriate, the department will cooperate and assist with any criminal investigation(s) or prosecution(s) that may result from reported incidents under this personnel policy.

9. All incidents reported under this personnel policy will be kept confidential by the department to the extent possible. However, the department, after receiving a report, is required to act

appropriately and prudently based upon the information received to ensure the physical safety of its employees and others. Therefore, the department cannot promise anonymity to the person(s) who made the report. The identity of the person(s) making the report shall only be disclosed to those who have a legitimate need to know in those cases where disclosure is necessary.

10. Districts/divisions/offices are required to document all reported incidents under this personnel policy. On a periodic basis, districts/divisions/offices will be required to submit basic, non-confidential statistical information on these incidents to the Risk and Benefits Management Division.

CROSS REFERENCE

Section 571.030.1 RSMo

ATTACHMENTS

District/Central Office Security Coordinators

Domestic/Relationship Violence Prevention Guidance

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