

**NEVADA DEPARTMENT OF CORRECTIONS  
ADMINISTRATIVE REGULATION  
321**

**WORKPLACE VIOLENCE**

**Supersedes:** AR 321 (Temporary, 08/08/11)  
**Effective Date:** 06/17/12

**AUTHORITY:** NRS 199.300, 200.571, 200.575, 201.255, 202.840, 203.119, 207.180,  
209.131, 618.353, 618.375, NAC 284.650, 618.540, SAM 0521.0

**RESPONSIBILITY**

All Department employees are responsible to have knowledge of and comply with this regulation.

**321.01 INCIDENT REPORTING AND INVESTIGATION**

1. Acts of aggression can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical or mental harm or, indirect acts such as damage to personal property.

A. Violence, threats, harassment, intimidation and other acts of aggression and disruptive behavior in the workplace will not be tolerated.

2. Employees are responsible to immediately report all incidences or acts of workplace violence to include knowledge of possible direct and/or indirect threats to their supervisor or the most accessible supervisor.

A. Employees who are experiencing threats of violence from a domestic partner (or other non-work related relationship) that may carry over to the workplace are encouraged to report this to his/her supervisor to minimize the risk to the employee and others during working hours.

3. The supervisor shall report the incident to the next level in the chain of command, who in-turn will ensure appropriate administrators are advised.

A. All reports of incidents must be taken seriously and “immediate intervention” must be initiated by the appropriate supervisor or manager.

4. All incidences must be reported and each event must be documented including witness statements, reports, and any other pertinent information in the incident log screens of the Nevada

Offender Tracking Information System (NOTIS) in accordance with AR 121 (Incident Reporting and Notification) by the supervisor.

5. The supervisor shall promptly notify the Inspector General's Office of the incident and shall ensure each incident is investigated thoroughly.
6. The supervisor shall provide a copy of their incident statement to the Department's Compliance Enforcement Supervisor.
7. Supervisors shall follow the protocol designated in Administrative Regulation 329 (Employee Work-Related Illness/Injury or Occupational Disease) if there is any indication of injury to an employee.
8. Employee(s) who commit acts of workplace violence, as described herein, may be removed from the premises, subject to disciplinary action up to and including termination, and/or subject to criminal actions by the Attorney General.
9. These procedures do not apply to incidences of inmate violence. Refer to AR 121 "Incident Reporting & Notification" for more information regarding Inmate Violence.

### **321.02 SUPERVISOR'S IMMEDIATE INTERVENTION**

1. Upon a **direct and imminent threat of violence** (employee or other person states that they are on the way to commit an act of violence or indicates that they are going to obtain the means to commit the act) or an **immediate act of violence**:
  - A. The Inspector General's Office and the supervisor shall determine if 911 or other law enforcement should be contacted.
  - B. Employee(s) to whom the threat is directed and their supervisor(s) shall be notified of the threat. This information should be kept confidential.
  - C. The supervisor shall offer the affected employee(s) the option to leave work; employee is to use their own accrued leave.
  - D. The offending employee shall be placed on Administrative Leave and be prohibited from returning to the worksite until further notice.
    - (1) If there are indications of possible medical or psychological illness, the supervisor shall contact an Associate Warden or Division Head who may request a fitness for duty examination through the NDOC Personnel Division.
2. Upon a **direct threat without imminent event** (employee or other person states that they intend to commit an act of violence one of these days):

A. The Associate Warden or Division Head shall place the offending employee on Administrative Leave.

(1) If there are indications of possible medical or psychological illness, the supervisor shall contact an Associate Warden or Division Head who may request a fitness for duty examination through the NDOC Personnel Division.

B. The supervisor shall notify the offending employee verbally and in writing that they are prohibited from coming to the worksite without prior approval and coordination with the Warden and or Division Head.

3. Upon **indirect threats, stalking, harassment, bullying, and/or intimidation:**

A. The supervisor shall confront and counsel the offending employee and state the behavior must stop.

(1) If the employee's behavior does not cease, the supervisor may remove the employee from the work area by temporary assignment and/or implement progressive disciplinary measures.

(2) If it is determined that conflict resolution needs to occur amongst employees, the Associate Warden and/or Division Head may contact NDOC Personnel Division to coordinate this with the State Mediation Program.

(3) If there are indications of possible medical or psychological illness, the employee may be placed on sick leave and the supervisor shall contact an Associate Warden or Division Head who may request a fitness for duty examination through the NDOC Personnel Division.

4. Upon **bizarre, inappropriate, or unsafe behavior:**

A. The supervisor shall confront and counsel the offending employee and give the employee an opportunity to explain reasons for the behavior.

(1) If the employee's behavior causes a supervisor to reasonably suspect that an employee is under the influence, the supervisor may consider following the guidelines of AR 349 (Employee/Applicant Alcohol and Drug Testing).

(2) If the employee's behavior does not improve, the supervisor may remove the employee from the work area and place them on sick leave and the supervisor shall contact an Associate Warden or Division Head who shall request a fitness for duty examination through the NDOC Personnel Division.

### **321.03 TRAINING**

1. The Training Division shall present topics on workplace violence in Pre-Service Training (PST).

A. New employees are required to sign an acknowledgement form indicating that they received this training.

B. The signed acknowledgement form will be placed in the employee's Department training file, located in Carson City.

2. The Training Division shall present topics on Workplace Violence in refresher training every two (2) years as required.

A. All employees are required to sign an acknowledgement form indicating they received this training.

B. The signed acknowledgement form will be placed in the employee's training file.

3. All proposed Workplace Violence training programs and material shall be submitted to the Compliance Enforcement Supervisor for review and approval prior to implementation.

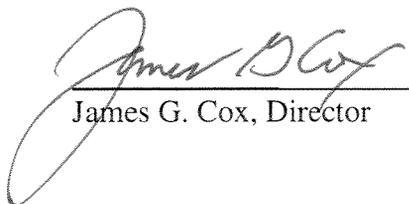
### **APPLICABILITY**

1. This regulation applies to all classified and unclassified employees of the Department.

2. This regulation requires an audit.

### **REFERENCES**

State Administrative Manual section 0521(8), AR 121, AR 319, AR 329, AR 349

  
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James G. Cox, Director

5/30/12  
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Date