

 <b>PA TURNPIKE COMMISSION POLICY</b> <i>This is a statement of official Pennsylvania Turnpike Policy</i>		<b>NUMBER:</b> 3.07  <b>APPROVAL DATE:</b> 07-23-2002  <b>EFFECTIVE DATE:</b> 08-07-2002  <b>REVISED DATE:</b> 03-16-2021
<b>POLICY SUBJECT:</b>  Workplace Violence	<b>RESPONSIBLE DEPARTMENT:</b>  Human Resources	

**A. PURPOSE:**

This policy letter establishes the Pennsylvania Turnpike Commission’s (Commission) commitment to provide a safe and secure work environment free from threats, harassment, violence, and other potentially harmful acts.

**B. SCOPE:**

This policy applies to all Employees and Commission Representatives.

**C. GENERAL POLICY:**

Workplace Violence by any Employee or Commission Representative will not be tolerated. Each Employee and Commission Representative will be held accountable for complying with this policy and reporting any suspicious activity or Workplace Violence, whether they were directly involved or not.

Except for Pennsylvania State Police (PSP) and/or Capitol Police (CP), armored courier services and non-Commission employee law enforcement officers, it is a violation of this policy to carry a weapon, firearm, or other instrument of force, of any kind while inside a Commission facility, building or leased space, on Commission property, inside a Commission-owned or Commission leased or rented vehicle, or while conducting Commission business, on or offsite. Regardless of any legally issued Concealed Weapons or License to Carry Firearms Permit, an Employee or Commission Representative is strictly prohibited from carrying a firearm or concealed weapon as set forth above, violation of this policy will subject an Employee to discipline, up to and including termination and a Commission Representative to termination, of the business contract or removal from all Commission assignments.

**D. DEFINITIONS:**

Commission Representatives – Consultants, contractors, business partners and anyone else working under contract with the Commission.

Crisis and Emergency Risk Communications Team (CERC) – This team is responsible for the immediate and standardized notification, reporting and appropriate handling of serious injuries and incidents that may occur on Commission property or during the conducting of official Commission business.

Employee - Any individuals employed by the Commission in a full-time, part-time, supplemental, intern, or seasonal capacity, or temporary staff member who is assigned to provide services to the Commission pursuant to a temporary staffing vendor agreement. This definition does not include employees of the PSP or CP.

Protection from Abuse Order (PFA) – The PFA is a legal document that prohibits the abuser from contacting the victim(s) or being in close proximity to the victim(s).

Terroristic Threat – Communications, either directly or indirectly, of a threat to:

- 1) commit any crime of violence with intent to terrorize another;
- 2) cause evacuation of a building, place of assembly or facility of public transportation; or
- 3) cause serious public inconvenience, or cause terror or serious public inconvenience with reckless disregard of the risk of causing such terror or inconvenience.

Turnpike Employee Assistance Program (TEAP): A program designed to assist Employees and their families with alcohol, drug, emotional, family, financial, marital, or personal problems.

Warning Signs - An observable behavior which may indicate that an individual may be a higher risk for committing an act of workplace violence. Warning signs may include, but are not limited to, overreacting, offensive or profane language, rapid speech, continual blame, or excuses, being overly defensive when criticized or repeated unusual movements such as pounding, banging, or slamming one's fist.

Weapon, Firearm or Other Instrument of Force - Examples include, but are not limited to, handguns, rifles, shotguns, clubs, explosives, bow and arrows, tasers, stun-type instruments, etc.

Workplace - Any Commission owned or leased property, location where Commission business is conducted, or site where a Commission Employee or Representative is on-duty. Commission vehicles or private vehicles being utilized for Commission business are included in this definition. Additionally, workplace violence can occur at any location if the violence has resulted from an act or decision made while conducting Commission business.

Workplace Violence - Conduct that creates a hostile, abusive, or intimidating work environment for any Employee or Commission Representative such as, but not limited to, physical confrontations, abusive language, threatening gestures or remarks, possession of weapons, or any other actions intended to intimidate, harm, or retaliate against coworkers, supervisors, or the public.

Specific examples of conduct which may be considered a Workplace Violence include, but are not limited to:

1. Hitting, shoving, fighting, and stalking;
2. Physically touching another Employee in an intimidating, malicious, or harassing manner;
3. Intentionally destroying or sabotaging Commission equipment or property, or committing, attempting to commit, or threatening to commit acts of destruction (e.g., arson; bomb threats);
4. Making verbal threats of bodily harm towards an individual, his/her family, friends and associates or property;
5. Making physical gestures that may be reasonably perceived as threatening or abusive to people;

6. Harassing or threatening a person by any method, including, but not limited to, the telephone, electronic devices, social media, texting, e-mailing, interoffice mail, note, letter, fax or in person;
7. Making a threat with the intent to place another person in reasonable fear for his/her safety;
8. Making Terroristic Threats;
9. Intentional and unwanted following of another person (known as stalking);
10. Violence that results in property damage, theft and/or sabotage of property of another individual or the Commission;
11. Attempting to restrain an individual which may include imprisonment, restraint and/or hostage taking; or
12. Suggesting that workplace violence is appropriate and/or making statements indicating approval of the use of violence to resolve problems.

The critical element in determining if an occurrence is Workplace Violence is the relationship of the violence to an action taken in the performance of an Employee's or Commission Representative's job assignment. While there is no question that a physical or verbal altercation between two individuals at the worksite during business hours meets the definition of workplace violence, the definition encompasses more. Workplace violence may also occur after normal work hours and away from the worksite.

#### **E. PROCEDURES:**

To maintain a safe workplace, Employees and Commission Representatives must report concerns about the potential for and/or actual incidents of Workplace Violence, as follows:

##### **High – Immediate Threat of Harm or Violence**

Employees and/or Commission Representatives must call 9-1-1 for assistance as soon as they can safely do so. Employees and Commission Representatives who come across someone engaged in acts of Workplace Violence with a Weapon, Firearm or Other Instrument of Force should not try to intervene or disarm the individual.

##### **Medium – Moderate Risk of Escalation to Harm or Violence**

Employees and/or Commission Representatives must immediately contact the Operations Center for assistance by calling the Emergency 800 number, 1-800-932-0586. The Operations Center may dispatch the police, fire, ambulance, crisis intervention or other persons or entities that may be needed to respond to the situation.

##### **Low – No immediate Threat**

Employees and/or Commission Representatives who become aware of, suspect inappropriate conduct, or observe warning signs of unusual behavior including acts by third parties, must immediately report their concerns to their supervisor or manager. The supervisor or manager is required to contact the Director of Human Resources as soon as feasible to advise them of the concerns.

### **Commission Assessment Team:**

In most cases, Workplace Violence situations will be handled and investigated by PSP and/or CP; however, the Commission Assessment Team along with any necessary members of the Commission's Crisis and Emergency Risk Communications (CERC) Team will hold a vital role in assisting with the investigation. The Commission Assessment Team's key roles will be to provide guidance, coordination services and after-action review when faced with a workplace violence situation. The Commission's core team consists of the following members or others assigned by the Chief Executive Officer (CEO):

- Chief Executive Officer
- Chief Operating Officer
- Chief of Compliance, Legislative and Cultural Affairs
- Chief Counsel
- Director of Human Resources
- Director of Traffic Engineering and Operations
- Director of Public Relations and Marketing

After receiving the call and dispatching appropriate resources, the Operations Center will use the CERC procedures. The COO will determine the seriousness of the incident and whether the Commission Assessment Team should be activated.

A full investigation may include, but is not limited to, a search of the Employee's or Representative's Commission provided computer or electronic device, office, work area, vehicle, or locker. Any Employee or Representative who is determined to have engaged in conduct which has violated this policy will be subject to appropriate discipline and corrective action up to and including termination of his/her employment, business contract or business assignments. In addition, the Employee or Representative may be subject to criminal prosecution and Commission employee's may also be subject to pension forfeiture.

Supervisors should provide contact information for the Turnpike Employee Assistance Program (TEAP) to Employees who are victims of workplace violence. This information is accessible on the intranet/extranet or by contacting Human Resources (HR).

Reporting Protection from Abuse Orders (PFAs) - Although employees are not required to notify HR if they have obtained a Protection from Abuse Order, they are encouraged to inform their supervisor, and/or the Human Resources Department of such an order.

The Commission expects that all Employees and Commission Representatives will continue to act responsibly to establish and maintain a safe and secure work environment free from threats and acts of Workplace Violence.

Questions concerning this policy should be directed to the Director of Human Resources.

*This Policy Letter supersedes all previous Policy Letters on this subject.*