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| WORKPLACE VIOLENCE | | | | NO. 431 | |
| **Purpose:**  Winning Wheels is committed to maintaining a safe, healthful and efficient working environment where employees, residents and visitors are free from the threat of workplace violence. Winning Wheels does not tolerate workplace violence committed by or against employees, residents or visitors. Employees determined to have committed such acts will be subject to disciplinary action following the facility Disciplinary Action Policy. Non-employees engaged in violent acts on Winning Wheels owned premises will be reported to the proper authorities and fully prosecuted.  **Policy:**  Workplace violence committed by or against employees, residents or visitors is prohibited. A violent act or threat of violence is defined as direct/indirect action or behavior that could be interpreted, in light of known facts, circumstances and information, by a reasonable person, as indicating potential to harm, endanger or inflicting pain or injury on people or property.  **Definitions:**   * **Assault** - The intentional use of physical force causing physical injury (impairment of physical condition or substantial pain) to another person, with or without a weapon/dangerous instrument. * **Bullying** – Conduct by people covered by this Policy that is intended or that a reasonable person would know is likely to harm residents, staff or visitors or place them in reasonable fear or actual and substantial physical harm, mental harm or emotional distress. * **Dangerous Instrument** – Instruments, articles or substances that, under the circumstances, is capable of causing physical injury or death. * **Firearm** – A loaded or unloaded handgun (any device which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas, or escape of gas that is designed to be held and fired by the use of a single hand). * **Harassment** – Intentionally striking, showing, or kicking another person, subjecting another person to physical contact, or threatening to do the same (without physical injury). Also, using abusive or obscene language, following a person about a public place or engaging in a course of conduct which alarms or seriously concerns another person. * **Reckless Endangerment** – Subjecting individuals to danger by recklessly engaging in conduct, which creates substantial risk of serious physical injury. * **Violent Act/Threat of Violence**- Direct/indirect actions or behaviors that could be interpreted, in light of known facts, circumstances and information, by a reasonable person, as indicating potential to harm, endanger or to inflict pain/injury on any person or property. * **Weapon** – Devices whether loaded or unloaded, that shoots a bullet, pellet, flare or other projectile including those powered by CO2. This includes, but is not limited to, machine guns, rifles, shotguns, handguns or other firearm, BB/pellet gun, spring gun, paint ball gun, flare gun, stun gun, Taser gun, dart gun or ammunition for such devices. Replicas of the foregoing are also prohibited. Explosive devices including, but not limited to, firecrackers and black powder, are prohibited. Devices designed or traditionally used to inflict harm including, but not limited to, bows and arrows, Knives with a blade longer than three inches, hunting knife, fixed blade knife, throwing knives, dagger, razor or other cutting instrument the blade of which is exposed, are prohibited. | | | | | |
| Approved: | Effective Date:  12/1996 | Revision Date:  12/04; 10/08; 1/13; 2/14; 3/17 | Change No.: | | Page:  1 of 4 |

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| WORKPLACE VIOLENCE | | | | NO. 431 | |
| These forms of violence include, but are not limited to, four general types of violence; ***attack***, the use of force in order to harm; ***threats***, expressions of intent to inflict injury; ***harassment***, behavior designed to trouble or worry victims and ***property damage***, intentional damage to property owned by Winning Wheels, any employee, resident or visitor.  Some examples of actions/behaviors, which fall into these categories, are:   * Threatening the safety of an employee, resident or visitor, whether directly or implied; * Affecting the health, life, or well-being of an employee, resident or visitor; * Possession, brandishing, or using a weapon while on company property, while engaged in company business or while at company functions, regardless of whether an individual has a valid permit to carry a weapon (including weapons stored in any vehicle or container that is on facility property); * Committing acts motivated by, or related to, sexual harassment or domestic violence; * Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another person to emotional distress; i.e. – bullying. * Physical assault, threat to assault, or stalking another employee, resident, or visitor; * Applying pressure motivated to force/compel another person to act or think in a manner contrary to Winning Wheels rules, regulations, policies or procedures; * Engaging in behavior that incites, promotes or advocates the use of violence regarding any workplace issue; * Intentionally damaging property of Winning Wheels or personal property of another person; * Harassing or intimidating statement, phone calls, voicemails, e-mail messages, text messages, or those statements which are unwanted or deemed offensive by a receiver; * Racial or cultural epithets or other derogatory remarks associated with hate crime threats.   **Weapons:**  Winning Wheels maintains a Weapons and Firearms free property. “Property” includes, but is not limited to, the main Winning Wheels property in Prophetstown; S.T.R.I.V.E. and Frontier Hollow property; the Lyndon Progress Center property including the man building, the back building and the “bus barn.” No person covered by this policy, unless authorized by law or specifically exempted by federal or state law, is authorized to possess a weapon or firearm while on Winning Wheels properties or while engaged in Winning Wheels-related business or activities.  It is policy of Winning Wheels to prohibit:   1. Persons covered by this policy from possessing a weapon or firearm on property owned, leased or controlled by Winning Wheels, even if that person has a valid federal or state license to possess a weapon or firearm. 2. Persons covered by this policy from displaying, brandishing, discharging or otherwise using weapons or firearms, including concealed weapons or firearms on property owned, leased or controlled by Winning Wheels, even if that person has a valid federal or state license to possess a weapon for firearm.   Weapons or dangerous instruments on Winning Wheels owned or leased premises are subject to confiscation. Employees’ desks, lockers, workstations, offices and files may be subject to security searches, if warranted. The Administrator or a designee and/or local authorities may conduct searches, when deemed appropriate. The employee may refuse the search; however, such refusal may result in termination for refusal to cooperate with an investigation as outlined in the Disciplinary Action policy. Winning Wheels reserves the right to conduct searches on its property or authorize searches by law enforcement on its property without the employee being present. | | | | | |
| Approved: | Effective Date:  12/1996 | Revision Date:  12/04; 10/08; 1/13; 2/14; 3/17 | Change No.: | | Page:  2 of 4 |

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| WORKPLACE VIOLENCE | | | | NO. 431 | |
| **Workplace Violence Reporting Procedure:**  Employees, residents or visitors, who have knowledge of acts of workplace violence as described in this policy, whether committed by co-worker, another resident or a visitor, is obligated to report the incident to a facility supervisor. Facility supervisors shall respond promptly, firmly and fairly to workplace violence and will report the incident to the facility Administrator. In the absence of the facility Administrator, the facility supervisor will report the incident to a member of the management of American Health Enterprises.  In addition, employees, residents and visitors will report to a supervisor situations that they believe could lead to workplace violence, including but not limited to orders of protection or other ‘no-contact’ court orders.  Supervisors who receive a complaint related to acts of violence, threats, coercing, harassment or has reason to suspect that these acts or behaviors are occurring, must notify the facility Administrator or in their absence a member of management of American Health Enterprises. Upon being informed of an allegation of violence, threat or harassment, the designated staff, and/or law enforcement officials if necessary, must investigate the matter.  Reports or incidents will be handled confidentially and information will be disclosed to others on a need-to-know basis. Parties involved in a situation will be counseled and the results of the investigations will be discussed with them as deemed appropriate. Appropriate action will be taken following the facility Disciplinary Action policy if deemed necessary. If an employee knowingly makes a false allegation they will also be subject to appropriate action following the facility Disciplinary Action policy if deemed necessary.  An employee, resident or visitor will not be retaliated against by Winning Wheels for reporting acts of violence, threats and /or harassment. If you are victimized in the workplace, you are encouraged to also report the crime to local law enforcement authorities. The choice about whether or not to report the incident to local law enforcement authorities belongs to the employee, resident or visitor. Employees who knew of information about acts of violence, threats or harassment, but did not act consistent with this policy, may be subject to appropriate disciplinary action, up to and including termination.  **Facility Risk Assessment**  The facility Safety Committee will continually seek to review and revise its security policies and procedures, keeping in mind the need to balance security with personal privacy, inconvenience and workplace flexibility. Employees will receive instruction and orientation regarding workplace violence upon hire and annually thereafter.  The Safety Committee will conduct annual staff surveys to identify the potential for violent incidents and to identify the need for improved security measures. A summary of this survey will be presented to the facility Quality Assurance Committee.  The Safety Committee will also:   * Assess the physical and environmental security of the facility on an annual basis for potential risks. A summary of this assessment will be presented to the facility Quality Assurance Committee; * Analyze incidents for trending that could lead to facility violence; * Monitor and maintain facility security systems including but not limited to door alarm systems, door lock systems, cameras and key pad entry systems; * Perform other duties as assigned by the Administrator. | | | | | |
| Approved: | Effective Date:  12/1996 | Revision Date:  12/04; 10/08; 1/13; 2/14; 3/17 | Change No.: | | Page:  3 of 4 |

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| WORKPLACE VIOLENCE | | | | NO. 431 | |
| **Mediation:**  If a co-worker seems to be targeting another co-worker with violence (bullying and/or cyberbullying, harassment, threats of violence, passive-aggressive remarks, etc.), the administrator is obligated to determine if a mediation is appropriate or not.  When mediation is appropriate, a social worker and the administrator will sit with the parties involved and help the parties come to an understanding. The targeted employee may decide which social worker can mediate and whether or not the administrator is involved in the mediation. If the employee wishes the administrator not be involved, a representative from American Health Enterprises (AHE), Inc. will be in the place of the administrator. If the administrator feels their judgement will be compromised, they can opt out and allow the AHE, Inc. representative to take their place. If the social worker feels their judgement will be compromised, they can opt out and request a different social worker to mediate.  In the instance the mediation comes to a standstill and both parties cannot come to an understanding, the administrator or AHE, Inc. representative will make an executive decision on the matter which may include up to, but not limited to, disciplinary action, reassignment, or other appropriate actions. | | | | | |
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