



# FDIC DIRECTIVE

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Number	Approving Official	Originating Division/Office
	Director	<i>2/23/2017</i>
	Approving Official's Title	Issue Date

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## Workplace Violence Prevention Policy

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### PURPOSE

To establish policy and responsibilities for FDIC in its commitment to provide a safe work environment.

### SCOPE

The provisions of this Directive apply to FDIC Headquarters (HQ), Regional, Area, and Field Offices. This Directive also applies to all employees, visitors, and contractors including contractors who work in FDIC facilities.

### AUTHORITIES

- Occupational Safety and Health Act (OSHA) of 1970 (the Act)
- Standard 29 CFR 1960, Basic Occupational Health Program Elements
- EO 12196, Occupational Safety and Health Programs for Federal Employees, February 26, 1980
- EO 12977, Interagency Security Committee, October 19, 1995
- Presidential Memorandum, April 18, 2012, Establishing Policies for Addressing Domestic Violence in the Federal Workforce
- FDIC Directive 1610.4, Management Response Teams
- FDIC Directive 2710.3, FDIC Anti-Harassment Program

### REVISIONS

None

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## Policy

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### A. Background

Incidents of violence in the workplace, including domestic violence, have caused public and private institutions across the nation, including federal agencies, to assess their vulnerabilities and risk factors and implement workplace violence awareness. Effective anti-violence programs help reduce the number of incidents that occur and mitigate the damage caused when an incident does occur. There is a need for federal agencies, including the FDIC, to foster organizational cultures that do not tolerate violent behaviors and that take reports of such behaviors seriously.

This Directive outlines the requirements and responsibilities of the FDIC in accordance with applicable provisions of the United States Code (USC), Code of Federal Regulations (CFR), Public Laws, Executive Orders (EO), current directives, and other guidance, including the following:

1. The Act, 29 USC 661, et. seq., assures safe and healthful working conditions for working men and women;
2. The standard at 29 CFR 1960.8(a) requires agencies to “furnish to each employee employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm.” This standard tasks Executive Branch agencies with the general duty of protecting federal employees from workplace hazards not covered by specific OSHA standards;
3. EO 12977 established the Interagency Security Committee (ISC). The ISC’s mandate is to establish security policies and standards to enhance the quality and effectiveness of security in and protection of buildings and facilities in the U.S. occupied by federal employees for nonmilitary activities; and
4. The Presidential Memorandum, dated April 18, 2012, Establishing Policies for Addressing Domestic Violence in the Federal Workforce, directed federal agencies to develop policies for addressing the effects of domestic violence on its workforce.

## **B. Policy**

It is the FDIC's policy to:

1. Provide a safe work environment for every employee that is free from violence, threats of violence, intimidation, or other disruptive behavior. Such behavior in the workplace will not be tolerated. Individuals who commit such acts may be removed from the workplace and may be subject to disciplinary action, criminal penalties, or both;
2. Encourage employees to report all incidents to an immediate supervisor or other management official if he/she is the victim of violence, believes he/she has been threatened with violence, witnesses an act or threat of violence toward anyone else, or has reason to believe he/she or others may be victimized sometime in the future at the workplace or as a result of employment with the FDIC. Employees reporting any such incident will be treated with respect, discretion, and confidentiality (except as may be otherwise required by law); and
3. Ensure that supervisors and managers will respond immediately to reports of incidents relating to employee safety in order to protect employees from violence, threats of violence, intimidation, or other disruptive behavior.

## **C. Responsibilities**

1. The Assistant Director, Security and Emergency Preparedness Section (SEPS), serves as the FDIC Senior Agency Official (SAO) and will chair the Management Response Team (MRT) at the FDIC Headquarters (HQ) level. The SAO has overall responsibility to oversee the direction and management of the Workplace Violence Prevention Policy, including related training in conjunction with other FDIC Divisions/Offices.
2. The Chief, Security Operations, SEPS, is responsible for overseeing the development of policies, procedures, and guidelines for implementing the FDIC Workplace Violence Prevention Policy.
3. Division of Administration (DOA), Labor and Employee Relations Section (LERS) will:
  - a. Collaborate with SEPS in addressing workplace security-related concerns and provide information regarding workplace flexibilities and resources;
  - b. Assist in assessing and investigating allegations of workplace violence raised by employees, supervisors or managers, as requested;

- c. Provide technical expertise and consultation to help supervisors and managers determine what course of administrative action is most appropriate in specific situations; and
- d. Provide primary assistance to the DOA Regional Manager in his/her role as Chair for a MRT.
- e. DOA Regional Managers will:
  - 1) Establish preventive measures for the safety of employees assigned to the FDIC offices within their geographical areas and promote a safe and secure work environment;
  - 2) Chair MRTs in their respective Regional Office; and
  - 3) Ensure that the incident or activity is reported to LERS prior to holding a MRT, whenever possible.

Note: It is recommended that SEPS and LERS participate on Regional MRTs, whenever possible, to ensure consistency across the Corporation in these types of security concerns.

- 4. Legal Division, Labor, Employment and Administration Section (LEAS) will:
  - a. Serve on and provide legal support to MRTs; and
  - b. Independently assist the respective Divisions and Offices represented on a MRT, as is necessary and appropriate.
- 5. Division and Office Directors are responsible for ensuring the requirements of this Directive are adhered to in their respective organizations;
- 6. Supervisors and Managers will:
  - a. Promote a safe and secure work environment for employees, visitors, and/or contractors under their supervision;
  - b. Demonstrate and maintain a high standard of respect for all employees and hold their subordinates accountable for comparable conduct;
  - c. Not tolerate disruptive, threatening, or violent behavior in the workplace;

- d. Monitor, assess, and respond to employee complaints of disruptive, threatening, or violent behavior in the workplace;
  - e. Work directly with LERS/LEAS in order to perform each of the above responsibilities. Thereafter, under LERS/LEAS guidance and direction, report any continuing disruptive, threatening, or violent behavior to a member of their designated MRT;
  - f. In instances of imminent danger, immediately contact the appropriate law enforcement authorities and notify the Assistant Director, SEPS, or the DOA Regional Manager, as applicable;
  - g. Attend workplace security training provided by the FDIC and/or other training opportunities in the area of workplace violence prevention; and
  - h. For any questionable conduct or behavior that does not rise to the level of disruptive, threatening, or violent behavior, encourage employees or peers to obtain assistance, if necessary, through the FDIC's WorkLife Program.
7. FDIC employees or contractors shall:
- a. Respect other employees, contractors, and visitors and refrain from behavior that could be perceived as threatening or dangerous;
  - b. Become familiar with this Workplace Violence Prevention Policy and participate in applicable periodic training and refresher courses, when offered; and
  - c. Immediately report disruptive, threatening, or violent acts directed towards themselves or others to any of the following:
    - 1) Immediate supervisor or manager;
    - 2) SEPS (in HQ);
    - 3) LERS (in Regional and Field Offices);
    - 4) Facilities Managers (in Regional Offices); or
    - 5) Appropriate law enforcement authorities or applicable first responders.

Note: Regional Offices should report incidents to SEPS for tracking and coordination.

8. MRTs will:

- a. Assess the threat and develop a planned response. MRT members should engage managers and supervisors in efforts to reduce the potential for incidents of violence and the escalation of lower level incidents and unwanted behavior;
- b. Have one representative, at a minimum, from the following:
  - 1) SEPS;
  - 2) DOA Regional Manager;
  - 3) LERS; and
  - 4) LEAS
- c. Administer and maintain established workplace violence policies, procedures, and guidelines;
- d. Promptly assess reports of threats of harmful acts which occur in FDIC facilities, document the MRT recommended action, and forward a copy of the recommendation to SEPS;
- e. Request assistance from the WorkLife Program, when appropriate;
- f. Promptly inform the appropriate law enforcement authorities of any specific threats or situations which could imminently escalate into an act of workplace violence;
- g. Promptly inform the Office of the Inspector General;
- h. Ensure, to the best of their ability, that all reasonable actions are taken to protect employees in threatening situations or emergencies; and
- i. Provide supervisors and managers with the necessary tools to effectively engage in workplace violence protection and response.

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## Action Log

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Type of Action	Date	Comments
New Directive	2/23/2017	

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## Summary of Changes

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None

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## Glossary of Terms

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Term	Definition
Domestic Violence	A pattern of coercive behavior, including acts or threatened acts of violence, that is used by a perpetrator to gain power and control over a current or former spouse, family member, intimate partner, or person with whom the perpetrator shares a child in common.
FDIC Facilities	A building, or any part thereof, including parking areas, owned or leased by the FDIC.
MRT	An appointed group of FDIC managers and professionals at HQ and the Regional Offices who directly support FDIC's Workplace Violence Prevention Policy by promptly assessing the seriousness of a potentially threatening or violent incident or situation, and coordinating any necessary and appropriate response.
Workplace	An employee's official duty station or alternative work location, either permanent or temporary, where an employee performs any FDIC work-related duty.
Workplace Violence	Violence or the threat of violence against workers. It can occur at or outside the workplace and can range from threats and verbal abuse to physical assaults and homicide.

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## Glossary of Acronyms

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Acronym	Definition
DOA	Division of Administration
EO	Executive Order
HQ	FDIC Headquarters
LEAS	Labor, Employment, and Administration Section
LERS	Labor and Employee Relations Section
MRT	Management Response Team
SAO	Senior Agency Official
SEPS	Security and Emergency Preparedness Section