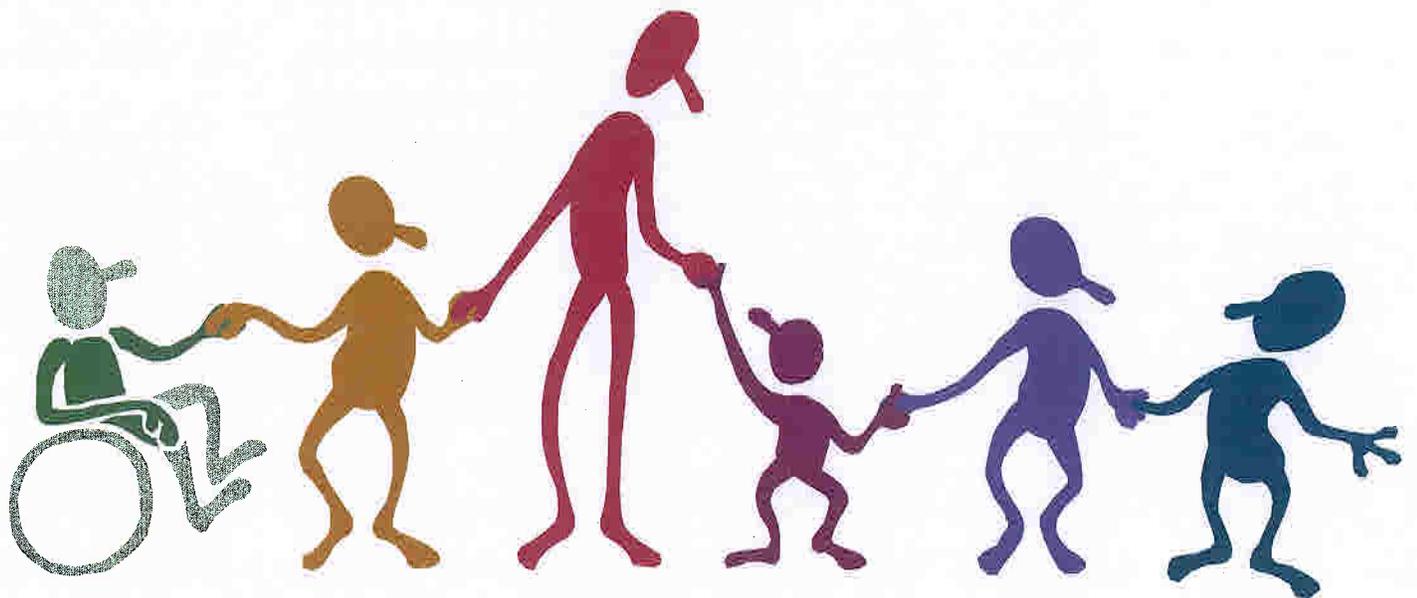


EEO, Civil Rights, & Workforce Diversity



For More Information Contact:
REE Disability Program Manager
USDA/ARS/CRS
1400 Independence Ave., SW
Room 3552-S
Washington, DC 20250
Voice: (202) 720-6161
Fax: (202) 690-0109

**Or contact your local
Area Civil Rights Manager.**

Beltsville
(301) 504-6507

Headquarters
(202) 720-6161

Midwest Area
(309) 681-6632

Mid South Area
(662) 686-5201

National Agricultural Library
(301) 504-6575

North Atlantic Area
(215) 233-6625

Northern Plains
(970) 492-7053

Pacific West Area
(510) 559-6076

South Atlantic Area
(706) 546-3614

Southern Plains Area
(979) 260-9416

U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

The following agencies are part of the REE Mission Area:



Agricultural Research Service
(202) 720-6161



**Cooperative, State, Research, Education
and Extension Service**
(202) 720-2700



Economic Research Service
(202) 694-5005



NASS
**National Agricultural
Statistics Service**
(202) 720-8257

Research, Education And Economics

A green oval containing the text 'Reasonable Accommodation' in white.

**Reasonable
Accommodation**

U.S. Department of Agriculture
Agricultural Research Service
Office of the Administrator
Civil Rights Staff

USDA recognizes that all its employees need the tools necessary to be productive, and that making reasonable accommodations is a way of accomplishing this mission.

Request for accommodations must be considered on a case-by-case basis and in the majority of cases, can be resolved between the employee and supervisor.

As it relates to reasonable accommodation, a **disability** is: A physical (any physiological disorder or condition affecting one or more body systems) or mental impairment (any psychological or mental disorder) that substantially limits one or more major life activities.

A reasonable accommodation is: A change in the work environment or the application process that would enable a **qualified individual** with a disability to have equal access to the benefits of employment.

A qualified individual with a disability has the skills, experience, and education and can perform the essential (critical) functions of the position with or without reasonable accommodation.

Three categories of reasonable accommodation include modifications or adjustments to:

- Job application process;
- Enable individuals with disabilities to perform essential and fundamental job duties;
- Provide individuals with disabilities equal access to the benefits and privileges of employment.

The Mission Area Designee/Disability Program Manager (DPM) has overall

responsibility to ensure compliance with obligations to provide reasonable accommodation to qualified employees.

How to request an Accommodation

Employees or applicants with disabilities who need reasonable accommodations are responsible for making their needs known to the appropriate official.

Employee/Applicant's Responsibility

- Notify the Personnelist, Supervisor or DPM when the need for an accommodation arises;
- Employees should complete REE Form 172 "Request for a Reasonable Accommodation" which may be found on Informs;
- Suggest accommodation options; and
- Provide medical documentation to the DPM or the Department's Medical Officer.

Supervisor/Manager's Responsibility

The employer and the employee with the disability should engage in an interactive process to clarify what the employee needs and identify the appropriate reasonable accommodation.

- Have employee complete REE Form 172;
- Forward a completed copy of REE Form 172 to the DPM;
- Discuss the need for any medical documentation to be provided to the DPM or the Department's Medical Officer;
- Suggest accommodation options; and

- Contact the ARS Civil Rights Staff (DPM) for additional assistance regarding reasonable accommodation.

Under the Reasonable Accommodation process, all medical information obtained in connection with the accommodation **must be kept confidential** and filed separately from the individual's personnel file. The DPM will maintain custody of all records, including medical records obtained or created during the process of reasonable accommodation.

The Accommodation Timeline

The process shall begin no more than **five** business days from the date of the request. If granted, the accommodation shall be received no more than **thirty** business days from the date of request. It may be necessary to extend this time frame due to extenuating circumstances (employee's supervisor shall notify the employee).

Denial of an Accommodation

A reasonable accommodation is not required if the employee has not been determined to be a "qualified disabled individual", if the accommodation would impose an undue hardship on the organization, when to do so would lower quality or production standards, or when the accommodation would provide personal use items (glasses, hearing aids, etc.)

A denial of request (using REE Form 173) shall be immediately communicated to the requestor, with copies sent to the first line supervisor and DPM. The reason for the denial shall include specific reasons. The employee will be informed of his/her rights under the equal employment complaint procedures.



United States Department of Agriculture

Research, Education and Economics
Agricultural Research Service

March 1, 2011

SUBJECT: NPA 2011 Policy Statement on Diversity/Equal Employment Opportunity

TO: All NPA Employees

FROM: W.H. Blackburn, Area Director *W. H. Blackburn*

Cultural Transformation is leading change in the USDA and ARS, and in the Northern Plains Area (NPA). According to Secretary Vilsack, the heart of Cultural Transformation "*...is the creation of a high performing organization that values diversity and inclusion.*" Achieving the full implementation of Cultural Transformation requires the sincere commitment and active engagement of all NPA employees at all levels. A core value of NPA is that all employees will be treated with dignity and respect.

Discrimination and/or harassment (sexual or non-sexual) based on race, color, religion, national origin, age, gender, sexual orientation, disability, marital/parental/familial status, political beliefs, receipt of public assistance, or protected genetic information will not be tolerated. Additionally, reprisal against individuals who raise issues relating to discrimination and/or harassment will not be tolerated. It is the responsibility of each of us to conduct ourselves in a professional manner, and it is the responsibility of supervisors to pay attention to behaviors and conduct and to take immediate consultative action when and if they perceive potential problems or if such behavior or conduct is brought to their attention. The Cooperative Resolution Program in the ARS Office of Outreach, Diversity, and Equal Opportunity (ODEO) provides mediation services, and will work with units to help address problems and settle disputes before such problems become major issues. Barbara King, NPA ODEO Program Manager may also be contacted for questions relating to EEO, civil rights, diversity, and outreach. Supervisors and employees are encouraged to participate in EEO and diversity events and special emphasis programs, serve on location diversity committees, and/or participate in outreach efforts. Additionally, supervisors are expected to lead by example and to actively embrace and seek diversity in hiring, promotion, and career development decisions.

Working together, I am confident that the Northern Plains Area will not only continue to retain a talented workforce but that we will also recruit highly skilled employees who will further enrich the diversity of backgrounds and perspectives and help keep NPA relevant and vibrant.

This policy statement is available on-line: <http://www.ars.usda.gov/npa/policies>.





United States Department of Agriculture
Research, Education, and Economics
Agricultural Research Service

FEB 11 2011

SUBJECT: 2011 Diversity/Equal Employment Opportunity Policy Statement

TO: All Employees

FROM: Edward B. Knipling
Administrator

Aligning with Secretary Vilsack's Cultural Transformation Initiative, I ask that you join us to create and maintain a workplace where all employees and customers are treated with dignity and respect, foster professional growth, and help us become a top-notch service provider. The Agricultural Research Service (ARS) workforce should reflect the diversity of today's society and promote an all inclusive environment free from discrimination, sexual or non-sexual harassment, and retaliation. In 2010, ARS employees filed formal complaints on the bases of race, color, religion, reprisal, sex, national origin, age, and disability. While the number of such complaints were few given the large size of our Agency, even one case is significant enough for us to be concerned. Discrimination based on race, color, religion, national origin, age, sex, sexual orientation, disability, reprisal, marital/parental/familial status, political beliefs, receipt of public assistance, protected genetic information, or harassment is not tolerated. Such behaviors require supervisors to take immediate consultation steps, and in some cases, disciplinary action. Supervisors should lead by example and effectively manage and leverage diversity when making employment decisions without biases, as well as providing leadership, educating employees on diversity and Equal Employment Opportunity (EEO) issues in the workplace, and ensuring that lines of communication are open at all levels.

I strongly encourage the utilization of the Cooperative Resolution Program, which offers effective techniques for dispute resolution such as mediation, conflict coaching, and team building. This program is an excellent management tool for settling disputes and resolving work issues. I support your participation in mentoring, career development and special emphasis programs, serving on EEO Diversity Committees, and getting involved in other innovative activities to help prevent and eliminate barriers hindering our diversity goal.

Teamwork is vital to our success in this regard. I look forward to fulfilling the Agency's vision together with you.

This policy statement will be posted at <http://www.afm.ars.usda.gov/ODEO/files/ARS-EEO-2011-Policy.pdf> and must be posted in all work areas to ensure that the ARS workforce is aware of and promotes its civil rights responsibilities.



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

FEB 25 2009

Civil Rights Policy Statement

As Secretary of Agriculture, I fully support the U.S. Department of Agriculture's (USDA) civil rights, equal employment opportunity, and diversity policies and programs. Improving civil rights throughout USDA is one of my top priorities, and by pursuing this goal together in a transparent and ethical manner we can lead the way in making USDA a model organization.

The success of today's "People's Department" requires the steadfast support and commitment of every USDA employee. We will have zero tolerance for any form of discrimination or reprisal. There exists *no reason to discriminate* based on race, color, religion, national origin, age, sex, sexual orientation, disability, marital or familial status, political beliefs, parental status, receipt of public assistance, or protected genetic information. Our policy at USDA is simply to understand that there will be zero tolerance for any form of discrimination. This standard is *applicable to every employee* at USDA and to every action taken at USDA.

To realize our vision of a modern workforce working in a modern workplace, USDA must become a model department of tolerance and inclusion. Only then will we live up to President Lincoln's description of USDA as "The People's Department." This is my commitment to you, and I expect every employee to demonstrate respect for and adherence to USDA civil rights, equal employment opportunity, and diversity policies.

To this end, accountability is key. USDA employees will be held accountable for doing their part to ensure that all USDA applicants, customers, constituents, and stakeholders as well as other USDA employees are provided equal access to the opportunities, programs, and services available through "The People's Department." Accordingly, I am counting on all senior leaders, managers, and supervisors to model appropriate behavior and to lead by example.

We must all strive to create an inclusive environment in which every employee is respected, trusted, and valued. Let us continue to cultivate and reap the benefits of a diverse USDA workforce that is rich in talent, ideas, background, and experience. The USDA mission depends on it.

A handwritten signature in black ink, appearing to read "Thomas J. Vilsack".

Thomas J. Vilsack
Secretary



United States
Department of
Agriculture

Office of the
Assistant Secretary
for Civil Rights

1400 Independence
Avenue SW

Washington, DC
20250

TO: All USDA Employees

FROM: Margo M. McKay *Annabelle Connor for* FEB 29 2007
Assistant Secretary for Civil Rights

SUBJECT: USDA's Diversity Mission Statement

In January 2007, I issued a Workplace Diversity and Inclusion statement that emphasized the need for all of us to do our part to promote a diverse workplace. Since then, the Office of the Assistant Secretary for Civil Rights (OASCR) has taken significant steps to achieve this goal. One such step is the establishment of USDA's Diversity Mission Statement. Each of us should strive:

To embrace diversity and inclusion as core values that will spur growth and change across the Department; to ensure leadership accountability in the cultivation of a workplace culture where the uniqueness, background, and experience of every employee is trusted, valued, and respected; to strengthen our diversified workforce so we can continue to effectively serve our diverse customers, recruit the best talent, stimulate an environment of productivity, and eliminate underrepresentation, discrimination, and harassment throughout the Department.

The responsibility to carry out this mission statement falls on not just one person, or one office, or one agency – but on all of us. Never before has our workforce been comprised of employees with such diversity – diversity of backgrounds, diversity of thought, and diversity of age. We must be ready to become change-agents within our workplace if USDA is to succeed in today's rapidly shifting environment. Moreover, we must be willing to reexamine and even reinvent our approach to diversity and inclusion to ensure an effective outcome in this global marketplace. OASCR, through its Office of Diversity, will continue to provide guidance and opportunities for dialogue, learning, and change to empower each of us to take responsibility for creating and maintaining the most productive work environment.

No matter where you are in your diversity efforts, I want to applaud you for your achievements. I also, however, want to challenge you to seek ways to improve. We, as a Department, not only should tolerate our differences but understand them and embrace them. The time for diversity is now – the success of USDA's mission depends on it.



United States
Department of
Agriculture
October 2001
AD-1135

The USDA Handbook on Workplace Violence Prevention and Response

Workplace Violence

It's real...know what to do

Table of Contents

Introduction	
What is Workplace Violence?	4
Responsibilities	4
Prevention of Workplace Violence	6
Identifying Potentially Violent Situations.....	11
Responding to Violent Incidents.....	12
Disclosure of Information.....	13
Resources	14

Introduction

The USDA Handbook on Workplace Violence Prevention and Response is a product of Secretary Dan Glickman's Workplace Violence Steering Committee, chaired by Deborah Matz, Deputy Assistant Secretary for Administration, and Joyce Fleischman, Deputy Inspector General. It is intended to be an overview guide for all USDA employees that explains what workplace violence is and provides tools and resources for preventing or responding to workplace incidents. ***It does not establish policy or regulations on workplace violence but rather serves to educate employees on the issue.***

This handbook is designed to be supplemented with agency-specific information dealing with situations and circumstances unique to the agency's environment and mission. Due to the widely varying mission areas within USDA, individual agencies have their own mechanisms and operating plans for dealing with workplace violence situations, and they will provide them to their employees. Where appropriate, this handbook will refer you to that agency-specific information. Many excellent resource materials already exist on the subject of workplace violence, and some of those materials are noted in the reference section of this handbook.

While it is everyone's responsibility to be alert for and to report potential workplace violence problems, supervisors and managers have added responsibilities for prevention, assessment, reporting, and response. This handbook does not address in detail those added responsibilities, since agencies will provide the specific training necessary for their own managers and supervisors.

Remember that it is USDA's policy that every customer and employee be treated fairly and equitably, with dignity and respect. This policy applies not only to how you as an employee should act, but also to how you deserve to be treated by others. ***There is no room or tolerance for harassing, threatening, or violent behavior at USDA.***

What Is Workplace Violence?

Workplace violence can be any act of violence, against persons or property, threats, intimidation, harassment, or other inappropriate, disruptive behavior that causes fear for personal safety at the work site. Workplace violence can affect or involve employees, visitors, contractors, and other non-Federal employees.

A number of different actions in the work environment can trigger or cause workplace violence (i.e., anger over disciplinary actions or the loss of a job, resistance by a customer to regulatory actions, a member of the public that disagrees with USDA policy or practices, etc). It may even be the result of non-work-related situations such as domestic violence, "road rage," or hate incidents or crime (i.e., violence of intolerance and bigotry, intended to hurt and intimidate someone because of their race, ethnicity, national origin, religion, sexual orientation, or disability). Workplace violence can be inflicted by an abusive employee, a manager, supervisor, co-worker, customer, family member, or even a stranger. Whatever the cause or whoever the perpetrator, workplace violence is not to be accepted or tolerated.

In 1999, the National Criminal Justice Reference Service reported there were 7,876 hate crime incidents reported to the Federal Bureau of Investigations. The incidents involved 9,301 separate offenses, 9,802 victims, and 7,271 known offenders. Of the total reported incidents, 4,295 were motivated by racial bias, 2,422 by religious bias, 1,317 by sexual-orientation bias, 829 by ethnicity/national origin bias, 19 by disability bias, and 5 by multiple biases.

There is no sure way to predict human behavior and, while there may be warning signs, there is no specific profile of a potentially dangerous individual. The best prevention comes from identifying any problems early and dealing with them. Each USDA agency has an Employee Assistance Program (EAP) in place which serves as an excellent, confidential resource available to all employees to help them identify and deal with problems.

Responsibilities

It is up to each employee to help make USDA a safe workplace for all of us. The expectation is that each employee will treat all other employees, as well as customers and potential customers of USDA's programs, with dignity and respect. You can and should expect management to care about your safety and to provide as safe a working environment as possible by having preventive measures in place and, if necessary, by dealing immediately with threatening or potentially violent situations which occur.

Because USDA programs touch the lives of so many persons, you can expect at some point in your career to encounter individuals who don't share USDA's core ethic of fairness, dignity, and respect. There are appropriate and effective ways to deal with such persons to avoid or minimize the damage they seek to cause, and we all need to educate ourselves on those methods.

In addition, supervisors and managers have the obligation to deal with inappropriate behavior by their employees and customers, to provide employees with information and training to employees on workplace violence, and to put effective security measures in place.

The following section provides a more detailed description of the responsibilities of various persons or offices.

❖ Employees

- Be familiar with Department/agency policy regarding workplace violence.
- Be responsible for securing their own workplace.
- Be responsible for questioning and/or reporting strangers to supervisors.
- Be aware of any threats, physical or verbal, and/or any disruptive behavior of any individual and report such to supervisors.
- Be familiar with local procedures for dealing with workplace threats and emergencies.
- Do not confront individuals who are a threat.
- Be familiar with the resources of the Employee Assistance Program.

- Take all threats seriously.

❖ **Managers & Supervisors**

- Inform employees of Department/agency workplace violence policies and procedures.
- Ensure that employees know specific procedures for dealing with workplace threats and emergencies, and how to contact police, fire, and other safety and security officials.
- Ensure that employees with special needs are aware of emergency evacuation procedures and have assistance (as necessary) regarding emergency evacuation situations.
- Respond to potential threats and escalating situations by utilizing proper resources from the following: local law enforcement and medical services, Federal Protective Service, human resources staff, and the Employee Assistance Program.
- Take all threats seriously.
- Check prospective employees' backgrounds prior to hiring.
- Coordinate with other co-located agencies to develop joint workplace violence prevention plans.
- Coordinate with their security management staff, if there is one, early on. Know who the security managers are and what services they can provide for prevention, response and follow-up.
- Know that timely reaction is a measure that leads to success – delays in the reporting process impede the process.

❖ **Agency Heads**

- Develop a policy statement that indicates the agency will not tolerate violent or disruptive behavior and that all reports of incidents will be taken very seriously and dealt with appropriately.
- Ensure that the USDA Handbook on Workplace Violence Prevention and Response as well as appropriate agency materials is available to all employees and that all employees are aware of the procedures and instructions in them.
- Ensure that appropriate safety and law enforcement personnel have completed an on-site review of safety and security of buildings and offices.
- Provide adequate resources for employee training and awareness.
- Include workplace violence training in all employee orientation and supervisory training sessions.
- Provide funding for appropriate safety and security of employees.
- Ensure that performance standards of appropriate staff reflect the importance of workplace safety and security.
- Provide for briefings on workplace violence at staff meetings.

❖ **Human Resources Staff**

- Provide for supervisory training which includes basic leadership skills, such as setting clear standards of conduct and performance, addressing employee problems promptly, and using the probationary period, performance counseling, discipline, alternative dispute resolution, and other management tools conscientiously.
- Provide technical expertise and consultation to help supervisors determine what course of administrative action is most appropriate in specific situations.
- Determine whether sufficient evidence exists to justify taking disciplinary action once the investigation of any misconduct is complete.
- Help supervisors determine proper reasonable accommodation.

❖ **Employee Assistance Program Counselors**

- Provide short-term counseling and referral services to employees at no cost.
- Help in the prevention of workplace violence through:
 - Early involvement in organizational change.
 - Training employees in dealing with angry co-workers and customers, conflict resolution, and communication skills.
 - Training supervisors to deal with problems as soon as they surface without diagnosing the employee's problem.
 - Consultation with supervisors to identify specific problem areas, develop action plans to resolve problems in the early stages, and encourage employees to contact the EAP for individual counseling.

- Consultation with incident response teams when a potential for violence exists or an actual incident is reported.
- Participation on critical incident stress debriefings teams in the event of a violent situation.

❖ **Unions/Employee Organizations**

- Be familiar with and actively support policy and contract language on workplace violence prevention.
- Stay alert to security issues and potential threats.
- Stay fully abreast of procedures for addressing workplace threats and emergencies.
- Stay fully abreast of the Employee Assistance Program, including the procedures/policy regarding the ability of designated union officials to make employee referrals to EAP.
- Work closely with all levels of management to ensure that employees are up to date on Department and agency workplace violence prevention policy and procedures.
- Participate fully with management in all phases of workplace violence prevention and response, including membership on threat assessment and incident response teams.

❖ **Security/Facilities Staff**

- Serve as the liaison with law enforcement as well as the local expert on security matters.
- Conduct regular threat assessment surveys of the facility to determine the level of security preparedness and any gaps in the security posture.
- Serve as the facility security expert, keeping management advised of the risk of violence, the security gaps identified by threat assessments, and the means to close these gaps, including the latest technologies.
- Work with facility personnel to improve the security level of the buildings, grounds, parking lots, etc.
- Train facility personnel in security measures and violence prevention techniques. Facilities personnel should work closely with security staff to ensure buildings, areas, and grounds are safe for employees and visitors. This includes not only keeping buildings and grounds well maintained but participating with security personnel in threat assessment surveys, keeping management informed of the status of the physical plant, and providing budget requests with justification for security upgrades.

❖ **Law Enforcement Staff**

- Identify in advance the type of situations that may occur and when and how law enforcement should be notified of an incident.
- Indicate whether law enforcement officers have jurisdictional restrictions and identify alternative law enforcement agencies that may be able to provide assistance.
- Indicate whether law enforcement officers have arrest authority.
- Provide threat assessment personnel who can assist the agency in determining the best way to protect personnel.
- Suggest safety and security measures that need to be implemented.
- Arrange for all-employee briefings or training on specific workplace violence issues.

❖ **Conflict Resolution Offices**

- Provide mediation and other alternative dispute resolution (ADR) services to assist employees in resolving disputes.
- Provide training in conflict resolution, communication, and negotiation skills.

Prevention of Workplace Violence

A sound prevention plan is the most important and, in the long run, the least costly portion of any agency's workplace violence program. Your agency should have the following programs in place to help prevent workplace violence:

Pre-Employment Screening – An agency should determine, with the assistance of its servicing personnel and legal offices, the pre-employment screening techniques which should be utilized, such as interview questions, background

and reference checks, and drug testing if it is appropriate for the position under consideration and consistent with Federal laws and regulations.

Security – Maintaining a safe work place is part of any good prevention program. There are a variety of ways to help ensure safety, such as employee photo identification badges, guard services, and individual coded key cards for access to buildings and grounds.

Different measures may be appropriate for different locations and work settings.

Alternative Dispute Resolution (ADR) – This program is most effective in resolving disputes when a conflict has been identified early and one of the following techniques is used: ombudspersons, facilitation, mediation, interest-based problem solving, and peer review.

Threat Assessment Team – This interdisciplinary team will work with management to assess the potential for workplace violence and, as appropriate, develop and execute a plan to address it.

Agency Work and Family Life Programs (such as flexiplace, child care, maxiflex, etc.) – An agency should identify and modify, if possible, self-imposed policies and procedures which cause negative effects on the workplace climate.

❖ **Awareness/Training**

One of the most critical components of any agency's prevention program is training. Training is necessary for employees and as well as for the staff in offices that may be involved in responding to an incident of workplace violence.

By participating in training sessions conducted by your agency's Employee Assistance Program, security, conflict resolution, and employee relations staffs, you will get to know experts within the agency who can help when you are confronted with potentially violent situations.

All employees should know how to recognize and report incidents of violent, intimidating, threatening, and disruptive behavior. All employees should have phone numbers for quick reference during a crisis or an emergency. In addition, workplace violence prevention training for employees should include the following topics:

- Agency's workplace violence policy.
- Encouragement to report incidents and the procedures to do so.
- Ways of preventing or defusing volatile situations or aggressive behavior.
- Diversity training to promote understanding and acceptance of co-workers and customers from different, races, sexes, religions, abilities, ethnic backgrounds and sexual orientations.
- Ways to deal with hostile persons.
- Managing anger.
- Techniques and skills to resolve conflicts.
- Stress management, relaxation techniques, wellness training.
- Security procedures, e.g., the location and operation of safety devices such as alarm systems.
- Personal security measures.
- Programs operating within the agency that can assist employees in resolving conflicts, e.g., the Employee Assistance Program, ombudspersons, alternative dispute resolution, and mediation.

In addition to the training suggested above for employees, special attention should be paid to general supervisory training. The same approaches that create a healthy, productive workplace can also help prevent potentially violent situations. It is important that supervisory training include basic leadership skills such as setting clear standards, addressing employee problems promptly, and using the probationary period, performance counseling, discipline, and other management tools conscientiously. These interventions can keep difficult situations from turning into major problems. Supervisors do not need to be experts in dealing with violent behavior but need to know which experts to call, and be committed and willing to seek advice and assistance from those experts.

The following are areas that should be included in supervisory training:

- Ways to encourage employees to report incidents in which they feel threatened for any reason by anyone inside or outside the organization.
- Skills in behaving compassionately and supportively towards employees who report incidents.
- Skills in taking disciplinary actions.
- Basic skills in handling crisis situations.
- Basic emergency procedures, including who to call and what support resources and services are available.
- Appropriate screening of pre-employment references.
- Basic skills in conflict resolution.

Agency personnel who serve on assessment and response teams need to be competent in the skill area they are representing, and they need to know when and who to call for outside resources. Participating in programs and training sessions sponsored by government and professional organizations, reading professional journals and other literature, and networking with others in the profession they are representing are all helpful tools for team members to use in preparing to deal with workplace violence situations. In some cases where participation on a team is a collateral duty, employees may need special supplemental training.

Team members also need to understand enough about each other's professions to allow them to work together effectively. Assessment and response team training should include discussion of policies, legal constraints, technical vocabulary, and other considerations that each profession brings to the interdisciplinary group.

❖ **Threat Assessment**

Determining the seriousness of a potentially violent or stressful situation and how to best intervene is the basis of a threat assessment. Since it is impossible to know with any certainty whether a threat is going to be carried out, the agency should always treat threats in a serious manner and act as though the person may carry out the threat.

Your agency handbook on workplace violence will tell you who specifically to contact within your agency when you sense a potentially violent situation. That contact will take whatever action is necessary and appropriate to activate a threat assessment team. The purpose of the threat assessment team is to provide guidance on managing the situation in a way that protects the employees.

Members of a threat assessment team will vary depending on the situation, but typically include representatives from:

- Management
- Employee Relations
- Employee Assistance Program (EAP)
- Law Enforcement, and/or Security

Members of the Threat Assessment Team may also find it useful to include representatives from one or more of the following:

- Civil Rights/EEO
- Safety and Health Management Office
- Unions, where applicable
- Office of the General Counsel
- Office of Inspector General
- Conflict Resolution Office

Threat assessment teams evaluate the risks persons under suspicion may pose to particular targets. The approach and the timing for these evaluations will be specific to the circumstances of the potentially violent situation. Threats from sources outside the agency may require different actions.

Once a threat assessment is completed, management will decide what additional measures are needed to close any

security gaps. Where appropriate and not a security breach, management will explain to employees and customers alike what new steps are being taken and why, to alleviate misunderstandings and confusion.

❖ Long-Term Security

In addition to dealing with immediate situations, agencies also have a responsibility for continuous threat assessment. There are a number of basic security measures that many USDA offices already have in place, sometimes in conjunction with neighboring Federal offices or the facility lessor. In addition, there are ways to create physical barriers between the employee and the hazard, and administrative procedures which can reduce the likelihood for violence. Your agency's administrative management staff is responsible for putting such measures into place. The Department has provided more detailed information to agencies to help them in that process.

Special Measures for Employees Who Work in the Field

USDA has large numbers of employees who work, literally, in the field, the forest, and the city, sometimes alone. Like other U.S. workers and citizens, USDA field employees are not immune to crime perpetrated against them while on the job, whether the crime is job related or not. Some USDA employees have been threatened while conducting compliance inspections and attacked while surveying forest tracts. Each agency will provide employees with specific safety guidelines appropriate to situations likely to be encountered by its employees.

In general, employees working alone and away from the office should prepare daily work plans and keep a contact person informed of their locations throughout their tour of duty. When necessary and feasible, management can implement a "buddy system" policy or provide for back-up, such as police assistance, so that workers do not enter a potentially dangerous situation alone.

Emergency Plans

Many offices already have emergency plans (also called crisis response plans) that describe procedures to follow during a fire or other emergency. Most, however, do not cover workplace violence emergencies, including bomb threats. These plans should also include violent incidents. Co-located agencies should have one unified emergency plan in place. The plan should be specific to the type of facility, building, and the workers it covers, and should describe:

- Procedures for calling for help;
- Procedures for calling for medical assistance;
- Procedures for notifying the proper authorities or whoever is acting in their place, security personnel and the police;
- Emergency escape procedures and routes;
- Safe places to escape inside and outside of the facility;
- Procedures to secure the work area where the incident took place;
- Procedures for accounting for all employees if a facility is evacuated;
- Procedures for identifying personnel who may be called upon to perform medical or rescue duties;
- Training and educating employees in workplace violence issues and the emergency action plan;
- Procedures for regularly evaluating and updating the plan; and
- Procedures for debriefing participants to identify lessons learned.

Outside groups that use USDA facilities should be made aware of USDA's policy on workplace violence and the procedures for dealing with violent incidents.

❖ Alternative Dispute Resolution (ADR)

ADR processes are designed to help parties resolve conflicts with the assistance of neutral third parties. ADR can be used as an alternative to court litigation or agency adjudications, or to help disputing parties resolve a problem that they cannot resolve on their own. Some ADR processes include facilitation, conciliation, mediation, and ombudsperson programs.

ADR can help prevent the escalation of conflict into violent or potentially violent situations. The key is using ADR early, before emotions or conduct make discussion a non-option. Here are two examples of how ADR can work:

A **mediator** trained in listening and communicating can defuse tensions, clear up misunderstandings, and open the door to productive dialogue. By helping uncover misunderstandings or enabling an individual to get something off his/her chest in a safe setting, the result may be not only immediate resolution of an issue, but improved relations and communications for the future.

An **ombudsperson** is the “eyes and ears” of the highest level of an organization. Individuals having complaints or grievances about the organization can bring them confidentially to the ombudsperson, who can listen, investigate, and recommend solutions to problems.

Considerations for Using ADR

ADR can be an appropriate vehicle for resolving many kinds of disputes. This is true whether the conflict is among USDA employees, or involves individuals outside USDA. ADR may be an option for your problem if:

- Parties are so committed to their views that progress is stuck.
- Communication styles between disputing parties require third-party assistance.
- You want to resolve a dispute but don't want to file a formal complaint.
- You want to resolve your conflict quickly.

ADR may not be appropriate when the parties are so hostile toward each other that sitting down together might be unsafe.

For an ADR program to be successful, it must be one that is trusted by those who use it. Trust can be created by:

- Having the users of the program involved in designing it.
- Selecting neutral third parties who are competent and truly neutral.
- Making it voluntary rather than mandatory.
- Having the program operated by a trusted and respected office/individual.

Initiating an ADR Process

Conflict Between Employees: A number of USDA agencies have programs designed to achieve early resolution of conflict in the workplace; others will establish such programs to comply with the Secretary's Conflict Management Policy. Most of these programs offer mediation. ADR can generally be initiated by supervisory or non-supervisory employees for workplace disputes of any kind.

Conflict With Customers: In approximately 20 States, USDA Certified Mediation Programs provide mediation for disputes between USDA and program applicants or participants. Although it is usually the customer who requests mediation, USDA employees who have a problem with a customer may be able to initiate mediation in some States. In other States, there are frequently resources available in the community that can provide ADR services (e.g., community mediation centers, law schools, courts).

❖ Employee Assistance Program

Each agency has a confidential Employee Assistance Program (EAP) with trained counselors who can address workplace stress and violence issues. You can use these counselors as a way to assess whether a situation needs to be brought to the attention of management. You can also use them to strategize ways to deal with uncomfortable or threatening situations.

Seemingly insignificant conflicts between co-workers or managers can sometimes erupt into dangerous situations – especially if the problem goes unchecked. In many cases of worker-on-worker violence, minor non-violent conflicts that went unresolved built up until they were no longer manageable. By intervening early in a conflict between two people, whether it's two workers or a worker and supervisor, you may be able to resolve the problem before it gets out of control.

Professional counselors are available to discuss problems that can adversely affect job performance and conduct.

EAP is required to help employees deal with alcoholism or drug abuse problems, and most EAP counselors also help employees with other problems, for example, marital or financial. EAP counselors often refer employees to other professional services and resources within the community for further information, assistance, or long-term counseling.

EAP may differ from agency to agency in its structure and scope of services. Some are in-house programs, staffed by employees of the agency. Others are contracted out or are operated through an interagency agreement with the U.S. Department of Health and Human Services' (DHHS) Division of Federal Occupational Health. Services differ among contracted programs, depending on the terms of the contract and the relationship between the agency and the contractor.

Confidentiality is an important issue for EAP. Employees who seek EAP services are afforded considerable privacy by laws, policies, and professional ethics of EAP providers. It is common practice for the EAP to inform employees in writing about the limits of confidentiality at the first meeting.

Identifying Potentially Violent Situations

If you ever have concerns about a situation which may turn violent, alert your supervisor immediately and follow the specific reporting procedures provided by your agency. It is better to err on the side of safety than to risk having a situation escalate.

The following are warning indicators of potential workplace violence:

- Intimidating, harassing, bullying, belligerent, or other inappropriate and aggressive behavior.
- Numerous conflicts with customers, co-workers, or supervisors.
- Bringing a weapon to the workplace (unless necessary for the job), making inappropriate references to guns, or making idle threats about using a weapon to harm someone.
- Statements showing fascination with incidents of workplace violence, statements indicating approval of the use of violence to resolve a problem, or statements indicating identification with perpetrators of workplace homicides.
- Statements indicating desperation (over family, financial, and other personal problems) to the point of contemplating suicide.
- Direct or veiled threats of harm.
- Substance abuse.
- Extreme changes in normal behaviors.
- Hostile language or threats against a person or a group based on race, sex, religion, disability, ethnic background, or sexual orientation.

Once you have noticed a subordinate, co-worker, or customer showing any signs of the above indicators, you should take the following steps:

- If you are a co-worker, you should notify the employee's supervisor immediately of your observations.
- If it is a customer, notify your supervisor immediately.
- If it is your subordinate, then you should evaluate the situation by taking into consideration what may be causing the employee's problems.
- If it is your supervisor, notify that person's manager.

Employees should be aware of EXTERNAL threats from organizations or the public. Being alert to specific issues or areas that might be a target of a particular group will impact on decisions that are made about increased security in a particular location, building or facility. The following are some types of External Threats you should be aware of:

- **Domestic Terrorists Groups.** These are groups of people who have a specific agenda and set of beliefs. They believe that acts of violence, such as arson or sabotage, are an acceptable means to achieve their goals. Domestic Terrorism is defined as "the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population or any segment thereof, in furtherance of potential or social objectives
- **Special Interest Groups.** These are groups of people who hold a specific belief or work for a specific cause and who might be at odds with USDA policy. These groups are not necessarily violent and may not condone violence at

all. However, violence may occasionally erupt when emotions prevail, or one person of the group acts on their own and commits an act of violence toward USDA employees or facilities.

- **General Public.** An employee may meet a member of the public who is generally upset with the USDA, the government, who may be drunk, using drugs or just in a foul mood that has nothing to do with the employee. Any of those people may respond in an inappropriate way and become violent.

- **Permittees/Contractors.** There have been instances where employees have been threatened and sometimes assaulted by these individuals.

It is very important to respond appropriately, i.e., not to overreact but also not to ignore a situation. Sometimes that may be difficult to determine. Managers should discuss the situation with expert resource staff to get help in determining how best to handle the situation.

Responding to Violent Incidents

No matter how effective agencies' policies and plans are in detecting and preventing incidents, there are no guarantees against workplace violence. Even the most responsive employers face this issue. When a violent incident does occur, it is essential the response be timely, appropriate to the situation, and carried out with the recognition that employees are traumatized and that the incident's aftermath has just begun.

Because work situations and environments vary so greatly from agency to agency within USDA, it is up to each individual agency to develop and publicize the specific procedures for responding to workplace violence incidents in each location.

❖ Occupant Emergency Plan

Every USDA office or facility should distribute to each employee a viable occupant emergency plan outlining procedures to follow in the event of fire, bomb threats, civil demonstrations, threats of violence both inside and outside the office, natural disasters, etc.

If you do not have a copy of the current occupant emergency plan for your facility, contact your supervisor, the agency safety and health officer, or the facility security office.

In the event of an emergency, refer to the phone numbers of security, police, and medical service in your facility occupant emergency plan. For handy reference, you may wish to write down the numbers of emergency services in your area in the portion provided on the inside back cover of this pamphlet.

❖ Emergency Response Team

A traumatic or emergency response team goes into action once a situation of violence has occurred. The team usually consists of many of the same individuals who make up the threat assessment team but their purpose is to deal with the actual violent situation and its aftermath as well as to take steps to prevent similar future occurrences. A representative of the public affairs staff may also be a member of this team in order to deal with any release of information to the public.

The team assists management and employees by serving as a resource and information source in regard to workplace violence concerns; shares information with employees so that they are involved; responds, as needed, to incidents; assists with attempts to de-escalate and manage the situation; facilitates and coordinates response action to ensure that appropriate follow-up action is taken (investigations, victim assistance, preventive and corrective actions); coordinates with the media; and addresses administrative issues.

❖ Plans and Procedures for Recovering From a Workplace Violence Emergency

This is a very crucial step in an agency's program. Although the hope is that violence will not occur, if it does, agencies must be prepared to deal with the situation, to help in the healing process, and to get the workforce back to

productivity. Following a violent incident, employees experience three stages of “crisis reactions” to varying degrees:

Stage One. In this stage, the employee experiences emotional reactions characterized by shock, disbelief, denial, or numbness. Physically, the employee experiences shock or a fight-or-flight survival reaction in which the heart rate increases, perceptual senses become heightened or distorted, and adrenaline levels increase to meet a real or perceived threat.

Stage Two. This is the “impact” stage where the employee may feel a variety of intense emotion, including anger, rage, fear, terror, grief, sorrow, confusion, helplessness, guilt, depression, or withdrawal. This stage may last a few days, a few weeks, or a few months.

Stage Three. This is the “reconciliation stage” in which the employee tries to make sense out of the event, understand its impact, and through trial and error, reach closure of the event so it does not interfere with his or her ability to function and grow. This stage may be a long-term process.

While it is difficult to predict how an incident will affect a given individual, several factors influence the intensity of trauma. These factors include the duration of the event, the amount of terror or horror the victim experienced, the sense of personal control (or lack thereof) the employee had during the incident, and the amount of injury or loss the victim experienced (i.e., loss of property, self-esteem, physical well-being, etc.). Other variables include the person’s previous victimization experiences, recent losses such as the death of a family member, and other intense stresses.

❖ **Evaluation**

Agencies should have in place a mechanism to evaluate what took place to determine if everything was done that could have been done to have prevented the incident and what can be done to prevent it from happening again. The threat assessment and emergency response teams should be part of this process.

❖ **Employee Assistance Program**

EAP counselors should not be the first to intervene in situations which are hostile or dangerous. In those situations, law enforcement personnel should be the first to intervene. In the event of a violent incident, the EAP can advise management of the best ways to help employees cope with the emotional impact of the incident.

❖ **Equal Employment Opportunity Commission Guidelines**

The Equal Employment Opportunity Commission (EEOC) has issued guidelines that address potentially violent misconduct by employees with psychiatric and other disabilities. Agencies may discipline an employee with a disability who has violated a written or non-written rule that is job related and consistent with business necessity, as long as the agency would impose the same discipline on an employee without a disability.

An agency is never required to excuse past misconduct as a reasonable accommodation. A reasonable accommodation is a change to the workplace that helps an employee perform his or her job and may be required, along with discipline, when the discipline is less than removal. The servicing human resources management office can provide assistance to supervisors on determining proper reasonable accommodation.

Disclosure of Information

Employee Assistance Program

EAP counselors are prohibited by the confidentiality regulations (42 CFR Part 2) from disclosing information obtained from employees without their written consent. An exception to this prohibition, however, is if an employee specifically threatens another person. In that case, the counselor generally will advise the employee that the information will be reported to appropriate authorities, regardless of whether a written consent is provided.

Threat Assessment Team

Information obtained during a threat assessment will be released to individuals needing the information in order to conduct an appropriate investigation into the situation, protect agency personnel, or confront the person making the threat. Typically, this includes security staff, employee relations staff, medical personnel as necessary, and management/supervisory personnel.

Critical Incident Stress Debriefing

Normally, this type of debriefing is conducted by EAP counselors or other mental health professionals. Information shared in the debriefing should remain confidential among the group present. This allows the employees a chance to recover from severe stress, talk about what they have gone through, and compare their reactions with those of others.

Dealing With the Media

Questions from the news media relating to incidents of workplace violence should be forwarded to the appropriate public affairs staff for your office.

Resources

A. Publications

1. *Dealing with Workplace Violence, a Guide for Agency Planners*, Office of Personnel Management.
2. *Combating Workplace Violence, Guidelines for Employees and Law Enforcement*, Defense Personnel Security Research Center, Private Sector Liaison Committee of the International Association of Chiefs of Police.
3. *Violence in the Workplace, Intervention Handbook*, Department of the Air Force.
4. USDA Departmental Regulation 4200-1 dated May 31, 2000, "Workplace Violence Prevention Program"
5. *Preventing Workplace Violence*, handbook of the American Federation of State, County and Municipal Employees.
6. *Helping the Employee Recover from the Trauma of Workplace Violence*, Kenneth Wolf et al., EAP Digest.
7. *What You Should Know About Coping With Threats and Violence in the Federal Workplace*, Federal Protective Service, General Services Administration.
8. *Dealing With Workplace Conflicts and Concerns, A guide for Employees*, USDA Conflict Prevention and Resolution Center.

B. Websites

1. USDA Workplace Violence Coordinators
<http://www.usda.gov/da/shmd/violencecoord.htm>
2. USDA Employee Assistance Program
<http://www.usda.gov/da/employ/eappoc.htm>
3. USDA Physical Security
4. USDA Office of Inspector General
<http://www.usda.gov/oig/hotline.htm>
5. Safety, Health and Employee Welfare Division
<http://www.usda.gov/da/shmd/shmd1.htm>
6. USDA Conflict Prevention And Resolution Center
<http://www.ams.usda.gov/ar/links.htm>
7. General Services Administration
<http://www.gsa.gov/pbs/fps/fps.htm>
8. Office of Personnel Management
<http://www.opm.gov/ehs/Violence.asp>
9. Minnesota Center Against Violence and Abuse
<http://www.mincava.umn.edu/workviol.asp>
10. Workplace Solutions
<http://www.wps.org>

EXAMPLE:

Emergency phone numbers:

Police (9-911)

Security (tele:)

Employee Assistance (tele:)

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.



United States Department of Agriculture

Research, Education, and Economics
Agricultural Research Service

JAN 29 2008

SUBJECT: FY 2008 Anti-Harassment Policy Statement

TO: All Employees

FROM: Edward B. Knipling
Administrator

As the Administrator for the Agricultural Research Service (ARS), I want to express my strong commitment to prohibit sexual and other types of harassment in the workplace. I encourage managers, supervisors, and employees to remain cognizant of this policy and refrain from, and take steps to prevent, acts of harassment of any nature.

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual, has the purpose or effect of creating an intimidating, hostile, or offensive work environment, unreasonably interferes with work performance, or otherwise adversely affects employment opportunities. Harassing conduct includes, but is not limited to, epithets; slurs; negative stereotyping; threatening, intimidating, or hostile acts; written or verbal comments; or graphic material to denigrate or show hostility or aversion toward an individual or group.

ARS employees seeking relief from harassment based on sex (with or without sexual conduct), race, color, religion, national origin, age, disability, sexual orientation, marital or parental status must contact the Office of Outreach, Diversity, and Equal Opportunity, on 1-800-340-4289, or 202-720-3410, within 45 days of an alleged incident.

All claims of harassment must be resolved before they become severe or pervasive. All ARS employees, applicants, and service recipients may express harassment complaints without fear of retaliation. All acts of retaliation must be reported immediately through the appropriate forum. All allegations will be investigated, and any individual(s) determined to have perpetuated harassment will be subject to disciplinary action.

Office of the Administrator
1400 Independence Avenue, SW
Washington, DC 20250
An Equal Opportunity Employer

Enforcement guidance from the Equal Employment Opportunity Commission (EEOC) on employer liability, states that "an employer is always liable for harassment by a supervisor on a prohibited basis that culminates in a tangible employment action." Tangible employment actions include hiring and firing, promotion and failure to promote, demotion, undesirable reassignment, a decision causing significant change in benefits, compensation decisions, and work assignment. The guidance also provides that "in some circumstances, an employer may be subject to vicarious liability for harassment by a supervisor who does not have actual authority over the employee."

This policy, and the EEOC Enforcement Guidance, Notice 915.002, *Vicarious Employer Liability for Unlawful Harassment by Supervisors*, is located on the ARS website: <http://www.ars.usda.gov/aboutus/docs.htm?docid=1310>. Prevention is the most effective tool to successfully eliminate harassment in the workplace.



United States Department of Agriculture

Research, Education, and Economics
Agricultural Research Service

SUBJECT: FY 2011 Anti-Harassment Policy Statement

TO: All Employees

FROM: Edward B. Knipling /s/
Administrator

As the Administrator for the Agricultural Research Service (ARS), I want to express my strong commitment to prohibit sexual and other types of harassment in the workplace. I encourage managers, supervisors, and employees to remain cognizant of this policy and refrain from, and take steps to prevent acts of harassment of any nature.

Harassment is any verbal or physical conduct that is unwelcome and denigrates or shows hostility or aversion toward an individual. It creates an intimidating, hostile or offensive work environment that may interfere with work performance or otherwise, adversely affects employment opportunities. Harassment conduct includes, but is not limited to, bullying, epithets, slurs, negative stereotyping, threatening, intimidating, written or verbal disrespectful comments, or graphic material to denigrate an individual or group.

Bullying is a form of harassment and can create a hostile work environment over a period of time. Bullying conduct includes, but is not limited to, unwarranted or disproportionate criticism of an employee's work performance which is unsupported by the facts; aggressive behavior or shouting; preventing an employee from speaking by using aggressive and/or obscene language; intimidation; manipulation of the employee's reputation through gossip; physical attack; and threatening gestures.

All claims of harassment must be resolved before they become severe or pervasive. All ARS employees, applicants, and service recipients should express harassment complaints without fear of retaliation. All acts of harassment or retaliation must be reported immediately through the appropriate office.

Harassment allegations will be investigated, and any employee(s) determined to harass other(s) will be subject to disciplinary or adverse action.

ARS employees seeking relief from harassment (sexual or non-sexual) or from alleged discrimination based on race, color, religion, national origin, age, disability, sexual orientation,

genetic information, marital or parental status, must contact the Office of Outreach, Diversity, and Equal Opportunity (ODEO), at 1-800-340-4289, or 202-720-3410 within 45 calendar days of an alleged incident.

Enforcement guidance from the Equal Employment Opportunity Commission (EEOC) on employer liability, states that “an employer is always liable for harassment by a supervisor on a prohibited basis that culminates in a tangible employment action.” Tangible employment actions include hiring and firing, promotion and failure to promote, demotion, undesirable reassignment, a decision causing significant change in benefits, compensation decisions, and work assignment. The guidance also provides that “in some circumstances, an employer may be subject to vicarious liability for harassment by a supervisor who does not have actual authority over the employee.”

The EEOC Enforcement Guidance, Notice 915.002, *Vicarious Employer Liability for Unlawful Harassment by Supervisors*, is located on the EEOC website:
<http://www.eeoc.gov/policy/docs/harassment.html>

All employees must be proactive in preventing harassment and promoting a discrimination free workplace.