



WORKPLACE VIOLENCE PREVENTION POLICY

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1. PURPOSE

The Smithsonian Institution (“SI” or “Smithsonian”) fulfills its commitment to providing a safe work environment by establishing this *Workplace Violence Prevention Policy* (“policy”) to provide guidance for preventing and appropriately addressing threatening or intimidating behavior, potentially violent situations, or incidents of workplace violence. Further information on the policy and reporting procedures are outlined in the associated [SI Civil Program Handbook](#).

2. BACKGROUND

In seeking to maintain a work environment that is free of workplace violence and harassment, the Smithsonian established the “SI Civil Program.” The SI Civil Program includes both this *Workplace Violence Prevention Policy* and the [Anti-Harassment Policy](#), along with the associated handbook and materials. The name Civil is not an acronym but represents the goal of “civil behavior in the workplace.” Both policies and other guidance related to the SI Civil Program may be found on [the SI Civil website](#).

3. POLICY

It is the policy of the Smithsonian to maintain an environment that is free of workplace violence. Workplace violence (as defined below) may be characterized as any act, occurring in the workplace, that endangers, harms, or threatens to harm employees, affiliated persons (as

defined below), or property, or which results in an employee or affiliated person having a reasonable belief of being in physical danger. Such acts are expressly prohibited and will not be tolerated — all known incidents of workplace violence will be taken seriously and addressed promptly.

Smithsonian employees or affiliated persons who are found to have violated this policy may be subject to administrative action, disciplinary action (up to and including removal), and/or legal action, as appropriate.

The Smithsonian also will not tolerate retaliation against employees or affiliated persons because they report a concern under this policy or provide information related to such reports (also known as “protected activity”). It is a violation of this policy to retaliate against employees or affiliated persons who engage in protected activity under this policy. A manager may not fire, demote, harass, or otherwise take any personnel action against an individual for engaging in protected activity. Anyone reporting what they believe to be a legitimate concern or providing information related to a report shall be protected from retaliation.

4. APPLICABILITY

This policy covers all Smithsonian employees and affiliated persons, as identified in the “*Definitions*” section below, and supersedes any other SI policies or procedures that conflict with this policy. This policy also covers any incidents involving individuals from outside the Smithsonian perpetrating threats or violence against Smithsonian employees or affiliated persons within SI facilities and property, including leased facilities and property. Because the Office of the Inspector General (OIG) is statutorily independent, the requirements of this policy do not apply to OIG employees.

5. DEFINITIONS

These definitions are provided for use in the context of this directive and should not be construed as legal definitions. Definitions of other terms related to workplace violence prevention and reporting procedures are available in the [SI Civil Program Handbook](#). Please contact [SI Civil](#) if you have any questions as to whether these definitions apply in a specific situation.

Administrative Investigation or Inquiry. An impartial investigation related to the non-criminal conduct or actions of an employee or affiliated person to determine whether such conduct or actions violates Smithsonian policies.

Administrative Investigator. An individual, whether internal to the Smithsonian or a third-party contract investigator, who conducts the administrative investigation and prepares the fact-finding report.

Affiliated Persons. This term refers to the following categories of individuals who are not Smithsonian employees, but who are regularly present and/or work within Smithsonian facilities and property, including Smithsonian leased facilities and property:

- Contractors who perform work that is similar to Smithsonian employees, such as temporary help firms' employees;
- Other contractors, such as construction contractors and food service contractors' employees;
- Volunteers, as defined in SD 208, *Standards of Conduct Regarding Smithsonian Volunteers*;
- Interns, as defined in SD 709, *Smithsonian Institution Interns*;
- Fellows, as defined in SD 701, *Smithsonian Institution Fellows*;
- Research associates, as defined in SD 205, *Smithsonian Institution Research Associates*;
- Emeriti, as defined in SD 206, *Emeritus Designations*;
- Friends of the National Zoo (FONZ) employees;
- Smithsonian Early Enrichment Center (SEEC) employees;
- Visiting researchers, including scientists, scholars, and students;
- Employees of federal, state, and local agencies working with Smithsonian employees at Smithsonian facilities and property; and
- Regents and advisory board members.

Domestic Violence. A pattern of behaviors used by one partner to maintain power and control over another partner in an intimate relationship. It includes physical, sexual, and psychological attacks, and economic control.

Intimidating Behavior. Conduct which, in the opinion of a reasonable person, creates a troubling/disturbing environment, impairs agency operations, or frightens, alarms, or inhibits others. This may include, but is not limited to, making statements which are false, malicious, disparaging, derogatory, or abusive. Physical intimidation may include holding, impeding or blocking movement, following, stalking, touching, or other inappropriate physical contact or advances. It may also include attacks involving the use of a weapon, or actions such as hitting, punching, pushing, poking, or kicking.

Retaliation. It is a violation of this policy to retaliate against employees or affiliated persons who engage in protected activity under this policy. Protected activity includes reporting a concern under this policy or providing information related to such reports. A manager may not fire, demote, harass, or otherwise take any personnel action against an individual for engaging in protected activity.

SI Civil Coordinator. The Smithsonian's Anti-Harassment and Workplace Violence Prevention Coordinator, who manages SI Civil, including the reporting process. Smithsonian employees and affiliated persons may contact [SI Civil](#) for assistance by phone, email, or by visiting the SI Civil website on the Smithsonian intranet (Prism) and the public-facing Smithsonian website.

SI Civil Program (SI Civil). A team of Smithsonian experts and specialists who help address and prevent harassment and workplace violence through: managing this policy and [SD 225, Anti-Harassment Policy](#); educating Smithsonian employees and affiliated persons on policies and reporting processes; providing guidance to Smithsonian management officials and employees; assessing allegations to determine the appropriate management response; and immediately responding to violent or potentially violent incidents or threats.

Threat. Any expression or gesture that could be interpreted by a reasonable person as conveying intent to cause physical harm to persons or damage to property.

Workplace Violence. Any act, occurring in the workplace, that endangers, harms, or threatens to harm employees, affiliated persons, or property, or behavior which results in an employee or affiliated person having a reasonable belief of being in physical danger. Workplace violence includes threats and intimidating behaviors, as defined above. The list below reflects some common behaviors that may be indicative of potentially harmful or violent behavior. Some examples of behaviors covered by this policy include:

- making direct or veiled threats;
- engaging in intimidating, belligerent, harassing, or otherwise aggressive behavior;
- having multiple inappropriate or aggressive confrontations with a supervisor, employee, or affiliated person;
- bringing a weapon to the workplace, making inappropriate references to guns, or having a fascination with weapons;
- having a fascination with incidents of workplace violence or making statements that approve of the use of violence to resolve problems;
- making statements that reflect feelings of desperation and/or hopelessness regarding work, family, financial, or other personal problems; and

- exhibiting extreme and/or uncharacteristic changes in personality or behavior.

6. REPORTING AND RESPONSE

A supplementary [SI Civil Program Handbook](#) provides additional guidance on the reporting process and response procedures. Please contact [SI Civil](#) if you have any questions regarding reporting.

Reporting Process. Employees or affiliated persons who observe any threat, intimidating behavior, or other behavior indicative of potentially harmful or violent behavior should notify their supervisor *as soon as possible*, or, in the absence of their supervisor (or if their supervisor is the offending party), another Smithsonian management official. Employees and affiliated persons are always encouraged to report these behaviors to [SI Civil](#) or the Office of Protection Services (OPS). Supervisors and managers are required to notify [SI Civil](#) or OPS if they receive a report from an employee or affiliated person. Behaviors covered by this policy are described in the “*Definitions*” section above.

If the behavior involves a crime in progress or a specific threat of imminent bodily harm, individuals should treat this as an emergency and contact OPS, the security office at their facility (if not staffed by OPS), and/or the local police department (e.g., 911). See the guidance on “*Reporting Emergencies*” below.

Note. Employees who knowingly make a false report are subject to disciplinary action, up to and including removal.

Response. SI Civil, in partnership with OPS, will convene the Workplace Violence Prevention Response Team (“Response Team,” as defined under the “*Responsibilities*” section below) upon receiving a report of behaviors covered by this policy, and assess the potential seriousness of reported incidents of workplace violence or of an intimidating, disturbing, or threatening situation. After conducting the initial threat assessment, the Response Team will work with SI management officials to take immediate action (including whether to refer the matter to the local police department) and/or initiate an administrative investigation.

When a Smithsonian manager, supervisor, mentor, advisor, sponsor, or management official receives a report or is informed of a threat or potential workplace violence from an employee or affiliated person, he or she must take steps to respond by:

- contacting OPS, the security office at their facility (if not staffed by OPS), and/or the local police department (e.g., 911) immediately if the report involves a crime in progress or specific threat of imminent bodily harm;
- reporting to [SI Civil](#) or OPS as soon as possible (*even if the individual reporting the behavior wishes to remain anonymous or requests complete confidentiality*);

- informing the reporting employee or affiliated person that management has an obligation to report the allegation and that an internal administrative investigation may be conducted;
- ensuring, with the assistance of SI Civil and OPS, a prompt, thorough, and impartial investigation is conducted; and
- taking appropriate corrective action, including disciplinary action, if it is determined a violation of this policy has occurred;

The obligation for management officials, mentors, advisors, and sponsors to report to SI Civil or OPS exists even if the reporting party is not under the supervision of the management official, mentor, advisor, or sponsor who received the report. Failure to report to SI Civil or OPS may result in appropriate disciplinary and/or administrative action against the management official, mentor, sponsor, or advisor who received the initial report.

Failure to cooperate in an investigation may subject an employee to disciplinary action.

Reporting Domestic Violence. Domestic violence can occur in the workplace in the form of harassing or threatening phone calls or emails to the victim, visits to the workplace, and other personal or electronic harassment/intimidation tactics. Every instance of domestic violence that encroaches into the workplace is different; security and/or personnel procedures may need to be tailored, where possible, in response to specific information about a threat.

Any Smithsonian employee or affiliated person who is a victim of domestic violence is encouraged to inform [SI Civil](#), OPS, the Office of Human Resources-Labor and Employee Relations Branch (OHR-LER), the Employee Assistance Program (EAP), and/or the Ombuds of his or her situation so that the Smithsonian can take steps to prevent the violence from extending into the workplace and provide resources or strategies which may be helpful.

Reporting Emergencies. For crimes in progress or specific threats of imminent bodily harm (e.g., brandishing a weapon in the workplace), all Smithsonian employees and affiliated persons are to secure their own safety first, and then immediately contact the local police department (e.g., 911), OPS, and/or the security office at their facility (if not staffed by OPS). No Smithsonian employees and affiliated persons, other than OPS security officers or other authorized law-enforcement personnel, should attempt to intervene physically or handle an emergency situation themselves except as a last resort, and only when there is a likelihood of serious bodily harm from a failure to act.

Note: In some cases, an incident of workplace violence could be considered an emergency or disaster and fall under the policies and procedures of the SI Disaster Management Program (e.g., active shooters). Please refer to SD 109, [Smithsonian Emergency Management Program](#), for further guidance on planning for disasters and emergencies.

Post-Incident Response. In the event an incident of workplace violence occurs, local police, OPS, or the non-Smithsonian security office at the involved facility will investigate the incident, provide immediate on-site victim assistance (e.g., first-aid), and complete any necessary investigative reports. OPS will inform SI Civil of the incident and any findings from the investigation for tracking purposes. The OHR-LER branch will provide advice and guidance to Smithsonian management on appropriate disciplinary action resulting from the incident. The EAP will provide, or facilitate, any counseling or guidance to victims or other staff who may have been affected by the incident.

Note: The incident may initiate responsibilities of the Office of the Inspector General (OIG) under [SD 107](#). Therefore, the reporting requirements developed by OPS and OIG may apply.

Follow-Up Activities. After an incident of workplace violence, the Response Team will review the Smithsonian's response, assess its appropriateness, and decide whether to recommend any improvements to policy.

7. RESPONSIBILITIES

Additional information on responsibilities, such as reporting time frames, may be found in the [SI Civil Program Handbook](#). Please contact [SI Civil](#) if you have any questions regarding responsibilities.

Smithsonian Employees and Affiliated Persons. All Smithsonian employees and affiliated persons are responsible for:

- maintaining a safe work environment;
- complying with this policy and any other safety and security measures required by the Smithsonian;
- reporting threats, suspicious activities, and other acts that violate this policy to a supervisor or, in the absence of a supervisor (or if the supervisor is the offending party), to another supervisor, manager, SI Civil, or OPS;
- cooperating fully and truthfully in any administrative or criminal investigations related to threats or incidents of workplace violence; and
- participating in training in evacuation, shelter-in-place, and lockdown procedures and drills associated with workplace violence.

Note: All Smithsonian employees and affiliated persons are *encouraged*, but not required, to report harassment not covered by this policy to a Smithsonian management official or SI Civil. See [SD 225, Anti-Harassment Policy](#), for more information. Smithsonian employees and affiliated persons should be aware that management officials, mentors, advisors, and sponsors cannot keep allegations regarding workplace violence or harassment completely confidential, even if the management official, mentor, advisor, or sponsor is outside of the individual's chain of command.

Supervisors, Managers, Mentors, Advisors, and Sponsors. In addition to the responsibilities set forth above, supervisors, managers, mentors, advisors, and sponsors are responsible for:

- promoting a safe and civil organizational culture, and creating an environment where all individuals are treated with respect and dignity;
- notifying employees and affiliated persons of this policy and its requirements;
- notifying employees and affiliated persons that employees and affiliated persons are responsible for reporting threats or incidents of workplace violence;
- informing employees and affiliated persons who report allegations of behaviors covered by this policy that Smithsonian managers have an obligation to report the allegation and that an internal administrative investigation may be conducted;
- reporting all known threats or incidents of workplace violence to [SI Civil](#) or OPS;
- taking seriously reported threats or incidents of workplace violence;
- coordinating closely with the SI Civil Program and OPS to appropriately address threats or incidents of workplace violence;
- referring employees to the EAP or other SI resources, as appropriate;
- evaluating, investigating, and taking appropriate action in the event a threat or incident of workplace violence occurs or is reported;
- protecting employees and affiliated persons who file reports or participate in inquiries related to matters covered by this policy from retaliation;
- requiring full participation of self and employees in training in evacuation, shelter-in-place, and lockdown procedures and drills associated with workplace violence; and
- supporting other workplace violence prevention training efforts by encouraging employee attendance.

Unit Directors. In addition to the responsibilities set forth above, unit directors, and/or their designees, are responsible for:

- ensuring that their organizations fully comply with the requirements of this policy;
- reporting all known threats or incidents of workplace violence to [SI Civil](#) or OPS;
- seeking to ensure that managers, supervisors, mentors, and sponsors report allegations of threats or workplace violence as soon as possible and that they cooperate fully with the SI Civil Program or OPS on related inquiries and corrective administrative action to address matters appropriately; and
- developing, in consultation with OPS and in accordance with this policy, assignment-specific safety guidelines and reporting and response procedures for potential incidents of workplace violence for employees or affiliated persons assigned to field locations, or outside Smithsonian-owned or controlled facilities, where appropriate.

Office of Human Resources. OHR will offer initial and recurring awareness training to all employees on the issues of workplace violence prevention and the SI Civil Program, and provide annual notices to all employees and affiliated staff. OHR is responsible for the SI Civil Program and will provide resources as needed.

Office of Human Resources — Labor and Employee Relations Branch. OHR-LER is responsible for:

- managing the SI Civil Program, including the SI Civil Coordinator;
- offering training to supervisors and managers regarding the appropriate use of management tools such as probationary periods and disciplinary actions to address employee misconduct, including violations of this policy;
- providing advice and guidance to supervisors and managers to assist in determining what type of disciplinary action, if any, is appropriate if a violation of this policy occurs; and
- providing advice and guidance to supervisors and managers to assist them in determining what types of preventive measures (e.g., schedule changes) may be possible for personnel who are victims of domestic violence and what types of interim actions are appropriate during an administrative investigation (e.g., placing an employee on administrative leave).

SI Civil Coordinator. The SI Civil Coordinator is responsible for:

- serving as the main point of contact for questions and issues related to this policy and [SD 225, Anti-Harassment Policy](#) (and for related materials);

- serving as the initial responder to calls/reports and convening the Response Team, as necessary;
- managing SI Civil by developing policies, programs, and guidance to implement this policy and [SD 225, Anti-Harassment Policy](#);
- tracking complaints and providing periodic reports to SI leadership;
- ensuring that the procedures in this policy are properly executed, by monitoring inquiries and investigations of reported or otherwise discovered harassing conduct; providing guidance concerning the information to be gathered and methods to be used during inquiries and investigations; and otherwise ensuring that the investigations are swift, thorough, impartial, and appropriate to the allegation;
- developing training and technical assistance on this policy, [SD 225, Anti-Harassment Policy](#), and related procedures, including, but not limited to, training for designated investigators, training for new managers and supervisors, periodic refresher training for managers and supervisors, incorporation of supporting resources into employee orientation materials (e.g., handbooks, brochures, and toolkits), and consultation with units and offices on their own education and awareness efforts;
- increasing awareness of SI Civil;
- convening the Response Team and SI Civil Program Advisory Committee (SI Civil PAC);
- guiding managers, supervisors, human resources liaisons, and fact-finding investigators through the reporting and complaint process; and
- maintaining professional working relationships and communications with all stakeholders.

The ***Workplace Violence Prevention Response Team (Response Team)***. The Response Team consists of the SI Civil Coordinator and representatives from OPS, OHR-LER, EAP, and the Office of General Counsel (OGC). The Ombuds and representatives from other units will join the Response Team on an *ad-hoc* basis, depending on the situation and the individuals involved. Responsibilities of the Response Team include:

- reporting to the Under Secretary for Administration on all issues related to workplace violence;
- meeting on an *ad-hoc* basis when an issue arises;
- performing workplace violence risk and threat assessments;

- identifying individuals in need;
- providing assistance and resources to individuals to prevent workplace violence; and
- providing recommendations related to SI's workplace violence prevention and response program to the SI Civil Program Advisory Committee (PAC).

SI Civil Program Advisory Committee (SI Civil PAC). The SI Civil PAC, consisting of the SI Civil Coordinator and representatives from the Office of the Under Secretary for Administration, OPS, OHR-LER, EAP, OGC, the Ombuds, the Office of Equal Employment and Supplier Diversity (OEESD), and the Office of Fellowships and Internships (OFI) is responsible for:

- reporting to the Under Secretary for Administration on current cases and the SI Civil Program in general (to include this policy, the [Anti-Harassment Policy](#), associated guidance, and complaint and reporting processes);
- meeting regularly to assess and evaluate the SI Civil Program and discuss ongoing cases and trends (see the [SI Civil Handbook](#) for further information on PAC meetings);
- reviewing and approving training and guidance related to the SI Civil Program; and
- recommending specific changes or updates to the SI Civil Program.

Administrative Investigator. An administrative investigator, who may be an internal Smithsonian employee or a third-party contract investigator, is responsible for:

- conducting administrative investigations, when assigned, in accordance with relevant policies, procedures, and guidelines;
- ensuring that the investigations are swift, thorough, impartial, and appropriate to the allegation; and
- limiting disclosure of sensitive information to only individuals with a need-to-know for business-related reasons.

Office of Protection Services. OPS is responsible for:

- conducting pre-employment screenings;
- serving as a liaison with local law enforcement on response and post-investigation matters;
- implementing physical measures and operational procedures to improve the overall security level of all Smithsonian premises;

- training in evacuation, shelter-in-place, and lockdown procedures and drills associated with workplace violence;
- assessing and taking appropriate action if a threat or incident of workplace violence occurs;
- investigating incidents, providing immediate on-site victim assistance (e.g., first-aid), and completing any necessary investigative reports as appropriate;
- reporting any incidents and findings to [SI Civil](#) for tracking purposes;
- assisting unit and program directors in the development of assignment-specific safety guidelines and reporting and response procedures for potential incidents of workplace violence for employees or affiliated persons assigned to field locations, or outside Smithsonian Institution-owned or controlled facilities; and
- assigning an OPS representative(s) as a member of the Response Team and SI Civil PAC.

Employee Assistance Program. EAP counselors are responsible for:

- providing short-term counseling to employees experiencing personal, health, and/or work-related issues;
- referring employees needing long-term counseling to outside treatment resources;
- participating in post-incident trauma counseling; and
- assigning an EAP representative(s) as a member of the Response Team and SI Civil PAC.

Office of Fellowships and Internships. OFI is responsible for:

- disseminating information related to this policy and the SI Civil Program to Smithsonian interns, Fellows, and research associates (regardless of the individual's working title adopted by the unit); and
- ensuring that all Smithsonian interns, Fellows, and research associates are made aware of their obligation to comply with Smithsonian policies.

Ombuds. The SI Ombuds is responsible for providing a confidential, impartial, and informal environment where SI employees and affiliated persons can consider options to analyze and address work-related conflicts and complex or sensitive situations. The Ombuds will also serve as a member of the SI Civil PAC and as an *ad-hoc* member of the Response Team.

8. FIELD WORK/ASSIGNMENTS

For the purposes of this policy, field work or field assignments are considered any study, research, or work conducted outside of an SI facility or campus setting. Generally, the work would also likely occur in remote areas away from the protection offered by SI facilities and associated staff and/or areas normally patrolled by local law enforcement. However, it may include official visits to areas with particularly high levels of local crime. Thus, each field assignment involves its own set of risk factors for violence. It is essential that Smithsonian employees and affiliated persons are provided assignment-specific safety guidelines. Therefore, each unit that sponsors field assignments should provide assignment-specific safety guidelines and information, as well as emergency and non-emergency reporting and response procedures, to address threats or incidents of workplace violence which may occur at field locations.

9. PREVENTION

Identify Early Warning Signs. Smithsonian employees and affiliated persons are expected to exercise good judgment and inform their supervisor (or another supervisor, manager, [SI Civil](#), or OPS) if they observe any potentially violent behaviors or warning signs listed in the “*Reporting and Response*” section of this policy. Refer to the [SI Civil Program Handbook](#) for more information on the reporting process.

Use the Employee Assistance Program (EAP). Where supervisors or managers suspect an employee is having work-related and/or personal problems that they believe may lead to an incident of workplace violence, they should encourage the employee to contact an EAP counselor for support.

Use Alternative Dispute Resolution (ADR) Techniques. Where a dispute arises in the workplace, supervisors and managers should consider resolving the matter through ADR techniques by employing the services of a neutral third party (e.g., the Ombuds and/or an outside mediator).

10. CONFIDENTIALITY AND PRIVACY

Confidentiality. All reports of threats or incidents of workplace violence will be maintained on a confidential basis *to the greatest extent possible*. The identity of the employee or affiliated person alleging violations of this policy and any witnesses will be kept confidential, except as necessary to conduct an appropriate investigation into the alleged violations, to take appropriate disciplinary or corrective action, to comply with the reporting requirements of this policy, or when otherwise required by law.

If any party would like to discuss the allegations in a completely confidential setting, he or she should contact the EAP or the Ombuds, both of which operate under principles of confidentiality. Once an allegation is raised to an SI management official or to SI Civil, the Smithsonian is required to initiate a prompt administrative investigation. SI Civil will notify the reporting party of the status of the administrative investigation, when it has been referred to the appropriate management officials, and when the matter has been addressed. However, because of privacy rights and procedures, no further information will be provided.

Privacy. Personally identifiable information (PII) and other sensitive information collected pursuant to this policy will be stored in electronic personnel systems. Access to any PII or other sensitive information is limited to persons with a valid business reason and only in the performance of their official duties (e.g., when conducting an administrative investigation). These practices are consistent with the Smithsonian Privacy Office guidelines identified in [SD 118](#), *Privacy Policy*, and [SD 119](#), *Privacy Breach Policy*.

SUPERSEDES: SD 217, Workplace and Domestic Violence Policy, issued October 28, 2013.

INQUIRIES: Office of Human Resources (OHR).

RETENTION: Indefinite. Subject to review for currency 36 months from date of issue.
