



HO-CHUNK NATION CODE (HCC)
TITLE 6 – PERSONNEL, EMPLOYMENT AND LABOR CODE
SECTION 8 – OCCUPATIONAL SAFETY AND HEALTH
PROGRAM ACT OF 2002
SUBSECTION 17 – WORKPLACE VIOLENCE PREVENTION

ENACTED BY LEGISLATURE: MAY 20, 2002

LAST AMENDED: December 6, 2022

CITE AS: 6 HCC § 8-17

1. **Authority.** See basic document (Occupational Safety and Health Program Act).
2. **Purpose.** This subsection of the Occupational Safety and Health Program Act provides guidelines to promote a safe environment for employees, patrons, customers, vendors, visitors, and the general public. The Ho-Chunk Nation is taking a proactive stance to reduce potential threats, intimidation, harassment, disruptive behavior and violence in the workplace. The Ho-Chunk Nation takes the position that no violent and/or threatening behavior, implied or actual, will be tolerated. The potential for workplace violence can be reduced through a fair and supportive workplace, and general awareness of behaviors and those situations, which have a potential for violence.
3. **Policy Statement.** The Ho-Chunk Nation is committed to creating a caring environment free of fear, intimidation and abuse primarily for its employees, but also its patrons, customers, vendors, visitors and the general public. The Ho-Chunk Nation strives for a working environment that nourishes a sense of meaning, dignity, and mutual respect and support for all.
4. **Scope.** This subsection applies under any of the following conditions.
 - a. When a defined event takes place on Ho-Chunk Nation property, one of its facilities or enterprises.
 - b. When a defined event takes place while an employee is in the performance of job related duties.
 - c. When a defined event takes place off premises, off duty and if the event stems from a work-related incident.
5. **Procedures.** This subsection addresses management of three components of the workplace environment.
 - a. Prevention. Tasks and responsibilities of employees, supervisors and management to prevent the occurrence of and reduce the potential for workplace violence.
 - b. Intervention. Tasks and responsibilities of employees, supervisors, and management in the event a threat and/or incident of workplace violence occurs.

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c. Follow-up. Tasks and responsibilities of employees, supervisors, and managers following a threat and/or incident to deal with its resulting aftermath.

6. Prevention Guidelines. Prevention is the most effective and efficient means of dealing with potential workplace violence. As a means of preventing workplace violence, the Ho-Chunk Nation is committed to providing training to all employees on the principles, concepts, and procedures to follow in handling potential violent incidents involving co-workers, patrons, customers, and visitors. In addition, the Ho-Chunk Nation will train management in the concepts of recognizing early warning signs, response procedures, effective coaching, and counseling of employees, and the investigation of incidents or threats of violence.

a. Training Program. All employees will receive training, upon hire and annually thereafter, regarding this subsection to increase their awareness of promoting workplace safety and to understand their job responsibilities for managing potentially violent incidents.

b. Workplace Analysis. The Nation through its facility managers, executive directors, and supervisors will monitor workplace violence incidents. All reports are to be sent to the Occupational Safety and Health Division (OSHD), who will analyze data and submit to the Office of the President an annual report detailing incidents and their intervention and/or corrective action.

7. Intervention Guidelines.

a. General.

(1) While the Nation has implemented individual policies and procedures as a means of preventing workplace violence, situations can and still do occur despite efforts to prevent them. When a threat of or an actual violent episode occurs, both the affected employee(s) and his/her supervisor have a role and responsibility to bring the issue to resolution. This also applies to patron, customer, visitor, or general public episodes involving Ho-Chunk employees.

(2) All levels of management are required to take action when they become aware that a threat or violent episode has occurred. Some employees may feel uncomfortable reporting a co-worker who has threatened or acted violently toward them, especially if they perceive that their supervisor or management will not support them, or if their supervisor is the person involved. In any case, an employee may report threats, harassment, intimidation, disruptive behavior, or actual violence to any member of management.

(3) An employee if they so desire may request that they be accompanied by a personal representative when making such a report.

b. Employee/Supervisor/Management Procedure Guidelines.

(1) Take seriously the responsibility to maintain a safe workplace by neither:

(a) tolerating or making threats, implied or direct nor

(b) behaving in a violent manner.

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(2) Report all violence and/or threats of violence to a supervisor or manager. (Employees may discuss the situation with a personal representative).

(3) In the event of immediate physical danger to any employee, patron, customer, vendor, visitor, general public, or property take measures to:

- (a) Prevent harm to person or property.
- (b) Inform the switchboard to notify local law enforcement and facility security.
- (c) Alert whomever needs to know the danger exists.
- (d) Provide security for anyone who may be in harm's way.
- (e) Promptly notify supervisors and management

(4) In the event of a confrontation with a threatening person:

- (a) Attempt to de-escalate the situation.
- (b) Promptly notify supervisors and management.

(5) For an allegation that someone is making threats or is intimidating others, notify supervisors and management.

(6) If the employee alleges damage or loss of property to be related to workplace violence:

- (a) Notify supervisors and management.
- (b) Document the incident and submit to the facility manager, Human Resources, and to the Occupational Safety and Health Division.

(c) Manager shall:

- 1 Discuss the incident with the reporting employee.
- 2 Notify security.
- 3 Notify local law enforcement.
- 4 The employee can decide whether or not to press charges.

(7) In the event an employee obtains a restraining order against another person.

(a) The employee shall:

- 1 Inform his/her supervisor of the restraining order.
- 2 If possible, provide a description and photo of the individual and a description of the individual's vehicle if not a facility employee.

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3 Notify the supervisor and security if the individual violates the restraining order on Nation property.

4 Notify the supervisor when the restraining order is lifted.

(b) The employee's supervisor shall:

1 Notify Security.

2 Notify others with a need to know.

3 If the restraining order is against another employee, work with the employee and Human Resources to facilitate avoidance of that employee while on duty.

4 Notify employee if the person against whom the restraining order has been filed is seen on facility property.

5 Notify Security, management staff, and others who need to know when the restraining order is lifted.

(8) In the event an employee identifies the unexpected arrival of an individual who made a prior threat.

(a) The employee shall inform his/her supervisor of that arrival and if needed, call for additional assistance.

(b) The supervisor shall take appropriate action to maintain a safe workplace and notify Security, Facility Manager, and Human Resources.

(9) If an employee reports anonymous threats or letter and phone threats.

(a) The employee shall notify the target of the threat, take measures to ensure safety, and notify supervisors.

(b) The supervisor shall notify Security and local law enforcement and consult with Facility Manager and Human Resources to develop an appropriate plan of action.

c. Documentation. Supervisors shall document the incident and submit to Human Resources and a copy to the Office of Occupational Safety and Health, whenever appropriate to the circumstances.

d. Follow-up.

(1) Whenever an employee is exposed to a traumatic event they should be considered at risk for developing symptoms consistent with an acute stress reaction and shall be offered supportive services provided by qualified individuals.

(2) Human Resources has the necessary information to provide employee assistance.

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(3) If the facility or the employee is contacted by the media, tell them you will get back to them. Inform management who in turn will consult with appropriate Nation agencies for legal and public affairs protocols.

(4) If an incident occurs, a debriefing of those involved will be conducted within 24 to 72 hours of the incident. This debriefing will be coordinated and conducted by the Facility Manager and Security Manager.

7. Administration and Enforcement. See Section 12 of the Occupational Safety and Health Program Act.

Legislative History:

12/6/01 Reviewed by Administration Committee.

1/9/02 Legislature posts for 45-day Public Review.

5/20/02 Enacted as Workplace Violence Prevention (6 HCC § 8-17) by Legislative Resolution 5/20/02E.

9/29/22 Legislature posts for 45-day Public Review.

12/6/22 Enacted as Workplace Violence Prevention (6 HCC § 8-17) by Legislative Resolution 12-06-22E.