



## WV SCHOOLS OF DIVERSION AND TRANSITION ORGANIZATIONAL PROCEDURES

<b>CONFLICT AND INCIVILITY IN THE WORKPLACE</b>	<b>Section</b>	Human Resources
	<b>Number</b>	3.98
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	<b>Revision No.</b>	1
	<b>Approval:</b>	<i>[Handwritten Signature]</i>

**1.0. PURPOSE:**

The purpose of this operational procedure is to provide and implement a process for employees to request and receive intervention(s) as a response to any incident(s) constituting harassment, inciting conflict or creating incivility in the workplace; this procedure offers employees an alternative to filing a grievance.

**2.0 APPLICABILITY:**

Procedures apply to all Diversion and Transition Programs located in state juvenile and adult facilities during or after work hours.

**3.0 POLICY STATEMENT:**

Employees of the WV Schools of Diversion and Transition (WVSDT) have a right to a civil work environment and a right to be free of harassment, conflict and incivility on the job, and the Central Office has a moral and legal obligation to ensure that such behavior does not occur and that effective means of redress are available to employees without reprisal. The application of this procedure ensures that employees are respected and protected from these behaviors by coworkers on any employment level.

**4.0 DEFINITIONS:**

- 4.1 "Accused" refers to any employee who has allegedly exhibited behavior which could be considered uncivil, could incite conflict or constitute harassment.
- 4.2 "Accuser" means any employee who believes he/she is the victim of incivility or harassment.
- 4.3 "Harassment" refers to conduct which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment; it may involve a single incident or repeated or continual disturbance, irritation or annoyance of an employee which would be contrary to the demeanor expected by law and/or profession. Examples may include, but not be limited to, such behaviors as using foul language, using politically inappropriate language to refer to someone of a specific race, sex or ethnicity, and/or using any language or making comments that may demean or hurt another person.
- 4.4 "Incivility" refers to any behavior(s) and/or comment(s), isolated or accumulated, that may be considered rude, disrespectful or discourteous.
- 4.5 "Intervention" involves a process of practicing the skills of good questioning and active listening to find, as close as possible, the facts of an alleged incident for the purpose of deescalating an upset employee and/or resolving a conflict.
- 4.6 "Redress" indicates correcting a perceived wrong.
- 4.7 "Reprisal" refers to retaliation or striking back in a hostile manner.

## **5.0 PROCEDURES:**

- 5.1** The principal and/or lead teacher, in addition to central office staff, shall be responsible for the implementation of this procedure.
- 5.2** Should the request for intervention involve two or more employees at the same facility, excluding the principal/lead teacher, the principal/lead teacher shall be responsible to respond to the request for intervention within five (5) work days and exhaust every effort to resolve the situation and restore civility.
- 5.3** Should the principal and/or lead teacher be the accused in the incident, the intervention request shall be forwarded to the Central Office, where the Superintendent of WVSDT will determine the person who shall be responsible for the intervention within five (5) work days.
- 5.4** Any WVSDT employee who becomes aware of an incident with the potential of inciting conflict or engendering a culture of incivility is obligated to report it immediately to the principal/lead teacher, as a means of deterring future incidents and asserting respect for employees. Should the incident directly involve behavior on the part of the principal/lead teacher, it shall be reported to the Central Office.
- 5.5** Any WVSDT employee who believes he or she is a target of incivility or harassment may complete a request for intervention (Addendum 1).
- 5.6** All reports of incivility, harassment and requests for intervention will result in an investigation, conducted by the principal/lead teacher, central office staff or other third party designated by central office.
- 5.7** Investigations falling under this procedure shall include an interview with the accuser, with the accused and with any others who may have knowledge of the alleged incident(s). Interviews will be thoroughly documented. A tape recorder may be utilized to ensure accuracy in reporting.
- 5.8** During the process of resolving a request for intervention or conflict it may become apparent to the investigator that the accuser has specific expectations of the accused ("I wish she would stop cursing in my presence," or "I want him to simply stop the constant blonde jokes," or "When he is upset about something I've done, I want him to sit down with me and discuss it in a normal tone of voice"). In such cases, the investigator may consider developing an agreement (Addendum 2) and asking each party to sign it.
- 5.9** All reports of requests for intervention shall be thoroughly documented, from the initial (verbal or written) request through the completed resolution.
- 5.10** All documentation shall be maintained as an addendum to the personnel file of the accuser and the accused at the site of the education program and at the Central Office.
- 5.11** Should the investigation illuminate and corroborate an egregious offense that may warrant disciplinary action, the investigator may make such a recommendation, which may include, but not be limited to, a verbal reprimand, a written warning, suspension or dismissal, per WVSDT Employee Handbook, Section VI, Disciplinary Action.
- 5.12** Should efforts and actions on the part of the designated investigator fail to restore civility, the accuser may pursue the filing of a grievance.

## **6.0 AUTHORITY**

- 6.1** State Board of Education Policy 4373: *Expected Behavior in Safe and Supportive Schools*.
- 6.2** State Board of Education Policy 5902: *Employee Code of Conduct*.
- 6.3** WVSDT Employee Handbook

**CONFLICT AND INCIVILITY IN THE WORKPLACE**

**REQUEST FOR INTERVENTION**  
**FORM**

Name: \_\_\_\_\_ School: \_\_\_\_\_

\_\_\_\_\_  
Signature Date

Name of person(s) responsible for the harassment/incivility:

\_\_\_\_\_

Describe the incident, including the harassment/incivility:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_

Place incident occurred: \_\_\_\_\_

Name(s) of Any Witness(es): \_\_\_\_\_

Describe your response and/or reaction to the harassment/incivility:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Have there been prior incidents with this person? \_\_\_\_\_

Were prior incidents reported? \_\_\_\_\_ If so, to whom? \_\_\_\_\_

**CONFLICT AND INCIVILITY IN THE WORKPLACE**

**EMPLOYEE AGREEMENT**

**First Party (Accused):**

I, \_\_\_\_\_, enter into this agreement as a result of action taken because of a report of harassment/incivility in the workplace.

I agree to:

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**Second Party (Accuser):**

I, \_\_\_\_\_, enter into this agreement as a result of action taken because of a report of harassment/incivility in the workplace.

I agree to:

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\_\_\_\_\_  
(first party signature)

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(second party signature)

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(witness/investigator)

\_\_\_\_\_  
(date)