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MARSHALL PROCEDURAL REQUIREMENTS

HS01

PREVENTION OF AND RESPONSE TO THREATENING OR VIOLENT BEHAVIOR IN THE WORKPLACE *With Change 2 (4/25/16)*

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DOCUMENT HISTORY LOG

Status (Baseline/ Revision/ Change/ Revalidation/ Canceled)	Document Revision/ Change	Effective Date	Description
Baseline		6/16/2010	
Revision	A	8/3/2011	Revised to include citation of "AUTHORITY," "APPLICABLE DOCUMENTS," and "REFERENCES" in the text of this MPR. Also revised to clarify that the annual training requirement for TAAG members is based on the calendar year and that cultural and ethnic diversity shall be a consideration in the selection of TAAG members.
Change	1	4/2/2012	On 4/2/12, at the request of the OPRD, an administrative change was made at 3.1.1.4 to update organizational name.
Revision	B	10/3/2014	(1) Format changed; (2) Reference to leased buildings in Madison deleted; (3) Deleted requirement that is also contained in NPR 1600.1 and NPD 1600.2 (collaborative review of buildings and offices). (4) Standard "APPLICABILITY" paragraphs added. (5) Appendix C REFERENCES deleted.
Change	1	5/19/2015	On 5/19/15, at the request of the OPRD, administrative changes were made to reflect the fact that the NASA Records Retention Schedules changed from NPR 1441.1 to NRRS 1441.1. Also, The MSFC Emergency Plan is now MCP 1040.2. Corrected directive title in the headers by adding "or Violent".
Change	2	4/25/2016	On 4/25/16, at the request of the OPRD, administrative changes were made to paragraph 1.7.3 to remove the words "and decal" because vehicle decals are no longer required, and paragraphs 1.5.1 and 1.10.4 to correct grammatical errors.
Revalidation	B-2	11/13/2019	Text was revised to reflect organizational, and organizational name changes and correct reference to MSFC Emergency Plan. Other formatting updates made to be in compliance with NPR 1400.1.

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PREFACE

P.1 PURPOSE

This Marshall Procedural Requirements (MPR) establishes procedures, requirements, and responsibilities for the assessment and prevention of violent or threatening behavior in the workplace in accordance with 29 U.S.C. § 668 and NPD 1600.3. This MPR also identifies responsibilities and describes the operation of the Threat Assessment Advisory Group (TAAG).

P.2 APPLICABILITY

- a. This MPR applies to Center personnel, programs, projects, and activities, including contractors and resident agencies to the extent specified in their respective contracts or agreements. (“Contractors,” for purposes of this paragraph, include contractors, grantees, Cooperative Agreement recipients, Space Act Agreement partners, or other agreement parties.)
- b. This MPR applies to the Michoud Assembly Facility (MAF).
- c. This MPR applies as follows: all mandatory actions (i.e., requirements) are denoted by statements containing the term “shall.” The terms: “may” or “can” denote discretionary privilege or permission; “should” denotes a good practice and is recommended, but not required; “will” denotes expected outcome; and “are/is” denotes descriptive material.
- d. This MPR applies the following: All document citations are assumed to be the latest version unless otherwise noted.
- e. This MPR applies to the National Space Science and Technology Center (NSSTC). However, the MSFC Protective Services and Export Control Office does not have jurisdiction on the University of Alabama in Huntsville (UAHuntsville) campus where the NSSTC is located and shall only operate in that location in accordance with an agreement with UAHuntsville.
- f. This MPR applies to MSFC Resident Offices at contractor facilities. However, MSFC Protective Services and Export Control Office does not have jurisdiction at resident offices located at contractor facilities and that services such as on-scene incident command of serious or emergency situations involving workplace violence are the responsibility of the contractor and local law enforcement.
- g. This MPR applies to the MSFC Resident Office at the Kennedy Space Center (KSC). However, protective services at KSC such as on-scene incident command of serious or emergency situations involving workplace violence are under the jurisdiction of, and would be provided by, the KSC Protective Services Office.

Note: The MSFC Protective Services and Export Control Office coordinates with and assists the KSC Office on routine matters involving MSFC Resident Office personnel.

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h. This MPR applies to the Educational Training Facility (ETF) located at the U.S. Space and Rocket Center in Huntsville, Alabama. However, the MSFC Protective Services and Export Control Office does not have jurisdiction at the ETF and services such as on-scene incident command of serious or emergency situations involving workplace violence are the responsibility of local law enforcement.

P.3 AUTHORITY

- a. Section 19 of the Occupational Safety and Health Act of 1970, as amended [Codified at 29 U.S.C. § 668]
- b. NPD 1600.3, Policy on Prevention of and Response to Workplace Violence

P.4 APPLICABLE DOCUMENTS AND FORMS

- a. The Privacy Act of 1974, as amended [Codified at 5 U.S.C. § 552a]
- b. NID 1600.55, Sensitive But Unclassified (SBU) Controlled Information
- c. NRRS 1441.1, NASA Records Retention Schedules
- d. NASA Desk Guide for the Prevention of and Response to Workplace Violence, SREF-3000-0002
- e. MCP 1040.2, MSFC Emergency Plan

P.5 MEASUREMENT/VERIFICATION

None

P.6 CANCELLATION

MPR 1600.2A-1, Prevention of and Response to Threatening or Violent Behavior in the Workplace, dated 4/2/2012.

Original signed by

Patrick E. Scheuermann
Director

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CHAPTER 1. RESPONSIBILITIES

1.1 The MSFC Center Director (or designee) shall:

1.1.1 Develop and disseminate a policy statement in support of NPD 1600.3 indicating that the Center will not tolerate violent or disruptive behavior.

1.1.2 Develop and disseminates a policy statement indicating all reports of incidents are taken very seriously and dealt with appropriately.

1.1.3 Ensure that a process is established to inform employees of NASA's workplace violence prevention policy.

1.1.4 Ensure adequate resources are provided for workplace violence prevention training and awareness.

1.1.5 Ensure that workplace violence prevention is included in all employee orientation and supervisory orientation training.

1.1.6 Ensure adequate funding for employee safety and security.

1.1.7 Ensure that performance standards of appropriate staff reflect the importance of workplace safety and security.

1.1.8 Ensure coordination with other agencies located on Redstone Arsenal and MAF to develop joint workplace violence prevention plans.

1.1.9 Establish a workplace violence prevention and threat evaluation process whereby representatives of the Office of the Chief Counsel, Protective Services and Export Control, and the Office of Human Resources (OHR) evaluate workplace violence incidents or threats to ensure each incident or threat situation is managed in accordance with accepted regulations and procedures. NASA process guidance on workplace violence prevention and threat evaluation is contained in the NASA Desk Guide for Prevention of and Response to Workplace Violence.

1.2 The Protective Services and Export Control Office shall:

1.2.1 Provide on-scene incident command of serious or emergency situations involving workplace violence to eliminate or minimize the potential for injury.

1.2.2 Conduct appropriate investigation into threats and/or incidents of workplace violence, when authorized to do so.

1.2.3 Serve as the liaison with federal and/or local law enforcement when federal and/or local law enforcement has jurisdiction over the incident.

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1.2.4 Serve as the Center’s security expert, keeping management advised of the risk of violence, the security gaps identified by threat assessments, and where possible, provides the means to close these gaps including the use of the latest technologies.

1.2.5 Improve the security level of the buildings, grounds, parking lots, and other structures in accordance with identified security needs.

1.2.6 Identify potential workplace violence threats and developing procedures for determining when and how to notify federal, state, and local law enforcement agencies.

1.2.7 Identify jurisdictional boundaries with other law enforcement agencies and developing procedures for obtaining assistance from those agencies.

1.2.8 Participate in Agency-level threat assessment and violence prevention planning.

1.2.9 Identify safety and security measures that need to be implemented.

1.2.10 Conduct briefings and other community outreach programs on specific workplace violence issues for presentation at Center and organizational staff meetings, new employee orientations, new supervisor orientations and other appropriate venues.

1.2.11 Create and maintain a database to track actions pertaining to incidents coming before the TAAG.

1.3 The Office of the Chief Counsel shall:

1.3.1 Provide legal advice in the development, implementation, and administration of the Center’s Workplace Violence Prevention Policy.

1.3.2 Provide guidance and coordination with the Office of Human Resources with regard to disciplinary actions and Privacy Act disclosure issues related to workplace violence.

1.3.3 Provide necessary guidance and coordination with Protective Services with regard to recommendations for referral for criminal prosecution relative to workplace violence incidents.

1.4 The Office of Human Resources shall:

1.4.1 Provide for supervisory training on basic leadership skills including but are not limited to: (a) setting clear standards of conduct and performance; (b) addressing employee problems; (c) using the probationary period; (d) performance counseling; (e) discipline; (f) alternative dispute resolution; and (g) other management tools.

1.4.2 Provide guidance and assistance to management regarding administrative and/or disciplinary actions deemed appropriate to remedy the situation.

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1.4.3 Coordinate disciplinary recommendations with the Office of the Chief Counsel.

1.5 The Employee Assistance Program (EAP) Coordinator shall:

1.5.1 Provide or make available by referral necessary counseling and intervention resources including but not limited to: (1) stress management counseling; (2) anger management counseling; (3) rape crisis counseling; and (4) victims of crime counseling.

1.5.2 Assist in policy and strategy development.

1.5.3 Maintain an active and well-known presence in the workplace.

1.5.4 Provide information about domestic violence, stress reduction, and anger management to Center managers, supervisors, and employees and the TAAG.

1.5.5 Advise managers, supervisors and employees on how to deal with the consequences of organizational changes that have an adverse effect on employees.

1.5.6 Conduct employee and supervisory training on prevention of workplace violence including: (1) Dealing with angry co-workers and customers; (2) Conflict resolution; and (3) Communication skills.

1.5.7 Consult with supervisors to strategize an effective response to situations that have the potential for violence in the workplace.

1.5.8 Give advice and guidance, diffusing anger/hostility, clarifying options and procedures, and coordinating with other community resources.

1.5.9 Consult with incident response teams when a potential for violence exists or an actual incident is reported.

1.5.10 Provide Critical Incident Stress Debriefing when necessary. (See: MCP 1040.2.)

1.5.11 Acts as consultant to management.

1.6 The Office of Procurement shall:

Assist in referring allegations of violations involving contractors to appropriate officials in the contractor organization for disposition.

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1.7 Contractors shall:

1.7.1 Ensure, in the event an MSFC contractor employee is terminated onsite, the Protective Services Investigations Unit Lead Investigator is notified in advance so that security personnel can be present with the contractor representative during the removal/termination of the employee.

1.7.2 Ensure, in the event that an MSFC contractor employee is terminated at the NSSTC, the ETF, or at one of MSFC's Resident offices, the Protective Services Office Investigative Unit Lead Investigator is notified in advance so that appropriate security arrangements can be coordinated with the applicable security office or law enforcement agency.

1.7.3 Notify the Protective Services and Export Control Office Investigative Unit Lead Investigator in advance when an employee with MSFC access is terminated or suspended off site so that appropriate procedures for retrieving the MSFC badge are followed.

1.7.4 Ensure, in the event an employee is the subject of a disciplinary action on site, the Protective Services and Export Control Office Investigative Unit receives prior notification of the disciplinary action so that the issue of having Security personnel present can be discussed with the contractor representative.

1.7.5 Ensure, in the event an employee begins to exhibit behavior consistent with that identified as leading to incidents of workplace violence, the Protective Services and Export Control Office Investigative Unit is notified of the circumstances without delay so that the case facts can be presented to the MSFC TAAG for evaluation and mitigation and other appropriate action can be promptly taken.

1.8 Supervisors shall:

1.8.1 Promote and inform employees of workplace violence prevention programs within their organizations through personal involvement.

1.8.2 Support Center workplace violence prevention training efforts by encouraging employee attendance.

1.8.3 Promptly report all threats brought to their attention to their management and Protective Services.

1.8.4 Fully cooperate with Protective Services while they conduct and document the appropriate investigation into threats and/or acts of violence committed by or against employees.

1.8.5 Determine the appropriate disciplinary action, in coordination with the Office of Human Capital and the Office of Chief Counsel.

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1.8.6 Assist the Protective Services and Export Control Office and the Office of Human Capital in determining if an employee involved in a workplace violence incident (to include threats of violence) should remain in the workplace pending the outcome of an investigation and evaluation.

1.8.7 Watch for signs of potential conflict and, consulting with EAP and/or Labor and Employee Relations about appropriate intervention and violence prevention strategies (which may include referring employees for counseling).

1.8.8 Support incident evaluation and response teams.

1.8.9 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.

1.8.10 Ensure that employees with special needs are aware of emergency evacuation procedures and have assistance regarding emergency evacuation situations.

1.8.11 Respond to potential threats and escalating situations by utilizing proper resources from Protective Services and Export Control Office, Office of Inspector General, Office of Human Resources, and the Office of the Chief Counsel.

1.8.12 Take all threats seriously.

1.8.13 Know who supporting Protective Services personnel are and what services they can provide for workplace violence prevention, response, and follow-up.

1.8.14 Coordinate expeditiously with Protective Services personnel in the event of a workplace violence incident or threat.

1.9 MSFC employees and contractor employees shall:

1.9.1 Report all threats of violence to immediate supervisor and/or Protective Services or, in emergency situations, calling 911.

1.9.2 Cooperate fully with Protective Services while they conduct and document the appropriate investigation into threats and/or acts of violence committed by or against employees.

1.9.3 Refrain from making threats or engaging in workplace violence.

1.9.4 Refrain from introducing unauthorized firearms and other dangerous weapons/prohibited items onto the Center.

1.9.5 Report threats of outside violence including domestic violence that could potentially carry over into the workplace so that a supervisor or Protective Services may take the necessary action and/or preventive measures.

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1.9.6 Comply with all MSFC security policies and procedures.

1.9.7 Refrain from handling a potentially violent incident on their own.

1.9.8 Be familiar with NASA policy regarding workplace violence.

1.9.9 Report unbadged personnel.

1.9.10 Be familiar with the resources of the EAP.

1.9.11 Take all threats seriously.

1.10 The TAAG shall:

1.10.1 Evaluate threats and potential threats of violence; that is, assess the credibility and overall viability of an expression of intent to do harm and arriving at an informed judgment on whether the individual who has made a threat is likely to carry it out.

1.10.2 Assist in determining appropriate intervention.

1.10.3 Assess vulnerability to workplace violence in individual cases and implementing or advising management on preventive actions to be taken.

1.10.4 Recommend and/or implement employee or manager training programs on workplace violence.

1.10.5 Implement plans for responding to acts or threats of violence.

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CHAPTER 2 PROCEDURES

2.1 Membership

2.1.1 Core Members of the TAAG shall include representatives from the Office of Human Capital (Employee Relations, Labor Relations, and the EAP), the Protective Services and Export Control Office (Investigative Unit Senior Investigator), and the Office of the Chief Counsel.

2.1.1.1 Core Members shall be selected by their respective office chiefs taking into consideration relevant training and experience as well as the importance of cultural and ethnic diversity.

2.1.1.2 Members of the TAAG may also call on representatives of one or more of the following:

2.1.1.3 The Office of Diversity and Equal Opportunity;

2.1.1.4 The MSFC Safety and Mission Assurance Directorate, Safety and Quality Department;

2.1.1.5 Union officials;

2.1.1.6 The Office of Strategic Analysis and Communications, Office of Communications;

2.1.1.7 Contractor management;

2.1.1.8 The affected organization;

2.1.1.9 The Office of the Inspector General;

2.1.1.10 The Office of Procurement; or

2.1.1.11 Any other program representative, as needed.

2.2 Meetings.

2.2.1 The TAAG shall normally meet once a month for training and routine exchange of information.

2.2.2 A meeting shall be convened immediately whenever a report of possible threatening behavior is received by any TAAG member.

2.3 Reports.

2.3.1 Personnel who witness violent or destructive incidents, observe armed individuals in the workplace, or who believe a direct or immediate threat exists for individuals or property shall immediately call 911 to report the situation. It is important that employees promptly report all

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threats, violent acts, harassment, bizarre behavior, and any other behavior which is out of character for the employee concerned and which causes concern or uneasiness, to higher level authority for evaluation and determination of an appropriate course of action. For purposes of this procedure, “higher level authority” means appropriate authority capable of proper, impartial evaluation of reported workplace violence, such as an immediate supervisor, higher level management, the Protective Services and Export Control Office, the Office of Human Resources, or 911.

2.3.2 Employees and contractors are encouraged to report any verbal or physical conduct that threatens property or personal safety, or that reasonably could be interpreted as intent to cause harm. Employees who make a report shall be notified, subject to confidentiality rules, and the Privacy Act of how their reports were investigated and what actions were taken.

2.3.3 Evaluating Reports.

2.3.3.1 When the TAAG is convened to evaluate a case, information provided shall be handled quickly, and (to the extent practicable) confidentially, taking into consideration the following:

2.3.3.2 The exact nature and context of the threat and/or threatening behavior.

2.3.3.3 The identified target (general or specific).

2.3.3.4 The threatener’s apparent motivation.

2.3.3.5 The threatener’s ability to carry out the threat.

2.3.3.6 The threatener’s background including work history, criminal record, mental health history, military history, and past behavior on the job.

2.4 Assessments.

2.4.1 Assessments are made on a case by case basis and are fact specific. The following questions shall be used in evaluating the seriousness of the situation. No single affirmative answer can be considered determinative unless it occurs in conjunction with other indicators. The questions appear in their order of importance with the first four being most important:

2.4.1.1 Has the person ever been known to act in a violent manner?

2.4.1.2 Has the person ever been diagnosed as dangerous or been hospitalized or treated for aggressive or anti-social behavior?

2.4.1.3 Does the person own, have access to and/or familiarity with weapons, or other dangerous devices such as explosives?

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2.4.1.4 Has the employee been known to express sympathy for individuals who committed acts of workplace violence or expressed an obsessive or extraordinary level of fascination, or interest in publicized incidents involving violence?

2.4.1.5 Has the person indicated or appeared to harbor resentment or anger towards the Center, managers, or co-workers?

2.4.1.6 Has the employee's separation or action which has precipitated concern been preceded by increasingly deteriorating work performance and attendance problems?

2.4.1.7 Is there any indication of extremely low self-esteem, severe depression, or suicidal tendencies?

2.4.1.8 Is there any indication of new or increased stress that could trigger a violent action at this time, as opposed to some other time?

2.4.1.9 Is there any indication of mental deterioration?

2.4.1.10 Are there any contra-indicators to violence or an indication that the person is so seriously disorganized as to be unable to carry out a coordinated dangerous action?

2.5 Training

2.5.1 Annual training on workplace violence is mandatory in accordance with NPD 1600.3. Training for employees shall include personal safety techniques and how to avoid becoming a victim, as well as how to report incidents of violent, intimidating, threatening, and other disruptive behavior.

2.5.2 Training for the TAAG may include but is not limited to the use of case studies for practice drills; discussion of policies; ethical constraints; technical vocabulary; race, ethnicity, and cultural awareness; and other considerations that each profession brings to the interdisciplinary group. TAAG members shall receive no less than 8 hours of training annually (i.e., each calendar year) on subject matter that is directly related to TAAG functions.

2.5.3 Annual training for the TAAG shall be approved by the Director, Office of Human Resources in consultation with the Deputy Director of Center Operations.

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APPENDIX A

Definitions

Threat of Violence - A statement or “course of conduct” which causes or could cause a person to believe that he/she is under threat of bodily injury. The term “course of conduct” refers to a pattern of behavior comprised of a series of acts over a period of time, however short, evidencing continuity of purpose. Such course of conduct can include: (1) following or stalking an employee or other person to or from the place of work; (2) unwanted entry into the work area or following another at the place of employment; and (3) unwanted telephone calls or correspondence to another including but not limited to the use of public or private mails, interoffice mail, fax, or computer e-mail. Factors that indicate whether a statement is a genuine threat include: (1) the listener’s reactions; (2) the listener’s apprehension of harm; (3) the speaker’s intent; (4) any conditional nature of the statements; and (5) the attendant circumstances.

Workplace Violence - Any act of violence, against persons or property, (including mission essential infrastructure) 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.

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APPENDIX B

ACRONYMS

EAP – Employee Assistance Program

ETF – Educational Training Facility

NSSTC – National Space Science and Technology Center

OHR – Office of Human Resources

SATERN – System for Administration, Training, and Educational Resources for NASA

TAAG – Threat Assessment Advisory Group

UAHuntsville – The University of Alabama in Huntsville

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APPENDIX C

VERIFICATION MATRIX

Reserved

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APPENDIX D

RECORDS

D.1 The personal reputations of all parties involved in a workplace violence, or threat of workplace violence incident is of the utmost importance. Records of investigations of allegations and/or findings of workplace violence are of a confidential nature and are protected and controlled in accordance with the Privacy Act of 1974 and NID 1600.55.

D.2 Minutes of TAAG meetings are maintained by the Protective Services and Export Control Office in accordance with NRRS 1441.1, 1/97.5/C. (Cut off file after case closes. Destroy 3 years after cutoff.)

D.3 TAAG training records are maintained in NASA's System for Administration, Training, and Education Resources for NASA (SATERN).