



Category/Subject: Flagged and Banned Customer System
Colorado Policy Guidance Letter#: ADM-2016-02
Revise/Replace PGL#: N/A
Date: October 1, 2016
Distribution: CDLE Management/Finance, State/Local Workforce Directors & Staff, Partners

**I. REFERENCE(S):**

- [Colorado Revised Statutes 24-34-402](#) (Discriminatory or Unfair Employment Practices)
- CDLE Standard Policies & Procedures (SPP-1053-15) Code of Conduct, Ethics and Values
- CDLE Standard Policies & Procedures (SPP-0047) Workplace Violence

**II. PURPOSE:**

It is the policy of the Colorado Department of Labor and Employment (CDLE) to promote safety and security for all Colorado Workforce Center employees, contract workers, volunteers, partners, visitors, job seekers and employers. This PGL calls for implementing a system wherein customers exhibiting disruptive behavior and/or engaging in hostile acts/speech could be flagged or banned which, in turn, could limit or terminate some or all of the services provided to such customers by the workforce center.

**III. BACKGROUND:**

Colorado Workforce Centers (WFCs) endeavor to deliver quality services to our job seekers and employers and to keep the environment in our offices safe, friendly, and professional. We hold ourselves to high standards of ethical conduct in an effort to ensure our visiting customers feel welcome. We, therefore, also must require that our customers never engage in any inappropriate behavior e.g. threatening or disruptive speech/ acts. When a customer or any other person at a WFC engages in inappropriate behavior, we need a system which enables us to note the actions taken by the WFC and which also enables us to share such information with all other WFCs in a timely manner. The protection of employees and all other personnel engaging in delivering services to customers must remain of paramount concern when creating policies and procedures for WFCs.

**IV. POLICY/ACTION:**

Colorado Workforce Center (WFC) employees, contract workers, volunteers, partners, visitors, job seekers and employers shall be treated courteously and professionally, regardless of age, sex, race, national origin, sexual orientation, religious affiliation, or disabilities/handicaps (protected by state anti-discrimination laws, CRS 24-34-402(1)).

Any action on the part of WFC employees, contract workers, volunteers, partners, visitors, job seekers and employers which jeopardizes the safety and/or security of the WFC and which could cause injury or harm to any other person and/or appear to be of a criminal nature shall be reported to the local authorities, e.g. police department, sheriff, or state patrol.

**A. Flagging an Employment Services (ES) Registrant/Job Seeker**

Flags may be added to an ES registrant's Connecting Colorado (CC) record from the Job Seeker Information page, Staff Only section.

When adding a flag or ban to a CC record, a note must be attached which clearly explains in detail the situation which occurred and which further provides the contact information of the person flagging the record.

**1. Caution Flag:**

Recommended action: proceed with caution when making contact and/or providing services to a customer with a *caution flag* indicated on their Connecting Colorado record.

Connecting Colorado Service Code: **CF** Subservice: **PC**

**2. Restricted Flag:**

Recommended action: proceed with caution (similar to the *caution flag*) when making contact and/or providing services to a customer. The *restricted flag* indicates that a WFC staff member has identified restriction(s) for access to services and/or specified personnel at the Workforce Center due to special circumstances and/or a problem situation.

Connecting Colorado Service Code: **CF** Subservice: **RA**

**3. Ban:**

Recommended Action: prohibit ES Registrants with a *ban* entered/indicated on their record from accessing services from the Workforce Center/Area indicated.

The registrant will be encouraged to use online services where possible and provided assistance remotely, if possible and only if requested.

Connecting Colorado Service Code: **CF** Subservice: **96**

**4. Statewide Ban:**

Recommended action: prohibit ES Registrants with a *statewide ban* entered/indicated on their record from accessing services from *any* Colorado Workforce Center and/or satellite office. Statewide bans are determined and imposed at the Department executive level after consultation with the WFC requesting the statewide ban.

In the best judgment of the WFC Manager(s) and/or WFC Director(s), if at any time the conduct of a customer is so egregious in nature or poses an immediate threat to an employee or staff member, the WFC Manager and/or the WFC Director may ask the Employment & Training Director (E&T Director) for CDLE to issue a statewide ban. The E&T Director will convene the Statewide Ban Panel which will be comprised of three (3) members: 1) the E&T Director; 2) the Department Equal Employment Opportunities (EEO) Director; and 3) a WFC Manager/Director of another WFC on a rotating basis, beginning alphabetically with Adams County.

The Manager/Director and possibly other staff of the WFC which served the customer may be brought in as *ad hoc* members of the Panel.

During the statewide ban, the registrant will be encouraged to use online services and provided assistance remotely, if possible and only if requested.

Connecting Colorado Service Code: **CF** Subservice: **86**

**B. Documentation Requirements of Caution Flag, Restricted Flag, Local Ban and Statewide Ban:**

All incidents that occur warranting a caution flag, restricted flag, local ban or statewide ban must be documented in the notes section of the ES registration.

*Template*

Date:

MSK:

Agt ID: who is entering the flag or local ban

Agt ID contact telephone number:

Narrative/Explanation: what transpired warranting the flag

**C. Notification Requirements of Restricted, Ban and Statewide Ban:**

All incidents that occur warranting a caution flag, restricted flag, local ban or statewide ban must be reported through the WFC staff person's supervisory chain of command.

The ES registrant shall be notified, in writing, when a *restricted flag, ban, or statewide ban* has been added to their CC record. See **Attachments 1-3** for template letters for restricted, banned, and statewide banned customers.

On a best efforts basis, the WFC employees and/or other staff initiating and noting any of the above actions in the customers' records will provide sufficient information to determine as many characteristics about the customer as possible. The goal will be not only to deter the possibility of discrimination but to ensure that there is not even the appearance of discrimination.

**D. Removal of Caution Flag, Restricted Flag, or Ban:**

The decision to remove the caution, restriction or ban is a local decision and must be discussed and reported through the WFC's supervisory chain of command.

To document the removal of the caution, restriction or ban, the following shall be entered:

Connecting Colorado Service Code: **CF** Subservice: **22**

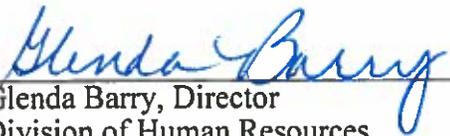
**E. Removal of Statewide Ban**

The decision to remove a Statewide ban is **only** allowable, if determined by the Statewide Ban Panel. The removal, if approved, will be handled by the State MIS Director.

V. **IMPLEMENTATION DATE:** Effective October 1, 2016.

VI. **INQUIRIES:**

Please direct all inquiries to Glenda Barry at the Division of Human Resources at (303) 318-8200.

  
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Glenda Barry, Director  
Division of Human Resources

**ATTACHMENTS:**

1. Restricted Flag Template Letter
2. Ban Template Letter
3. Statewide Ban Template Letter