

CITY OF HICKORY POLICY PROHIBITING WORKPLACE VIOLENCE

POLICY PURPOSE

The City of Hickory is committed to providing a safe work environment. For this reason, the City has adopted a zero tolerance policy for workplace violence. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion which involve or affect the City of Hickory or which occur on City property will not be tolerated. Violations of this policy will result in disciplinary action up to and including termination and may result in arrest and/or prosecution.

POLICY STATEMENT

A. Acts or Threats of Violence Defined

"Threats or acts of violence" include conduct against persons or property that is sufficiently severe, offensive, or intimidating so as to alter the employment conditions at the City of Hickory, or to create a hostile, abusive, or intimidating work environment for one or more City of Hickory employees.

B. Examples of Workplace Violence

General examples of prohibited workplace violence include, but are not limited to, the following:

- All threats or acts of violence occurring on City of Hickory property, regardless of the relationship between the City and the parties involved in the incident.
- All threats or acts of violence not occurring on City property but involving someone who is acting in the capacity of a representative of the City of Hickory.
- All threats or acts of violence not occurring on City property involving an employee of the City of Hickory if the threats or acts of violence affect the legitimate interests of the City of Hickory.
- Any threats or acts resulting in the conviction of an employee or agent of the City of Hickory, or of an individual performing services on the City's behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests and goals of the City of Hickory.

C. Specific Examples of Prohibited Conduct

Specific examples of conduct that may be considered "threats or acts of violence" prohibited under this policy include, but are not limited to, the following:

- Hitting or shoving an individual.

- Threatening to harm an individual or his/her family, friends, associates, or their property.
- The intentional destruction or threat of destruction of property owned, operated, or controlled by the City of Hickory.
- Making harassing or threatening statements by telephone, letter or other forms of written or electronic communications.
- Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the City.
- Harassing surveillance, also known as "stalking", the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his or her safety.
- Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on City property.

D. Scope

The City of Hickory prohibition against threats and acts of violence applies to all persons involved in the City's operation, including but not limited to City personnel, contract and temporary workers, and anyone else on City of Hickory property. Violations of this policy by any individual on City property, or by any individual acting off of City property when his/her actions affect the public interest or the City's business interests will be followed by legal action, as appropriate. Violation by an employee of any provision of this policy may lead to disciplinary action up to and including termination. This policy and any sanctions related thereto are to be deemed supplemental to the City's Personnel Ordinance and provisions related thereto, and applicable State and Federal laws.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on City of Hickory property shall be removed from the premises as quickly as safety permits and shall remain off City premises pending the outcome of an investigation.

E. Employee Obligations

Each employee of the City and every person on City of Hickory property is encouraged to report incidents of threats or acts of physical violence of which he/she is aware.

In cases where the reporting individual is not a City employee, the report should be made to the City of Hickory Police Department.

Managers and supervisors should inform all employees that workplace violence in any form will not be tolerated and reinforce the importance of employee participation in the prevention of workplace violence.

F. Procedure for Dealing with Acts of Workplace Violence

1. If an act or altercation constitutes an emergency, call 911. After 911 has been contacted, immediately contact a manager or supervisor.

2. In situations that are not emergencies, contact your immediate manager or supervisor. If possible, separate the parties involved in the altercation. If the parties cannot be separated or if it would be dangerous to any employee to separate the parties, call 911. (If the immediate supervisor cannot be contacted, notify Human Resources. The incident must be reported at the time of its occurrence).
3. The supervisor must contact the Department Head as soon as the incident is under control. The Department Head will contact Human Resources and work with them on coordinating a response to the incident.
4. If the incident involves a supervisor, the employee must contact the Department Head as soon as the incident is under control.
5. If the incident involves a Department Head, the employee must contact Human Resources as soon as the incident is under control. Human Resources will immediately notify the City Manger.
6. In instances that involve emergencies or criminal activities, Human Resources will contact the City Manager's Office and the Police Department. The Police Department may be called upon to investigate the incident. The Police Department will furnish a report to Human Resources. This report will be utilized in determining disciplinary action, up to and including dismissal.
7. If the incident is not referred to the Police Department, Human Resources will coordinate the internal investigation process.
8. Employees and supervisors should make as many observations as possible on the actions and appearance of all involved parties, including any indication that they may be under the influence of alcohol or drugs.
9. Observations should be documented as soon as safely possible. The document must be dated.
10. If other parties are present, ask them to document and date their observations.
11. Give all information to the investigating party (Human Resources or Police).
12. Depending on the seriousness of the particular circumstance, an employee may be suspended (with pay) and ordered not to return to work until the investigation is complete. During the investigation process management shall review the facts of the situation and determine if disciplinary action should be taken resulting in the suspension or termination of the employee.

G. Employee Questions

Employees shall refer any questions regarding his/her rights and obligations under this policy to the Human Resources Division.

H. Training

The City will provide opportunities for employees to be trained in the risk factors associated with workplace violence and proper handling of emergency situations in order to minimize the risks of violent incidents occurring in the workplace.

I. Anti-Retaliation Clause

This policy prohibits retaliation against any employee who reports a workplace violence concern in good faith. Management shall be sensitive and responsive to the reporting employee's fear of reprisal. Human Resources will investigate any incidents of retaliation. Parties engaging in retaliatory acts will be subject to discipline, up to and including dismissal.

J. Dissemination of Policy

All employees will be given copies of this policy. All new employees will be given a copy of this part of this policy as part of their orientation by the Human Resource Division.

Reissued:


Mick Berry, City Manager

1.13.11
Date