



Workplace Violence Policy

Policy No. A-05¹

The Scope of this policy includes the following individuals:²

- ✓ Employees (including Appointed Officials, Probationary Employees, Full-Time At-Will Employees, Part-Time Employees, Temporary Employees, Civil Service Employees, Teamsters Employees, HPOA, HPSA, and IAFF Employees)
- ✓ Full-Time Elected Officials
- ✓ Board and Commission Members
- ✓ Volunteers

I. PURPOSE

To provide guidance and consistent procedures for reducing the risk of workplace violence, for the appropriate handling of threats or acts of violence, and for increasing awareness throughout the organization for the need to safeguard employees and the public by providing a safe working environment.

II. POLICY APPLICATION

A. Workplace Violence Defined

Workplace violence is any intentional conduct which is sufficiently severe, offensive or intimidating to cause an individual to reasonably fear for his or her personal safety or the safety of his or her family, friends and/or property.

Examples of workplace violence include, but are not limited to, the following:

¹ This policy is not to be construed as a contract or an implied contract concerning any employment-related decision or term or condition of employment. The City reserves the right to revise, delete or add to any and all policies, procedures, work rules or benefits stated in this policy at its sole discretion. See Introduction, Administrative Policy No. A-01.

² The relevant definitions for the individuals identified in the Scope of this policy are defined in Introduction, Administrative Policy No. A-01.

- threats or acts of violence occurring on City premises, regardless of the relationship between the City and the parties involved in the incident;
- threats or acts of violence occurring off City premises involving someone who is acting in the capacity of a representative of the City;
- threats or acts of violence occurring off City premises involving an employee of the City who is a victim if the City determines that the incident may lead to an incident of violence on City premises; or
- threats or acts resulting in the conviction of an employee or agent of the City, or of an individual performing services for the City on a contract or temporary basis, under any criminal code provisions relating to violence or threats of violence which adversely affect the legitimate business interests of the City.

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

- threatening physical or aggressive contact directed toward another individual;
- any overt action which would cause another person to reasonably fear for his/her safety;
- threatening an individual or his/her family, friends, associates or property with physical harm;
- the intentional destruction or threat of destruction of City property or another's property;
- harassing or threatening phone calls;
- unauthorized surveillance;
- stalking; or
- veiled threats of physical harm or similar intimidation.

Workplace violence does not refer to occasional comments of a socially acceptable nature. Such comments may include references to legitimate sporting activities, popular entertainment or current events. Rather, it refers to behavior that is objectively and personally offensive, threatening and/or intimidating. Additionally, the City

acknowledges that many of its employees are exposed to violence by the very nature of their positions. Violence that occurs as a result of performing one's job duties, whereby they are required to respond to emergency or public safety situations, is not considered "workplace violence" for the purposes of this policy.

B. Workplace Violence Prohibited

The safety and security of the City's employees is of vital importance. Consequently, the City has a "zero tolerance" policy, which strictly prohibits workplace violence. Acts or threats of physical violence, including intimidation, harassment and/or coercion, which involve or affect the City, or which occur on City property, will not be tolerated.

The prohibition against threats and acts of violence applies to all persons involved in the City's operations, including, but not limited to City personnel, elected and appointed officials, contract and temporary workers and anyone else on City property or interacting with City personnel in their professional capacity. Violations of this policy, by any individual, will result in disciplinary and/or legal action as appropriate.

Additionally, employees are required to comply with the City's Reporting Arrests and Conviction Policy, Administrative Policy No. B-09, which requires employees to report their arrests and convictions for crimes, other than minor traffic offenses, to their immediate supervisor and Human Resources Business Partner. Failure to do so is a violation of the City's policies and subjects the employee to disciplinary action, up to and including termination from employment.

Employees are also prohibited from using their personal social media accounts to violate the City's policies prohibiting discrimination, harassment, retaliation, and workplace violence. Such conduct will not be tolerated and may subject employees to disciplinary action up to and including termination.

C. Weapons Possession Prohibited

The City strictly prohibits employees from possessing firearms or other weapons, while performing their job duties, unless it is a requirement of the job to carry department approved firearms or other weapons. This prohibition extends to firearms or other weapons stored in an employee-owned or City-owned vehicle, while performing his/her job duties, if the vehicle is parked on City-owned property. An employee who observes or is told that an individual has a firearm or other weapon must immediately report it to his/ her manager, supervisor or department director.

D. Inspections of the Workplace

Where there is reasonable suspicion to believe that an employee has engaged in misconduct or violations of this policy, the City reserves the right to conduct searches

and inspections of areas that are part of the workplace and in the City's control. All areas remain part of the workplace even if an employee places personal items in them. Where reasonably practical as determined by the City, searches and inspections will be conducted in the presence of the employee. Employees shall be required to cooperate with such inspections. Any illegal or unauthorized items discovered may be taken into custody and may be turned over to law enforcement agencies.

E. Complaint & Investigation Procedure

Every verbal or physical threat of violence must be treated seriously and reported immediately to the employee's supervisor and the Human Resources Department. The Director of Human Resources, or designee will be responsible to consult with the appropriate resources and witnesses.

In situations where an employee becomes aware of an imminent act of violence, a threat of imminent violence, or actual violence, emergency assistance must be sought immediately. In such situations, employees should contact the City's security office located on the first floor of City Hall adjacent to the council chambers at the following phone number: 702-267-4545 and law enforcement authorities, if appropriate, by dialing **911**. Employees with access to the internal alert system should activate the system by pushing the F1 and F12 keys on a City Computer. The City's internal alert system will be activated discretely, notifying all employees via their City Computers, and allowing for help to arrive without alerting the proprietor of the threat. In all situations that do not take place on the City Hall campus, employees should contact law enforcement authorities directly, if appropriate, by dialing **911**. Nothing in this policy is intended to prevent quick action to stop or reduce the risk of harm to anyone, including requesting immediate assistance from law enforcement or emergency response resources.

Any person who engages in a threat or violent action on City property may be removed from the premises as quickly as safety permits and may be required, at the City's discretion, to remain off City premises at least pending the outcome of an investigation into the incident.

When threats are made or acts of violence are committed by a City employee, a judgment will be made by the City as to what actions are appropriate, including possible medical evaluation and/or possible disciplinary action, up to and including termination.

Under this policy, quick decisions may need to be made to prevent a threat from being carried out, a violent act from occurring or a life-threatening situation from developing. No existing City policy or procedure should be interpreted in a manner that prevents the above from occurring.

The City will make the sole determination of whether, and to what extent, threats or acts of violence will be acted upon by the City. In making this determination, the City may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that a violation of this policy has occurred.

Full cooperation with this policy is required for the City to accomplish its goal of providing a safe and productive work environment for its employees. Any questions regarding employee obligations under this policy should be directed to the Director of Human Resources. Employees may ask questions under this policy or make reports without fear of reprisal of any kind. Failure to report any threats or acts of violence as defined in this policy is itself a violation of this policy, and may subject an employee found to have knowledge of such threat to discipline, up to and including termination.

F. Management's Responsibility

In furtherance of this policy and the City's zero-tolerance regarding violence in the workplace, any supervisor or department director who receives a report of suspected workplace violence must immediately report the matter to the Director of Human Resources, or designee and the City Attorney, or designee. A supervisory employee's failure to immediately report such activity, complaints or allegations will result in discipline, up to and including termination.