

City of Racine

VIOLENCE IN THE WORKPLACE PREVENTION POLICY

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Special Instructions:		

I. PURPOSE

The purpose of this policy is to address the issue of potential workplace violence in our community, prevent workplace violence from occurring to the fullest extent possible, and set forth procedures to be followed when such violence has occurred.

II. POLICY

- a. The safety and security of City of Racine employees and customers are very important. Threats, threatening behavior, acts of violence, or any related conduct which disrupts another’s work performance or the organization’s ability to execute its mission will not be tolerated. The City of Racine is committed to providing a safe workplace for its employees and a safe environment for the citizens of the community, and has a zero tolerance policy toward any intimidating, threatening, or violent behavior at the workplace.
- b. Any person who carries unauthorized concealed or unconcealed weapons or who makes threats, exhibits threatening behavior, or engages in violent acts on City of Racine-owned or leased property may be removed from the premises pending the outcome of an investigation. Threats, threatening behavior, or other acts of violence executed off City-owned or leased property but directed at City employees or members of the public while conducting official City business is a violation of this policy. Off-site threats include but are not limited to threats made via the telephone, fax, electronic or conventional mail, or any other communication medium.
- c. Employees are prohibited from carrying or possessing concealed and/or unconcealed weapons as defined by state statute (including but not limited to handgun, knife, billy club, or taser) to the worksite or while on duty, including the storage of weapons with their personal belongings in the workplace. Employees are prohibited from carrying or possessing concealed and/or unconcealed

weapons as defined by state statute (including but not limited to handgun, knife, billy club, or taser) in any City-owned vehicle of any character and at any time.

- i. For the purpose of this policy, “on duty” includes any authorized or unauthorized breaks or meal periods and while performing any services or duties on behalf of or for the City of Racine.
 - ii. This prohibition does not include firearms stored in an employee’s personal vehicle, even while on city business, and does not apply if the firearm is in an employee’s personal vehicle driven or parked in a parking facility.
 - iii. This prohibition does not apply to the carrying or possessing concealed and/or unconcealed weapons, which are authorized by the Chief of Police, to any City of Racine police officer while on duty. This prohibition does not apply to tools or other implements issued to an employee by the City, authorized to be used, and used by such employee in the course of his or her duties, that might otherwise fall within the definition of “weapon.”
 - iv. Law enforcement officers employed by the City Police Department or other law enforcement agencies may bring firearms to the worksite if authorized by the Chief of Police.
- d. Violations of this policy will lead to disciplinary action that may include dismissal, arrest, and prosecution. In addition, if the source of such inappropriate behavior is a member of the public, the response may also include barring the person(s) from City-owned or leased premises, termination of business relationships with that individual, and/or prosecution of the person(s) involved.
 - e. Employees are responsible for notifying their supervisor or Human Resources of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Employees should also report any behavior they have witnessed which they regard as threatening or violent when that behavior is job related or might be carried out on City-owned or leased property or in connection with City of Racine employment.
 - f. Each employee who receives a protective or restraining order which lists City-owned or leased premises as a protected area is required to provide their agency designee with a copy of such order.

III. DEFINITION

- a. **Workplace Violence** includes, but is not limited to, intimidation, threats, physical attack, domestic violence or property damage and includes acts of violence committed by City employees, clients, customers, relatives, acquaintances or strangers against City employees in the workplace.

- b. **Intimidation** is engaging in actions that includes but is not limited to stalking or behavior intended to frighten, coerce, or induce duress.
- c. **Threat** is the expression of intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry it out and without regard to whether the expression is contingent, conditional or future.
- d. **Physical Attack** is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving or throwing objects.
- e. **Domestic Violence** is the use of abusive or violent behavior, including threats and intimidation, between people who have an ongoing or prior intimate relationship. This could include people who are married, live together or date or who have been married, lived together or dated. Property Damage is intentional damage to property and includes property owned by the City of Racine, employees, visitors or vendors.
- f. **Weapon** is anything included in the statutory definition of “dangerous weapon” as contained in 939.22(10), Wisconsin State Statutes, which states: “dangerous weapon means any firearm, whether loaded or unloaded; any device designed as a weapon and capable of producing death or great bodily harm; any ligature or other instrumentality used on the throat, neck, nose, or mouth of another person to impede, partially or completely, breathing or circulation of blood; any electric weapon, as defined in s. 941.295(4); or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.”

IV. **COVERAGE**

This policy applies to full-time and part-time employees with permanent, probationary, trainee, contract, time-limited permanent or temporary appointments. This policy applies to the conduct of an employee while functioning in the course and scope of employment as well as off-duty violent conduct that has a potential adverse impact on a City of Racine employee’s ability to perform the assigned duties and responsibilities.

V. **PROHIBITED ACTIONS AND SANCTIONS**

- a. It is a violation of this policy to:
 - i. Engage in workplace violence as defined herein;
 - ii. Use, possess, or threaten to use an unauthorized weapon during a time covered by this policy, and

- iii. Misuse authority vested to any employee of the City of Racine in such a way that it violates this policy.
- b. A violation of this policy shall be considered unacceptable personal conduct as provided in the Disciplinary Action, Suspension and Dismissal Policy. Acts of violence, as defined herein, may be grounds for disciplinary action, up to and including dismissal. An act of off-duty violent conduct may also be grounds for disciplinary action, up to and including dismissal. In these situations, the City must demonstrate that the disciplinary action, suspension or dismissal is supported by the existence of a rational nexus between the type of violent conduct committed and the potential adverse impact on a City of Racine employee's ability to perform the assigned duties and responsibilities.

VI. AUTHORIZED EXCEPTIONS TO THE POLICY

An employee may possess a weapon if possession is:

- a. In compliance with Wisconsin City, State or Federal law
- b. Used by an employee who is a certified law enforcement officer,
- c. Required as a part of the employee's job duties with the City of Racine,
- d. Connected with training received by the employee in order to perform the responsibilities of their job with the City of Racine.

VII. SUPPORT AND PROTECTIONS

- a. The City of Racine shall make efforts to protect victims of workplace violence by offering all available security measures. Victims may also need special accommodations or adjustments to their work schedule, location or working conditions in order to enhance their safety. The City shall accommodate these requests and needs whenever possible and appropriate. The City shall work closely with victims to ensure that both the needs of the victims and the City are addressed. Management is expected to offer support to victims of workplace violence, which includes domestic violence. This support should include encouragement of the victim to use the services of the City of Racine's Employees' Assistance Program. In addition, management shall use their discretion to grant a victim leave time for medical, court, or counseling appointments related to trauma and/or victimization.
- b. The following options should be considered:
 - i. Flex Scheduling
 - ii. Vacation Leave

- iii. Sick Leave
- iv. Leave without pay

VIII. REPORTING RESPONSIBILITIES AND RETALIATION

- a. All City employees have a responsibility to notify the police department of the presence of a concealed or unconcealed weapon.
- b. All City employees have a responsibility to notify their immediate supervisor, or in the absence of their supervisor, another supervisor, of any intimidating or threatening behavior that they witness, receive or have been told that another person has witnessed or received. The notified supervisor shall make a determination whether to contact the police department.
- c. All employees are encouraged to be alert to the possibility of violence on the part of employees, former employees, customers and strangers. Employees shall place safety as their highest concern, and shall report all acts of violence and threats of violence. All reports of violence will be handled in a confidential manner, with information released only on a need-to-know basis. Management shall be sensitive and responsive to the reporting employees' fear of reprisal.
- d. This policy prohibits retaliation against any employee who, in good faith, reports a violation of this policy. Every effort will be made to protect the safety and anonymity of anyone who comes forward with concerns about a threat or act of violence.

IX. CITY OF RACINE RESPONSIBILITIES

- a. The City of Racine shall create and maintain a workplace designed to prevent and manage workplace violence. This shall be done by developing a comprehensive workplace violence prevention and management program.
- b. The City of Racine's workplace violence program includes:
 - i. A policy statement establishing that workplace violence is prohibited,
 - ii. Designating a coordinator to be responsible for the overall implementation of a workplace violence prevention and management program. The coordinator may choose to establish a crisis management team approach or develop their own system that identifies and mobilizes appropriate consultative resources,
 - iii. Developing and implementing a written workplace violence prevention and management plan including:

1. A process for disseminating the City of Racine's workplace violence policy to new and existing employees,
 2. A procedure for employees and supervisors to report violations of the City of Racine's workplace violence policy,
 3. A procedure for investigating a report of a violation of this policy including a description of a department's preparedness and precautionary measures to be taken in responding to acts or threats of violence,
 4. A procedure for providing instruction to all employees regarding proper response to acts or threats of violence,
 5. A procedure for reporting, collecting and maintaining information regarding incidents of workplace violence, and
 6. A procedure for facilitating critical incident stress debriefings (CISD) for employees who have been affected by an event related to trauma and victimization.
- iv. The City of Racine shall provide for the training of supervisors and managers so that they can foster a safe and healthy environment by learning to:
1. Recognize signs and symptoms of the potential for workplace violence,
 2. Prevent and manage workplace violence by utilizing all management and employee resources,
 3. Establish and communicate a procedure for reporting policy violations,
 4. Offer support for trauma and/or victimization as well as provide consequences to perpetrators of workplace violence, and
 5. Understand their legal obligation to act.

X. INSPECTIONS

- a. Desks, telephones, and computers are the property of the business. We reserve the right to enter or inspect your work area including, but not limited to, desks and computer storage disks, with or without notice.

- b. The fax, copier, and mail systems, including e-mail, are intended for business use. Personal business should not be conducted through these systems. Under conditions approved by management, telephone conversations may be monitored and voice mail messages may be retrieved in the process of monitoring customer service.
- c. Any private conversations overheard during such monitoring, or private messages retrieved, that constitute threats against other individuals can and will be used as the basis for termination for cause.

XI. REPORTING VIOLENCE

- a. It is everyone's business to prevent violence in the workplace. You can help by reporting what you see in the workplace that could indicate that a co-worker is in trouble. You are in a better position than management to know what is happening with those you work.
- b. You are strongly encouraged to report any incident that may involve a violation of any of the City of Racine's policies that are designed to provide a comfortable and safe workplace environment. Concerns may be presented to your supervisor.
- c. All reports will be investigated and information will be kept confidential to the extent possible.

XII. TRAINING PROGRAMS

As part of its commitment to preventing workplace violence, the City of Racine has established training programs for all employees. Training will be included as part of orientation and refresher sessions will be offered. Please be advised that training is mandatory for managers and supervisors and attendance will be taken.

XIII. EMPLOYEE ASSISTANCE PROGRAM

- a. The City of Racine provides an employee assistance program (EAP) for all full-time and part-time employees. This EAP offers services to these employees and their eligible dependents. While we receive periodic reports on the number and types of visits or calls made to the EAP, we do not receive information about individual contacts with the EAP.
- b. You are encouraged to use the EAP whenever you feel the need for guidance in coping with life's difficulties. If you have difficulty handling drugs or alcohol, the EAP can provide information on treatment. The EAP is a confidential service to be used when you need help.

XIV. INCIDENT MANAGEMENT

- a. In the event of a major workplace incident that affects, or has the potential to affect, the mental health of our workforce, we will provide initial counseling and support services to the employee and his or her immediate family members.
- b. As the crisis passes and support systems are put into place for individuals affected by the incident, the City of Racine will make every effort to return to normal business operations. A reasonable effort will be made to notify employees, customers, and others who need to know of the status of City of Racine operations directly whenever possible. In cases where direct contact is not possible or practical, an effort will be made to communicate through the news media and other available resources.

Advisory Note: When a threat has been reported or management determines that a potential for violence exists, management may require an employee to undergo an assessment to determine the risk of danger. The City Employees Assistance Program (EAP) will assist agencies by facilitating a referral to an appropriate resource for this assessment.