

Workplace Violence Prevention Policy

I. OBJECTIVE

The Town of Chapel Hill is concerned with the safety of both employees and the public. We want to maintain a workplace that is free of violence. We believe that is the obligation of every employee to contribute to the safety of the work environment by refraining from threats, violence, or activities that may provoke violence, by reporting threats and by conducting Town business with respect for the all Town employees and for all customers of Town services.

To promote a safe workplace, we require the reporting of possible internal and external threats to the safety of employees and citizens. To facilitate workplace safety, we provide procedures to respond to threats and/or acts of violence and are working to educate all employees in ways to prevent violence.

II. DEFINITIONS

Workplace violence includes, but is not limited to, intimidation, threats, physical attack, unauthorized weapons or property damage.

Intimidation includes, but is not limited to, threats, stalking or engaging in actions intended to frighten or coerce the other person.

Threat is the expression of an 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, without regard to the overt or subtle nature of the expression, and without regard to whether the expression is made on a present, conditional, or future basis. In determining whether the action was intended as a threat, the totality of the circumstances will be considered..

Physical Attack is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, throwing objects, grabbing, holding, touching, or any other harsh physical contact. A physical attack does not include physical contact which is performed in the course of an employee's Town responsibilities. In determining whether physical contact constitutes a physical attack, the totality of circumstances will be considered.

Properly Damage is intentional damage to property which includes property owned by the Town, employees, visitors or vendors.

A **weapon** is any object used to attack or intimidate another. Prohibited weapons include, but are not limited to, firearms, explosives, ammunition, knives, pocketknives, switchblades, or other dangerous or deadly weapons. Use of other items as weapons (such as tools or furniture) is also prohibited. Tools used in the course of duty, such as axes, hammers and similar instruments, are considered weapons when used as a weapon of aggression.

III. APPLICABILITY

This policy applies to all Town employees, including regular and contract, and covers employees while engaged in any activity related to their employment with the Town, whether on Town property or elsewhere.

The policy does not include actions related to or situations arising out of actions which are a necessary part of the performance of one's job. For example; fire, police and other response employees acting with an appropriate use of force in the line of duty are exempt from this policy

Some types of workplace behavior may be inappropriate but do not constitute workplace violence as defined in this policy. For example:

- Inappropriate contact of a sexual nature may be dealt with under the Town's Sexual Harassment policy rather than under this policy.
- Incidents of bullying or inappropriate horseplay may be dealt with under the Personnel Ordinance's sections on Unsatisfactory Job Performance or Detrimental Personal Conduct
- Incidents of the use of excessive force in the course of the jobs of emergency personnel will be dealt with through departments' policies and procedures.

IV. WHEN INCIDENTS OCCUR:

It is a violation of the Town's ordinances and this policy to:

- engage in threats, intimidation, physical attacks, and other forms of workplace violence as defined in this policy; or
- use and/or possess an unauthorized weapon during worktime or while in any place related to the individual's employment.

An employee who believes that he or she has been the target of workplace violence should report this to the appropriate supervisor or manager, to the Police Crisis Intervention unit, or to the Personnel Department. In emergency situations the employees should call the Police at 911.

V. RESPONSIBILITIES:

1. Supervisors and management have two key roles under this policy - prevention and incident response:

(a) prevention of violence in the workplace:

Early recognition of a potentially threatening or violent situation is the key to protecting employees and the public from violence. The Town will train managers, supervisors, and employees to understand what workplace violence includes and to recognize the signs of a potentially violent situation. Each supervisor is expected to learn the steps to prevent incidents

of workplace violence and the measures to be taken if such an incident occurs.

Vigilance to signs of potentials for violence may prevent a future incident. Supervisors should encourage employees to seek help for problems which may lead to an act of violence or aggression. The Employee Assistance Program is a source for confidential and free counseling and referral services for Town employees and their dependents.

(b) response to a report of violence:

Supervisors, when notified of an incident, should respond in prompt and effective manner, including conducting a complete and prompt investigation, applying disciplinary action as appropriate, and following-up with any affected staff.

Incidents involving non-employees (for example, involving a spouse or member of the public making threats against an employee) should be taken seriously and followed up on just as incidents with Town employees.

2. Each employee has the personal responsibility to abide by the violence in the Workplace policy every time s/he comes to work. In addition, every employee has the responsibility to report any suspicion or knowledge of a current or potential incident of workplace violence to a Town supervisor.

VI. TOWN RESPONSE TO ACTS OF VIOLENCE IN THE WORKPLACE:

Some incidents are limited in scope and may be responded to by a brief investigation with the involved parties and witnesses . Others require a more thorough investigation and may involve the Town Manager, Town Attorney, Police Chief or other staff, Personnel Department staff, and others in determining the appropriate response.

The kinds of incidents where investigation and response are definitely called for include:

- where threatening behavior is displayed. For example, a weapon is shown or explicit threats are made against specified individuals.
- a physical attack occurs in the course of work involving one or more employees. These actions can include fights, shootings, knifings.
- other behaviors that show an employee is crossing the boundary between what is acceptable physical behavior in the workplace and what is not. For example, “horseplay” with a violent edge, continued picking on a co-worker, a pattern of aggressive and hostile response to supervisors and co-workers.

All behaviors which are considered or may be considered criminal acts should be reported to the Police; Police investigations may supplement or supercede administrative procedures.

Even in the case of limited scope incidents, supervisors are encouraged to seek advice from the Police Crisis Intervention Unit, from the Employee Assistance Program staff , or Personnel Department staff in how to handle and diffuse situations.

A Workplace Violence Reporting Form is available for recording information about workplace violence incidents.

IV. RESPONSE AND SANCTIONS

Town staff should communicate and enforce an atmosphere of zero tolerance for violence in the workplace and quick response to these incidents.

A violation of this policy will be considered detrimental personal conduct as outlined in the Town of Chapel Hill Personnel Ordinance. A physical attack on any employee combined with use of a weapon, subject to investigation and review, will result in termination. In the event that the physical attack is determined to be in self-defense and the employee had no other means of protection available, termination may not apply.

Any physical attack, whether in self-defense, with or without a weapon, or property damage to any Town property, may result in some form of disciplinary action. Aggressors will receive more severe sanctions than the attacked. Other violations, including threats and harassment, will be punishable by appropriate disciplinary action, up to and including termination

WORKPLACE VIOLENCE INCIDENT REPORTING FORM*

Report completed by: Name: _____

Title: _____ Department: _____

Name of person alleged to acting violent, making threats, or showing other potential violent behavior (citizen or employee)

Date and place where incident occurred?

What began the situation that included the act or threat?

Who or what was threatened?

What was said or done?

Did physical action accompany the threat? If so, describe. _____

What weapons were used, if any? . _____

Who else was present? Include name (if an employee) department, address, and phone number:

Has this or a similar incident happened before? When and where? Was it reported?

Include additional relevant information:

What action do you believe should be taken / or what action was taken?

Signature of employee reporting incident: _____ Date _____

Signature of supervisor/official notified: _____ Date _____

* this form may be used as a guide for documenting incidents. If the incident involves a non-employee, complete, sign, and place a copy in your files; a copy may also be provided to the staff of the Police Social Work unit. If the incident involves an employee but is immediately resolved (i.e., a fight resulting in termination or an incident of harassment where the employee is counseled by the supervisor), place a copy in your files and sent to Personnel with other documentation for action taken.