

## POLICY 5.2 WORKPLACE VIOLENCE AND WEAPONS PROHIBITION

The City is committed to providing a safe workplace for its employees and a safe environment for the residents of the community and has a zero-tolerance policy toward any intimidating, threatening or violent behavior at the workplace. This policy applies to any form of violence occurring on the worksite, or involving City employees engaged in the performance of their work duties whether on or off the worksite. Violence occurring at other locations involving City employees will come under this policy if it adversely affects the interests of the City. In addition, this policy applies to domestic violence situations when physical harm, threat of harm or fear of harm creates a safety issue for any employee while performing their job. Domestic violence threats at work must be met with the same level of response as any other kind of threat. Supervisors/directors will work to the extent reasonably possible to ensure that employees are free from intimidating, threatening and violent behavior while at work.

Patrons and employees are prohibited from bringing authorized, concealed and/or unconcealed weapons, as defined by state statute (i.e. handgun, knife, bully club or taser) to the worksite, including the storage of weapons with their personal belongings in the workplace. This prohibition does not include firearms stored in an employee's personal vehicle, even while on City business, and do not apply if the firearm is in a vehicle driven or parked in a parking facility, or to any part of the building, grounds or lands used as a parking facility, as well as City parks (this restriction does not apply to employees who use City-provided vehicles). Law enforcement officers employed by the City of Sheboygan Police Department or other agencies may bring firearms to the worksite if authorized by the Chief of Police.

Patrons and employees are prohibited from carrying concealed or unconcealed weapons in a law enforcement facility, jail, secure mental health facility as defined by state law, courthouse (including areas used as municipal courts while in session) and anywhere beyond the security checkpoint at an airport [this prohibition does not apply to vehicles driven or parked at such locations].

Patrons and employees who carry unauthorized concealed or unconcealed weapons or display intimidating, threatening and/or violent behavior will be held accountable under City policy and work rules, as well as local, state and federal law. An employee who harasses, threatens, attempts to or inflicts bodily harm to co-workers, representatives of other agencies, or members of the general public is in violation of this policy. All City directors/supervisors and employees are responsible for committing to and becoming involved in the prevention of workplace violence and promotion of a safe work environment.

Violence is defined as any direct, conditional or implied threat, intentional act or other conduct which reasonably arouses fear, hostility, intimidation or the apprehension of harm in its target or witnesses, regardless of the location of such acts. Workplace violence includes vandalism or the destruction of property at the worksite belonging to an employee, resident, vendor or the City. The City property includes all items owned or leased. Weapons include any item which, in the manner it is used or intended to be used is likely to produce death, physical injury or property damage.

Workplace violence includes intimidations or threats, which is an implication or expression of intent to inflict physical or emotional harm and/or actions that a reasonable person would perceive as a threat to personal safety or property. Threatening behaviors include, but are not limited to:

- Non-verbal threats (i.e. glaring, starting with intent to intimidate, or insulting gestures)
- Mail, facsimile, messages, phone calls, texts, e-mail or any correspondence deemed by a reasonable person to be intimidating, threatening or coercing.

- Intimidating, stalking or coercing fellow employees on or off premises at any time, for any purpose, that in the employer's judgment affects the interest of the City.

#### *Responsibilities and Reporting Procedures*

##### a. Employer Responsibilities

The City will provide a posted notice prohibiting firearms. The posted notice will be at least 5 inches by 7 inches, and will notify individuals not to enter the building with a firearm (or a particular type of firearm), and will be prominently posted in a place near all of the entrances to the part(s) of buildings to which the restriction applies and any individual entering the building can be reasonably expected to see the sign which may say "Notice: No Firearms Allowed on Premises", "Security Notice: No Concealed Weapons Allowed" or "No Concealed Weapons Allowed on This Property".

If a known threat is reported, a Threat Assessment Team consisting of a representative from the following Department(s): Police, Fire, Administration, Human Resources and the City Attorney will meet to determine the course of action, the communication plan for the organization and how to assist the employee impacted by such a workplace event.

##### b. Employee Responsibilities

1. All City employees have a responsibility to notify the Police Department of the presence of a concealed or unconcealed weapon.
2. All City employees have a responsibility to notify their immediate supervisor/director, or in the absence of their supervisor, another supervisor/director, 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 determine whether to contact the police department.
3. Employee involvement entails understanding and complying with the prevention program and security measures; participating in complaint or suggestion procedures covering safety and security concerns; participating on teams when assigned that receive reports of incidents or problems; conducting inspections and making recommendations for corrective strategies; and participating in training and education programs that cover techniques to recognize escalating agitation, assaultive behavior or criminal intent, and discussing appropriate responses.

##### c. Management Responsibilities

1. All supervisors/directors have a responsibility to review this policy with new employees and periodically review this policy with all employees within their department. Additionally, they are responsible for maintaining a working environment that is as safe as possible for City employees.
2. If information received determines there may be potential for a threatening or violent situation, it is the supervisor's/director's responsibility to immediately notify the police department and/or the Crisis Management Individual/Team, the individual or team responsible for threat assessment or crisis management, which is a multi-disciplined team may include senior administrators, safety and protective service personnel, and Human Resources. Supervisors/Directors are required to maintain a written record that documents the incident until such time as that information is turned over to the crisis management individual team, the individual or team responsible for threat assessment or crisis

management in their respective building.

3. Supervisors can help prevent workplace violence and threats by: knowing the early behavior pattern warning signs, knowing the sequence of workplace violence, and reducing the risk of violence.

#### *Retaliation*

- a. Retaliation against any employee for filing a complaint of workplace violence, or for assisting, testifying, or participating in the investigation of such a complaint, is illegal and is prohibited by the City of Sheboygan and by federal statutes.
- b. Retaliation is a form of employee misconduct. Any evidence of retaliation shall be considered a separate violation of this policy and shall be handled by the same complaint procedures established for workplace violence complaints.
- c. Monitoring to ensure that retaliation does not occur is the responsibility of City administration, supervisors and the appropriate internal investigative authority.

#### *Restraining Orders*

- a. Individuals who apply for and obtain an injunction or restraining order must provide to their supervisor/director and/or the Safety Officer:
  1. A copy of the petition and declaration used to seek the order.
  2. A copy of any temporary protective restraining order and/or
  3. A copy of a protective restraining order that is made permanent.
- b. In cases of potential discrimination and/or sexual harassment allegations or charges, directors/supervisors are obligated to begin the investigatory process.
- c. If an employee believes that obtaining an injunction or restraining order is appropriate in response to a threat existing in the workplace, the employee may seek assistance from the Director of Human Resources.

#### *Violence Prevention*

**Training:** It is critical that the City develop and conduct workplace violence prevention training programs at a minimum every other year, including Anti-Harassment.

**Worksite Analysis:** To the extent possible, the City should assess the work environment for signs of potential violence or workplace hazards. Formal assessments may include, but are not limited to: analysis of the physical jobsite, operations and procedures for existing or potential hazards for violence, the City's vulnerability to violence and a determination of appropriate preventive actions, a review of discipline, medical, safety, worker's compensation, and insurance records (including OSHA 300 logs and police reports) to identify incidents of threats or violence, trends pertaining to particular areas, units, jobs, activities or times, the frequency and severity of incidents, and the establishment of a baseline for measuring improvement.

The following are examples of different types of preventative measures that may be taken:

- a. Engineering Measures: New construction or physical changes to City facilities to control access; installation of alarm systems, panic buttons, cellular phones, cameras, motion detectors and the like; installation of metal detection devices to discover weapons; mirrors, effective indoor and outdoor lighting, windows in offices; escape routes for employees; secure restrooms, lounges and locker areas for employees; and locking access to unused doors (keeping local fire codes in mind).
- b. Administrative Control Measures: Rules that clearly prohibit violence, harassment, fighting,