



City Manager: _____

THE CITY OF POMONA

SAFETY POLICIES AND PROCEDURES

WORKPLACE VIOLENCE POLICY

I. PURPOSE

The purpose of this Policy is to set forth a policy of “Zero Tolerance” towards workplace violence and provide a workplace that is free of violence for all City employees.

II. APPLICABILITY

This Policy applies to all City employees.

III. POLICY

The City of Pomona is committed to providing a safe work environment that is free of violence including the threat of violence. The top priority in this process is reducing the likelihood of incidents of workplace violence.

IV. DEFINITIONS

“*Threat*” – expression of an intent to cause physical or mental harm. An expression which 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.

“*Violence*” - any sudden physical impact or attack, caused either by malicious motives or caused by irrational triggers (such as mental illness, excessive stress, or drug/alcohol abuse).

“*Weapon*” - any device used to inflict harm on persons or animals.

V. RESPONSIBILITIES

All supervisors are responsible to:

- A. Monitor all cases where a subordinate deals with potentially violent persons and provide assistance and training whenever necessary;
- B. Refer injured employees to the clinic and complete an *Incident Investigation Report*;

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- C. Refer violent or potentially violent employees to the EAP and not allow them to return to work without EAP approval;
- D. Take appropriate disciplinary action immediately. If an employee becomes violent or threatening, the supervisor should follow the progressive disciplinary process;
- E. Document all threats of violence and acts of violence; and
- F. Refer victims of violence and other traumatic incidents to the EAP for counseling, if appropriate.

VI. PROCEDURE

Violence acts or the threat of violence against or by any City employee or any other person is unacceptable. If a non-employee demonstrates or threatens violent behavior to a City employee during the execution of his/her City duties or while on City property, they may be subject to criminal prosecution. If a City employee, during working hours, demonstrates or threatens violent behavior he/she may be subject to disciplinary action and/or criminal prosecution.

A. Violent Acts or Threats

The following actions are examples of violent acts or threats:

1. Striking, punching, slapping, or assaulting another person;
2. Fighting or challenging another person to fight or verbal abuse;
3. Grabbing, pinching or touching another person in an unwanted way whether sexually or otherwise;
4. Engaging in dangerous, threatening or unwanted horseplay;
5. Possession, use, or threat of use, of a gun, knife or other weapon of any kind on City property, including parking lots, other exterior premises, City vehicles, or while engaged in activities for the City on other locations, unless such possession or use is a requirement of the job;
6. Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm; and
7. Harassment which may result in creating an intimidating, hostile or offensive working environment.

or An employee who is the victim of any violent threatening or harassing conduct, any witness to such conduct, or anyone receiving a report of such conduct, whether the perpetrator is a City employee a non-employee, shall immediately report the incident to their supervisor or other appropriate person in the chain of command. No one, acting in good faith, who initiates a complaint or reports an incident under this Policy will be subject to retaliation or harassment.

a If an employee has become involved in a non-criminal dispute with family members or neighbors and the employee has obtained an "Order of Protection" or an "Injunction Against Harassment" or similar court order, the employee should be instructed to include the employee's work location as well as place of residence in that order. The employee shall notify his/her supervisor of the issuance

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of such an order and provide a description of the individual cited in the order.

Any employee, reported to be a perpetrator, will be provided both due process and representation before City disciplinary action is taken. In the event the City fears for the safety of the perpetrator or the safety of others at the scene of the incident of the violent act, law enforcement will be called. Former City employees shall not be allowed access to any of the City yards without approval of a City supervisor located within the yard.

B. Weapons

Employees are not to have anything in their City car or on their person which could be construed or used as a dangerous weapon, such as firearms, knives, clubs, sticks, etc., with the exception of City tools and equipment or those items approved for Police personnel. The City retains the right to search the employee's work area, locker, and desk if necessary due to violence or threatening violence and seize any items deemed necessary (refer to General Rules Section, Policy #13, "Inspection, Search and Monitoring Policy.")

C. Training

Safety training will be provided by the Risk Management Division in order to implement this Policy and the safety training will cover such issues as how to anticipate, assess and avoid potentially dangerous situations. Training will also include how and when to report incidents.

D. Threat Reporting

Employees will report threats or violence directly to their supervisor, department director, Human Resources Director, Risk Manager or Safety Officer. In circumstances where an act of violence causes personal injury or serious property damage, "911" will be immediately called. It is understood that the actions of a supervisor or other employees will be dependent on the seriousness of the situation and the nature of an altercation. However, consistent with personal safety, supervisors have a responsibility to make an effort to defuse violent or potentially violent situations as quickly as possible in order to prevent escalation and creating a threat to others. In general, supervisors shall follow these steps:

1. Separate the persons involved in the dispute. Do not allow verbal altercation to escalate into something more serious. If the employees cannot be separated, call 911.
2. Contact the appropriate division manager and the Safety Officer.
3. Once the situation is controlled, separately interview all persons involved, including any witnesses in order to obtain an accurate account of the incident.

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Document the statements of witnesses and others interviewed in written form. Those involved in an altercation (those who are possible subjects of further disciplinary action based on the incident) have the right to be represented during the interview or search. Human Resources will provide advice and assistance in this process. If the situation is serious enough that possible termination may be involved and/or the continued presence of an employee at the worksite would not be appropriate given the altercation, or particular circumstances, an employee may be immediately suspended with pay and ordered not to return to the worksite until further advised.

Most workplace altercations, including minor ones involving only verbal exchanges, justify appropriate disciplinary action through the use of the City's progressive discipline policy. At any time during the review of an altercation, the Human Resources Director or designee will be available for assistance upon request.

All department directors are to advise the Human Resources Director of any threat reported to them. The Human Resources Director will determine if an investigation is necessary and assign a Threat Management Team accordingly.

The Threat Management Team will consist of the following individuals:

Department directly affected- Department Director or designee

Human Resources-Human Resources Director or designee

Legal-City Attorney representative

Law Enforcement-Police Department representative

Safety-Safety Officer

The Threat Management Team shall gather information in order to determine appropriate steps that must be taken to eliminate potential violence in the workplace. The Threat Management Team may contact the Employee Assistance Program or a Professional Counselor if necessary.

VII. ACTION

This revised Policy is effective 10/27/06.