



CITY OF DUBLIN

**CITY OF DUBLIN
ADMINISTRATIVE ORDERS
OF THE CITY MANAGER**

ADMINISTRATIVE ORDER 3.10
TO: All City Employees
FROM: Jane S. Brautigam
SUBJECT: Workplace Violence Policy
DATE: March 15, 2004
Supersedes and Replaces Administrative Order 3.10 dated 6/04/98 Regarding Same Subject

I. PURPOSE

The purpose of this Administrative Order is to establish a formal written policy concerning the subject of Workplace Violence, which is designed to provide guidance and direction to all supervisory/managerial and non-supervisory personnel regarding how workplace violence issues should be addressed. Any questions regarding this Administrative Order should be directed to the Office of the City Manager or the Division of Human Resources/Procurement.

II. POLICY

Violence, or the threat of violence, by or against any employee of the City of Dublin is unacceptable and shall not be tolerated. The City will take any steps deemed necessary to protect its workforce from violence. An employee who commits or fosters violence in the workplace will be subject to serious disciplinary action, up to and including termination, not to mention possible criminal charges. The City will fully cooperate with law enforcement in the prosecution of anyone inside or outside the organization who subjects employees to violent acts or threats of violence.

It is the obligation of all City Department/Division Heads, supervisors, and employees, individually and jointly, to prevent or defuse actual or implied violent behavior at work. All threats, harassment, and violent acts that may impact the workplace, whether by co-workers, the public, or others outside the organization, must be promptly reported to management, preferably to one's immediate supervisor. Sworn police personnel are exempted from the reporting requirement if such potential violence is part of the normal course of their duties. No employee acting in

good faith, who reports real or implied violent behavior, will be subject to retaliation or harassment based upon their report.

Possession, use or threat of use, of all firearms, actual weapons, or other objects which could be used as weapons, likely to cause bodily injury, except by sworn police personnel in accordance with Department of Safety Policy, is prohibited at work or on City property, including in a City or private vehicle. This prohibition includes the possession of firearms by permit holders under Ohio's concealed carry law. City employees are hereby advised that any City owned or leased building, facility, structure, property, etc., or the contents thereof (e.g. offices, lockers, desks, file cabinets, etc.), shall be subject to inspection at anytime by appropriate supervisory/managerial personnel of the City.

It is the policy of the City of Dublin to employ the following management tools, as well as others that might be needed in future, to reduce the risk of violence in the workplace:

- Probationary period and performance evaluations;
- Progressive discipline policy;
- Substance abuse policies;
- Employee Assistance Program;
- A variety of communication mechanisms (e.g., educational meetings, written materials, safety committee meetings, Supervisor training seminars, etc.).

III. WARNING SIGNS OF POTENTIAL WORKPLACE VIOLENCE

It is difficult to identify those who will commit acts of aggression. However, employees, and especially supervisors should be alert to traits and early warning signs of potential workplace violence. Perpetrators of violence are often characterized as loners with few friends, unhappy, angry, overly sensitive, paranoid, depressed, over-identified with the job, and drug and/or alcohol abusers. They may have a fascination for weaponry. Other characteristics sometimes exhibited by individuals prone to aggression include a close mindedness to criticism, an argumentative or disruptive demeanor in the workplace, and an open disdain or contempt for rules. Inexplicable personality changes and sudden erratic job performance may also indicate a potentially explosive individual. It is important to consider the individual as a whole, i.e., no one trait should be taken in isolation as evidence that the person is or will be violent.

A pattern of escalation leading to violent behavior often includes:

- Ominous threats- such as bad things are going to happen to so and so or that propane tank in the back could blow up easily.
- Threatening actions- such as intimidation or attempts to instill fear in co-workers. Menacing gestures and flashing concealed weapons in the workplace could always be ways of testing reactions of the conduct.
- Bizarre thoughts- such as perceiving that the world is falling apart or expressing a highly overstated sense of entitlement to a promotion that was denied.
- Obsession- which is likely to be expressed by holding a grudge against a co-worker or supervisor or, in some cases, by a fascination with an unrequited romantic interest. This may involve stalking behavior.

Any employee who observes one or more of the above behaviors should immediately notify their supervisor, their Department/Division Head, the Director of Human Resources/Procurement, or the City Manager so that further action may be considered.

IV. RESPONSE TO POTENTIAL VIOLENCE IN THE WORKPLACE

Violence in the workplace may occur as a result of poor relationships among co-workers or with supervisors, due to negative contact with the public, or from a personal, usually non-criminal, dispute with family members or neighbors. When faced with actual or potential confrontation, you should remain very alert, calm, and cooperative. Being observant and listening carefully to the perpetrator serves the purpose of potentially defusing the situation and also will allow you to provide the necessary detail when reporting the incident. Slow, soft speech and questions are also helpful.

Emergency Situations

As with any emergency situation, the first response to serious violence should be to call the Police at 9-911 from City extensions or simply 911 from non-City extensions. Be prepared to calmly state your exact location, your name, the name and specific nature of the problem. A supervisor should be contacted, who will inform the Director of Human Resources/Procurement, the City Manager or their departmental superiors, as needed, and direct any other measures necessary to protect the workforce.

Non-emergency

In non-emergency situations, the individuals involved should usually be separated, if this can be accomplished safely. A supervisor should be advised immediately about the confrontation or altercation, and who will determine appropriate further action.

Potential Situations

Employees who observe or are involved in situations where they fear that workplace physical retaliation may occur, or where someone has made verbal threats of physical violence, are obligated to discuss it immediately with their supervisor or other manager. If an employee has obtained a restraining order or protection order from a court due to an off the job problem, he/she should include the work location as well as place of residence in the order. The employee shall inform the supervisor of the issuance of such a court order and provide a description of the individual cited in the order. City employees must file all temporary restraining orders and protection orders with the City of Dublin Division of Police, in addition to the Police Department where they reside, so that the orders can be enforced. The supervisor will decide the appropriate steps to take and further notifications required to protect the workplace.

V. SUPERVISORY/MANAGERIAL ACTION

Supervisory/Managerial personnel shall take the following action upon receiving a report of a potential workplace violence situation.

Initial Response

When any violent or potentially violent situation is brought to the attention of a supervisor, Department/Division Head, or other supervisory/managerial personnel, an evaluation of the severity of the situation must be made immediately. If the situation appears urgent, the Police will be immediately apprised by dialing 9-911 from any City extension or 911 from a phone that is not part of the City system.

Investigation

A prompt and thorough investigation of all acts or threats of violence should be initiated. The reporting employee should be asked if he/she has any suggestions for minimizing the risk of a violent act occurring. Other employees should be questioned if necessary. If the alleged perpetrator is an employee of the City, he/she may also be questioned unless the situation is too dangerous. At any time that the situation warrants, law enforcement personnel may be contacted and may be present at interviews. The investigation should ascertain the following:

- Who made or is involved in the threat or act;
- Who is the target of the threat or act;
- The specific nature of the threat or confrontation;
- Description of any physical conduct constituting or suggesting future violence;
- The identity and role of any other witnesses;
- The time and place where the incident occurred;
- Any additional information that will define an act that has occurred and/or assist in ensuring that the violence is kept out of the workplace.

Search

In the event that a search of a work area, office, locker, file cabinet, desk, etc., or other City property is deemed necessary to enforce this policy, the search shall be conducted in the following manner, **except** in cases where an immediate and substantial threat of physical harm exists:

- No search should be conducted until after the employee has been informed that his or her work area, locker, file cabinet, or desk is to be searched, and, if the employee is on the premises, the search shall be conducted in the presence of the employee.
- Before conducting any search pursuant to this policy, the consent of the employee should first be sought, even if the employee is off the premises.
- If consent is refused, the search may be conducted if such a search is based on reasonable suspicion.
- No search pursuant to this policy should be made of the employee's person or of close personal items, such as handbags, briefcases, or private automobiles, without the consent of the employee. Should such a search be desired and consent refused, an expert will be consulted to determine that such a search is legally proper. If the circumstances fit legal guidelines and the legal experts agree, a search will be conducted. As an alternative, the employee may be relieved of duty and sent home.

Specific Action Alternatives

Depending on the assessment of the legitimacy, nature, severity and urgency of a violent threat or act, supervisory/managerial personnel may take or recommend any of the following specific action alternatives:

- No action warranted;
- Appropriate disciplinary action;
- Voluntary counseling through the Employee Assistance Program;
- Place on paid leave pending further action or information;
- Obtain injunction or restraining order;
- Pursue criminal charges against the individual;
- Notify targets of threats to protect themselves;
- Notify other employees to be alert;
- Provide security on the worksite as needed;
- Any other reasonable action.

VI. PRIVACY/CONFIDENTIALITY

Disciplinary action against an employee for violent activities will be administered in accordance with existing City policy, including, if appropriate to the type of employee, the right to be fully informed about the allegations and to respond to the charges. Disclosure of violent acts or threats and the identity of perpetrators will be limited to those who have a legitimate need to know. However, if the threat is generalized, directed at a number of individuals, or is directed at the entire workplace, the organization's need to maintain a safe work environment for its employees shall outweigh the perpetrator's expectation of privacy, confidentiality or reputation protection. Depending upon the magnitude of threat and probability of its occurrence, the interests of the accused may be sacrificed and the nature of the threat and identity of the accused may be revealed to the entire workplace.

VII. CRITICAL INCIDENT DEBRIEFING

The City recognizes that the trauma and stress created by a violent incident can affect a broad base of individuals, including witnesses, victims and bystanders. Often professional traumatic stress intervention is needed after such incidents. Should circumstances warrant, the Division of Human Resources/Procurement shall make arrangements with the Employee Assistance Program or other trauma professionals to conduct immediate stress intervention. If a delay is inevitable, one or more managers will conduct discussion/debriefing situations usually before employees are allowed to leave the worksite for the day.