



Personnel and Administrative Policy and Procedure

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| SUBJECT: VIOLENCE IN THE WORKPLACE | EFFECTIVE DATE: JULY 1, 2003 REVIEWED: November 2011 REVISED: December 2012 |
| CATEGORY: 200 POLICY NUMBER: 200.60 | CROSS REFERENCE: Threatening Incident Assessment Report |

Purpose: To promote the safety and security of all employees and visitors at the City of Milwaukie.

Definitions

Workplace Violence: Any act of physical, verbal, or written aggression by an individual or by a group, that occurs in the workplace or arises out of work activities, that causes or reasonably could cause another individual to be in fear of imminent bodily injury, or that causes or reasonably could cause the destruction of property.

This definition is construed to include the intentional infliction of bodily injury, the attempt to inflict such injury, the abuse or destruction of property, as well as the threat of such injury, abuse, or property damage. When the terms of “violence”: or “violent behavior” are used in this rule, they are intended to include verbal threats, written threats, and behavior that intimidates or causes fear, or alarm on the part of the listener, reader or bystander.

For the purposes of this rule, workplace violence does not include the appropriate use of force or weapons by law enforcement officers, duly assigned security guards, or others acting lawfully to protect and defend life and property.

Threat: An expression by word or conduct of intent to commit violence that places the listener or reader in fear of imminent bodily harm, or is of such a character that another individual could be placed in fear of imminent bodily harm. The overall context of a statement, including nonverbal communications, will be taken into account to determine if such an expression is a threat covered by this rule. There are generally three types of threats recognized by the City: veiled, conditional, and direct.

Veiled threat: A veiled threat involves reference to a violent act and an association with the present situation.

Conditional threat: A conditional threat contains words such as “if” or “or” and references a violent act with the condition.

Direct threat: A direct threat is a warning of a pending violent act.

Objective: To establish a zero tolerance toward workplace violence, or the threat of violence, by any of its employees, customers, volunteers, the general public, and/or anyone who conducts business with the City. It is the goal and intent of the City to provide a workplace, which is free from intimidation, threats or violent acts.

Scope: This policy applies to all employees and volunteers.

Policy: Threats, threatening and abusive behavior, or acts of violence against employees, visitors, customers, volunteers or other individuals by anyone on City property will not be tolerated. Violations of this policy will lead to corrective action up to, and including termination and/or referral to appropriate law enforcement agencies for arrest and prosecution.

Guidelines for Use

Emergency Action Guidelines for all City Staff:

If you are confronted with a situation where you feel your personal safety or the safety of others is definitely in jeopardy, call 911 or signal to another staff member to call 911. If you have an emergency response button available, push the button. When you do push the emergency button, this alerts the City's security company, who calls 911.

If you are uncertain about the seriousness of the situation, call the Police Department "non-emergency" phone number at ext. 7500 and explain to them what is going on.

Under no circumstances call the Police Records Division. A call to 911 will provide a much quicker response.

Specific examples of conduct prohibited under this policy include, but are not limited to, the following:

- Hitting or shoving an individual;
- Threatening to harm an individual or his/her family, friends, associates, or their property;
- Intentional destruction or threat of destruction of property owned, operated, or controlled by the City of Milwaukie;
- Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the City of Milwaukie
- Harassing or threatening telephone calls, letters or other forms of written or electronic communications;
- Harassing surveillance, also known as "stalking," the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his/her safety;
- Making a suggestion or otherwise intimating that an act to injure persons or property is "appropriate" without regard to the location where such suggestion or intimation occurs.

Procedures: The City shall provide training on violence in the workplace at least once every three years, which will be open to every employee.

Responsibilities

City's responsibility: Due to the need to allow public access to City facilities and services, the City cannot guarantee the protection of employees or customers against random acts of violence that may occur without warning. However, the City can regulate the conduct of its employees, volunteers and customers in City business locations in order to minimize the frequency and severity of violent incidents.

The City subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to informing employees of this rule; instructing employees regarding the dangers of workplace violence, communicating sanctions imposed for violating this rule; and providing a reporting hierarchy within which to report incidents of violence without fear of reprisal.

Employees: It is the responsibility of each employee to refrain from behavior that violates this policy.

All employees are responsible for notifying management of any threats that they witness or receive or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior they have witnessed that they regard potentially threatening or violent or which could endanger the health or safety of an employee when the behavior has been carried out on a City-controlled site or is connected to the City's employment or City's business. The reporting of incidents should be made to the employee's immediate supervisor, the HR Director, or any other Department Head who is available. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened. See [S Drive/HR/Threatening Incident Assessment Report](#).

In critical incidents in which serious threat or injury occurs or appears eminent, emergency responders such as Police and Fire must be immediately notified by calling 911. Each incident of potential or actual violent behavior, whether the incident is committed by another employee or an external individual such as a customer, vendor, or citizen must be reported to a manager as soon as possible and in accordance with established procedures.

Management: Managers will respond, assess and investigate the incident and determine the appropriate action to be taken. Appropriate action is dependent upon the particular circumstances but may include such things as: directing an employee to cease specific behaviors, notifying the HR Director of a situation for investigation, or for situations posing imminent danger calling 911. Management will inform the HR Director of all reported incidents of workplace violence and will work with the HR Director to remedy any internal incidents of violence.

Human Resources: Human Resources will work with the Manager to conduct an investigation and to remedy any situations of violence occurring in the workplace. Human Resources will provide a standard format for recording the investigation results of such incidents.

General: Violations of this policy will lead to disciplinary action up to and including termination and/or referral to appropriate law enforcement agency for arrest and prosecution. The City of Milwaukie preserves any necessary legal action to protect its employees.