



**CITY OF ASHEVILLE**  
**ADMINISTRATIVE POLICY**

<b>Subject:</b>  <b>WORKPLACE VIOLENCE</b>		<b>Manual</b> Personnel Policy
		<b>Effective Date</b> March 23, 2001
		<b>Filing Instructions:</b>  Please place a copy of this policy in your Administrative Policy manual.
<b>Policy Number</b>  43	<b>Addendum Number</b>  Revision	
<b>Revision</b>	<b>Revision</b>	
<b>Issued By:</b>  Kevin Wilson, Interim H.R. Director		<b>City Manager Approval:</b>  James L. Westbrook, Jr., City Manager

**PURPOSE**

The purpose of this policy is to communicate the City of Asheville's standard of zero tolerance for workplace violence and or the threat of workplace violence by employees or citizens.

**POLICY**

The City of Asheville is concerned and committed to its employees' safety and health. We will make every effort to prevent violent incidents from occurring by implementing steps, as outlined in this policy.

Prevention of workplace violence is the goal; however, where violence or threat of violence arises, the City will take quick and responsive action. Violence or threats of violence are considered inappropriate personal conduct and may be subject to disciplinary action up to and including dismissal. Each situation will be reviewed individually, and procedures will be adjusted on a case-by-case basis depending on the particular circumstance.

Where violence is threatened or inflicted by a non-employee, the appropriate authority will be notified and legal action will be taken as necessary.

## **NON-RETALIATION CLAUSE**

This policy prohibits retaliation against an employee who brings a complaint of violent, threatening, or intimidating behavior. The employee will not be adversely affected in terms and condition of employment or discriminated against or discharged because of the complaint.

## **PREVENTATIVE MEASURES**

### **Weapons In the Workplace:**

1. All Federal, State laws and City ordinances will be enforced regarding firearms and weapons.
2. Concealed handguns, even with a permit, are illegal on municipal property.
3. Weapons are prohibited on City property, in City buildings, City vehicles, and wherever City business is conducted. This prohibition includes, but is not limited to, weapons in lockers, desks, workspace, storage areas, on an employee's person (i.e. in clothing), and in employee's vehicles located on City property. The only exception to this is where approved by Department Director to be a tool of the job employee performs. (Sworn officers of the law are subject to department policy regarding weapons).
4. Weapons include, but are not limited to, guns, knives, and ammunition.
5. For purposes of this policy, any blade over four inches cannot be carried and/or concealed, whether that be a belt (sheathed) knife or folding, jack knife. Switch blades and butterfly knives are illegal to carry. (Kitchen knives used for food preparation should be used appropriately and kept in appropriate storage areas.)
6. Any authorized tools an employee uses to conduct his/her job duties shall be used solely for the purpose of the job and not to threaten or harm self or others in the workplace.
7. Employees possessing or using weapons, as prohibited above, will be subject to disciplinary action up to and including dismissal from employment.  
(see definitions section of this policy for further guidelines regarding on guns, knives, ammunition)

## **Workplace Violence**

### **Page 3**

#### **Employee Training:**

1. All employees will be issued the "Workplace Violence" policy and be given training regarding its content.

#### **Physical Security:**

1. Each City owned building has varying and independent security. Physical security protocol should be followed as outlined by the Department Director.

### **MANAGEMENT COMMITMENT:**

#### ***Department Directors and Supervisors will:***

1. Provide for training of all employees to make aware of this policy and receive workplace violence training.
2. Take appropriate steps to resolve differences through conflict resolution, mediation, or other communications techniques.
3. Report all acts and threats of violence to the supervisor and/or department director.
4. Take the necessary action to maintain or restore a safe working environment.
5. Without endangering personal safety, take all reasonable steps to protect employees from the source of violence.
6. Properly document and investigate all incidents of violence or threatened violence.
7. Take the necessary disciplinary action and document.
8. Make information available on work place violence and prevention.
9. Utilize the City's EAP provider as appropriate in managing workplace violence.
10. Request the contracted City Physician complete initial and/or regular assessment of the employee involved in incidents of violence or threatened violence.

***The Human Resources Department (Director and Assistant Director):***

1. Monitor systems, events or changes that might trigger violence.
2. Serve as a contact point for employees who wish to report threats or acts of violence.
3. Support managers' training to increase awareness of situations / employees at risk for violence.
4. Advise Department Directors/Supervisors as needed during any investigative or disciplinary process.
5. The Human Resources Director or his designee will convene, when deemed necessary, a meeting of the Threat Assessment Task Force to assess serious threats and determine the proper course of action and intervention:
  - The Threat Assessment Task Force is composed of:
    - The Human Resources Director or designee
    - The City Manager's Office
    - The City Attorney or designee
    - The Risk Manager or designee
    - The Police Chief or designee
    - Contracted City Physician or designee
  - The Threat Assessment Task shall investigate the threat and determine the proper course of action.

### **EMPLOYEE COMMITMENT**

Employees are expected to treat others with respect and consideration, realizing that standards of acceptable behavior, language, and conduct are different for different people, and that behavior which may be acceptable in a congenial social setting may be inappropriate for work. They are expected to show good judgement in the areas of relations and avoid behavior, which may be interpreted as violent, or offensive, which violates another person's right to a workplace free of intimidation and violence.

Employees are obligated to report instances of intimidation and violence. Violence in the workplace exposes the City to liability, decreased morale, and ineffective work performance. It is every employee's responsibility to insure the City is free of workplace violence.

Employees shall cooperate in every investigation of workplace violence. This includes, but is not limited to: coming forward with evidence, whether favorable or unfavorable to a person accused of violence in the work place, and the employee shall fully and truthfully answer questions during the course of an investigation on violence and or intimidation.

#### ***Employees will:***

1. Attend workplace violence training.
2. Resolve differences through conflict resolution, mediation, or other communications techniques, when possible.
3. Report to their immediate supervisor, or through the supervisory chain, acts of violence or threats of violence.
4. Refrain from exhibiting violent behaviors in the workplace.
5. Utilize the City's EAP provider to manage personal problems.
6. Must comply with any medical appointments with the City Physician, EAN, and any related referrals.

Report to their direct supervisor and/or Department Director if they become aware of any signs of potential violence.

## **DEFINITIONS**

**The following list includes, but is not limited to, examples of potentially threatening and or hostile behavior, threats, or acts of violence:**

- Fighting, pushing, restraining, slapping, or otherwise physically harming someone
- Possession of a weapon or inferences of possessing a weapon (see "Weapons in the Workplace" section of this policy)
- Threats via e-mail or voice mail or any other electronic device
- Disruptive, intimidating, threatening, or hostile behavior

**Other definitions of terms used in this policy:**

<b>Ammunition:</b>	a. projectiles that can be propelled or discharged from guns b. nuclear, biological, chemical, or explosive material used as a weapon
<b>Disruptive:</b>	interrupt the normal course, breakup
<b>Gun:</b>	a firearm
<b>Hostile:</b>	expressing antagonism
<b>Intimidation:</b>	includes but is not limited to stalking, harassing, or engaging in actions intended to frighten, coerce, or induce duress
<b>Knife/knives:</b>	a cutting instrument having a sharp blade and handle
<b>Perpetrator:</b>	person who commits the violent act or threat
<b>Sabotage:</b>	destruction
<b>Threat:</b>	expression of intent to cause physical or mental harm
<b>Violence:</b>	use of physical force to injure or abuse
<b>Zero Tolerance:</b>	will not tolerate, to take seriously, and to investigate promptly and thoroughly, to discipline as appropriate up to and including immediate termination