



# **POLICIES & PROCEDURES**

## **CITY OF FLINT, MICHIGAN**

### **VIOLENCE IN THE WORKPLACE**

**PURPOSE:** It is the policy of the City of Flint to provide all employees with a workplace free of personal threats and intimidation. The City of Flint is firmly committed to a policy of zero tolerance as it pertains to acts of violence, threats of violence or other threatening and/or intimidating behavior.

The City of Flint complies with and wholeheartedly supports the language and spirit of laws as they relate to the safety and health of employees and customers. The City of Flint's workplace violence policy includes the recognition that a place of employment safe from fear of violence is fundamental to the health and well being of both employees and customers alike.

**STATEMENT OF POLICY:** The City of Flint shall have zero tolerance for an act of physical violence in the workplace or involving the workplace.

The City of Flint shall have zero tolerance for casual or joking remarks (including remarks made in jest or horseplay) of any threat of violence. The articulation of same will be presumed to constitute a statement of an employee's intent to do physical harm to another employee, person, customer visitor or to the City of Flint.

The City of Flint shall have zero tolerance of any act of sabotage, or threat of an act of sabotage, against the property of the City of Flint, an employee, customer or visitor.

The City of Flint shall have zero tolerance for any threat of violence or conduct which creates a hostile, abusive or intimidating work environment.

The City of Flint reserves the right to discipline, up to and including discharge, any employee who violates this policy.

The City of Flint, in its discretion, may inspect lockers, desks, work areas, packages, purses, work boxes, vehicles or other personal belongings brought on City property or in the workplace in connection with the investigation of any rule violation in connection with workplace safety

### **EMPLOYEE'S OBLIGATIONS:**

All employees have a good faith responsibility to assist the City of Flint in providing a workplace free of violence, threats and/or intimidation. It is the affirmative obligation of every employee to

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immediately report any violation of this policy to either their supervisor, Personnel, Labor Relations or to the 1-800 Workplace Violence Hot line. An employee reporting a violation of this policy will not suffer any form of reprisal of any kind.

## **EMPLOYER OBLIGATIONS**

The City of Flint has the responsibility of investigating and resolving alleged threats or acts of violence. The City of Flint reserves the right to take the appropriate legal action it deems necessary, and to report threats or acts of violence or sabotage to law enforcement authorities.

## **DEFINITIONS:**

As used in this policy:

**Violence** is defined as unwanted or hostile physical contact.

**Physical Attack** is an unwanted or hostile physical contact, such as but not limited to hitting, fighting, pushing, shoving, macing, or the throwing of objects.

**Threat** is the expression of a present or future intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the person communicating has the present ability to harm and without regards to whether the expression is contingent, conditional or future.

**Harassment** is behavior or communication designed or intended to intimidate, menace or frighten another person.

**Property Damage** is behavior or acts that contribute to the destruction or damage of private property or city property both real and personal.

**Reasonable Suspicion** is a suspicion based upon specific and articulable facts together with any rational inferences drawn from those facts.

## **PROHIBITED ACTS:**

Violence, threats, and harassment are always prohibited, especially whenever:

- A.. The act, behavior or communication is abusive and could cause another person physical or psychological harm.

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- B. The act, behavior or communication damages City or an employee's property or disrupts the work tasks of an individual or group of people within the City's workforce.
- C. The carrying or bringing into the workplace any weapons including but not limited to firearms, knives, mace or other personal protection devices, stun guns, unless the employee's duties require the carrying of such weapons.

### **PROCEDURE:**

1. Any employee who experiences or witnesses such acts, conduct, behavior or communication must immediately contact his or her supervisor, Personnel, Labor Relations or the City's 1-800 Workplace Violence Hot line at the employee's election. Police Department personnel may report the incident to Internal Affairs for investigation and recommendation to the Threat Assessment Team. The Threat Assessment Team will render the final recommendation and conclusion.
2. Any supervisor who receives a complaint of violence, threats, or harassment , or who has reason to suspect that these acts or behaviors are occurring must notify Personnel, Risk Management, Labor Relations, or call the 1-800 Workplace Violence Hotline. Police Department personnel may report the incident to Internal Affairs for investigation and recommendation to the Threat Assessment Team. The Threat Assessment Team will render the final recommendation and conclusion.
3. Upon being informed of an allegation of violence, threat or harassment, the Threat Assessment Team will investigate the matter. The investigation may include collecting information from medical, psychological , family, co-workers and the person investigated will be asked to sign all necessary releases. Failure to cooperate may result in progressive discipline.

While the investigation is progressing the alleged aggressor may be temporarily reassigned to another work area or put on suspension without pay pending the investigation, depending on the facts and circumstances surrounding the incident. Where possible, the Threat Assessment Team will complete an investigation within ten (10) working days and make recommendations to the Personnel Director regarding what disciplinary action should be taken. If it is determined that the alleged aggressor has not violated this policy, the employee will be made whole.

4. Upon the conclusion of this investigation the City will determine how to respond. In the interim, the City will make responses as appropriate. Thereafter, the Personnel Director will notify the employee of the outcome of the investigation

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and advise the employee of any corrective or preventive action.

5. The Personnel Director taking into account the Threat Assessment Team's recommendation will determine whether and what amount of disciplinary action is appropriate, and initiates the implementation of discipline.
6. The employee receives discipline from their supervisor in accordance with the collective bargaining agreement, if applicable.
7. Where there is a reasonable suspicion of an employee having contraband or weapons, the City of Flint, in its discretion, may inspect lockers, desks, work areas, packages, purses, work boxes, vehicles or other personal belongings brought on City property or in the workplace in connection with the investigation of any rule violation or in connection with workplace safety.
8. As a result of a thorough investigation, employees who knew of information about violence, threats or harassment, but did not notify an appropriate person consistent with this procedure will be subject to appropriate discipline up to and including termination.
9. Employees who knowingly or maliciously file false reports of violence, threats or harassment will be subject to appropriate discipline up to and including termination.

***Presented & Adopted 3/27/00***

Resolution # 000300

DEPARTMENT: HUMAN RESOURCES

LAST REVISED: