

# **CITY OF HORNELL**

## **WORKPLACE VIOLENCE POLICY & PROCEDURES**

The City of Hornell has a longstanding commitment to promoting a safe and secure work environment that promotes the achievement of its mission of serving the public. All employees of the City are expected to maintain a working environment free from violence, threats of harassment, violence, intimidation, or coercion.

The purpose of this policy is to address the issue of potential workplace violence in the City, to prevent workplace violence from occurring to the fullest extent possible, and to set forth procedures to follow when such violence occurs.

### **POLICY**

The City of Hornell prohibits workplace violence. Violence, threats of violent, intimidation, harassment, coercion, or other threatening behavior toward people or property will not be tolerated.

Complaints involving workplace violence will not be ignored and will be given the serious attention they deserve. Individuals who violate this policy may be removed from City property and are subject to disciplinary and/or personnel action, up to and including termination, consistent with City policies, rules, and collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution. Complaints of sexual harassment are covered under the City's Policy Against Sexual Harassment.

The City, at the request of an employee or at its own discretion, may prohibit members of the public, including family members, from seeing an employee on City property unless necessary to transact City-related business. This policy particularly applies in cases where the employee suspects that an act of violence will result from an encounter with said individual(s).

### **SCOPE**

All employees, members of the public, vendors, contractors, consultants, and others who do business with the City, whether in a City facility or off-site location where City business is conducted, are covered by this policy.

This policy also applies to other persons not affiliated with the City, such as former employees and visitors. When employees have complaints about other employees, they should contact their supervisor.

## **DEFINITIONS**

1. Workplace violence is any behavior that is violent towards, or threatening, coercing, harassing, or intimidating others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, the work environment, or the City's ability to provide services to the public.
2. Disruptive behavior intended to disturb, interfere with or prevent normal work activity [such as yelling, using profanity, verbally abusing others, or waving arms and fists].
3. Intentional physical contact to cause harm [such as slapping, stabbing, punching, striking, shoving, or other physical attack].
4. Menacing or threatening behavior [such as throwing objects, pounding on a desk or door, damaging property, stalking or otherwise acting aggressively, or making oral or written statements specifically intended to frighten, coerce, or threaten] where a reasonable person would interrupt such behavior as constituting evidence of intent to cause harm to individuals or property.
5. Possessing firearms, imitation firearms, knives or other dangerous weapons, instruments or materials. No one within the City shall have in their possession a firearm or other dangerous weapon, instrument or material that can be used to inflict bodily harm on an individual or damage to City property without specific written authorization from the Mayor or Chief of Police, regardless of whether the individual possesses a valid permit to carry the firearm or weapon.

## **REPORTING OF INCIDENTS**

1. General Reporting Responsibilities  
Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any member of the City. Workplace violence should be promptly reported to the appropriate City official. Additionally, employees are encouraged to report behavior that they reasonably believe poses a potential for workplace violence as defined above. It is important that all members of the City take this responsibility seriously to effectively maintain a safe working and learning environment.
2. Imminent or Actual Violence  
Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should contact their supervisor immediately, or call 911.
3. Acts of Violence Not Involving Weapons or Injuries to Persons  
Any person who is the subject of a suspected violation of this policy involving violence without weapons or personal injury or is a witness to

such suspected violation, should report the incident or his or her supervisor, or in lieu thereof, to the Chief of Police. The Chief of Police will work with the Human Resources Officer and the employee's supervisor on an appropriate response.

4. Commission of a Crime

All individuals who believe a crime has been committed against them have the right, and are encouraged, to report the incident to the appropriate law enforcement agency.

5. False Reports

Members of the City who make false and malicious complaints of workplace violence, as opposed to those complaints which – even if erroneous – are made in good faith, will be subject to disciplinary action and/or referral to civil authorities as appropriate.

6. Incident Reports

The City will report incidents of workplace violence consistent with the City Policies for Incident Reporting.

## **RESPONSIBILITIES**

1. Mayor

The Mayor shall be responsible for the implementation of this policy. The responsibility includes dissemination of this policy to all City employees, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, and ensuring all administrators, managers, and supervisors are aware of their responsibilities under this policy through internal communications and training.

2. Chief of Police

The Chief of Police is responsible for responding to, intervening, and documenting all incidents of violence in the workplace. The Chief of Police will immediately log all incidents of workplace violence, will notify the respective supervisor of an incident with his/her employee, and will notify the Mayor of an incident. All officers should be knowledgeable of when law enforcement action may be appropriate. Human Resources will maintain an internal tracking system of all threats and incidents of violence.