



# CITY OF SPRINGFIELD WORKPLACE VIOLENCE POLICY

## I. PURPOSE

The purpose of this policy is to express that the City of Springfield maintains a zero tolerance for workplace violence or the threat of violence by any of its employees, customers, guests, the general public and/or anyone who conducts business with the City.

## II. POLICY

It is the policy of the City of Springfield to provide a safe working environment for employees and to minimize the likelihood of violence in the workplace through early intervention. Acts or credible threats of violence, explicit or implied, will not be tolerated. Employees found in violation of this policy will be subject to disciplinary action, up to and including discharge, and appropriate law enforcement authorities will be contacted, if necessary. Specifically, the City prohibits conduct and behavior that intimidates, harasses, interferes or threatens fellow employees or others' personal safety.

## III. DEFINITIONS

Prohibited Conduct & Behavior - Conduct against persons or property that is sufficiently severe, offensive or intimidating to alter the employment conditions at the City of Springfield or to create a hostile, abusive or intimidating work environment for one or more employees.

Credible Threats - Any statement or course of conduct, oral or written, that causes a reasonable person to fear for the person's safety or for the safety of the person's immediate family or damage to property. A threat involves the statements or suggestions of a possible physical attack or verbal remarks made with the intent to intimidate.

Physical Attack - An act such as shoving, pushing, hitting or worse, or any other aggressive or unsolicited and unwanted contact. By their nature, physical attacks often involve breaking criminal laws.

Harassment - Harassment, often involving verbal abuse, may include, but is not limited to, unwanted telephone calls, acts or language by a party designed to damage or harm a second party, offensive or degrading remarks, name calling, teasing, mocking, negatively

stereotyping or degrading another person or group, or any distribution, display, discussion or electronic transmission of derogatory, demeaning or hostile materials. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Property Crimes - Acts that cause damage to physical property, including sabotage, theft and destruction.

Violence - Any act of violence, harassment, or stalking as defined by the laws of this State.

Weapon - A device, instrument, material or substance, animate or inanimate, that is used for or is readily capable of causing death or serious injury.

#### **IV. EXAMPLES OF WORKPLACE VIOLENCE**

General examples of workplace violence include, but are not limited to, the following:

Credible threats or acts of violence occurring on City property, regardless of the relationship between the City and parties involved in the incident.

Credible threats or acts of violence not occurring on City property but involving someone who is acting in the capacity as a representative of the City.

Credible threats or acts of violence not occurring on City property involving an employee of the City if the threats or acts of violence affect the legitimate interests of the City.

Credible threats or acts of violence resulting in the conviction of an employee or agent of the City, or of an individual performing services on the City's behalf on a contractual or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests and goals of the City.

#### **V. EXAMPLES OF PROHIBITED CONDUCT & BEHAVIOR**

Specific examples of conduct that may be considered threats, harassment, physical attacks or otherwise, prohibited under this policy or other policies of the City of Springfield include, but are not limited to, the following:

- Causing physical injury to another person;
- Making threatening remarks;
- Hitting or shoving an individual;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Committing acts motivated by, or related to, sexual harassment or domestic violence;

- 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 another employee or others;
- Making harassing or threatening telephone calls, letters or other forms of written or electronic communications;
- Intimidating or attempting to coerce an employee to do wrongful acts that would affect the interests of the City;
- Bullying, whether verbal, social or physical, that represents unwanted, aggressive behavior that involves a real or perceived power imbalance or has the potential to be repeated, over time.
- Harassing surveillance, stalking or the willful, malicious and repeated following of another person and making threats with the intent to place the other person in reasonable fear of his/her safety;
- Unauthorized possession or inappropriate use of firearms, weapons or any other dangerous devices.

## **VI. REPORTING PROCEDURES**

Any potentially dangerous situation must be reported immediately to the supervisor, department head or the Office of Human Resources. All reported incidents will be investigated promptly. Reports or incidents warranting confidentiality will be handled appropriately, and information will be disclosed to others only on a need-to-know basis.

## **VII. SUPERVISOR/MANAGEMENT RESPONSIBILITIES**

Each supervisor is responsible for maintaining the workplace free of prohibited conduct and behavior. This is best accomplished by promoting a professional environment and by dealing with threats or acts of violence directly, immediately and appropriately.

Specifically, supervisors must address and document an observed or reported incident with seriousness, take appropriate disciplinary action and observe strict confidentiality. This also applies to cases where an employee tells the supervisor about behavior considered prohibited but does not want to make a formal complaint or wishes to remain anonymous and where prohibited behavior is discovered through the "rumor mill".

Representatives from the Office of Human Resources are available to consult with supervisors on proper procedures or to assist in the investigation.

## **VIII. RESPONSIBILITIES OF EMPLOYEES**

Each employee has the responsibility to refrain from prohibited conduct and behavior as outlined in this policy. In addition, it is the responsibility of each employee to communicate to his/her supervisor, department head or the Office of Human Resources any conduct that is harassing, coercing, intimidating, threatening, acts of physical

violence or damage to property or other similar behavior. Employees who harass, threaten, act in a physical manner toward a fellow worker or others is, of course, individually liable for his/her actions. In addition, such employees will be subject to discipline, up to and including discharge.

City employees may be involved in personal disputes with family members or others that can escalate to the point where injunctions, restraining orders or other court orders are sought. All employees, including managers and supervisors, shall notify their supervisor and the Office of Human Resources when such an order has been obtained naming City premises. It is also encouraged that such action be taken when a court order is obtained that does not name City premises.

#### **IX. NO RETALIATION/COERCION**

Employees will not be retaliated against or coerced for bringing forth, in good faith, comments, suggestions or complaints under this policy to supervisory personnel.

Employees who feel they have or are being subjected to adverse working conditions by supervisory personnel or coerced by co-workers should consult with the next level of management within their department, the department head or the Office of Human Resources. Supervisory personnel or representatives of the Office of Human Resources will investigate the matter and take corrective action, if necessary.

Supervisory personnel or other employees found to have retaliated against employees who have brought a complaint to the attention of management personnel are subject to appropriate discipline, up to and including discharge.

#### **X. FALSE & FRIVOLOUS COMPLAINTS**

False and frivolous charges refer to cases where the accuser is using a complaint or report to accomplish some end other than stopping the prohibited conduct. It does not refer to charges made in good faith that cannot be proven. Given the seriousness of the consequences for the accused, a false and frivolous charge is a severe offense that can itself result in disciplinary action, up to and including discharge.

#### **XI. EMPLOYEE ASSISTANCE PROGRAM**

The City of Springfield currently has an Employee Assistance Program (EAP) that is available to City employees and their immediate family. Employees who desire to seek assistance or counseling should contact the EAP provider, the contact information for which is available on the City Intranet or through the Office of Human Resources. All information is kept strictly confidential.