

## **ARTICLE XXIII**

### **WORKPLANCE VIOLENCE AND HARASSMENT PREVENTION**

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#### **I. POLICY:**

This policy prohibits any acts of sexual harassment, physical violence or verbal abuse, intimidation, bullying, property damage, and/or coercion which involves or affects employees, authorized personnel, customers, and visitors. This policy prohibits harassment in any form that is based on sex, race, color, religion, national origin, age, disability, marital status, veteran status, or genetic information.

#### **II. PURPOSE:**

The Town of Selma is committed to providing an environment that is safe for working and conducting business. Promoting a safe workplace environment for employees and citizens free of violence, threats of violence, and all other disruptive behavior; and

Establish, confirm, and communicate the Town of Selma's position that it will not tolerate workplace violence in any form, actual or potential.

The Town of Selma recognizes that the employees are its most important asset, and a safe, secure, and violence-free workplace is fundamental to their health and well-being during working hours.

The Town is striving to foster a work environment of respect and healthy conflict resolution. Employees should expect to be treated with courtesy, dignity, and respect by the management, co-workers, and citizens.

Likewise, the Town believes that it is the obligation of every employee to contribute to the safety of the work environment by refraining from threats, violence, or activities that may provoke violence; being sensitive to cultural differences in all aspects of personal interactions; by conducting Town business with consideration and respect for co-workers and customers; and reporting actual or potential threats, both internal and external, immediately.

To this end, the Town of Selma has adopted a zero-tolerance policy for violence during working hours, during business involving the Town, or while on Town-owned property by any employee, citizen, customer, visitor, or independent contractor.

The purpose of this policy is to educate employees by providing guidelines to increase their awareness of:

- 1) How to recognize workplace violence, actual and potential.
- 2) How to prevent or minimize the occurrence of violent incidents.

- 3) How to react and deal with violent incidents.
- 4) The reporting procedures that are required.
- 5) The repercussions and consequences that can be expected as a result of a violent workplace incident perpetrated or committed by any employee.

### **III. PROVISIONS:**

The Town will use appropriate legal, managerial, administrative, and disciplinary procedures to secure the workplace from violence and harassment and to reasonably protect employees and other individuals.

#### **Acts of violence include, but are not limited to:**

1. Any act or threat of bodily harm or property damage, including subtle or implied threats to an individual, his or her family, friends, or associates.
2. Fighting or other physical altercations.
3. Unauthorized possession, threat of or use of any weapon or caustic/dangerous substance, whether concealed or visible, except by sworn law enforcement officers or other employees as required to perform their duties. Use of other items as weapons including but not limited to tools or furniture, is also prohibited.
4. Use of language which would be regarded by a reasonable person as likely to incite violence.
5. Stalking or threatening another person with the intent to place the other person in reasonable fear of his/her safety, making harassing or threatening phone calls, sending letters or other forms of written or electronic communications.
6. Damaging or threatening to damage Town or employee property.

#### **Sexual harassment includes, but is not limited to:**

1. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.
2. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
3. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
4. 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.

Sexual harassment includes repeated offensive sexual remarks, continual or repeated comments about an individual's body, and offensive sexual language.

Any employee who believes that he or she may have a complaint of harassment may follow the Grievance Procedure as described in the Personnel Policy or may file the complaint directly with the Human Resources Director. The employee may file the complaint directly

with the Town Manager if it involves a Department Head. The Human Resources Director will ensure that an investigation is conducted into any allegation of harassment and advise the employee and appropriate management officials of the outcome of the investigation.

**Department Heads/Managers/Supervisors will:**

1. Establish and communicate to employees the departmental “safe” areas and protocol.
2. Post information about domestic and workplace violence where employees can obtain it without having to request it.
3. Consult with Human Resources and/or Employee Assistance Provider, if physical or behavioral changes are observed in an employee. This can occur as a pattern of changes or as a significant occurrence. Behavior should be documented by the supervisor. Changes in behavior should be addressed with the employee after consultation with Human Resources and/or Employee Assistance Provider.
4. Appropriately respond to an employee’s complaints, reports of violence, observed threats, or imminent danger situations. Reasonable actions will be taken in order to protect the affected individual and others.
5. Assess situations immediately and confidentially, respond appropriately to reports or knowledge of violence, and consult with Human Resources and/or the Town Attorney.
6. Review with Human Resources any legal documents submitted by employees to determine how to proceed.
7. Maintain confidentiality about the situation.
8. Inspect the workplace regularly and make recommendations regarding employee safety issues.
9. Take appropriate action(s) against employees and other individuals who commit acts of physical violence or verbal abuse on Town premises. Consult with Human Resources or the Town Attorney before taking any action(s).

Human Resources will include domestic and workplace violence prevention workshops as part of the training schedule.

The Town will maintain a list of services available to victims and those who commit acts of domestic violence.

**All Employees will:**

1. Refrain from acts of violence.
2. Participate in workplace violence prevention training as required.
3. Seek assistance to resolve personal issues that may lead to acts of violence in the workplace.
4. Report to supervisors any situations that occur outside the workplace that may affect workplace safety.

Any acts of violence committed by employees may result in disciplinary actions up to and including dismissal and may be referred to the appropriate legal authority.

Acts committed by members of the public while on Town premises will be referred to the appropriate legal authority.

***Employees making complaints of harassment are protected against retaliation from alleged harassers or other employees.***

#### **IV. Responsibility:**

It is the responsibility of the Town of Selma Supervisors and Managers to uniformly administer, communicate, and ensure compliance.

It is the responsibility of the Human Resources Department to interpret, monitor, and update the policy content.

The Human Resources Department serves as a resource to the employee, managers, and supervisors in obtaining assistance to address domestic and workplace violence situations.

It is all employee's responsibility to comply with policy guidelines.

Any violation or policy misuse will result in disciplinary action up to and including dismissal.

#### **V. Applicability**

This policy shall apply to all Town employees, including full-time and part-time (regular, temporary, volunteer, and contract), while engaged in activity related to their employment with the Town, whether on Town property or elsewhere.

However, this policy does not include actions related to or situations arising from actions that are a necessary part of the performance of an employee's job. For example, fire, police, and other response employees acting with an appropriate use of force in the line of duty are exempt from this policy.

#### **VI. Definitions**

**Workplace Violence.** Threatening behavior and violence that can be demonstrated in many ways and can easily escalate from mild to severe, such as from intimidating or insulting comments to statements to harm a specific person, place, or thing; to stalking or graphic communications; to physical attacks or actual assault. Workplace violence includes, but is not limited to:

- Threats
- Harassment
- Intimidation (in person, by phone, electronically, social media, etc.)
- Property damage
- Shoving
- Pushing

- Brandishing a weapon
- Abusive language
- Fighting
- Extreme physical force or action
- Physical force for the purpose of violating, abusing or damaging property or person
- The display of intentional abuse aimed at provoking mental or emotional force or harm
- Actions that are perceived to be severe, offensive, or threatening and which investigation confirms were reasonably interpreted to be violent
- Any aggressive action, whether verbal, written, gestured, or insinuated by body or facial expression that communicates a direct or indirect threat of harm
- Actions taken or inflicted on individuals “off-the-clock” if the actions grew out of work-related conflicts or issues
- Any other disruptive or aggressive behavior

**Threat.** an expression or communication of intent to cause physical, emotional, or mental harm regardless of whether or not the person has the ability to carry it out presently or in the future; without regard to the overt or subtle nature of the expression; without regard to whether the expression is made on a present, conditional, or future basis; and whether or not it is the person’s true intent as perceived by a reasonable person. A threat includes any verbal, written or graphic communication where retaliation or intimidation is suggested or promised. In determining whether the action was intended as a threat, the totality of the circumstances shall be considered.

**Reasonable Person.** A person who exercises those qualities of attention, knowledge, intelligence, and judgment which society requires of its members.

**Intimidation.** Includes, but is not limited to, threats, stalking, engaging in actions intended to frighten or coerce another person or induce stress.

**Stalking.** Harassing surveillance: the willful, malicious, and repeated following of another person intended to scare or intimidate.

**External Threat.** A threat by citizens or other non-employees.

**Indirect Threat.** Behavior such as frequent hostile arguments, belligerence, aggression, swearing, or producing graphic material.

**Physical Attack or Altercation.** Unwanted or hostile physical contact such as touching, hitting, striking, pushing, grabbing, holding, or throwing objects that are likely to cause injury. In determining whether the physical contact constitutes a physical attack, the totality of the circumstances shall be considered.

**Property Damage.** Includes intentional damage arising out of workplace violence to property

of the Town, its employees, vendors, or citizens.

**Town Property.** Includes all structures, grounds, parking lots, parks, vehicles, and all other facilities owned or controlled by the Town.

**Weapon.** Any object or device intended to be used or designed specifically to cause injury to, intimidate or attack any person. Examples include, but are not limited to:

- Any type of firearm, pistol, shotgun, rifle
- Martial arts weapons
- Brass, iron, or metallic knuckles
- Sling shots
- Caustic chemicals
- Loaded canes
- Straight razors
- Explosives
- Ammunition
- Knives, pocketknives, switchblades, dirks, or daggers with blades that are not issued by the Town for specific tasks or purposes

**NOTE:** Small knives (such as Swiss Army knives), tools (such as axes, hammers, and screwdrivers), furniture, and office equipment are not considered weapons unless used in a threatening manner.

## **VII. Examples of Workplace Violence**

Examples of conduct and behavior strictly prohibited by this policy include, but are not limited to:

- Any act or threat of bodily harm, including subtle or implied threats
- Fighting, hitting, shoving, or other physical altercations
- Sabotage of work or equipment
- Use, threat of use, or possession of any type of weapon, whether concealed or visible, on or in Town property, except by sworn law enforcement personnel
- Use of language that would be regarded by a reasonable person as likely to provoke violence
- Stalking or threatening another person with the intent to place the other person in reasonable fear for his or her safety, or the safety of his or her family, friends, associates, or property
- Making harassing or threatening telephone calls
- Sending harassing or threatening letters or other forms of written or electronic communication
- Intentionally damaging or threatening to damage any property owned by the Town or any

Town employee.

- Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the Town.

Examples of conduct and workplace behavior that may be inappropriate but do not constitute workplace violence as defined in this policy include, but are not limited to:

- Inappropriate contact of a sexual nature that should be dealt with under the Town's Sexual Harassment Policy.
- Incidents of bullying or inappropriate horseplay should be dealt with under the Personnel Policy section on Disciplinary Actions.
- Incidents of the use of excessive force in the course of the jobs of emergency personnel should be dealt with through the appropriate department's policies.

### **VIII. Mandatory Compliance**

It is a violation of the policy to:

- Engage in threats, intimidation, physical attacks, and any other form of workplace violence as defined in this policy.
- Carry on one's person and/or use an unauthorized weapon during work time or related to an individual's employment.
- Withhold information concerning any actual or potential form of workplace violence as defined in this policy.
- Falsely accuse an individual or falsely report any form of workplace violence that could affect an innocent person.

Violations of this policy by any individual on Town property, or by any individual involved in Town business off of Town property when his or her actions affect the public interest or the Town's business interests will not be tolerated and will be followed by legal action as appropriate.

Violation by an employee of any provision of this policy may lead to disciplinary action up to and including termination. This policy and any sanctions related thereto are to be deemed supplemental to the Town's Personnel Policy and its provisions and to applicable State and Federal laws.

### **IX. Guidelines for All Employees**

An employee should discuss with a supervisor or Department Head any fear that a personal or work relationship has the potential to deteriorate into a threatening situation affecting his or her co-workers. If the employee does not feel comfortable confiding in the Department Head, the Human Resources Manager or the Selma Police Department should be called. An

investigation will be performed in a confidential manner whenever possible; however, public safety will have the first priority.

All employees are encouraged to be alert to the possibility of violence on the part of employees, former employees, customers, and strangers. Verbal threats, the displaying of weapons, or suspicious briefcases and/or packages may be cause for concern.

Whenever an employee feels at immediate risk, the Selma Police Department may be called. The communication of a threat towards an employee or a citizen is cause to call the Police Department. The Police Department will decide on the appropriate level of response.

The Police Department will take the lead in responding to an incident with the assistance of staff members or outside expertise as deemed necessary by the Police Department. Any report of violence will be handled in a confidential manner, with information released only on a need-to-know basis.

The Town believes that it is the obligation of every employee to contribute to the safety of the work environment by refraining from threats, violence or activities that may provoke violence; by being sensitive to cultural differences in all aspects of personal interactions; by conducting Town business with consideration and respect for co-workers and customers; and by reporting actual or potential threats, both internal and external, immediately.

This policy does not, in effect, promise to offer security from violence. By adopting this policy, the Town of Selma makes no promise, assurance, or guarantee, expressed or implied, that an employee will be free from workplace violence.

## **X. Communication**

New employees will receive information concerning the expected behavior on the job towards co-workers and the public, as well as the availability of the Employee Assistance Program (EAP) services.

Money handling operations departments involved in handling money will separately develop procedures and provide training to employees to assure that employee safety is the primary concern, not the security of the money.

## **XI. Responsibilities**

## Employee Responsibilities

- 1) Any employee who experiences or witnesses any act, conduct, behavior, or communication by another employee or by a non-employee, which is in direct violation of the policy prohibiting workplace violence must *immediately* contact his or her supervisor and/or the Human Resources Manager and, if needed, the Selma Police Department. Employees should not try to handle a violent or potentially violent incident themselves.
- 2) When reporting an imminent threat and/or act of violence, an employee should first secure his or her own safety, immediately contact the Selma Police Department and, if possible, alert other persons in the immediate area.
- 3) Any employee who is threatened, assaulted, or attacked while on official duty in the field should immediately report such incident to both the Selma Police Department and his or her immediate supervisor.
- 4) If anyone commits a violent act or makes a direct threat while on Town property, that person will be asked to leave by a supervisor. Should the person refuse to leave, the Selma Police Department will be called to assist in removing the person from Town property. The person may not return to any Town property.
- 5) Each employee has the personal responsibility to abide by this policy every time he or she comes to work. Any employee who violates this policy will receive appropriate disciplinary action, which may include termination, arrest, prosecution, and/or other criminal penalties.
- 6) Any employee who knows of information about workplace violence but does not report it in accordance with this procedure will be subject to appropriate disciplinary action.
- 7) Any employee who receives a suspicious package should notify his or her supervisor and, if necessary, the supervisor will call the Selma Police Department.
- 8) Employees should be aware and sensitive to cultural and racial differences in all aspects of interaction with co-workers, customers, and vendors.
- 9) All employees have the responsibility to report any suspicion or knowledge of a current or potential incident of workplace violence to a Town supervisor.
- 10) All employees must refrain from any words, actions or threats that may provoke violence.
- 11) Town business should be conducted with consideration and respect toward co-workers and non-employees.

## **Management Responsibilities**

- 1) Support the Town's principle of and rationale for encouraging work environments that are safe from violence, threats and harassing or aggressive behavior, and keep employees informed regarding the Town's efforts to ensure the safety and security of its employees.
- 2) Inform all employees that workplace violence or other abusive, aggressive, or disruptive behavior in any form will not be tolerated.
- 3) Treat all employees with respect and demonstrate the type of model behavior for employees to emulate.
- 4) Enforce work rules uniformly and consistently.
- 5) Be alert to the possibility of workplace violence on the part of former employees, customers, and other third parties, and take preventive and/or corrective action when necessary.
- 6) Be aware of any patterns or changes in employee behavior that exhibit the potential for workplace violence or disruption or could pose concern for co-workers. All such behavior or actions should be documented for the record. Such changes should be addressed in private counseling sessions with the employee and EAP literature should be given to the employee.
- 7) Be aware of the services available, the telephone number and location of the EAP, and make appropriate and timely referrals for assistance for employees who threaten or engage in violence or other abusive, aggressive, or disruptive behavior.
- 8) Notify an employee immediately upon discovery of a threat or imminent danger of violence toward that employee.
- 9) Take all threats, even those made in a joking manner seriously and immediately notify the Town Manager and Human Resources Manager.
- 10) Take appropriate action to remove employees and/or citizens from harm if there is an immediate sense of danger.
- 11) Respond promptly and effectively when notified of an incident, including conducting a complete and prompt investigation and applying disciplinary action as appropriate.
- 12) Respond with equal concern and diligence to incidents involving non-employees as well as Town employees.

- 13) Completely document all actions taken regarding noticeable changes in an employee's behavior, incidents or threats of incidents, confrontations with employee concerning any form of workplace violence, and/or any disciplinary actions applied.

#### **Town Responsibilities**

- 1) Provide training for employees, supervisors, and managers to help them recognize the signs of potentially violent situations.
- 2) Take all employee reports of violent threats or actions seriously and ensure such reports are investigated thoroughly.
- 3) Encourage employees to seek help for personal or medical problems that may lead to acts of violence or aggression.

## **XII. STRATEGIES FOR PREVENTION**

### **Training and Education**

At the time of policy implementation, all employees will attend a training session. Training will be included in new employee orientation.

Employee training will include the following information:

- 1) A review of the definition of workplace violence.
- 2) A review of the program.
- 3) What to do if workplace violence occurs.
- 4) How to report incidents.
- 5) Encouragement to report potential workplace security hazards.
- 6) Availability of the Employee Assistance Program (EAP).

Supervisors and managers shall also be trained to:

- 1) Learn techniques for recognizing potentially volatile personalities and apply such recognition techniques during applicant interviews.
- 2) Learn the steps to prevent incidents of workplace violence.
- 3) Recognize the signs of a potentially violent situation.
- 4) Learn how to diffuse potentially violent situations.
- 5) Learn measures to be taken if a violent incident occurs.
- 6) Provide counseling if required.
- 7) Dispense appropriate discipline when necessary.
- 8) Efficiently document all pertinent matters related to workplace violence in the affected employee's personnel record.

### **Prevention Strategies**

**The Employee Assistance Program (EAP)** is available for regular Town employees and their dependents for a certain number of counseling visits. Employees are encouraged to seek help for personal or emotional problems for themselves and their families. Employees can find information about the current EAP practice by contacting the Human Resources Office.

**Pre-employment drug testing** assures that candidates for applicable Town of Selma positions understand that the Town expects a drug-free workplace. This should lessen the chance of substance abuse-related violence or behavioral problems.

**Disciplinary actions** will be consistently and fairly applied towards employees who engage in threatening behavior or workplace violence.

**Dismissal** for possession of unauthorized weapons while performing Town business used in a threatening behavior, physical assault, or any other form of severe workplace violence or intimidation are all reasons for immediate dismissal.

**Termination Procedures.** Whenever possible, an employee's dignity should be respected during any pre-dismissal or termination process. Department Heads should discuss the proposed action with the employee during a time when few co-workers are present so that the employee is not embarrassed in front of co-workers. If violent behavior is likely, Department Heads may choose to take extra precautions such as having a second person in the room and, if necessary, asking for assistance from the Police Department. It is important to exercise good judgment and discretion in making these decisions.

### **XIII. INCIDENT PROCEDURES AND REPORTING**

#### **Before an Incident**

**Mediation.** If an employee is experiencing conflict, Department Heads or a Human Resources representative shall offer counseling. Should internal counseling sessions fail to dissipate the conflict, the EAP is available to perform mediation services. Department Heads can recommend an employee to this service if work conflict is creating problems for productivity, morale, or safety.

**Indirect Threats.** If an employee's behavior involves indirect threats or other inappropriate behavior, Department Heads shall interview the employee whose behavior is in question. Department Heads shall discuss the behavior and share what they have heard with the employee. Never threaten or name call. Department Heads must keep an open mind. All discussions shall be thoroughly documented. Department Heads shall talk to co-workers in order to develop a more complete understanding of the subject employee's reported conduct.

**Provide Guidance to Employees who Feel Threatened.** Department Heads shall inform employees that there is an open-door policy to confide personal conflict issues which have the potential to become a public safety problem. The only individual who will be informed initially is a high-ranking Police Department official. Whether or not to inform additional personnel will be left to the discretion of the Department Head, his or her designee, the Human Resources Director, or the Police Department official. The confidentiality of the employee will be respected as much as possible; however, public safety will not be compromised to protect that confidentiality.

**Disciplinary Action** shall be consistently and fairly applied toward all employees who engage in workplace violence:

- 1) A physical attack on any employee combined with the use of a weapon will result in termination. In the event a threatened employee resorts to physical violence, and it is

determined that the employee acted in self-defense with no other means of protection available, termination may not apply.

- 2) Any physical attack, whether or not in self-defense, with or without a weapon, or property damage to any Town property may result in some form of disciplinary action, up to and including termination. Typically, aggressors will receive more severe sanctions than the attacked. Other violations, including threats and harassment, will be punishable by appropriate disciplinary action, up to and including termination.

**Treat All Threats Seriously.** Any employee who observes or has knowledge of a threat should not hesitate to notify the Police Department and his or her supervisor. Supervisors and Department Heads should remember that during incidents of workplace violence, if the target of the attack is not available, employees not involved in the initial dispute are often the victims because they are accessible. Brushing off concerns for your own personal safety could put your employees at risk.

### **During an Incident**

#### **Level 1 – An Act of Violence that Results in Injuries or Death**

- 1) Evacuate employees, if possible, or advise employees to seek whatever protective place of concealment is available.
- 2) Attend to the immediate danger and injuries by contacting emergency response personnel at the Selma Police Department.

#### **Level 2 – Danger Is Imminent**

- 1) If an immediate sense of danger exists, evacuate employees from harm, if possible, or advise employees to seek whatever protective place of concealment is available.
- 2) Notify the Selma Police Department.
- 3) Contact the Town Manager and/or Human Resources Director to notify them to prepare for a possible violent incident by completely emptying the danger site immediately, if possible, and formulating a plan to protect employees and the public.

#### **Level 3 – Threats**

- 1) In the event an individual presents or implies a threat of violence, the employee receiving the threat shall immediately contact his or her supervisor and describe the situation. The supervisor in turn will notify other departments and personnel as appropriate.

- 2) Supervisors informed of an actual or implied threat of violence shall notify the Department Head and other departments and personnel as appropriate.

## **After an Incident**

### **Level 1 – An Act of Violence that Results in Injuries or Death**

- 1) Call 911 and notify the Town Manager and Human Resources Director immediately.
  - a) Secure the scene by removing all employees and non-employees not directly involved in the incident.
  - b) Ensure injured persons have received appropriate care.
  - c) Debrief personnel by explaining restrictions on information they may inadvertently disseminate to inappropriate persons and/or sources (i.e., media) and to diminish unhealthy or erroneous rumors.
  - d) The Town Manager is responsible for communicating with families of all employees involved directly in the violent incident, and with the Media. No employee shall address the Media, unless instructed to by the Town Manager.
  - e) Provide internal counseling or contact EAP to arrange for their involvement to provide anger management, grief counseling, post-traumatic stress guidance, etc.
  - f) The Human Resources Director will investigate the incident thoroughly and talk to witnesses.
  - g) Formulate and document measures to prevent recurrence of the incident and/or improve response.
- 2) The Selma Police Department will assume control of the scene and arrange whatever cleanup may be necessary.
- 3) Informal briefings shall be fully supported by management. Employees should be given the opportunity to talk informally with one another when they feel a need to discuss the experience. Management shall show respect for employees' efforts to care for one another.
- 4) Management needs to spend a lot of time with employees following a serious incident in order to demonstrate management support and to be available to listen to concerns and answer questions. Unessential administrative burdens will be put aside so Department

Heads, and/or supervisors can devote quality time to employees should the need arise or be requested.

### **Level 2 – Danger Is Imminent**

- 1) Call 911 and notify the Town Manager and Human Resources Director immediately.
  - a) Secure the scene by removing all employees and non-employees not directly involved in the incident.
  - b) Debrief personnel by explaining restrictions on information they may inadvertently disseminate to inappropriate persons and/or sources (i.e., media) and to diminish unhealthy or erroneous rumors.
  - c) The Human Resources Director will investigate the incident thoroughly and talk to witnesses.
  - d) Formulate and document measures to prevent recurrence of the incident and/or improve response.
  - e) Respond to media requests, if required.
- 2) Should the danger fail to develop, the situation should be fully explained to all employees who were made aware of the possible incident and post-traumatic stress counseling should be offered for employees affected by the warning of possible danger.

### **Level 3 – Threats**

- 1) When threats are made by an employee, Department Heads must follow procedures for disciplinary action, dependent on the type and severity of the threat, including but not limited to counseling, mandatory anger management guidance, documentation in employee's personnel record, termination, arrest, or prosecution.
- 2) When threats are made against an employee, Department Heads shall make every effort to assist the employee in regaining a sense of security in the workplace. They will offer internal counseling or post-traumatic stress counseling, resist interference with employee support groups, arrange professional counseling, and provide whatever the employee feels he or she needs to personally deal with the threat.

### **Reporting Procedures**

Any employee who experiences or witnesses any acts, conduct, behavior, or communication which is against this policy must immediately contact his or her supervisor. For their own protection, employees should not attempt to handle a violent or potentially violent incident on

their own.

If reporting an imminent threat and/or act of violence, an employee should first secure his or her own safety and then contact the Selma Police Department.

Any employee who is threatened, assaulted, or attacked while on official duty but not at a Town facility should report such incident to both the local law enforcement agency and his or her immediate supervisor.

If a violent act has been threatened or committed, the Selma Police Department shall be notified immediately so the individual perpetrating the violent act can be removed from Town property.

Any employee who knows of workplace violence but does not report such information in a manner consistent with these procedures may be subject to appropriate discipline, up to and including termination.

All reports shall be kept confidential except in a case in which the information is needed to prevent workplace violence, is required for court hearing, or when dissemination is vital for any other reason.

#### **XIV. RESPONSES AND SANCTIONS**

##### **Responses and Sanctions**

Some incidents are limited in scope and may be responded to by a brief investigation with the involved parties and witnesses. Others require a more thorough investigation and may involve the Town Manager, Town Attorney, Police Chief, Human Director, or others in determining the appropriate response. The kinds of incidents where investigation and response are definitely called for include:

- 1) Whenever threatening behavior is displayed. For example, when a weapon is shown, or explicit threats are made against specified individuals.
- 2) Whenever a physical attack occurs in the course of work involving one or more employees, such as fights, shootings and/or knifings.
- 3) Other behaviors that show an employee is crossing the boundary between what is acceptable physical behavior in the workplace and what is not. For example, "horseplay" with a violent edge, continued picking on a co-worker, a pattern of aggressive and hostile response to supervisors and co-workers.

All behaviors are considered or may be considered criminal acts and should be reported to the Selma Police Department; police investigations may supplement or supersede administrative

procedures.

The Town should communicate and enforce an atmosphere of zero tolerance for violence in the workplace and guarantee a quick disciplinary response to such incidents.

A violation of this policy is considered detrimental personal conduct as outlined in this policy and the Selma Personnel Policy. A physical attack on any employee combined with the use of a weapon will result in termination.

Any physical attack whether or not in self-defense, with or without a weapon, or property damage to any Town property, will result in some form of disciplinary action. Aggressors will receive more severe sanctions than the attacked. Other violations, including threats and harassment, will be punishable by appropriate disciplinary actions, up to and including termination.

**Retaliation.** The Town will not retaliate against any employee for honest reporting of instances of workplace violence. Employees who act in good faith by reporting real or implied violent behavior or violations of this policy will not be subjected to harassment or any form of retaliation.

Co-workers are encouraged to offer suggestions on ways to improve safety and security in the workplace. Suggestions and comments may be presented to any member of the Crisis Management Team.

Policy adopted by Selma Town Council

Effective Date: November 14, 2000

Amended August 11, 2015

Amended August 10, 2021

*As of August 10, 2021, this policy replaces and supersedes any previous policies, or unwritten policies or practices covering the same subject.*