

WORKPLACE VIOLENCE POLICY AND PROCEDURES

The City of Norman is committed to preventing workplace violence and to maintaining a safe work environment. The City will not tolerate acts of violence committed by or against City employees while on City of Norman property or while performing City of Norman business at other locations. The word violence in this policy includes, but is not limited to, an act or behavior that:

- a) Consists of physical assault;
- b) Is an attempt at physical assault;
- c) Consists of a communicated or perceived threat to harm another individual or in any way endanger the safety of an individual;
- d) Is perceived as obsessively directed, e.g., intensely focused on a grudge, grievance or romantic interest in another person which could result in harm or threats of harm to people or property;
- e) Involves carrying or displaying weapons while in City vehicles, on City property, or on City business, in violation of law or City policy;
- f) Destroying property or throwing objects in a manner perceived to be threatening; or
- g) Consists of a communicated or perceived threat to destroy property.

The word “workplace” in this policy includes, but is not limited to, violent actions or behavior that occurs:

- a) On City property;
- b) At City facilities;
- c) While on City business; or
- d) Away from City property whereby the incident and/or altercation between two individuals arises from or out of their employment with the City of Norman.

Violent actions or behavior directed at or relating to City employees, officials or vendors will not be tolerated or ignored. Violent actions or behavior on City property or at City facilities, or while on City business, will not be tolerated or ignored. Any unlawful violent actions committed will be reported to the proper authorities. The City intends to use legal, managerial, administrative, and disciplinary procedures to secure the workplace from violence and to reasonably protect employees or others threatened by City employees.

Possession and Use of Dangerous Weapons by Employees

In the interest of maintaining a workplace that is safe and free of violence, except as hereinafter provided, possession or use of dangerous weapons is prohibited on City property, in City vehicles or in any personal vehicle which is used for City business.

Dangerous Weapons Defined

A dangerous weapon is any instrument capable of producing bodily harm, in a manner, under circumstances, and at a time and place that manifests intent to harm or intimidate another person or that warrants alarm for the safety of another person.

Exceptions to Dangerous Weapons Prohibitions

Employees of the City of Norman may possess a firearm on City property if:

- a) Commissioned officers engaged in law enforcement activities (on or off duty), or other job duties specific to the employee's position with the City;
- b) Legally in possession of a firearm and said firearm is stored unloaded, locked in or locked to a personal vehicle, on property designated as employee parking.

Responsibilities and Procedures

Employees

- a) Refrain from acts of violence and seek assistance to resolve personal issues that may lead to acts of violence in the workplace or involving City employees, officials or vendors;
- b) Immediately report to managers and supervisors any dangerous or threatening situations that occur in the workplace; and
- c) Contact 911 if any act or altercation constitutes an emergency, and then contact the supervisor. In instances that are not emergency situations, contact your supervisor immediately.

Employees are encouraged to report to their managers/supervisors situations that occur outside of the workplace which may affect workplace safety, e.g., instances where protection orders have been issued, etc.

Managers/Supervisors

- a) Evaluate and report to management any act of violence immediately and confidentially, and take appropriate action, where possible, in order to protect the employee(s) from further violence.
- b) When notified, the Department Director will contact the Human Resources Director, who will take responsibility for coordinating response to the incident and communicating with the appropriate authorities.
- c) In instances that involve emergency situations, or criminal activity, the Human Resources Director will contact the City Manager and

communicate with the Police Department who will assess the situation and, if necessary, conduct an investigation.

- d) In instances when it is not appropriate to refer an incident to the Police Department, the Department Director will evaluate the situation and make a recommendation to the Human Resources Director regarding the need for an internal investigation.

Conducting an Investigation

If an internal investigation is recommended, the Human Resources Director will coordinate the investigation process and determine who will conduct the investigation. The person(s) conducting the investigation will utilize the following procedures:

1. Data Collection

There are great liabilities and legal implications associated with violent behavior in the workplace. Investigations that are conducted could lead to disciplinary action, therefore, it is important to be sensitive to the rights of all persons involved and proceed in a manner that demonstrates objectivity, fairness and a concern for confidentiality. Document all aspects of the investigation.

2. Interview with the Alleged Victim

When talking with the alleged victim, a witness should be present and the interview electronically recorded. Speak clearly and non-judgmentally and approach the interview in a supportive manner. The goal of the interview is to develop a true and accurate account of the incident.

- a) Obtain the date/time of the violent incident.
- b) Find answers to the questions: who, what, when and where. Find out what specifically happened in this situation and any other incidents.
- c) Determine the background of the situation, including the relationship between the parties before the incident.
- d) Obtain the names of anyone else who:
 - Saw or heard the incident;
 - The alleged victim has talked with about the incident; or
 - The alleged victim believes has also had encounters with the alleged offender.
- e) Find out what the alleged victim did in response to the violent encounter.
- f) Find out whether the alleged victim has documented the incident, or any other violent encounters with the alleged offender.

- g) Advise the alleged victim that any form of retaliation against the alleged offender, or any action that might be interpreted as retaliation, will not be tolerated.

3. Interview With the Alleged Offender

When talking with the alleged offender, a witness should be present and the interview electronically recorded. Speak clearly and non-judgmentally and approach the interview in a supportive manner. The goal of the interview is to develop a true and accurate account of the incident.

Keep in mind that a person is innocent until proven at fault. Assumptions of guilt before an investigation has been completed can impede an appropriate investigation.

- a) If the alleged offender asks for representation, allow it.
- b) Present the incident or incidents described by the alleged victim, or your own observations if you directly observed the incident.
- c) Get the alleged offender's side of the story.
- d) Investigate with such questions as:
 - Describe the incident that occurred between you and the alleged victim.
 - Describe your relationship with the alleged victim and other interactions that you have had.
- e) Listen attentively as the alleged offender talks.
- f) Advise the alleged offender that any form of retaliation against the recipient/alleged victim, or any action that might be interpreted as retaliation, will not be tolerated.

4. Interviews with Observers or Others in the Workplace

In your investigation, realize that observers may also be disturbed by the violent interaction they have witnessed.

Investigate with questions such as:

- What type of interaction did you observe between the alleged offender and alleged victim prior to this incident?
- Describe what happened in this instance.
- Are there others who might be able to comment, or who observed the same incident?

In order to maintain workplace safety and the integrity of its investigation, the City may place involved persons on administrative leave until the investigation is

complete and a disciplinary hearing is conducted, if necessary. Employees placed on administrative leave must be available, if called upon, to report to the Human Resources Director's office during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday.

The City of Norman will ensure support for co-workers involved in threatening or violent incidents such as recommending counseling, allowing reasonable time off, etc. Department Director's may want the Human Resources Director to coordinate with the City's Employee Assistance Program (EAP) counselor, or other certified debriefing specialist, to conduct an employee debriefing meeting to discuss what happened, how the situation was handled, and how it might have been avoided.

The City of Norman encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources Director before the situation escalates into potential violence or warrants an official investigation.

Any employee determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to disciplinary action, up to and including termination. To the extent circumstances warrant such, the City will impose disciplinary actions in a progressive manner and in accordance with current applicable collective bargaining agreement provisions.