

SUBJECT: WORKPLACE VIOLENCE PREVENTION AND RESPONSE POLICY

Policy Statement: The City of Madison is committed to a safe work environment and to the safety and security of its elected officials and employees. ~~City managers and supervisors~~Elected officials will work to the extent reasonably possible to ensure that other elected officials and employees are free from intimidating, threatening, and violent behavior while on duty. The City will not tolerate any on-duty intimidating, threatening or violent behavior on any City site against any City employee by: any elected official; any employee; any customer participating in a City service or program; any vendor while engaged in City business; or any person who has a personal relationship with a City employee.

City of Madison ~~employees~~elected officials found to have engaged in intimidating, threatening or violent behavior ~~while on duty~~ will be subject to discipline, up to and including ~~discharge~~WHAT for the first offense.

~~Vendors or participants in City programs found to have engaged in intimidating, threatening or violent behavior may have their contracts canceled or eligibility for funding or loans revoked or called or be barred from further participation in City services or programs.~~

It is the responsibility of City employees to report incidents of intimidating, threatening or violent behavior to their supervisors, their department or division head, the Human Resources Director or the City Attorney. It is the responsibility of City managers to investigate any such reports thoroughly and to take appropriate action according to this policy. There will be no retaliation against an employee who makes a good faith report of such behavior.

“Intimidating or threatening” behavior is defined as words or actions which cause a person to avoid social contact or to do or refrain from doing an act, ~~including supervisory discipline,~~ by inducing fear. That behavior includes words or actions which directly or indirectly show an apparent intent to cause physical or emotional harm to another person. That behavior includes words or actions that a reasonable person would believe to create a danger to a person’s safety or property or to the property of the City.

Workplace Violence Management Team:

1. Team’s Responsibilities

A Workplace Violence Management Team has been appointed by the Mayor to: develop policy recommendations for the Mayor and the Management Team; develop an implementation plan for review and adoption by the Mayor and the Management Team; and oversee implementation of the plan.

2. Membership

- Human Resources or designee(s)
- City Attorney or her designee
- Line Manager(s) - Two line managers from: Transit, Streets, Parks, Engineering, Housing, Traffic Engineering, Parking or Fire
- Representative of the Police Department
- Union Representative - One representative of the City unions

- One of the Mayor’s Assistants
- A clinical psychologist will review the City’s policies and plans. S/he will be knowledgeable and skilled in threat assessments and be accessible, when needed, as a resource to the Threat Assessment Team.

Plan Components:

1. Prevention

- a. Develop and conduct training programs for employees and elected officials. Training topics may include:

- What is workplace violence?
- What is the City’s policy on workplace violence?
- How staff should handle “hot encounters”
- What are the “warning signs” of potential workplace violence?
- “Levels of threat” and the appropriate response
- Description of management liability regarding workplace violence
- Review a “how to” manual for supervisors (check list)
- What to do when an incident actually occurs

The Management Team will decide what workplace violence training for management and/or employees is to be voluntary and what is to be mandatory.

Human Resources will include a review of the workplace violence policy as part of new employee and new elected official orientation.

The Human Resources Department training office will identify further workplace violence training needs based on input from City departments and the Workplace Violence Management and Threat Assessment Teams.

- b. Pre-~~employment~~-election screening and background checks with regards to workplace violence. (Okay, not really!)

i. Pre-interviewing: The Human Resource Department reviews applications to determine whether applicants meet the minimum training and experience requirements identified in the job posting (including the applicant’s description of other training and/or experience which can be demonstrated to result in the possession of the knowledges, skills and abilities necessary to perform the duties of the position). Applications are also reviewed for completeness and accuracy. The Human Resources Department will review convictions to identify those that are substantially related to the circumstances of a particular job and will screen in accordance with federal, state and local laws.

ii. Interviews: Hiring authorities, with assistance from the Human Resources Department, will include interview questions which measure how candidates might respond to conflict situations.

- iii. Reference Checks: City hiring authorities will be required to conduct pre-employment reference checks. If a former employer will not provide information about an applicant's work history without a signed release, the applicant will be required to sign the City's Employment Screening Authorization form. An applicant unwilling to sign the release form will not be considered further for the position.

In situations where the company refuses to provide a thorough employment history on a former employee, even with the signed release, the hiring authority should contact the Human Resources Department.

Human Resources Department staff will assist the department in preparing basic reference checking questions, and can provide training.

- iv. Background Checks: After interviews are conducted, the hiring authority must contact the Human Resources Department to conduct a criminal background check on applicants under specific consideration for hire. The Human Resources Department will review convictions to determine those that are substantially related to the circumstances of a particular job and will screen in accordance with federal, state and local law. This is done by checking official court and other available sources.

c. Role of EAP

The Employee Assistance Program (EAP), including its Critical Incident Stress Management Program, will operate in compliance with APM's 2-12 and 2-15 respectively. When information about intimidating, threatening or violent behavior, as defined in this Workplace Violence Policy, is known to the EAP, the EAP will take action in an attempt to prevent harm. For example, this may include the release of information necessary to prevent harm including obtaining a violence assessment or notifying a potential victim. The EAP may also assist employees and families with recovery, should violence occur.

The EAP's role includes the following: policy and procedure development; participation in prevention focused training; participation on the Threat Assessment Team when designated by the Human Resources Director; critical incident stress management services (e.g., on scene, pre-incident education, defusings, debriefings); consultation or problem solving, information, referrals, and support to any employee, family member, and/or management who has sought the EAP's services.

d. Enforcement of Workplace Rules

The possibilities of workplace violence problems are increased where there are inadequate and/or inconsistently enforced work rules. Hiring authorities are encouraged to develop or review written basic work rules. Hiring authorities will provide these written rules to all employees, including management; obtain a written acknowledgment from employees of their receiving and understanding these rules; consistently enforce these rules with all employees over time.

e. Physical Security

City workplaces need a security assessment. The assessment would:

- define property borders;
- determine if there is adequate separation between the public and work areas;
- review basic security systems and procedures.

Where a security assessment determines weaknesses, agencies will develop plans for physical improvements or procedures.

The Police Department's crime prevention staff are available on a limited basis to work with agencies where security is of greatest concern.

2. Crisis Management

a. Threat Assessment Team

- i. Purpose: A Threat Assessment Team is an ad hoc team that is convened to assess a potential workplace violence threat and to develop a management response plan.
- ii. When Activated: A Threat Assessment Team is typically activated by the Human Resources Director or his/her designee at the request of a department or division head or his/her designee in response to the manager's concerns about a potential workplace violence threat.
- iii. Composition: The composition of the Threat Assessment Team will depend on the nature and origin of the reported threat. For example, if a bargaining unit employee is alleged to be involved in a situation, then the Labor Relations Director might be included. This team would typically include one or more representatives of the agency affected, the Human Resources Director, the Police Department, the EAP, the City Attorney and/or a manager from another agency that has faced a comparable situation. A clinical psychologist or psychiatrist may meet with the team or be consulted by one or more members of the team.

3. Post Incident

Once a workplace violence incident occurs, agency managers have a number of responsibilities. Depending on the complexity and/or severity of the incident, the agency manager may wish to consult with the Human Resources Director for the purpose of obtaining assistance with one or more of the following responsibilities.

a. Incident Management

- i. Emergency Management: Where necessary, police and/or emergency medical assistance may be required. Management must isolate the individuals involved. A post-incident medical examination may be needed even if emergency medical personnel are not called.

- ii. Investigation: Management is responsible for conducting an investigation as soon as possible including: interviewing witnesses, collecting evidence, etc.
- b. Critical incident response - Where necessary, management may determine the need for critical incident response in accordance with APM 2-15.
- c. Disciplinary action - Where necessary, agency management will implement appropriate disciplinary action up to and including discharge.
- d. Post-incident debriefing - At some point after the “smoke clears,” the agency manager will meet with the Human Resources Director and other appropriate City officials (e.g., Workplace Violence Threat Assessment and/or Management Teams) to review the incident and identify what might have been done to prevent it and/or how incident handling could have been improved.
- e. Management responsibility to report - A brief summary of the incident, events leading up to the incident, and post incident response will be prepared by the agency manager and forwarded to the Human Resources Director.