

TOWN OF HERNDON - ADMINISTRATIVE REGULATIONS

EFFECTIVE DATE: August 1, 2004

FILE UNDER SECTION 1

NO. 42

REVISION DATE: N/A

SUPERSEDES: N/A

APPROVED BY: Stephen F. Owen

SUBJECT: Workplace Violence

I. Purpose

This policy establishes procedures that reduce the threat of violence in the workplace, without restricting appropriate public access to Town employees and facilities, and provides guidelines for responding promptly and effectively to workplace violence. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this policy.

II. Policy

The Town of Herndon seeks to provide a work environment which minimizes workplace violence. Violence in the workplace poses a threat to the safety of employees and the public and reduces productivity. The Town will not tolerate acts of violence committed by or against Town employees or members of the public while on Town property or while performing Town of Herndon business at other locations. Every effort will be made to prevent violent incidents from occurring. All department heads, supervisors and employees are responsible and accountable for using safe work practices, for following all directives, policies and procedures, and for assisting in maintaining a safe and secure work environment.

Allegations of violence committed by or against sworn police officers and security personnel in the course of their official duties are not covered by this policy and should be referred to the department head and law enforcement authorities as may be appropriate. However, this policy covers such employees against violence that may result from interaction with co-workers.

III. Definitions

- A. Workplace Violence Coordinator - The Director of Human Resources shall serve as the Workplace Violence Coordinator. The Coordinator or designee will assist departments in developing workplace violence procedures and will advise departments on how to minimize violent acts.
- B. Workplace Violence - Violence, as the term is used in this policy, includes written or oral communications, whether direct or indirect, which are of a threatening, intimidating or coercive nature; sexual or other harassment; harassment on the basis of race, color, national origin, age, family status, disability, or gender; the use or threat of physical force;

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including fighting or horseplay; stalking; vandalism or destruction of property; and the use or possession of any weapon or ammunition, unless the specific weapon or ammunition is authorized by the Town for a particular work assignment. Workplace violence may arise from events which occur at or away from the workplace including but not limited to domestic violence. Acts of self defense, or acts to protect employees or citizen from immediate bodily harm do not constitute workplace violence.

- C. Workplace - Workplace is defined as all Town property and any other locations where Town employees are performing their work.

IV. Preventing Violent Acts

- A. The Town of Herndon encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Director of Human Resources before the situation escalates into potential violence. The Town of Herndon will assist in the resolution of employee disputes and will not discipline employees for raising such concerns.
- B. The Department of Human Resources takes reasonable measures to conduct background investigations to review candidate's backgrounds and reduce the risk of hiring individuals with a history of violent behavior.
- C. The Town of Herndon conducts annual inspections of the premises to evaluate and determine any vulnerability to workplace violence or hazards. Any necessary corrective action will be taken to reduce all risks.
- D. Employees are expected to exercise good judgment and to inform their supervisor or the Director of Human Resources if any employee exhibits behavior which could be a sign of a potentially dangerous situation.

V. Responsibilities

A. Employees

All employees are responsible for:

1. Refraining from acts of violence;
2. Seeking assistance to resolve personal issues that may lead to acts of violence in the workplace;
3. Reporting to their supervisors/department heads any dangerous or threatening situations that occur in the workplace; and
4. Reporting to their supervisors/department heads situations that occur outside of the workplace which may affect workplace safety, for example, instances where protection orders have been issued, and the like.

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B. Department Heads and Supervisors

Department heads and supervisors are responsible for assessing situations, making judgments on the appropriate response, responding to reports of or knowledge of violence, and for initiating investigations.

1. Any report of violence will be evaluated immediately and confidentially, and appropriate action will be taken where possible in order to protect employees from further violence. Appropriate disciplinary action will be taken when it is determined that Town employees have committed acts of workplace violence.
2. Where issues of employee safety are of concern, department heads and supervisors should evaluate the workplace and make appropriate recommendations regarding a reasonable response.

C. Director of Human Resources

The Director of Human Resources is responsible for developing procedures that are designed to reasonably achieve:

1. Prompt and appropriate response to any act of violence;
2. Accountability among employees for acts of workplace violence;
3. Investigations of workplace violence;
4. Establishment of avenues of support for employees who experience workplace violence; and
5. Communication of this policy and administrative procedures to employees, department heads, and supervisors.

VI. Prohibited Conduct

The Town of Herndon does not tolerate workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. The following list of behaviors, while not inclusive, provides examples of conduct that is prohibited.

1. Causing physical injury or death to another person;
 2. Making threatening remarks;
 3. Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
 4. Intentionally damaging employer property or property of another employee;
 5. Possession of a weapon while on Town property or while on Town business;
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6. Committing acts motivated by, or related to, sexual harassment or domestic violence.

VII. Responding to Workplace Violence

If you have been the victim of or have witnessed workplace violence:

- A. Call 911 immediately for workplace violence involving the act of injury or death; otherwise report the situation to your supervisor, or to the Director of Human Resources.
- B. Carefully and accurately describe the act and the person responsible for workplace violence.
- C. Do not change anything at the scene where the violence occurred.
- D. Do not clean up, reset furniture or touch any objects handled by the person responsible for workplace violence.
- E. In the event of rape, do not wash yourself or change clothes until a doctor has completed an exam.

VIII. Reporting Procedures

All threats of (or actual) workplace violence, both direct and indirect, should be reported immediately to your supervisor or the Director of Human Resources. Employees may report threats and acts of violence to any supervisor or department head when it would not be appropriate to report to their immediate supervisor or the Director of Human Resources. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. The Town will actively intervene at any indication of a possibly hostile or violent situation.

IX. Confidentiality and Protection from Retaliation

- A. Consistent with the necessity of prevention and investigation of violence in the workplace, personal information obtained in the course of an investigation under this policy shall be confidential and not subject to public disclosure except as may be necessary as part of the disciplinary process or as otherwise provided by law.
- B. Retaliation against a person for having made a good faith complaint or report of workplace violence, or participating in or aiding in an investigation of workplace violence under this policy, is prohibited. Any person who believes that he/she has been subject to such retaliation should bring evidence supporting such belief to the attention of the Director of Human Resources.

X. Employee Assistance

- A. Employees who suffer post-incident distress as a result of an incident of workplace violence may be referred to the Employee Assistance Program (EAP).

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- B. Town employees who display a tendency to engage in violent, abusive, or threatening behavior may be referred to the EAP for counseling, training or other appropriate treatment.

XI. Enforcement

Managers and supervisors have a responsibility to ensure that behaviors and actions that are likely to result in workplace violence are dealt with promptly, firmly, and fairly. The Town will not tolerate acts and behaviors that are likely to result in workplace violence. Any employee determined to have committed workplace violence will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts on the employer's premises will be reported to the proper authorities for criminal or civil investigation.



Stephen F. Owen
Town Manager