

CITY OF CHICO
Administrative Procedure and Policy Manual

Subject: WORKPLACE VIOLENCE	Number 13-49
	Effective Date: August 1, 2017
Department(s) Affected: All Departments	Supersedes: N/A
Authority: Section 2.12.010 Chico Municipal Code	File Reference:
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I. PURPOSE

The City of Chico is committed to a safe and secure environment and maintains a zero-tolerance standard for workplace violence. The purpose of this policy is:

- A. To assure that all workplace threats and violent behavior are addressed promptly;
- B. To assure the level of physical and facility security in City workplaces is sufficient to protect the health and safety of City employees; and
- C. To ensure that all disciplinary action taken for behavior prohibited under this policy is reviewed, evaluated and administered consistently and equitably throughout the City and done so in a timely manner.

II. POLICY

The City prohibits violent behavior or threats or acts of violence at City workplaces. Such conduct will not be tolerated. Additionally, such conduct by a member of the public, guest, vendor or other individuals in City workplaces will not be tolerated. This policy applies to all employees, volunteers, contractors, and officials of the City (hereinafter collectively referred to as “employees”).

Any City employee who exhibits violent, threatening or harassing behavior in violation of this policy shall be subject to disciplinary action up to and including termination. Employees who violate this policy may also be subject to criminal prosecution; in such cases, the City will fully cooperate with law enforcement authorities. Violent threats or actions by non-employees may also result in criminal prosecution.

The City will investigate all complaints of workplace violence. The City will also investigate any potential violations of this policy which are brought to its attention. Upon completion of the investigation, the City will initiate an appropriate response. This response may include, but is not limited to, discipline up to and including termination, reassignment of job duties, and/or criminal prosecution of the person or persons involved.

III. DEFINITIONS

- A. Threat or Threaten: The implication or expression of intent to harass, inflict physical harm or actions that a reasonable person would interpret as a threat to physical safety or property.
- B. Domestic Violence: Any abuse, violence, threats of violence, intimidation, stalking or other such conduct between spouses, domestic partners, co-habitants and other types of personal relationships outside the workplace.
- C. Intimidation: Making others afraid or fearful through threatening behavior.
- D. Violent or Violence: Any behavior in which an employee, former employee, member of the public, vendor, visitor, contractor, or any other individual inflicts or threatens to inflict damage to property or serious harm, injury, or death to others at the workplace.
- E. Workplace: Any location where City employees are engaged in work-related activities. This includes any City facility, office, or building, any property managed by the City; any City sponsored event; and any other place or location where City employees are engaged in work-related activities, are present as a condition of employment, or are representing or perceived to be representing the City.
- F. Threats or Acts of Violence: A credible threat of violence is a knowing and willful statement or course of conduct that would place a reasonable person in fear for his or her safety, the safety of his or her immediate family, or the safety of co-worker, and that serves no legitimate purpose. General examples of prohibited workplace violence include, but are not limited to, the following:
 - 1. Threatening to harm or harming an individual or his or her family, friends, associates, or their property.
 - 2. Fighting or challenging another individual to a fight.
 - 3. Intimidation through direct or veiled verbal threats, or through physical threats, such as obscene gestures, grabbing, and pushing.
 - 4. Making harassing or threatening telephone calls, sending harassing or threatening letters, emails, text messages, or other correspondence.
 - 5. Intimidating or attempting to coerce an employee to do wrongful acts that would affect the interests of the City.
 - 6. Harassing surveillance or stalking, which is engaging in a pattern of conduct with the intent to follow, alarm, or harass another individual, which presents a credible threat to the individual and causes the individual to fear for his/her safety, or the safety of his or her immediate family, as defined in Civil Code Section 1708.7.

7. Making a suggestion or otherwise intimating that an act to injure persons or property is appropriate behavior.
8. Possessing firearms (loaded or unloaded), weapons, or any other dangerous devices on City property. This includes “look-alike” weapons, such as toy guns. Weapons and dangerous devices may include, but are not limited to the following: blackjacks, slingshots, metal knuckles, explosive substances, dirks, daggers, gas- or spring-operated guns, knives, including folding knives having a blade that locks into place, razor blades, clubs, and pepper-spray.
9. Threatening an individual or his or her family, friends, or associates with a weapon or any other dangerous device.
10. Use of a personal or City-issued tool or equipment in a threatening manner toward another.

Prohibited conduct under this policy applies to all employees, except when such conduct is performed by employees who are sworn safety officers recognized under federal, state or local law or other City Manager approved employees and their conduct is authorized by the City and required to carry-out City business (e.g. police department employees acting within their scope of employment) or otherwise authorized by law. Any law enforcement officers from other agencies, whether on or off-duty, are also exempt from this policy when their conduct is authorized by law.

IV. PROCEDURE

- A. Reporting Workplace Violence. Employees must report all threats or acts of violence or intimidation in the workplace. Any employee who is the victim of a threat or act of violence, or intimidation, or any employee who witnesses such conduct, must immediately report the incident to his or her supervisor or other appropriate person in the chain of command. Employees who perceive that they are in immediate danger of a violent act, have just been the victim of a violent act, or are a witness of a violent act, must whenever possible:
 1. Place themselves in a safe location.
 2. If appropriate, call the Police Department or 911. Employees calling the police department from a City landline must dial "9" for an outside line, then 911. If using a cell phone, they may contact dispatch directly at 895-4911, or call 911 and request Chico Police Department. After the police have been notified, employees must notify their supervisor or manager, as soon as practical.
- B. Reporting Future Workplace Violence. Employees who have reason to believe they, or others, may be victimized by a violent act sometime in the future, at the workplace or as a direct result of their employment with the City must immediately

inform their supervisor, a department manager, or the Human Resources Manager/Risk Manager so that appropriate action may be taken. Supervisors and department managers must notify the Human Resources Manager/Risk Manager and, if appropriate, local law enforcement.

The City may obtain a temporary and/or permanent restraining order against the individual engaging in the violent, threatening, or intimidating behavior.

- C. Reporting Restraining Orders. Employees who have a restraining order against another person shall notify their supervisor or a department manager of the existence of the restraining order. These employees may also be required to provide identifying information of the person subject to the restraining order. Supervisors and department managers must immediately notify the Human Resources Manager/Risk Manager of the existence of the restraining order.
- D. Response to Employee Report of Workplace Violence. Supervisors or managers receiving reports of workplace violence must immediately report the incident to the City's Human Resources Manager/Risk Manager. Following this report, the incident will be investigated and any corrective action or other measures shall be taken, in accordance with applicable policies, procedures and laws.
- E. Failing to Report. Failing to report workplace violence incidents is a violation of this policy and subject to discipline, up to and including termination.

V. COMPLIANCE

The City's prohibition against threats and acts of violence applies to all employees. Violations of this policy by employees, including making a false report under this policy, may lead to appropriate disciplinary action, up to and including termination.

In addition, violations of this policy by any individual may be followed by legal action as appropriate, which may include, seeking a temporary restraining order and/or injunction on behalf of City employees.