



## OFFICE OF PERSONNEL AND LABOR RELATIONS

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**Ben Walsh, Mayor**

Revised 5/2015

# WORKPLACE VIOLENCE POLICY

In accordance with the New York State Workplace Violence Prevention Act, the City of Syracuse is committed to developing and implementing workplace violence programs designed to provide a work environment that is free from violence, harassment, intimidation, bullying and other disruptive behaviors.

Workplace violence is any physical assault, aggressive/threatening behavior, or verbal/written abuse occurring in or affecting the work place.

This policy sets forth standards of employee conduct, the consequences for violating this policy and reporting procedures.

### **1. Prohibited Behavior**

The City of Syracuse will not tolerate any harassment, act, or threat of violence made in the workplace, on City owned or leased property, or while in the course of official city business. This includes, but is not limited to:

- A. The use of force, with the intent to cause harm, e.g. physical attacks, any unwanted contact such as hitting, fighting, pushing or throwing objects, direct threats or physical intimidation, implications or suggestions of violence;
- B. Behavior that demeans the dignity of others through sexual, racial, religious or ethnic harassment;
- C. Stalking;
- D. Acts or threats which are intended to intimidate, harass, threaten, bully, coerce, cause fear or harm, whether directly or indirectly and/or acts or threats made directly or indirectly by oral or written words, gestures or symbols that communicate a direct or indirect threat of physical or mental harm;
- E. Possession of weapons of any kind on City or Department property, including parking lots, other exterior premises while engaged in activities for the City in other locations, or at City or Department sponsored events unless such possession or use is a requirement of the job;

- F. Assault of any form;
- G. Physical restraint, confinement;
- H. Dangerous or threatening horseplay;
- I. Loud, disruptive, or angry behavior or language that is clearly not part of the typical work environment;
- J. Blatant or intentional disregard for the safety or well-being of others;
- K. Commission of a violent felony or misdemeanor on City of Syracuse property, or;
- L. Any other act that a reasonable person would perceive as constituting a threat of violence.

Anytime an employee is wearing an official uniform, performing their job duties or officially identifies themselves as a City of Syracuse Employee, this standard of behavior will be expected and this policy shall apply.

Any employee, contractor, or vendor who engages in any incidents of violence in the workplace will be subject to corrective and/or disciplinary action, including, but not limited to suspension or termination of employment, suspension or termination of any business relationship and/or criminal prosecution. Any disciplinary action taken will be in accordance with any applicable work rules, policies, and/or contractual language.

## **2. Incident Investigations**

Acts of violence or threats will be investigated immediately in order to protect employees from danger, unnecessary anxiety concerning their welfare, and the loss of productivity. The employee's Department Head will cause to be initiated an investigation into potential violation of work rules/policies. Simultaneously, the Department Head will notify the Director of Personnel.

Procedures of investigating incidents of workplace violence include:

- A. Visiting the scene of an incident as soon as possible;
- B. Interviewing injured and threatened employees, and witnesses;
- C. Examining the workplace for security risk factors associated with the incident, including any reports of inappropriate behavior by the perpetrator;
- D. Determining the cause of the incident;
- E. Taking mitigation action to prevent the incident from recurring; recording the findings and mitigating actions taken.

In appropriate circumstances, the City will inform the reporting individual of the results of the investigation. To the extent possible, the City will maintain the confidentiality of the reporting employee and the investigation, but may need to disclose results in appropriate circumstances; for example, in order to protect individual safety. The City will not tolerate retaliation against any employee who reports workplace violence.

### 3. Reporting Acts or Threats of Violence

An employee who:

- A. Is the victim of violence; and or;
- B. Believes they have been threatened with violence, or;
- C. Witnesses an act or threat of violence towards anyone else shall take the following steps:
  1. If an emergency exists and the situation is one of immediate danger, the employee shall contact the Police Department via 9-1-1, and may take whatever emergency steps are available and appropriate to protect himself/herself from immediate harm, including leaving the area;
  2. If the situation is not one of immediate danger, the employee shall report the incident to his/her appropriate Supervisor, Department Head or Director of Personnel & Labor Relations as soon as possible. If your Supervisor is involved, contact the Department Head or the Director of Personnel & Labor Relations;
  3. If the act or threat of violence is against a City Employee by the public, report the incident to your Supervisor who shall complete the "*Workplace Violence Incident Report*" and send it to the **City Risk Assessment Team** for review.

### 4. Supervisors Responsibility/Reporting

When any Supervisor or Department Head is advised of any incident of workplace violence, he/she shall have all employees who witnessed or are involved, complete an "*Incident Report*" form. The Supervisor or Department Head shall document the date and time they were notified and complete the "*Workplace Violence Incident*" form. The Department Head will notify and send all preliminary paperwork to the Director of Personnel of an incident within 24 hours and send all completed paperwork and Workplace Violence Incident Report forms at the conclusion of the investigation.

For complaints that are received from a person who does not want the report documented or reported, complete the top portion of the Workplace Violence Incident Report form; note no further action at the request of the reporter and have the employee sign the report.

### 5. Training / Education

The Personnel Department shall be responsible to oversee that all employees, including department heads and supervisors, are provided training and instruction on the City's Work Place Violence Prevention Program. Training will be conducted at the time of hire and

annually thereafter by each department. In addition, specific instructions shall be provided to all employees regarding work place hazards unique to their job assignment. Additional instruction shall be provided to effected employees whenever management is made aware of a new or previously unrecognized hazard. Each department will have instructors trained by the Risk Assessment Committee or its designee. Those instructors shall notify the Department of Personnel when their department training is completed. The Department Head shall be responsible for ensuring that all employees and supervisors are provided training.

## 6. Shift Change Information Sharing

An employee with information on any unusual occurrences or safety issues at or around your department or any location while conducting your duties shall be shared with the person relieving you at the end of each shift.

## 7. Cash / Deposits

All employees dealing with cash will follow all written "*Policies & Procedures*" for cash and deposits for each venue. If you are unsure or unfamiliar with these policies see your Supervisor or Department Head.

## 8. Doors

Supervisors and Department Heads shall ensure that **ALL** exterior doors that are required to be secured are secured. All interior doors that should be secured including restrooms and private areas not open to the public are secured. This will include all doors whether they have a security lock in place or not.

## 9. ID Badges

All Full Time employees are issued ID cards. Some of these cards are also used as electronic entry cards. The electric locks register every time an entry is made with the key card, so these cards **must** be accounted for at all times. Supervisors must ensure that employees have their ID cards with/on them at all times.

If an employee loses their ID Card they should **immediately** notify their Supervisor. The employee should not wait until they return to work to report the lost card. Upon their return to work, an "*Incident Report*" should be completed by the employee, describing the loss and requesting a new card.

If a card has been reported lost and is later located, that card shall be returned to the Supervisor.

## 10. Bomb Threats

For any bomb threats at City owned or leased property, the following shall occur:

- A. Calmly evacuate personnel and vehicles, if possible to a safe place;
- B. Contact 9-1-1 with any available information;
- C. Notify a Supervisor or the Department Head by telephone from outside the structure.

## 11. Domestic Disputes and/or Violence

For the purposes of this document, “domestic violence” is defined as abuse committed against an adult. Abuse is the intentional reckless attempt to cause bodily injury, sexual assault, threatening behavior, harassment or stalking, or making annoying phone calls to a person who is in any of the following relationships:

- A. Spouse or former spouse;
- B. Domestic partner or former domestic partner;
- C. Cohabitant or former cohabitant and or other household member;
- D. A person with whom the victim is having, or has had a dating or engagement relationship as defined by law; or
- E. A person with whom the victim has a child.

The City recognizes that domestic violence may occur in relationships regardless of the marital status, age, race or sexual orientation of the parties.

Domestic violence, while often originating in the home, can significantly impact workplace safety. If safety at work is affected by a domestic dispute, the police shall be notified and the work place property shall be secured until the Police have rendered the situation safe.

## 12. Road Rage

If an employee encounters road rage while driving a personal vehicle at work or while driving a City owned vehicle, the employee shall safely allow the person to pass, if possible. Do not challenge or confront any person or vehicle involved in road rage. Notify police with vehicle or driver information and last known location and or direction of the vehicle. If at any time the employee feels threatened, safely remove yourself from the situation.

## 13. Violent Incidents, Intoxicated Persons or Persons With a Weapon

When involved in a threatening and or dangerous situation, you may use reasonable means to remove yourself from the situation and then follow your department’s emergency procedures for calling 9-1-1 for assistance.