City of Medford
Administrative Regulation

Regulation No:	AR-02-06 R2
Subject Area:	Workplace Violence
Date of Issue:	11/1/16
Supersedes:	1/28/03 Revision

Violence Free Workplace

PURPOSE

This regulation is intended to protect public health and safety and to minimize the city's liability exposure, and provide a workplace safe from threats or incidents of violence of any form.

POLICY

All employees are responsible for maintaining a safe and healthful work environment. Acts or threats of physical violence, including intimidation, harassment, coercion, or other disruptive behavior which involves or affects the City of Medford or which occur on City property will not be tolerated. Consistent with the City's Administrative Regulation 85-9 regarding unlawful discrimination and harassment, it is expected that individuals employed by the City treat their coworkers and other members of the public with dignity and respect at all times. Civility in the workplace is an expected form of behavior.

Further, the City will respond appropriately to all reported incidents; will act to stop inappropriate behavior; and supervisors and all of the departments involved in responding to incidents will be supported by the City's management team in their efforts to deal with violent and potentially violent situations.

ACTS OR THREATS OF VIOLENCE DEFINED

"Threats or acts of violence" include conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the employment conditions at the City of Medford, or to create a hostile, abusive, or intimidating work environment for one or more City of Medford employees.

EXAMPLES OF WORKPLACE VIOLENCE

General examples of prohibited workplace violence include, but are not limited to, the following:

1) All threats or acts of violence occurring on City of Medford property, regardless of the relationship between the City and the parties involved in the incident.

2) All threats or acts of violence not occurring on City property but involving someone who is on work time or acting in the capacity of a representative of the City of Medford.

3) All threats or acts of violence not occurring on City property involving an employee of the City of Medford if the threats or acts of violence affect the legitimate interests of the City of Medford, including but not limited to conduct committed while in City uniform or while driving a City vehicle.

4) Any threats or acts resulting in the conviction of an employee or agent of the City of Medford, or of an individual performing services on the City's behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests and goals of the City of Medford.

Specific Examples of "Threats or Acts of Violence"

Specific examples of conduct that may be considered "threats or acts of violence" prohibited under this policy include, but are not limited to, the following:

1) Hitting or shoving an individual.

2) Threatening to harm an individual or his/her family, friends, associates, or their property.

3) The intentional destruction or threat of destruction of property owned, operated, or controlled by the City of Medford.

4) Making harassing or threatening telephone calls, letters or other forms of written or electronic communications.

5) Intimidating or attempting to coerce an individual to do wrongful acts that would affect the business interests of the City.

6) Harassing surveillance, also known as "stalking", the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his or her safety.

7) Suggesting or otherwise intimating that an act to injure persons or property is "appropriate."

8) Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on City property.

While employees of the City may be required as a condition of their work assignment to possess firearms, weapons or other dangerous devices, or permitted to carry them as authorized by law, it is the City's policy that employees are to use them only in accordance with departmental operating procedures and all applicable City codes and regulations and State and Federal laws.

Application of Prohibition

The City of Medford's prohibition against threats and acts of violence applies to all persons involved in the City's operation, including but not limited to City personnel, contract and temporary workers, and anyone else on City of Medford property. Violations of this policy by any individual on City property, by any individual acting as an employee or agent of the City while not on City property, or by any individual not on City property when his/her actions affect the public interest or the City's business interests will be followed by legal action, as appropriate.

Violation by an employee of any provision of this policy may lead to disciplinary action up to and including termination, as provided in the City's Rules and Regulations or applicable collective bargaining agreement.

ACTIONS TO BE TAKEN

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on City of Medford property will be removed from the premises by a police officer as quickly as safety permits, and shall remain off the City of Medford's premises pending the outcome of an investigation. The City will initiate a decisive and appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person or persons involved.

Whenever the Human Resources Department, after consultation with the affected department and the Police Department, determines that an individual terminating employment with the City of Medford may pose a threat to employees of the City, the employee shall be advised that he/she is barred from City property, and the HR department shall notify other city departments of the trespass order, and the need for precautionary actions pursuant to departmental safety plans and procedures. The HR department shall divulge only information necessary to protect the safety of all employees.

EMPLOYEE OBLIGATIONS

Each employee of the City is required to report incidents of threats or acts of physical violence of which he/she is aware. The report must be made to the reporting individual's immediate supervisor, or if the immediate is not available or the employee does not feel comfortable reporting the issue to the immediate supervisor, to either a management level supervisory employee or the City's Human Resources Department. The City understands the sensitivity of the information reported and will recognize and respect the privacy of the reporting individual(s) to the extent possible. Identification of the reporting party shall be provided on a confidential basis to the fullest possible extent consistent with the purposes of this policy.

SUPERVISORY OBLIGATIONS

Each supervising employee shall promptly refer any such incident to the Human Resources Department and an appropriate management level supervisor, who shall take corrective action in accordance with the City's Personnel Rules and Regulations and any applicable collective bargaining agreement. Concurrently with the initiation of any investigation leading to a proposed disciplinary action, the management level supervisor shall report the incidents of threats or acts of physical violence to the Medford Police Department, which shall make a follow-up report to the City's Human Resources Department.

Nothing in this policy alters any other reporting obligation established in City policies or in state, federal or other applicable law.

NON-EMPLOYEE REPORTING

In cases where the reporting individual is not a City employee, the report should be made to the City of Medford Police Department. The Police Department will advise the Human Resources Department of the reported incident to ensure appropriate action.

RESTRAINING OR PROTECTIVE ORDER

All individuals who apply for or obtain a protective or restraining order which lists specific City locations as being protected areas shall provide to a management representative of the City a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

DISSEMINATION OF POLICY

All employees will be given copies of this policy, and asked to acknowledge that they have read and understand it. All new employees will be given a copy of this policy as part of their orientation by the Human Resources Department.

EMPLOYEE QUESTIONS

Questions regarding an employee's rights and obligations under this policy should be directed to the employee's department head or the Human Resources Department.

Approved:

10-31-16

Brian Sjothun
City Manager

Date