

CITY OF RACINE WORKPLACE VIOLENCE AND WEAPONS PROHIBITION POLICY

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The purpose of this policy is to address the issue of potential workplace violence, prevent workplace violence from occurring to the fullest extent possible, and set forth procedures to be followed when such violence has occurred.

A. Policy:

1. The City of Racine is committed to providing a safe workplace for its employees and a safe environment for the citizens of the community, and has a zero tolerance policy toward any threats, threatening behavior, acts of violence or any related conduct which disrupts another's work performance or the organization's ability to execute its mission.
2. Any person who carries unauthorized concealed or unconcealed weapons or who makes threats, exhibits threatening behavior, or engages in violent acts on City owned or leased property may be removed pending an investigation. Off-site threats toward City employees or citizens carrying out official City business, which can include threats made via phone, fax, electronic or conventional mail, or any other communication medium, is also a violation of the City's policy.
3. Employees are prohibited from carrying or possessing concealed and/or unconcealed weapons to the worksite, while on duty, or in any City-owned vehicle, and at any time. On duty includes any authorized or unauthorized breaks or meal periods and while performing any services or duties on behalf of the City of Racine. Exceptions to this policy would be:
 - a. Firearms stored in an employee's personal vehicle, even while on City business, and do not apply if the firearm is in an employee's personal vehicle driven or parked in a parking facility;
 - b. Concealed and/or unconcealed weapons which are authorized by the Chief of Police to be carried by any City of Racine police officer while on duty, or work tools or implements authorized to be used by an employee in the performance of their duties that could fall under the definition of a weapon.

- c. City law enforcement officers or other law enforcement agencies may bring firearms to the worksite if authorized by the Chief of Police.
4. Violations of this policy will lead to disciplinary action that may include dismissal, arrest, and prosecution.
5. Employees are responsible for notifying their supervisor or Human Resources of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Employees should also report any behavior they have witnessed which they regard as threatening or violent when that behavior is job related or might be carried out on City owned or leased property.
6. Each employee who receives a protective or restraining order which lists City owned or leased premises as a protected area is required to provide their agency designee with a copy of such order.

B. Definitions:

1. Workplace Violence includes, but is not limited to, intimidation, threats, physical attack, domestic violence or property damage and includes acts of violence committed by City employees, clients, customers, relatives, acquaintances or strangers against City employees in the workplace.
2. Intimidation is engaging in actions that includes but is not limited to stalking or behavior intended to frighten, coerce, or induce duress.
3. Threat is the expression of intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the party communication the threat has the present ability to carry it out and without regard to whether the expression is contingent, conditional or future.
4. Physical Attack is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving or throwing objects.
5. Domestic Violence is the use of abusive or violent behavior, including threats and intimidation, between people who have an ongoing or prior intimate relationship. This could include people who are married, live together or date or who have been married, lived together or dated. Property damage is intentional damage to property and includes property owned by the City of Racine, employees, visitors or vendors.
6. Weapon is anything included in Wisconsin State Statutes 939.22 (10) and 941.295 (4) which is capable of producing death or great bodily harm.

C. Coverage:

This policy applies to full-time and part-time employees with permanent, probationary, trainee, contract, time-limited permanent or temporary appointment. This policy applies to the conduct of an employee while functioning in the course and scope of employment as well as off-duty violent conduct that has a potential adverse impact on a City of Racine employee's ability to perform the assigned duties and responsibilities.

D. Prohibited Actions and Sanctions:

1. It is a violation of this policy to:
 - a. Engage in workplace violence as defined by the policy;
 - b. Use, possess, or threaten to use an unauthorized weapon during a time covered by this policy, and
 - c. Misuse authority vested to any employee of the City in such a way that it violates this policy.
2. A violation of this policy shall be considered unacceptable personal conduct as provided in the Disciplinary Action, Suspension and Dismissal Policy. Acts of violence, as defined herein, may be grounds for disciplinary action, up to and including dismissal. An act of off-duty violent conduct may also be grounds for disciplinary action, up to and including dismissal.

E. Authorized Exceptions to the Policy:

An employee may possess a weapon if possession is:

1. In compliance with Wisconsin City, State or Federal law,
2. Used by an employee who is a certified law enforcement officer,
3. Required as a part of the employee's job duties'
4. Connected with training received by the employee in order to perform the responsibilities of their job.

F. Support and Protections:

The City of Racine shall make efforts to protect victims of workplace violence by offering reasonable security measures. The City shall accommodate, whenever possible and appropriate, victims of violence who need adjustments to their work schedule, location or working conditions in order to enhance their safety. Management is expected to offer

support to victims of workplace and domestic violence, which should include encouragement to use the services of the City's Employee Assistance Program (EAP). In addition, management shall use their discretion to grant a victim leave time for medical, court, or counseling appointments related to trauma and/or victimization, with such options as flex scheduling, vacation leave, sick leave, and leave without pay.

G. Reporting Responsibilities and Retaliation:

1. All City employees have a responsibility to notify the police department of the presence of a concealed or unconcealed weapon in all places where such weapons are prohibited.
2. All City employees have a responsibility to notify their immediate supervisor of any intimidating, threatening behavior, or acts of violence that they witness on the part of employees, former employees, customers and strangers, or have been told that another person has witnessed or received.
3. All reports of violence and threats of violence will be handled in a confidential manner, with information released only on a need-to-know basis. Management shall be sensitive and responsive to the reporting employee's fear of reprisal.
4. This policy prohibits retaliation against any employee who, in good faith, reports a violation of this policy. Every effort will be made to protect the safety and anonymity of anyone who comes forward with concerns about a threat or act of violence.

H. Responsibilities of the City of Racine:

The City of Racine shall create and maintain a workplace designed to Prevent and manage workplace violence. This shall be done by developing a comprehensive workplace violence prevention and management program. The City shall provide training for supervisors and managers so that they will be recognize signs of potential workplace violence, be able to communicate a procedure for reporting policy violations, offer support for victims as well as provide consequences to perpetrators of workplace violence, and understand their legal obligation to act.

I. Inspections:

In order to pursue its investigation of incidents of workplace violence, the City reserves the right to enter or inspect employee work areas including, but not limited to, desks and computer storage media, with or without notice. Under conditions approved by management, telephone conversations may be monitored, voice mail messages may be retrieved, and email messages checked.