



TOWN OF NORWOOD PERSONNEL BOARD

#P-407 – WORKPLACE VIOLENCE PREVENTION POLICY

1. Purpose and Scope

- 1.1 The purpose of this policy is to indicate the objective of the Town of Norwood in maintaining a workplace that is safe and secure, and to conduct our business in a manner that protects the safety and health of our employees, suppliers, customers, and visitors.
- 1.2 Please see also the Town's Professional Conduct Policy and the Policy Against Harassment at www.norwoodma.gov, click Committee/Boards, click Personnel Board, and click Town Personnel Policies.

2. Applicability

- 2.1 This policy applies to all full and part-time compensated positions, excluding elected officials and employees of the School Department. Positions covered by Civil Service Law or a collective bargaining agreement are subject only to those portions of the policy which are not separately regulated by Civil Service Law or by a collective bargaining agreement.
- 2.2 To the extent permitted by law, individual employment agreements (new, updated or extensions) entered into after the effective date of this policy, with employees whose positions are subject to this policy, must follow all of the provisions of this policy.
- 2.3 This policy is intended to be consistent with any and all applicable laws. If any part of this policy is inconsistent with the law, that part of the policy shall be considered invalid, and the remaining provisions of the policy shall be construed so as to be consistent with the law.

3. Definitions

- 3.1 Please consult the Personnel Definitions Document (#D-100) regarding terms utilized throughout this policy.
- 3.2 **Acts or Threats of Violence** – conduct or threats against any person(s) or property that is sufficiently severe, offensive, intimidating, and/or otherwise inappropriate so as to create a hostile, abusive, intimidating work environment and/or has the effect of detracting from an employee's job performance; or acts, words, conduct or threats which place a reasonable person at fear for his or her health or safety, or at reasonable fear for damage to property. Without limiting the foregoing, a threat of violence, or act of violence, may include violation of an existing restraining order or the threat that a person will cause harm in violation of a restraining order.
- 3.3 **Property Damage** – property damage is intentional damage to property and includes property owned or controlled by the Town, elected officials, appointed boards, commissions, or committee members, employees, volunteers, visitors, vendors, consultants, or contractors.

3.4 **Intimidation** – to force into or deter from some action by inducing fear.

3.5 **Awareness** - the most important aspect of crisis avoidance is employee awareness and communication. Managers should encourage subordinates to be observant and to report unusual changes in a co-worker's behavior because rarely does violence occur without warning signals. Individuals may encounter external stress-related problems totally unrelated to the job. These anxieties, like job related stress, often may become evident only in close working relationships with peers.

4. Eligibility

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5. Policy

5.1 The Town of Norwood will not tolerate any threatening or hostile behavior by employees and will take immediate and appropriate action against offenders, up to and including termination and criminal prosecution. Employees and representatives of the Town must not engage in any assaults, hostile physical contact or intimidation, fighting, verbal threats of physical harm or violence, or any other actions that are threatening, hostile or abusive in nature. Also, employees or representatives of the Town must not damage, destroy or otherwise harm the property of the Town, its employees, its customers, visitors, suppliers, or others indicated in Section 3.4

5.2 Examples of conduct that may be considered threats or acts of violence, which are prohibited under this policy, may be physical and/or verbal and include, but are not limited to:

5.2.a Hitting or shoving any individual.

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

5.2.c The intentional damage or destruction or threat of damage to property.

5.2.d Making harassing or threatening telephone calls, letters, or other forms of written or electronic communications such as, e-mails, texting, videos, blogging, face book etc.

5.2.e Intimidating or attempting to coerce an employee or any other individual to commit any wrongful act(s) that would affect the business interests of the Town of Norwood.

5.2.f Harassment and/or stalking, including willful, malicious and repeated following of another person and/or making a credible threat with intent to place the other person in reasonable fear of his or her safety.

5.2.g Possession, display or any use of firearms, weapons, or other dangerous devices (as defined in applicable state statutes) during work time, while performing work for the Town, or while representing the Town (whether on Town property or away from the Town property acting as a representative of the Town) is prohibited, even if the employee is authorized by law to possess, own, or carry such instruments.

Exception: This requirement does not apply to Police Officers, Animal Control Officers, and Airport Department personnel who are required to carry/use such items in performing their normal job duties, to the extent required of their position.

- 5.3 The basis for prevention lies in each employee's behavior. Employees are expected to set an example of good workplace behavior for others to see, and to treat others with respect. Employees are expected to use non-violent responses and practice conflict resolution to reduce the risk that situations will escalate to violence.
- 5.3.a Every person who represents the Town or is conducting Town business is encouraged to report incidents of threats or acts of physical violence. If an injury does occur, the Town is required to report it. To report an incident or to ask questions about safety or regulatory compliance contact the Human Resources Department.
- 5.3.b Employees who are in fear of a person coming into the workplace, or who have a restraining order against a person, are encouraged to inform the Town of this information.
- 5.3.c In all cases, where there is a threat of immediate harm, the report should first be made to the local police emergency telephone number or 9-1-1.
- 5.3.d In cases where there is not a threat of immediate harm, or after a report has been made to the local law enforcement agency, the report should be made to the employees Supervisor. Supervisors shall promptly refer any such incident involving workplace violence to the HR Department. *See Section 5-Procedures below.*
- 5.3.e The Town of Norwood is committed to assuring that there will be no reprisals against employees who truthfully report violence or threatening behavior.
- 5.4 The Human Resources Department monitors applicable statutes for impact on the Town's guidelines for Violence in the Workplace.
- 5.5 Department Heads are required to act consistent with this policy and ensure this policy is implemented consistently within their department.
- 5.6 In the event of an error or violation of this policy, either intentional or unintentional, Human Resources must be immediately informed. Human Resources will identify and make the proper correction(s). A violation of this policy, whether intentional or unintentional, will not change this policy, nor set a precedent in any future application of this policy.

6. Provisions

- 6.1 Notifications - Managers and supervisors should be aware of the early warning signals that may be indicative of violent behavior. Managers should encourage their employees to talk to them or Human Resources immediately, if they believe that a situation may potentially become a workplace violence incident. *See Section 6.8 for additional resources.*
- 6.2 When local management becomes aware of a workplace violence incident, it must document the incident as soon as possible, after determining there is no immediate threat to person or property. All threats must be considered serious until proven otherwise and appropriate action must be taken to protect the Town's personnel and property. It must be

remembered that this is a time sensitive situation and both speed and accuracy are essential. Facts should be separated from emotions.

- 6.3 Any report of threats or violence will be evaluated confidentially to the extent feasible and as quickly as practical. Appropriate action will be taken, where possible, in order to protect the employee from further violent or threatening acts.

All reports of threats, violence and/or harassment must be immediately investigated and evaluated by management. Managers must immediately respond to reports, complaints or concerns of violence or threats of violence in the workplace. Such response will include making appropriate reports to authorities, and can include taking such other steps as may be appropriate under the circumstances, such as removing employees from the workplace.

- 6.4 If all facts are not known and the situation evolves to where there is an actual threat, the Human Resources Department or the Town Manager shall contact the Norwood Police Department (NPD) to initiate an investigation and conduct in-depth interviews of all appropriate personnel. Once the threat has been verified and understood, the NPD shall assess the seriousness of the threat, so that a suitable, tailored response can be initiated.

When the purported threats or harassment pose a risk to the safety of the victim(s) or rises to a level of seriousness that criminal intervention is warranted, then the Town Manager, Human Resources Director, Department Head, and/or other Town employees must report it to the Norwood Police Department. All incidents involving violence must be reported immediately to the Police.

The Police Department, upon receipt of the report, will conduct a criminal investigation into the incident. If there is sufficient evidence that a crime has been committed, then the Police will file criminal charges against the suspect(s) and in some instances, may also arrest the suspect(s) involved.

- 6.5 If all of the facts are evident and no further investigation is required, the NPD investigator may recommend that local management mediate the issue and/or administer appropriate disciplinary action. The NPD will only decide whether what occurred is a criminal act or not. If not, local management may take immediate corrective action to lessen the potential of future confrontation.

If the Police Department's investigation reveals that no crimes were committed, or there is insufficient evidence to file criminal charges against the suspect(s), then the Police Department will refer the matter back to the Town Manager and/or Department Head for their review and any further action that is deemed necessary and appropriate, including disciplinary action.

- 6.6 If a workplace violence incident is caused or initiated from other than a Town employee, other actions, the NPD may notify the State Police or other law enforcement to fully develop an assessment of the seriousness of a threat.

6.7 Post-incident Actions

- 6.7.a A final report will be generated by the appropriate manager assigned by the Town Manager. This report will also contain a completed formal report from the NPD, if it has been determined a report is required or needs to be included.
- 6.7.b A decision to deal administratively with the employee and/or to have the employee consult with EAP should be made as promptly as possible by the Human Resources Director, and local management should continue an on-going review. Management should keep the NPD apprised of the status of the incident to insure that the incident is properly and fully documented and that available civil and criminal justice remedies are known and understood by both the victim and the Town.

6.8 Resources

- 6.8.a Training/Presentations – Upon request, and as needed, the Human Resources Department will coordinate presentations to local management that detail the risk factors associated with workplace violence. Such training should explain procedures used in handling of emergencies that may help to minimize the risks of violent incidents.
- 6.8.b Employee Assistance Program – The Town of Norwood also provides an Employee Assistance Program (EAP) that can be utilized by both Managers and employees in dealing with and preventing workplace violence. The EAP can be contacted on 1-800-333-6624.

7. Applicable Laws / Statutes

A number of laws are implicated by this policy, which prohibits harassment and violence, as well as threats of violence and unsafe work conditions. These include, but are not limited to, any number of criminal and civil laws prohibiting assault, battery, and harassment. These additionally include, but are not limited to, anti-discrimination laws, civil rights laws, domestic violence law, anti-trespass laws, anti-stalking laws, anti-bullying laws, OSHA, etc.

The following document associated with and attached to this policy may change to meet the needs of the Town or new requirements of law. The HR Director may make the necessary document changes without changing the intent or content of this policy. Please consult the Human Resources Department for the most current version:

#D-119 – Workplace Violence Prevention Policy Acknowledgement Form

PERSONNEL BOARD

For the Personnel Board: David E. Hajjar 10 / 15 / 14
 David E. Hajjar, chairman
 Anne Haley, vice-chair
 Willard Krasnow
 Patterson Riley
 John E. Taylor



TOWN OF NORWOOD

WORKPLACE VIOLENCE PREVENTION POLICY

#D-119 – Employee Acknowledgement of Receipt of Policy

This policy prohibiting violence in the workplace has been written to provide information and guidance for our employees. The Town reserves the right to change, add to or delete any part of this policy, at any time, as it deems appropriate after an appropriate public hearing is held. The Town reserves the right to waive or vary any term of this policy, as it deems appropriate at any time in order to achieve its desired goals, including zero tolerance for any form of violence in workplaces under the Town control.

If changes are made to this actual policy, the Town will notify employees as soon as possible. However, changes will be effective with or without notice to employees.

This Policy does not, and may not be construed to create a contract with any employee.

With your signature below, you represent that you have read this acknowledgement, that you have received a copy of the Town’s Policy prohibiting workplace violence, and that you have read and understand this policy.

I acknowledge that I have received and read the Town’s **WORKPLACE VIOLENCE PREVENTION POLICY**.

Please be advised that if you refuse to acknowledge receipt of this policy by signing below, your refusal will be documented and you are still obligated to follow and comply with this policy.

Employee Name [please print]

Employee Signature

Date: ____ / ____ / ____

Employee _____ was unwilling to sign this document
[print name of employee]
_____ (HR Initials) ____ / ____ / ____.