I. PURPOSE:

The purpose of this administrative directive is to provide guidance to departments, managers and ***supervisors*** on how to address ***violent and/or threatening behavior***. This directive also states the City's policy prohibiting violence, or threats of violence, and unauthorized possession of weapons in the ***workplace*** and identifies ***security contacts*** and reporting procedures for the safety of our employees, citizens, and customers.

II. POLICY:

The City of San Antonio is committed to maintaining a ***workplace*** that is free from hostility, violence or threats of violence. The City has a zero-tolerance policy for workplace violence and will not tolerate hostile acts, threatening or violent behavior or verbal or physical threats in the ***workplace*** or on City property. Violation of this policy could result in disciplinary action up to and including termination.

This administrative directive applies to all employees to include civil service, non-civil service, and uniformed personnel while they are in City buildings and property whether or not on duty.

The possession of ***weapons*** is strictly prohibited unless such possession or carrying of weapon(s) or concealed handguns is in the course and scope of the employee's duties, authorized by appropriate authority, and is work related.

In addition, the City will not tolerate ***retaliation*** against an employee who reports ***workplace*** violence or the threat of violence or who reports the possession of ***weapons*** by an employee.

III. DEFINITIONS:

A. **Emergency Plan** - A document that will identify safety and emergency procedures listing emergency telephone contacts, a building schematic containing emergency evacuation routes and exits, parking lot security, and/or security equipment. The emergency plan must be posted in a common employee area in every occupied building. The plan will also include a detailed escape plan for violence in the workplace incidents.

B. **Reasonable Suspicion** - A belief based on objective facts sufficient to lead an individual to reasonably believe or conclude that a particular employee may be engaging in threatening or violent conduct or behavior or in possession of a weapon prohibited by this directive.

C. **Restraining Order** - A temporary order of a court to preserve current conditions as they are until a hearing is held at which both parties are present. The employee should be encouraged to include the work location, as well as place of residence in the order or injunction.

D. **Retaliation** - A negative action taken against an individual who engages in activities protected by this administrative directive. Protected activities include but are not limited to making complaints or reporting as a witness in an investigation.

E. **Security Contact** - A Security Guard whether employed or by contract, alarm security monitoring system personnel, Safety Officer, San Antonio Police Officer, Airport Police Officer, Code Compliance Peace Officer, and/or Park Police Officer.

F. **Safety Coordinator** - A representative assigned by each Department Director to oversee and coordinate safety measures within the department.

G. **Supervisor** - Includes but is not limited to an employee who oversees the work direction, work schedule, discipline, training, and evaluation of another employee. Examples include executives, managers, crew leaders, and project leaders.

H. **Threat Response Team** - A team established by the Human Resources Director who will advise departments, and review patterns, severity and risk factors related to ***violent and/or threatening behavior*** in the ***workplace*** on a case by case basis. The team will be comprised of representatives of the Department's Management Team, the City Attorney's Office, the Human Resources Department, and the Police Department.

I. **Violent and/or Threatening Behavior** - Verbal or physical conduct that may be reasonably construed to be hostile in nature, including, but not limited to:
   - Violent physical actions;
   - Direct or implied threats to do harm to person or to property, including intimidating use of one's body or physical objects;
   - Verbally abusive or intimidating language or gestures;
   - Threatening, abusive, or harassing communication (for example, phone calls, letters, memoranda, faxes, e-mail, or voice mail messages);
   - Unauthorized possession of a weapon at the worksite;
   - Destructive or sabotaging actions against City or personal property;
   - Engaging in a pattern of unwanted or intrusive behavior against another (for example, stalking, spying, etc.);
   - Violation of a ***restraining order***.

J. **Weapon** - Any item that may be used to threaten or commit violence, including but not limited to those items listed in §46.01 of the Texas Penal Code, as

amended, a copy of which is attached to this administrative directive (See Attachment A).

K. **Workplace/Worksite** - Buildings and property owned or controlled by the City of San Antonio such as parking lots and sidewalks; City vehicles and private vehicles while used on City business; other assigned work locations, off-site training locations, or locations in which the employee is representing the City (such as during Conferences, Workshops, Residential Community Meetings).

L. **Employee Assistance Program (EAP)** – EAP provides free counseling to full-time civilian employees and their eligible family members to help them resolve personal matters which may affect their work performance or quality of life. The EAP provides up to six (6) free counseling sessions per person.

IV. POLICY GUIDELINES:

A. Employees or individuals who have actual knowledge of, witness, or reasonably perceive any form or threat of violence or possession of a weapon in the ***workplace*** or on City property shall report such behavior as soon as possible, but in no case later than the close of their business on the day of such actual or perceived knowledge, to a City ***Security Contact***, ***Safety Coordinator***, ***supervisor,*** Human Resources Generalist, Human Resources Specialist, or the Human Resources Department. Employees shall make such report(s) regardless of who commits the act or engages in the conduct or behavior. If there is uncertainty as to whether an act constitutes violent or threatening behavior, the concerned individuals shall discuss the matter with their ***supervisor***, with the department's assigned Human Resources Generalist or with the Human Resources Department. The Human Resources Generalist will conduct prompt and thorough investigations in response to an identified concern.

B. Employees are prohibited from engaging in ***violent and/or threatening behavior*** to include but not limited to verbal or physical conduct, violent expressions of emotion, intimidation, bullying, and harassment or other abusive behavior against other employees or citizens that may be reasonably construed to be hostile in nature.

C. The possession of ***weapons*** including concealed handguns pursuant to a license issued under the Concealed Handgun Law-Subchapter H of Chapter 411 of the Texas Government Code is strictly prohibited unless such possession or carrying of weapon(s) or concealed handguns is in the course and scope of the employee's duties, authorized by appropriate authority, and is work related.

D. In all cases where violent behavior or a credible threat of violent behavior is directed at an employee, citizens, or customers, the City, in conjunction with the appropriate law enforcement agency, may take appropriate legal action and/or other steps necessary to help protect the employee.

E. An employee's personal belongings located on City property may be searched with the employee's consent if the supervisor, in coordination with the Human Resources Generalist, feels there is a ***reasonable suspicion*** that the employee is in possession of an item prohibited by this directive. The Police Department may be called as necessary to take appropriate action if an employee refuses to consent to a search. The employment of any individual who refuses to allow a search may be terminated.

F. Full cooperation by all employees or persons having contact with employees is required for the City to maximize the safety and security of its employees, customers, and citizens.

G. The ***Threat Response Team*** shall convene as soon as possible upon notification of a workplace violence incident.

V. RESPONSIBILITIES:

A. Employees:

1. All threats, including those made jokingly, will be taken seriously. Disciplinary action will be taken for employees engaging in this type of behavior up to and including possible termination.

2. Employees will provide necessary information to the Human Resources Generalist in completing the Violence in the Workplace Incident Report form (See Attachment B).

3. Employees may not possess ***weapons*** including concealed handguns pursuant to a license issued under the Concealed Handgun Law-Subchapter H of Chapter 411 of the Texas Government Code is strictly prohibited unless the possession or carrying of weapon(s) or concealed handguns is in the course and scope of the employee's duties, authorized by appropriate authority, and is work related.

4. Employees will report to their supervisor, Human Resources Generalist, or Human Resources Department the existence of any issued court order (e.g. ***restraining orders***, protective orders, etc.) prohibiting any person from approaching the employee while at work. This information will allow departments to make appropriate arrangements to help protect all employees in the ***workplace***. If employees have restraining orders issued against themselves, this should also be reported to their supervisors.

B. Departments/Supervisors:

1. Departments are responsible for ensuring employee compliance with this Administrative Directive.

2. Department directors will assign existing ***Safety Coordinators*** to conduct periodic reviews of the work environment.

3. ***Supervisors*** will monitor their respective ***workplace*** and immediately intervene and report to the Human Resources Generalists any suspected behavior or possession of a weapon or concealed handgun even if the employee or persons engaged in the conduct are not their subordinates, or they have not received a complaint.

4. ***Supervisors*** will observe and counsel employees whose behavioral patterns change and/or exhibit potential or ***violent and/or threatening behavior***. Observations are to be documented and retained within the departmental employee field files. ***Supervisors*** will consult and inform their Human Resources Generalist or the Human Resources Department.

5. ***Supervisors*** will monitor the ***workplace*** to ensure employees do not experience ***retaliation*** for reporting allegations of ***workplace*** violence incident(s) or participating in an investigation.

6. Department directors will ensure that staff members are informed that the City's policy on ***workplace*** violence is zero-tolerance and that threats of violence, or other abusive, aggressive, or disruptive behavior in any form will not be tolerated in the workplace.

7. Departments will develop an ***Emergency Plan*** which will outline employee safety procedures in the event of a critical incident or threat due to ***violent and/or threatening behavior*** in the ***workplace*** by November and annually thereafter. Final ***Emergency Plans*** will be filed with the Human Resources Department.

8. Departments will review and revise the ***Emergency Plan*** as needed and will ensure that all newly hired employees are notified of the Department's ***Emergency Plan.*** Current employees will be notified on an annual basis.

9. ***Supervisors*** should offer employees information on the ***Employee Assistance Program (EAP)*** if they notice changes in employee behavior patterns which exhibit the potential for ***violent and/or threatening behavior***. EAP provides clinical counselors who are available 24/7. The local phone number is 615-8880 and the toll free number is 1-800-396-2467.

10. The department responsible for each City facility will ensure maintenance of the prohibition of weapons signs.

C. Safety Coordinator:

The ***Safety Coordinators*** will review the ***workplace*** environment, assess the potential for violence, and recommend to the department director reasonable measures that could be implemented to further increase ***workplace*** security.

D. Human Resources Department:

1. The Human Resources Department will provide assistance and interpretation of this Administrative Directive and in the creation of departmental ***Emergency Plans***.

2. The Human Resources Department will distribute an Employee Acknowledgment Form to employees at the time of In-Processing (See Attachment C) and file signed forms in the employee's 201 File.

3. The Human Resources Department will provide training on Violence in the Workplace policy.

4. The Human Resources Generalists will coordinate with the ***Threat Response Team***.

5. The Human Resources Generalists will complete Violence in the Workplace Incident Report form based on the complainant's incident (See Attachment B).

6. The Human Resources Generalist will conduct prompt and thorough investigations.

7. The Human Resources Department Risk Management Division will assist Department ***Safety Coordinators*** in development of the ***Emergency Plans***.

E. Asset Management Department:

Asset Management will post signage notifying the public that carrying weapons on City property and ***worksites*** is prohibited. Signs in English and Spanish will be in accordance with the Concealed Handgun Law prohibiting the carrying of a concealed weapon in any City ***worksite***.

F. Police Department:

The City, in conjunction with the San Antonio Police Department or the appropriate law enforcement agency, may take appropriate legal action and or other steps necessary to help protect the individuals involved in the incident in all cases where violent behavior of a credible threat of violent behavior is directed at City employees, citizens, or customers.

VI. PROCEDURES:

Department Directors, managers, ***supervisors***, employees, ***Safety Coordinators***, Human Resources Generalists, and/or San Antonio Police Department will immediately evaluate when a ***violent and/or threatening behavior*** is brought to their attention. If it is concluded that there is a likelihood that violence could result, employees will:

1. Dial 911 immediately for San Antonio Police Department intervention. If at all possible, the caller should provide a description of the person(s) to building ***security contacts*** or to the San Antonio Police Department personnel.

2. Contact the Human Resources Generalist or the Human Resources Department. A description of the person(s) committed or perceived to be committing violent behavior or threats will be provided to the Human Resources Generalist and instructions on actions to be taken if the person(s) comes to the ***worksite*** will be provided in the ***Emergency Plan***. The Human Resources Generalist will conduct an investigation and report findings to the Department and City Manager's Office.

3. The Human Resources Generalist will discuss the situation with employees who are likely to come in contact with the violent/potentially violent person(s).

VII. DISCIPLINARY ACTIONS:

Department Directors will take appropriate disciplinary action in response to employee involvement in ***violent and/or threatening behavior***. Appropriate action may include discipline up to and including termination:

- When an employee engages in violent ***workplace*** behavior;
- When an employee fails to report violent ***workplace*** behavior or potential behavior;
- When employees engage in ***violent and/or threatening behavior*** on duty or engages in such conduct off duty as a result of a work related issue;
- When an employee is in possession of unauthorized ***weapons*** or concealed handguns in the ***workplace***.
- When an employee violates any provision of this administrative directive.

All disciplinary actions should be coordinated with the assigned Human Resources Generalist or the Human Resources Department.

This directive replaces A.D. 4.81 Weapons and Concealed Handguns in the Workplace as well as all previous correspondence on this subject. Information and/or clarification may be obtained by contacting the Human Resources Department.

Sharon De La Garza
Human Resources Director

9/19/06
Date

Approved by:

Sheryl Sculley
City Manager

9-19-06
Date

§ 46.01. Definitions

In this chapter:

(1) "Club" means an instrument that is specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, and includes but is not limited to the following:

(A) blackjack;

(B) nightstick;

(C) mace;

(D) tomahawk.

(2) "Explosive weapon" means any explosive or incendiary bomb, grenade, rocket, or mine, that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror, and includes a device designed, made, or adapted for delivery or shooting an explosive weapon.

(3) "Firearm" means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use. Firearm does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by this chapter and that is:

(A) an antique or curio firearm manufactured before 1899; or

(B) a replica of an antique or curio firearm manufactured before 1899, but only if the replica does not use rim fire or center fire ammunition.

(4) "Firearm silencer" means any device designed, made, or adapted to muffle the report of a firearm.

(5) "Handgun" means any firearm that is designed, made, or adapted to be fired with one hand.

(6) "Illegal knife" means a:

(A) knife with a blade over five and one-half inches;

(B) hand instrument designed to cut or stab another by being thrown;

(C) dagger, including but not limited to a dirk, stilletto, and poniard;

(D) bowie knife;

(E) sword; or

(F) spear.

(7) "Knife" means any bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing a person with the instrument.

(8) "Knuckles" means any instrument that consists of finger rings or guards made of a hard substance and that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

(9) "Machine gun" means any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.

(10) "Short-barrel firearm" means a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a shotgun or rifle if, as altered, it has an overall length of less than 26 inches.

(11) "Switchblade knife" means any knife that has a blade that folds, closes, or retracts into the handle or sheath, and that:

(A) opens automatically by pressure applied to a button or other device located on the handle; or

(B) opens or releases a blade from the handle or sheath by the force of gravity or by the application of centrifugal force.

(12) "Armor-piercing ammunition" means handgun ammunition that is designed primarily for the purpose of penetrating metal or body armor and to be used principally in pistols and revolvers.

(13) "Hoax bomb" means a device that:

(A) reasonably appears to be an explosive or incendiary device; or

(B) by its design causes alarm or reaction of any type by an official of a public safety agency or a volunteer agency organized to deal with emergencies.

(14) "Chemical dispensing device" means a device, other than a small chemical dispenser sold commercially for personal protection, that is designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being.

(15) "Racetrack" has the meaning assigned that term by the Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes).

(16) "Zip gun" means a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

City of San Antonio

Violence in the Workplace Incident Report

Complainant:	**Date of Incident:**
Department:	**Time of Incident:**
Supervisor:	**Telephone Number (Work/Home):**
Name of alleged suspect):	
Is the alleged suspect a City Employee: Yes ☐ No ☐ **If yes, please provide the following:** **Employee's Designated Department:** **Title of Employee:**	**Work Address of Employee (if known):**
Identify relationship of alleged suspect (e.g. Co-Worker, Supervisor, Customer, Citizen, Spouse, Other Relative etc…):	
Describe incident and weapon involved (if applicable). (Attach any supporting documentation and use additional pages if needed): **Alleged Suspect Gender: __M __F; Description of suspect: Hair Color, Eye Color, Age, Height, Weight, Distinguishing features**	
List Witnesses (if any):	
Identify Location of Incident:	
Additional Information:	
Employee's Signature:	Date:

HUMAN RESOURCES USE ONLY

Reviewed By:	Date Received:
HR/ER Contact:	Date HR/ER Informed:
Department Contact:	Date Department Notified:
Date Complainant Notified of Investigation Results:	
Action Taken:	

VIOLENCE IN THE WORKPLACE INCIDENT REPORT FORM

Instructions

This form is to be completed by a Human Resources Generalist (HRG). A Human Resources Specialist will complete this form in the absence of a HRG.

Complainant, Department, Telephone Number (Work/Home)
Name of Complainant, Department where complainant works, and Complainant's Work and/or Home Telephone number.

Date and Time of Incident
Date and time of incident.

Supervisor
Complainant's Supervisor.

Name of Alleged Suspect
Identify the name and/or names of those individuals being accused.

Is Alleged Suspect a City Employee?
If alleged suspect is a City employee, list the alleged suspect's Department, Job Title, and Work address/location.

Identify Relationship of Alleged Suspect
Indicate whether the alleged suspect is a co-worker, supervisor, customer, citizen, spouse, other relative, etc…

Describe Incident
Describe in detail the incident that occurred. Attach any supporting documents and additional pages if needed.

List Witnesses
Identify those individuals by name and relationship that witnessed the incident.

Location of Incident
Identify the location of the incident (e.g. address, physical location—room number/ floor level / work area / public area / outdoors)

Additional Information
Add any other information needed for the complete and thorough investigation of this incident.

Human Resources Generalists will meet with the complainant, complete the incident report, and do a complete investigation. A final report of the investigation will be presented to the complainant, the Department Director of the complainant, and the Human Resources Director.

A copy of the Violence in the Workplace Incident Report Form must be submitted to the Human Resources Department.

Any questions concerning the completion of this form should be directed to the Human Resources Department at 207-8108 or a department's Human Resources Generalist.

CITY OF SAN ANTONIO

EMPLOYEE ACKNOWLEDGMENT FORM
FOR

ADMINISTRATIVE DIRECTIVE 4.80
Violence in the Workplace
Effective October 1, 2006

I acknowledge that on _____, 200_, I received a copy of Administrative Directive 4.80 Violence in the Workplace and was given an opportunity to ask questions.

_____ _____
Employee's Name (Print) Department

_____ _____
Employee's Signature SAP Employee ID Number

Certification by:

I certify that on _____, 200_, I provided a copy of this administrative directive to the above named employee. I explained this policy and gave the employee the opportunity to ask questions.

_____ _____
Supervisor/Trainer Name (Print) Supervisor/Trainer Signature