

CITY OF SAN ANTONIO



Administrative Directive	4.80 Violence in the Workplace
Procedural Guidelines	Guidance on how to address violence or threatening behavior in the workplace
Department/Division	HR, Office of Municipal Integrity
Revision Date(s)	October 1, 2006; May 18, 2014
Last Reviewed	August 15, 2019
Project Manager	HR, Office of Municipal Integrity

Purpose

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

Policy

The City of San Antonio (City) is committed to maintaining a *workplace* that is free from hostility, violence and threats of violence. The City has a *zero tolerance* policy for *workplace* violence, to include domestic violence and, as such, will investigate every report of alleged *workplace* violence. This includes *inappropriate humor* because intent may not always be known or understood by others. The City will not tolerate hostile acts, *violent or threatening behavior* or verbal or physical threats in the *workplace* or on City property.

This administrative directive applies to all employees including civil service, non-civil service, and uniformed personnel.

The City will not tolerate *retaliation* against an employee who reports *workplace* violence or the threat of violence or who reports the possession of a *weapon* by an employee.

Policy Applies To

<input type="checkbox"/> External & Internal Applicants	<input checked="" type="checkbox"/> Temporary Employees
<input checked="" type="checkbox"/> Full-Time Employees	<input checked="" type="checkbox"/> Volunteers
<input checked="" type="checkbox"/> Part-Time Employees	<input checked="" type="checkbox"/> Grant-Funded Employees
<input checked="" type="checkbox"/> Paid and Unpaid Interns	<input checked="" type="checkbox"/> Police and Fire Academy Trainees
<input checked="" type="checkbox"/> Uniformed Employees Under Collective Bargaining Agreements	

Definitions

<u>Protective/Restraining Order</u>	An order by a court that specifies or restricts the behavior of an individual. Court orders may be issued in matters involving domestic violence, stalking or harassment, among other types of protective orders, including temporary restraining orders.
<u>Inappropriate Humor</u>	Alleged jokes or humorous statements that make explicit or implicit references to violence directed at an individual, group of individuals, or property. This conduct is prohibited.
<u>Reasonable Suspicion</u>	A belief based on objective facts sufficient to lead an individual to reasonably believe or conclude that a particular employee may be engaging in violent or threatening conduct or behavior or is in possession of a weapon in violation of the law or city policy.
<u>Retaliation</u>	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 a report and giving a statement as a witness in an investigation under this administrative directive.

<u>Supervisor</u>	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.
<u>Violent and/or Threatening Behavior</u>	Verbal or physical conduct sufficiently severe, offensive or intimidating that may be reasonably construed to be hostile in nature, including, but not limited to: <ul style="list-style-type: none"> • Violent physical actions • Direct or implied threats to do harm to a person or to property, including the intimidating use of one's body or physical objects • Verbally or physically abusive or intimidating language or gestures • Threatening, abusive, or harassing communication (for example, phone calls, text messages, letters, memoranda, faxes, e-mail, voice mail messages or social media posts) • Unauthorized possession of a <i>weapon</i> in the <i>workplace</i> (note that a License to Carry does not exempt an employee from bringing a handgun or any other <i>weapon</i> into the <i>workplace</i>) • Destructive or sabotaging actions against City or personal property • Engaging in a pattern of unwanted or intrusive behavior against another (for example, bullying, stalking, spying, etc.) • Violation of a <i>court order</i>
<u>Weapon</u>	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 , a copy of which is attached to this administrative directive.
<u>Workplace/ Worksite</u>	Buildings and property owned or controlled by the City of San Antonio such as city vehicles, 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).
<u>Employee Relations Staff</u>	Human Resources staff within or assigned to a department.
<u>Zero Tolerance</u>	No threatening behavior is acceptable and no violent incident will be ignored. City policy requires action on all reports of violence, without exception.

Policy Guidelines

1. Employees are prohibited from engaging in *violent or threatening behavior*.
2. Employees who have actual knowledge of, witness, or reasonably perceive any form of *violent or threatening behavior* or possession of a *weapon* in the *workplace* or on City property, must report such behavior as soon as possible, but in no case later than the close of their business day on the day of such actual or perceived knowledge, to a *supervisor*, *Employee Relations Staff*, the Human Resources Department, or 911 should an imminent threat of serious bodily injury or loss of life exist. Employees shall make such report(s) regardless of who commits the act or engages in the conduct or behavior, including a City employee, a contracted employee, a person representing the City, or a member of the public. 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 *Employee Relations Staff* or with the Human Resources Department. The Human Resources Department will conduct prompt and thorough investigation in response to an identified concern.
3. In all cases where a credible threat of violent or threatening behavior is directed at an employee, citizens, or customers, the City, in conjunction with the appropriate law enforcement agency, may take appropriate legal action or other steps necessary to help protect the individuals.
4. An employee's personal belongings located on City property may be searched with the employee's consent if the *supervisor*, in coordination with the *Employee Relations Staff*, 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.
5. 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.

Roles & Responsibilities

<p><u>Employees</u></p>	<ol style="list-style-type: none"> 1. All perceived threats, including remarks alleged to be <i>inappropriate humor</i>, will be taken seriously and investigated. Disciplinary action, up to and including termination, will be taken for employees engaging in this type of behavior. 2. Employees will provide necessary information to the <i>Employee Relations Staff</i>. 3. Employees may report the existence of any <i>protective/restraining order</i> they have sought or been issued that prohibits any person from approaching the employee. Employees must report if they have a <i>protective/restraining order</i> filed against them. These should be reported to the employee's HR department representative. This information will allow departments to make appropriate arrangements to help protect all employees in the <i>workplace</i>.
<p><u>Human Resources</u></p>	<ol style="list-style-type: none"> 1. The Human Resources Department will distribute an Employee Acknowledgment Form to employees at the time of in-processing (See Attachment A) and file signed forms in the employee's personnel File. 2. The Human Resources Department will provide training on this administrative directive 3. The Human Resources Department will conduct a prompt and thorough investigation of all allegations of workplace violence involving all employees, except uniform police personnel, which allegations shall be investigated by Internal Affairs, and issue a report of findings as soon as possible.
<p><u>Supervisors</u></p>	<ol style="list-style-type: none"> 1. Departments are responsible for ensuring employee compliance with this administrative directive. 2. <i>Supervisors</i> will monitor the <i>workplace</i> and immediately intervene and report to the <i>Employee Relations Staff</i> any suspected behavior or possession of a <i>weapon</i> or handgun even if the employee or person engaged in the conduct is not their subordinate, or they have not received a complaint. 3. <i>Supervisors</i> will observe and counsel employees whose behavioral patterns change or exhibit potential or <i>violent or threatening behavior</i>. Observations are to be documented and retained within the departmental employee field files. <i>Supervisors</i> will consult and inform their <i>Employee Relations Staff</i> or the Human Resources Department. 4. <i>Supervisors</i> will monitor the <i>workplace</i> to ensure employees do not experience <i>retaliation</i> for reporting allegations of <i>workplace</i> violence or for participating in an investigation. 5. Department Directors will ensure that staff members are informed that the city's policy on <i>workplace</i> violence is <i>zero tolerance</i> and that all perceived violent or threatening behavior including abusive, aggressive, or disruptive behavior in any form will be investigated and will not be tolerated in the <i>workplace</i>. 6. The person responsible for each City facility will ensure that signs in English and Spanish are posted and maintained notifying employees and the public that carrying <i>weapons</i> on City property and <i>worksites</i> is prohibited. The signs will also give notice that in accordance with the concealed handgun law, the carrying of a concealed <i>weapon</i> in any City <i>worksites</i> is prohibited.

Disciplinary Actions

Department Directors, in consultation with the Human Resources Department, will take appropriate disciplinary action, up to and including termination, in response to substantiated employee involvement in *violent or threatening behavior*. Appropriate action will include discipline:

- When an employee engages in violent *workplace* behavior
- When an employee engages in *inappropriate humor*
- When an employee fails to promptly report violent *workplace* behavior or potential behavior
- When an employee engages in *violent or threatening behavior* on duty or engages in such conduct off duty as a result of a work related issue
- When an employee is illegally or in violation of city policy in possession of a *weapon* or concealed handgun in the *workplace*
- When an employee violates any provision of this administrative directive

All disciplinary actions should be coordinated with the assigned *Employee Relations Staff* or the Human Resources Department.

This directive supersedes all previous correspondence on this subject. Information and/or clarification may be obtained by contacting the Office of Municipal Integrity.



CITY OF SAN ANTONIO

**EMPLOYEE ACKNOWLEDGMENT FORM
FOR**

**ADMINISTRATIVE DIRECTIVE 4.80
VIOLENCE IN THE WORKPLACE**

Employee:

I acknowledge that on _____, 20____, I received a copy of Administrative Directive 4.80, Violence in the Workplace. I understand if I should have any questions I should contact my Human Resources Representative.

Employee Name (Print)

Department

Employee Signature

Employee SAP ID Number

Attachment A
Personnel File (original)