

Revised: December 28, 2023

Workplace Violence Prevention Policy

1. Policy Statement

This policy affirms the City of Milwaukee’s commitment to providing a work environment that is respectful, professional, safe, accepting of cultural differences, and free from intimidating and abusive behavior or threats of such behavior. The City of Milwaukee is committed to a zero-tolerance policy for incidents or threats of violence or intimidation by employees, visitors, and the general public. In order to promote and support a workplace where dignity and respect are observed, the City of Milwaukee will not tolerate any acts of intimidation, threats, or bullying.

2. Risk Reduction Measures

While the City of Milwaukee does not expect employees to be skilled at identifying potentially dangerous or violent persons, employees are expected to exercise good judgment and to inform the department head or department personnel officer or safety contact if any employee, claimant, customer, or vendor exhibits behavior which could lead to a potentially dangerous or violent situation.

Such behavior includes, but is not limited to, the following:

- Discussing the use of weapons in relation to a workplace situation.
- Displaying overt signs of extreme stress, resentment, hostility, or anger.
- Making threats or using language or body to intimidate.
- Displaying irrational or inappropriate behavior.

3. Prohibited Conduct

Prohibited conduct is unwelcome or unwanted conduct or behavior that objectively causes a negative impact or disruption to the workplace or results in the erosion of employee morale. The following list of behaviors, while not all-inclusive, provides examples of conduct that is prohibited:

- Physical abuse, which includes causing physical injury or unwanted physical touching to another person;
- Verbal abuse, including using unwelcome, embarrassing, offensive, threatening or degrading language;
- Psychological abuse, which provokes fear or diminishes a person’s dignity or self-esteem;
- Sexual abuse and sexual assault, including unwanted sexual activity, with perpetrators using force, making threats, or taking advantage of victims not able to give consent;
- Engaging in bullying or intimidating acts (whether directed at a specific person or not);
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Comments (even if “joking”) about violence or the possession of weapons in the workplace;

- Stalking;
- Engaging in behavior motivated by or related to domestic violence;
- Intentionally damaging City property or property of another employee or citizen;
- Possession or use of a weapon, firearm or dangerous instrument in City owned or leased buildings or while on City business (even while not on city property) is prohibited except for law enforcement personnel.

4. **Reporting Requirements**

Every employee is responsible for fostering an environment that encourages professionalism and does not tolerate disrespectful and abusive behavior. Every employee is responsible for adhering to the standards set forth in this policy and reporting prohibited conduct. Prohibited conduct must be immediately reported to your 1) manager, 2) department head, 3) department personnel officer, or 4) DER HR Compliance Officer at 286-6210.

Report all known details of the incident, including:

- Your name and contact information
- The type of incident observed
- Location, date & time of the incident
- Additional information (persons involved, descriptions, etc.)
- Do not risk your safety.

For violent behavior:

- **Call 911: If there is immediate danger, regardless of location.**
- Evacuate the area, if possible.
- Leave personal belongings behind.
- If you cannot evacuate, shelter in a secure office.
- **Call 5522: If in the City Hall complex and there is no immediate danger.**
- **Call 933-4444: If at other City locations and there is no immediate danger. (MPD Non-emergency Number)**

In addition to reporting the behavior, employees may directly address inappropriate workplace behavior. When employees observe or experience inappropriate workplace behavior and when they feel comfortable doing so, they should address the behavior by:

1. Redirecting inappropriate conversations or behavior to workplace business; and/or
2. In a private setting, tell an offending employee the behavior is offensive and ask for it to stop.

If the employee observes a behavior and does not feel comfortable addressing the issue directly with the person who is exhibiting the behavior, the employee should still report the situation as required by this policy.

5. **Failure to Report or Cooperate in an Investigation**

Disciplinary action may result if the employee with knowledge of a suspected violent act fails to report it or refuses to cooperate with the investigation.

6. Applicability

All employees, regardless of their position, are covered by and must comply with this policy. For purposes of this policy, the term “employee” shall cover current employees (civil service and non-civil service), applicants, temporary workers, interns, independent contractors, vendors, and volunteers. This policy also applies to elected officials and appointees.

7. Investigation

Any reported violation of this policy will be investigated promptly and confidentially by staff within the department, staff within DER, or in appropriate circumstances, by an outside investigator. The alleged perpetrator may be removed or reassigned until the investigation is complete. Employees are required to cooperate in investigations relating to this policy. The investigation may include contact with the department affected, the Department of Employee Relations (DER), the Police Department, the EAP, and the City Attorney’s office.

8. Action Following Investigation

Any employee found to have engaged in workplace behavior that violates this policy may be subject to one or more of the following actions: Conflict resolution; counseling; administrative leave; a referral to EAP; discipline, including suspension; termination; physical removal; fines and/or civil and criminal penalties as provided by law.

DER has the authority to hold an elected official who violates this policy accountable through disciplinary action up to a written warning and deferring to s. 4-28 of the Code of Ordinances for any measure more severe than a written warning.

A supervisor or manager who fails to address inappropriate behavior will be counseled, or, depending on the severity or frequency of the behavior, may be subject to discipline, up to and including discharge.

Any volunteer or intern (paid or unpaid) found to have engaged in workplace behavior that violates this policy will be coached or, depending on the severity and/or frequency of the behavior, may be dismissed from their volunteer assignment or internship.

9. Roles and Responsibilities

Successful implementation of this policy requires the commitment and cooperation of all employees.

A. Management

- Address inappropriate behavior or prohibited conduct that is experienced, observed, or that they become aware of and should do so as close to the time of the occurrence as possible and appropriate.
- Demonstrate organizational concern for employees' and visitors' emotional and physical health and safety.
- Encourage employees to report violent incidents promptly.
- Require employees to promptly report incidents and to suggest ways to reduce or eliminate risks.
- Develop and maintain a comprehensive plan for maintaining security in the workplace, including establishing a liaison with law enforcement and others.
- Conduct worksite analysis to determine existing or potential hazards for workplace violence.
- Record, track, monitor, and analyze workplace violence incidents.

- Assist with training and educating employees of potential workplace violence incidents.

B. DER

- Issue and oversee the enforcement of this policy.
- Investigate allegations of violence; prepare reports summarizing the results of investigations, and issue recommendations to appointing authorities.
- Ensure appropriate training resources are available for employees, managers and supervisors, and Personnel Officers.
- Ensure that departmental work rules and policies address potentially violent behavior and conduct.

C. Employees

- Understand and comply with this policy.
- Promptly report violent incidents or potential for violence as outlined in this policy.
- Cooperate with the investigation process.

10. Threat Assessment & Response Team

A. Purpose

A Threat Assessment & Response Team is an ad hoc team convened to assess a potential workplace violence threat and develop a management response plan.

B. When Activated

The team will typically be activated by the Director of DER or their designee at the request of a department or division head or their designee in response to the manager's concerns about a potential threat and/or actual workplace violence.

C. Composition

The composition of the Threat Assessment Team will depend on the nature and origin of the reported threat. The team would typically include the affected department's representatives, the Department of Employee Relations (DER), the Police Department, the Employee Assistance Program (EAP), and the City Attorney's Office.

11. Retaliation

Retaliation or attempted retaliation in response to reporting violence or involvement in the investigation process violates this Policy. Retaliation includes the imposition of any hardship, loss, benefit or penalty on an employee in response to reporting violence or involvement in the investigation process.

Retaliation also includes adverse action taken against someone associated with the individual reporting violence or involvement in the investigation process, such as a friend or family member.

12. Reference

a. Public Records

During the investigation process, the confidentiality of the information received and the privacy of the individuals involved will be protected to the extent allowed by law. Confidentiality will be considered in the context of the City's legal obligation to act on the charge and the right of the respondent to obtain information.

The investigation will protect the privacy of individuals who reported violations of this policy, participated in

the investigation process, and the person(s) alleged to have engaged in violence to the extent legally possible. However, some records obtained or created during the investigation may be subject to disclosure under applicable Wisconsin Public Records statutes.

b. Records Retention

Departments are responsible for complying with record retention schedules for all records created under this policy. Investigative records are retained separately from the personnel files and should be destroyed under supervision in accordance with the applicable retention schedule, provided that no legal action is pending.

c. Anti-Harassment Policy

For addressing harassment based on a protected class, please refer to the City of Milwaukee Anti- Harassment policy. A copy of the policy is available on the City of Milwaukee DER Policies web page.