

Sample Policy for Workplace Threats & Violence

Introduction

(Company Name) seeks to provide a work environment which is free from violence or threats of violence against individuals, groups, or employees, or threats against company property-including partner violence which may occur on our property. This policy requires that all individuals on company premises or while representing the Company conduct themselves in a professional manner consistent with good business practices and in absolute conformity with non-violence principles and standards.

Definition

For purposes of this policy, workplace violence is defined as a single behavior or series of behaviors which constitute actual or potential assault, battery, harassment, intimidation, threats or similar actions, attempted destruction, or threats to Company or personal property; which occur in a Company workplace, at a Company work location, or while an individual is engaged in Company business.

Company Response

(Company Name) strictly prohibits use of violence or threats of violence in the workplace and views such actions very seriously. The possession of weapons in the workplace, threats, threatening or menacing behavior, stalking, or acts of violence against employees, visitors, guests, or other individuals by anyone on (Company Name) property will not be tolerated. Violations of this policy will lead to disciplinary actions up to and including termination of employment and the involvement of appropriate law enforcement authorities as needed.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on (Company Name) premises shall be removed from the property as quickly as safety permits, and may be asked to remain away from (Company Name) premises pending the outcome of an investigation into the incident. People who commit these acts outside the workplace but which impact the workplace are also violating this policy and will be dealt with appropriately.

When threatening behavior is exhibited or acts of violence are committed, (Company Name) will initiate an appropriate response. This response may include, but is not limited to, evaluation by (Company Name) Employee Assistance Professionals and/or external professionals, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person/persons involved.

No existing (Company Name) policy, practice, or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing.

Reporting Procedure

(Company Name) personnel are responsible for notifying the designated management representative of any threats which they have witnessed, received, or have been told that another person has witnessed or received-including those related to partner violence. Even without an actual threat, personnel 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 a company controlled site or is connected to company employment. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior. If the designated representative is not available, personnel should report the threat to their supervisor or another member of the management team.

(Company Name) understands the sensitivity of the information requested and has developed confidentiality procedures which recognize and respect the privacy of the reporting employee(s). Consistent with the values of (Company Name), people should take action in ways that maintain respect and dignity for individuals while acting in an accountable and swift manner to address the situation.

Protective or Restraining Orders

All individuals who apply for and obtain a protective or restraining order which lists company locations as being protected areas, must provide to the designated management representative a copy of the petition and order.

Designated Management Representative

Name:

Title:

Department:

Telephone:

Location:

Partner Violence and the Workplace

(Company Name) recognizes impact of partner violence on the workplace. Partner violence is defined by (Company Name) as abusive behavior occurring between two people in an intimate relationship. It may include physical violence, sexual, emotional, and psychological intimidation, verbal abuse, stalking, and economic control.

(Company Name) is committed to heightening awareness of partner violence and providing guidance for employees and management to address the occurrence of partner violence and its effects on the workplace.

(Company Name) intends to make assistance available to employees involved in partner violence. This assistance may include: confidential means for coming forward for help, resource and referral information, special considerations at the workplace for employee safety, work schedule adjustments, or leave necessary to obtain medical, counseling, or legal assistance, and workplace relocation (if available). In responding to partner violence, (Company Name) will maintain appropriate confidentiality and respect for the rights of the employee involved.

(Company Name) intends to publish, maintain, and post in locations of high visibility, a list of resources for survivors and perpetrators of partner violence.

(Company Name) will not deny job benefits or other programs to employees based solely on partner violence related problems. When employees confide that a job performance or conduct problem is related to partner violence, in addition to appropriate corrective or disciplinary action consistent with company policy and procedure, a referral for appropriate assistance should be made to the employee.

Leave Options for Employees Experiencing Threats of Violence

(Company Name) will make every effort to assist an employee experiencing threats of violence. If an employee needs to be absent from work due to threats of violence, the length of the absence will be determined by the individual's situation through collaboration with the employee and (fill in appropriate title(s) for your company.) [Examples may include: supervisor / manager, Human Resources representative, union representative, etc.]

Employees, managers, and supervisors (or appropriate titles for your company) are encouraged to first explore paid leave options that can be arranged to help the employee cope with the situation without having to take a formal unpaid leave of absence. Depending on circumstances, this may include:

- Arranging flexible work hours so the employee can seek protection, go to court, look for new housing, enter counseling, arrange child care, etc.
- Considering use of sick time, job sharing, compensatory time, paid leave, informal unpaid leave, etc., particularly if requests are for relatively short periods.

Suggested Procedures for Safety and Protection of Employees Experiencing Threats of Violence

Employee

- Encourage the employee to save any threatening e-mail or voice-mail messages. These can potentially be used for future legal action, or can serve as evidence that an existing restraining order was violated.
- The employee should obtain a restraining order that includes the workplace, and keep a copy on hand at all times. The employee may consider providing a copy to the police, his/her supervisor, security, or human resources [or appropriate individuals/ departments within your company].
- The employee should provide a picture of the perpetrator to reception areas and/or security.
- The employee should identify an emergency contact person should the employer be unable to contact the victim.

- If an absence is deemed appropriate, the employee should be clear about the plan to return to work. While absent, the employee should maintain contact with the appropriate Human Resources personnel

Employer

- Arrange the victim to have priority parking near the building.
- Have calls screened, transferring harassing calls to security-or have the employee's name removed from automated phone directories.
- Limit information about employees disclosed by phone. Information that would help locate a victim or indicates a time of return should not be provided.
- Relocate the employee's workspace to a more secure area or another site.
- The employer should have trained EAP professionals or external professionals assist the employee with development of a safety plan
- Work with local law enforcement personnel, and encourage employees to do so regarding situations outside the workplace.

* CAEPV provides this sample policy to its members for the SOLE PURPOSE of guidance in development of their own policies. Any policy developed by a company should always be with the advice of that company's legal counsel.