

## POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE

SECTION: HUMAN RESOURCES	REFERENCE NUMBER: 108.05
SUBJECT: STANDARDS OF CONDUCT FOR EMPLOYEES	INITIAL EFFECTIVE DATE: 10/31/01
TITLE: WORKPLACE VIOLENCE PREVENTION	LAST REVISION DATE: 11/19/18

### ADMINISTRATIVE DIRECTIVE:

It is the policy of the City of Denton to ensure a safe workplace and to reduce the risk of violence to our employees and our citizens. Violence, or the threat of violence, will not be tolerated or ignored. It is the shared obligation of all employees, customers, and citizens, individually and collectively, to prevent and/or defuse actual or implied violent behavior (verbal or physical) at work.

Any person who threatens, or engages in, violent behavior, either verbal or physical in nature, may be removed from the premises as quickly as safety permits. At the City's discretion, employees and/or the public may be barred from non-public access areas on City premises pending the outcome of an investigation. Any employee who engages in such behavior may be subject to disciplinary action up to and including dismissal, criminal penalties, or both.

### I. DEFINITIONS

#### A. **Violent behavior** on the job may include, but is not limited to:

- Causing, or attempting to cause, physical injury to another person.
- Intentional destruction, or threat of destruction, of City property or another person's personal property.
- Expressing intent to cause physical harm or emotional duress.
- Acting in a hostile manner through unwelcome words, actions, or physical contact not resulting in physical harm to another person.
- Surveillance or stalking.
- Possession of a dangerous weapon while on City premises, while in a City uniform, while performing job duties and responsibilities, or while on City business. (See Section II for exceptions)
- Veiled threats of physical harm or similar intimidation.
- Expression of suicidal or homicidal intent or thoughts.
- Unusual agitation or excitement, which may be accompanied by incoherent and/or irrational behavior or harassment.

#### B. A **dangerous weapon** - any weapon outlined in Section 46.01 of the Texas Penal Code. Examples include, but are not limited to, any club, explosive weapon, a firearm (including a handgun carried by a licensed person), illegal knife, firearm ammunition, and chemicals. It may also include any

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object that could cause harm and/or that might be considered to be dangerous by a reasonable and prudent person.

- C. **City premises** - includes **ALL** worksites, property, facilities, buildings, structures, equipment and vehicles owned, operated, leased or under control of the City, unless specifically exempt under the law.

## II. EXCEPTIONS TO DANGEROUS WEAPONS PROHIBITIONS

Employees of the City of Denton may possess a firearm/handgun on City property if:

- They are a commissioned peace officer engaged in law enforcement activities for the City of Denton.
- They are legally in possession of a firearm and said firearm is stored unloaded, locked in or locked to a personal vehicle (NOT a city vehicle), on property designated as employee parking.
- They are off duty and in public access areas of City property and lawfully licensed to carry a handgun.

## III. PROCEDURES

- A. Reporting Procedures – It is a matter of first priority that law enforcement officials be notified as soon as possible of any situation that has the potential for immediate danger to the safety of an employee or any other person.

Any dangerous or potentially dangerous situation must also be reported immediately to a department supervisor or to Human Resources. Reports should be made regardless of whether the potentially dangerous person is an employee, customer, or citizen. Reports or incidents warranting confidentiality will be handled appropriately, and information will be disclosed to others only on a need-to-know basis (subject to requirements of the Texas Open Records Act). This policy does not prevent employees from directly notifying law enforcement officials of problems. Employees are encouraged to involve the City in addressing problems of this nature but should take any further lawful steps they believe are necessary under the circumstances.

- B. Open Carry Considerations – Per State law, a person with a current license to carry a handgun may conceal or openly carry a holstered handgun into all public access areas of the City, unless provided notice in compliance with the law. City employees may **not** carry a handgun while on duty or onto any City premises as defined above, except as outlined in Section II of this directive.

Only licensed peace officers may question a person who is openly carrying as to whether they hold

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the proper license. If an employee observes a person openly carrying a handgun and the employee believes that person is causing a disturbance or exhibiting behavior that raises concern for anyone's safety, the employee should:

- If there is not an immediate threat, contact the supervisor or manager for guidance.
- If a threat exists or the person openly carrying displays erratic/concerning behavior, the employee (regardless of location) should:
  1. Move to a safe location;
  2. Call 911 to alert police so that they may dispatch assistance to the site;
  3. Notify a supervisor or manager immediately.

- C. Emergency Situations – It is recommended that employees who are confronted by, or who encounter, an armed or dangerous person not attempt to challenge or disarm the individual. The employee should use their best judgment under the circumstances to avoid injury to themselves or others. If the employee is able to contact the Police Department or emergency assistance safely, then the employee should do so immediately or as soon as they can safely do so. If the employee believes that a supervisor or another person can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, the employee should attempt to flee as soon as it is safe to do so or move to a “lock down” location.
- D. Enforcement – Threats, threatening conduct, or any other acts of aggression or violent behavior in the workplace will not be tolerated. Any employee determined to have committed such acts may be subject to disciplinary action, up to and including dismissal. Reports to law enforcement officials will be made as appropriate. Non-employees engaged in violent acts in or affecting the workplace will also be reported to the proper authorities. Staff will cooperate fully with law enforcement authorities during any investigation.
- E. Workplace Violence Prevention Committee – A Workplace Violence Prevention Committee will be responsible for coordinating with the City's Employee Assistance Provider (EAP) in the event of an incident and establishing response procedures. Procedures addressing issues of building security, public relations, evacuation, and other workplace violence prevention issues will also be established by this committee.

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The committee will consist of members of the following departments/divisions:

- Police
- Fire
- Emergency Management
- Legal
- Human Resources
- Risk Management
- Facilities Management
- Technology Services
- Public Information Office

Representatives from other departments may be consulted with or added to the committee as needed.

- F. Eligibility for Rehire – Employees terminated for violating a provision of this policy shall not be eligible for future employment with the City in any capacity.