

Town of Phillipston

50 The Common

Phillipston, MA 01331

978-249-6828



Workplace Violence Policy

As voted by the Board of Selectmen:
Approved January 11, 2023

I. INTRODUCTION

The Town of Phillipston intends to provide a professional environment that is free of violence, threats of violence, harassment, intimidation, or other disruptive behavior by establishing preventative measures, providing training and education, providing assistance and support to those who have been exposed to workplace or domestic violence, and holding accountable those responsible for workplace violence. The Town provides employment protections for an employee who is, or whose family member is, a victim of abusive behavior including domestic violence, or have family members that are victims. It is intended that all management tools be employed to accomplish the goal of avoiding or at the very least reducing the effect of workplace violence on the victim(s) and providing consequences to those who commit workplace violence. Management will utilize available resources such as the Town's Employee Assistance Program, law enforcement, and all applicable personnel policies and procedures to accomplish these goals.

The Town maintains a zero-tolerance policy toward workplace violence, or the threat of violence, by or against any of its employees, elected or appointed officials, volunteers working for the Town, customers, the general public, and/or anyone who conducts business with the Town. It is the intent of the Town to provide a safe, healthy workplace, which is free of violence, threats of violence, harassment, intimidation, or other disruptive behavior.

The best way to prevent workplace violence is to raise the awareness of supervisors and employees and to encourage early reporting and resolution of problematic behavior before it escalates into violence. All employees are responsible for helping maintain a violence-free workplace. To that end, each employee is required to govern themselves accordingly. Any employee experiencing or witnessing an act of violence is strongly encouraged to report it to their immediate supervisor and/or the Board of Selectmen or its designee. Threats, assaults, or other observed criminal behavior that are of an emergency nature and require immediate attention should first be reported to the Police Department via 911 or dispatch at 978-939-8875.

Each act or threat of violence will be investigated, and appropriate action will be taken. Any such act or threat may lead to discipline, up to and including termination.

II. Definitions

Workplace violence is any act committed by or against an employee or other affected individual within the context of that individual's involvement with the Town that creates a hostile work environment and negatively affects the individual, either physically or psychologically, and includes, but is not limited to, harassment, stalking, coercion, intimidation, threats, physical attack, or property damage.

An **employee or other affected individual** refers to any individual who serves in the capacity of an elected official, appointed member to a board, commission, or committee, volunteer

working for the Town, employee of the Town, consultant or contractor retained by the Town, or visitor who is engaged in some form of business or activity with the Town.

Harassment is behavior that intimidates, disturbs, upsets, or threatens a person.

Intimidation is an act intended to frighten, coerce, or induce duress or fear.

A **threat** is the expression of an intent to cause physical or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat and regardless of whether the threat is contingent, conditional, or future. A threat of violence includes, but is not limited to, any act of physical aggression, any verbal or written statements, harassing telephone calls, harassing email messages, gestures, expressions, or behaviors such as stalking that could be perceived as an intention to cause physical or mental harm to any employee or other affected individual.

Physical attack is intentional, unwanted hostile physical contact with another person such as hitting, fighting, pushing, shoving, sexual assault, assault with a weapon or other device used as a weapon, or throwing objects.

Property damage is intentional damage to property, which includes property owned by the Town, elected officials, appointed board, commission, or committee members, employees, volunteers, visitors, vendors, consultants, or contractors.

Weapons are defined to include all devices that are intended to threaten, inflict harm, injury, or death to an individual, such as, but are not necessarily limited to, firearms, knives, throwing devices, chemical and inert sprays or agents, stun guns, clubs, or types of devices that are designed to discharge some type of projectile, as well as any other type of device used to inflict injury to another individual, or to threaten to do so.

III. FORMS OF WORKPLACE VIOLENCE

- ***Violence by strangers*** – involves verbal threats, threatening behavior or physical assaults by an assailant who has no legitimate business relationship with the Town.
- ***Violence by customers/members of the public*** – the assailant who is doing business with the Town.
- ***Violence by co-workers*** – the assailant has some employment related involvement with the workplace such as former employee, co-worker, Manager, or board member.
- ***Violence by personal relationship*** – including spouse, partner, former spouse, former partner, friend, acquaintance.

IV. PREVENTION OF WORKPLACE VIOLENCE

The Town subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to, informing employees of this policy, instructing employees regarding the dangers of

workplace violence, communicating the sanctions imposed for violating this policy, and providing a reporting hierarchy within to report incidents of violence without fear of reprisal.

V. PROCEDURE FOR REPORTING A THREAT OF VIOLENCE

Each incident of violent behavior, whether the incident is committed by another employee or an external individual such as a customer, vendor, or citizen, must be reported to a Supervisor and the Board of Selectmen or its designee. Threats, assaults, or other observed criminal behavior that are of an emergency nature and require immediate attention should first be reported to the Police Department via 911 or dispatch at 978-939-8875. The Board of Selectmen or its designee will work with the Supervisor and the Chief of Police, if necessary, to assess and investigate the incident and determine the appropriate action to be taken. The Board of Selectmen or its designee, when appropriate, will inform the victim of his/her right to have the Police Department notified.

Any employee who acts in good faith by reporting real or implied violent behavior will not be subjected to any form of retaliation or harassment. Any action of this type resulting from a report of violence must be reported to the appropriate management staff for investigation and decision regarding proper action.

Employees who report incidents of workplace violence may request to do so confidentially. Such requests will be honored to the degree reasonable under the circumstances; however, there is no guarantee of complete confidentiality. The Town shall be sensitive to the employee's fear of reprisal. Information will be released only on a need-to-know basis to thoroughly investigate and resolve the matter. The identity of the individual making the report will be protected as much as is practical.

It is a violation of this policy to engage in any act of workplace violence. Any employee who has been determined to be in violation of this policy will be subject to disciplinary action up to and including termination and, depending upon the violent act, may be subject to criminal sanctions.

Should an employee commit an act of violence and it is determined in the investigation that the employee did in fact commit the violent act, he/she may be referred to the EAP by the Board of Selectmen or its designee. In these cases, failure by the employee to keep the initial appointment with the EAP and follow through with the prescribed program may result in disciplinary action, including termination.

Should an employee become the victim of an incident of workplace violence, the Supervisor or the Board of Selectmen or its designee may offer additional referral services to assist in coping with any effects of the incident.

VI. VIOLATIONS

Any violation of this policy will result in disciplinary measures, up to and including termination and, depending upon the violent act, may be subject to criminal sanctions.

Employees are required to immediately report any violation of this policy to his or her immediate supervisor or the Board of Selectmen.

All reported violations of this policy will be investigated by the Town and/or the appropriate authority.

VII. INSPECTIONS

Town property furnished to anyone covered by this policy is subject to inspection with or without notice. This includes, but is not limited to, offices, desks, telephones, cell phones, computers, laptops, lockers, vehicles, etc. The Town also reserves the right to enter or inspect work areas. Employees have no expectation of privacy with regard to any equipment issued by the Town.

Workplace Violence Policy

This acknowledges that I have received and reviewed the Town’s Workplace Violence Policy (“Policy”). By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that the law and associated Policy regarding discrimination and harassment are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name: _____

Signature: _____

Date: _____

To be included in employee’s personnel file