

~~420. Work-Related Verbal and Physical Threats or Violent, and Acts~~

~~Assault is the unjustifiable attempt to touch another person or the threat to do so in such circumstances as to cause another individual to reasonably believe that the threat will be carried out.~~

~~Battery is the unlawful touching of another individual or the carrying out of threatened physical harm. It includes, but is not limited to, any angry, violent, or negligent touching of another person to commit injury (Approved 9-8-94).~~

~~.1 Threats of Violence toward Co-workers, Supervisors or Citizens~~

~~.11 The City of Tulsa will not allow verbal intimidation or physical threats by employees who suggest, in a serious manner, they may harm or injure a co-worker, manager or a member of the general public.~~

420. in the Workplace Updated: 5/3/2023; 9/8/1994

.1 Nothing is more important to the City of Tulsa than the safety and security of its employees, City officials, vendors, and the public. The City is committed to maintaining a workplace that is free from violence as well as threats of violence.

Verbal threats, physical threats, and/or acts of violence in the workplace will not be tolerated by or against any individual, including employees, elected or appointed City officials, vendors, and the public.

All reports of workplace threats and/or violence will be taken seriously and will be investigated promptly and thoroughly. All serious threats shall be considered potentially dangerous and reported as outlined below.

.11 This policy prohibits all such misconduct that could be unlawful, as well as misconduct that may not rise to the level of being unlawful but that is nonetheless unacceptable in the workplace.

.2 Defining Threat Levels and Severity

Common Sense and available facts must be used by supervisors, management and employees to determine whether a statement or action actually involves/constitutes a serious threat. All serious threats shall be considered as potentially dangerous and shall be reported by employees and/or supervisory personnel through the chain of command. The degree of seriousness will dictate the specific course of action required under this policy.

Imminent Threat: The following conditions must be present for a hazard to be considered an imminent threat:

.12(1) Death or serious harm must be threatened AND it must be reasonably likely that a serious incident or bodily harm could occur immediately.; OR,

~~.2 Immediate actions to be taken regarding serious assault threats~~

(2) Immediately after hearing what is/ if not immediately, then before mitigation or intervention could otherwise be implemented.

Non-imminent Serious Threat: A threat that management, Security or HR assesses to be serious but not imminent.

Workplace: Anywhere an employee is engaged in City-related business, and/or while on City property, including contracted parking facilities, or in City vehicles.

Violent Act: An incident that involves an individual actively engaged in or attempting to cause serious harm or death another. The individual may be armed with a firearm or bladed weapon or may engage in other violent acts such as driving a vehicle into a crowd. There may or may not be a pattern or method to their selection of victims.

.3 Management Responsibilities

Any supervisor or manager who becomes aware of workplace conduct that could be reasonably believed to be a serious threat or being informed of such a threat, the supervisor shall;violent act must take immediate action as follows in the order outlined below.

~~.21 Obtain written reports from the victim(s) and/or persons who witnessed the threatening behavior.~~

File a ".31 First, immediately gather enough information necessary to make a reasonable determination as to which of the following exists in the workplace:

(1) A Violent Act

(2) An imminent threat report"

(3) A non-imminent serious threat

(4) Other workplace issues not covered in this policy section

.32 Action Required for Violet Acts in the Workplace and/or Imminent Threats:

STEP 1:

Call 911 immediately and follow all instructions given by TPD. If you are in danger practice the principles in Run, Hide, Fight training.

STEP 2:

~~.22 As soon as it's safe to do so and once you've ended the 911 call, immediately notify City Security Management at 918-504-6799 or 918-596-9100. Security will coordinate with the Tulsa Police Department regarding the Personnel Director. Follow all instructions from TPD, Security, and/or HR while an incident or investigation is underway. Do not take any action that could potentially interfere with or compromise a TPD, HR or Security Investigation.~~

~~.23 Verbally inform the employee who made the threat that a Police Report has been filed.~~

~~Notify the employee he/she is being placed~~STEP 3:

Consult with Security and HR management personnel on next steps. When

~~.24 applicable, initiate paid administrative leave pendingand the disciplinary review of the incident.~~

~~.25 Immediately notify the Chief of Police or Deputy Chief and request an investigation of the incident.~~

~~.3 Follow up actions involving serious threats~~

~~.31 If the threat incident is reasonably substantiated, the appropriate manager~~

~~shall initiate a pre-termination hearing process to determine the appropriate action.~~

Substantiated death threats and acts of physical violence shall result in termination of employment.

~~.32 Disciplinary action shall be in accordance with the City's Personnel Policies and Procedures Manual and/or appropriate collective bargaining agreement provisions.~~

.33 Action Required for a Non-Imminent Serious Threat:

STEP 1:

Immediately notify City Security Management at 918-504-6799 or 918-596-9100. Security will coordinate with the Personnel Director. Follow all instructions from Security and HR while an investigation is underway. Do not take any action that could potentially interfere with or compromise a TPD, HR, or Security Investigation.

STEP 2:

Consult with Security and HR management personnel on next steps. When applicable, initiate paid administrative leave and the disciplinary review process. Substantiated death threats and acts of physical violence shall result in termination of employment.

.34 Action Required for Other Workplace Issues Not Covered in This Policy Section:

STEP 1:

For potential violations and/or investigation under Respectful Workplace, (discrimination, retaliation, or harassment), and/or if you need to consult on next steps, contact HR management.

For other work rule or policy violations, employ corrective action as appropriate.

STEP 2:

If an HR investigation is not warranted but a management investigation is, management should obtain written reports from the involved persons/witnesses as part of information gathering, on the same day as the incident or as soon as possible.

Written witness statements should always be legible and include the printed name of the witness, signature, and date, and enough information that a third party reading the statement could understand what occurred. Witnesses should not compare notes and should complete written statements independently.

STEP 3:

Consult with Security and HR management personnel on next steps if needed. When applicable, initiate paid administrative leave and the disciplinary process.

.35 It is neither practical, nor expected, to try to gather every available fact upon first becoming aware of a potential violation of this policy because of the urgency required when violence and/or threats are present.

.351 For serious threats/reports of violence, managers/supervisors should use the facts immediately available to them to make the best judgement possible. They should always err on the side of caution, and they should refer to the appendix for this policy section and the definitions above in .2

to aid in assessing the degree of severity, urgency, and imminence of any threat to workplace safety and security that exists.

.352 Management is strongly encouraged to implement any recommendations it receives at the conclusion of an investigation from TPD, Security, and/or HR.

.3221 If an investigation outlined in this policy substantiates severe misconduct, the department head is required to take appropriate corrective or disciplinary action consistent with the direction of the the Personnel Director.

.353 When appropriate, management should contact the City Attorney to request that assistance in gaining a Protective Order against the employee allegedly making threats for the safety of the Orders as applicable.

.354 All supervisory and management employees are required to be familiar with and comply with the policy. Failure to do so may result in disciplinary action, up to and including termination.

.4 City Security Responsibilities

.41 Upon receiving notification of potential conduct in violation of this policy, whether notification results from management as outlined in .3 above or otherwise, Security will notify the Chief of Police or Deputy Chief and request an investigation of the incident for any of the following in the workplace:

- (1) Active violence
- (2) An imminent threat
- (3) A non-imminent serious threat

.42 Security will conduct an investigation and coordinate with TPD as applicable. The results of the investigation will be shared with the department head upon conclusion and will usually include specific recommendations to department management.

.5 Employee Responsibilities

.51 City employees have the right to work in a safe and non-threatening environment. Everyone conducting City business, including employees, has a vital role to play in minimizing workplace threats and violence.

.52 Employee Reporting Requirements:

.33 Any employee who becomes aware of workplace conduct that could be reasonably believed to be a serious threat or violent act must take immediate action by notifying their supervisor, manager, or department head. This includes but is not limited to encountering or witnessing potentially threatening behavior, whether it is committed or threatened employees by or against another City employee, elected official, vendor, or member of the public.

.53 Employees should be alert to the possibility of violence from a variety of sources which might include:

- Co-workers
- External visitors or customers to the workplace

- Former employees
- Vendors or independent contractors
- Family members or domestic partners

.54 Employee Awareness

Employees will review City offered training on Run, Hide, Fight annually, in addition to any other training provided by City Security, TPD, HR or their department.

.55 All employees are required to comply with the policy. Failure to do so may result in disciplinary action, up to and including termination.

.4.6 Prohibition against weapons or firearms ~~on~~in the ~~job~~workplace

~~.41.61~~ Employees are prohibited from bringing firearms, ~~hunting or sporting~~ knives, explosives, and other weapons or hazardous materials onto City property without prior written authorization from ~~their department head (see PPM 411.3, R-14).~~ the Director of City Security

~~.42.62~~ An employee shall also be considered to be in violation of this policy if involved with the use of weapons not normally considered weapons or dangerous instruments, but used by the employee in such manner as to evoke concerns of intimidation or threat of bodily harm to ~~other employees or citizens~~others.

.63 If a supervisor has reason to believe such a weapon has been brought ~~onto the worksite or that the employee has brandished a weapon or has a weapon in their vehicle,~~ the supervisor into the workplace, City Security Management should be notified immediately.

~~.43~~ Security shall ensure the employee removes such weapon from City properties. ~~The supervisor may call for a Police Officer as deemed necessary.~~

~~.64~~ Substantiated instances of employees possessing weapons on City property may result and take appropriate corrective action to ensure the employee understands the policy.

~~.65~~ It is lawful for an employee to store a weapon in their **personal** vehicle provided the weapon is secured and the vehicle is in a designated parking area. Weapons are not permitted to be stored in City vehicles.

~~.651~~ Employees and supervisors should contact City Security immediately at 918-596-9100 if an employee shows signs of mental health crisis and/or violent tendencies and is believed to have a weapon.

~~.66~~ All employees are required to comply with the policy. Failure to do so may result in disciplinary action, up to and including termination ~~of employment.~~

~~.5~~ Steps to be taken following any violent acts in the workplace

~~.51~~ Dependent upon the severity of the situation (damage, injuries, seriousness of the attempted or actual acts by an employee), the following actions should be considered or taken as determined necessary:

- Call 911
- Notify the supervisory chain of command including the department head
- Notify Safety personnel and City Medical

- ~~Notify the Police and Fire Chief's Offices~~
- ~~Request an investigation by the Police Department~~

~~.52 Department management shall be responsible to notify the Mayor's Office.~~

~~.53 The Mayor's Office will provide appropriate liaison to the City Council and the media.~~

~~.54 Upon reasonable substantiation of a violent act by either the department or the Police Department, the appropriate manager shall initiate a pre-termination hearing process to determine the appropriate action.~~

Substantiated violent acts. 422 Mental Health and Well-being

.1 The City cares about the health and well-being of its employees and recognizes that a variety of personal issues can disrupt their personal and work lives. Although many employees solve their problems either on their own or with the help of family and friends, sometimes employees need assistance and additional support which can be provided with available mental health resources. The City is committed to ensuring that employees have appropriate mental health well-being while also respecting employee privacy.

.2 Employees have appropriate mental health well-being when they are able to perform their essential job functions, maintain interpersonal skills to function as a team, and interact with others without posing a direct threat to themselves or others.

.3 Often times early intervention in mental health issues allows the individual to take proactive measures that prevent the issue from developing into a crisis situation.

Managers and supervisors are key to creating, implementing, and sustaining a supportive environment for employee mental health. Managers and supervisors should feel empowered to approach their employees who appear to be excessively stressed or emotionally reactive and discreetly ask them if they are OK and need or want to talk. Doing so, and just being an active listener, allows the employee a safe environment to vent about the issues they are struggling with.

.31 Providing guidance on stress, reduction, work/life, balance, healthy eating/sleeping habits, or suggesting a self-referral to EAP services is not crossing the boundary of asking about specific personal health matters. However, it does help facilitate that management views all employees as real people, and demonstrations appreciate for employees and the important role they play in the workplace.

.4 This policy pertains to non-sworn employees. For information about mental health evaluation for Police and Fire sworn positions, please see relevant internal policies and procedures for the applicable department.

.41 Reporting Mental Health Well-Being Concerns

An employee, supervisor, manager, or other person conducting City business who observes behavior or has information that suggests an employee may need a mental health assessment should report such behavior to that employee's supervisor/manager or to the Human Resources Department (HRDirector@cityoftulsa.org) if the supervisor or manager is unknown or unavailable.

If an employee is concerned that their own supervisor/manager may need a mental health assessment the employee should report such behavior to the next level of supervisor or directly to the Human Resources Department (HRDirector@cityoftulsa.org).

If an employee believes they themselves may need a mental health assessment, they should discuss their concerns with their supervisor/manager or may request to meet with the City Physician or designee.

.42 Determination on Request for Fitness for Duty Evaluation

To complete a mental health assessment, the City Physician or designee will evaluate the employee at City Medical. As part of the evaluation, the City Physician may consult with the referring individual or with any individual who has information relevant to the request.

.321 After initial assessment, the City Physician will make a determination of an employee's work status and communicate to HR and the employee's department regarding next steps.

.322 Employees are required to follow up as directed by the City Physician who will monitor their progress and assign work status as indicated.

.323 In most situations, if the employee is placed in an unable to work status, Section 300 Sick Leave policy will apply as indicated by City Medical.

.43 Extended Periods of Unable to Work Status

Employees who are placed in an unable to work status for an extended period of time will be subject to the terms of PPPM Section 601, Disability Review Committee as applicable.

.44 Failure to Comply

An Employee who fails to follow up with the City Physician as directed or fails to adhere to any condition(s) of employment established as a result of the Assessment, including failing to engage to determine what accommodations or requirements may make the Employee Fit for Duty may not be allowed to return to work and may be subject to disciplinary action, up to and including termination of employment, consistent with applicable policies.

.5 Employee Assistance Program (EAP) Effective 4/19/93

.51 City Medical is responsible for administration of the Employee Assistance program of the City of Tulsa. Supervisors and employees should feel free to call City Medical for information concerning the program that is not provided in the following policy sections.

.52 In addition to other health benefits, the City of Tulsa will provide a formal Employee Assistance Program (EAP). This EAP will be accessible to employees voluntarily or may be used by management as a mandatory referral tool in certain situations.

.53 All non-sworn employees and dependents who wish to participate in the program should contact the Employee Assistance Program provider for confidential assistance.

Website:
<https://www.cityoftulsa.org/city-employees/human-resources/city-medical/employee-assistance-program/>

.54 Referrals to the program may be through:

-
- Self-referral
- Supervisor/Department Head
- City Physician
- Human Resources Director or designee

.55 Confidentiality

Participation in the program shall be handled in a confidential manner so as not to jeopardize present or future job status, except in the following conditions:

- Personal work performance continues in an unacceptable manner
- Breach of confidentiality shall only be in accordance with all existing State and Federal laws governing release of information (Reference: 42 CFR, Part 2).

.56 Program Fees

There is no charge to the employee for the assessment process (up to 5 visits) that is provided by EAP. If further professional service is needed, counselors will provide a referral within the employee insurance network if possible. EAP counselors are also well acquainted with reputable community programs which offer assistance at no charge or charge based on one's ability to pay.