

## **CLIO AREA FIRE DEPARTMENT POLICY**

### **VIOLENCE IN THE WORKPLACE**

#### **PURPOSE**

The Clio Area Fire Department/Fire Authority recognizes the need to provide for the safety and security of all Department members and employees. Therefore, the Clio Area Fire Department/Fire Authority will not condone or tolerate, in any fashion: threats, threatening behavior, or acts of violence against members, employees, visitors, guests, or any other individuals on Fire Department/Fire Authority property or job site where Fire Department/Fire Authority members or employees are working. This includes physical attacks, verbal or physical threats, destruction of property, verbal or physical intimidation, or abusive language.

#### **DEFINITIONS**

**Workplace Violence** includes but is not limited to, harassment, threats, physical attack or property damage.

**Threat** is the expression of intent to cause physical harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry it out and without regard to whether the expression is contingent, conditional or future. A threat or threatening behavior may consist of words or actions that create a perception that there may be intent to harm persons, property, or actions or words that actually bring about harm. A threat can be explicit or implied.

**Physical Attack** is unwanted, uncontested, hostile force (or contact) intended to harm, maim, or cause injury or emotional distress, such as hitting, fighting, pushing, shoving, biting, or spitting. An act may constitute physical violence even if no injury or harm occurs. The use of an object to cause fear or physical harm also constitutes physical violence.

**Property Damage** is damage to property owned by the Clio Area Fire Department/Fire Authority, members, employees, visitors, or vendors.

#### **PREVENTION**

The Clio Area Fire Department/Fire Authority, in order to maintain a safe work environment, supports the prevention of workplace violence. Prevention efforts include, but are not limited to, distributing copies of the policy to members and employees, instructing members and employees regarding the dangers of workplace violence, communicating the sanctions imposed for violating this policy, and providing a reporting procedure within to report incidents of violence without fear of reprisal.

## **PROHIBITED ACTIONS AND SANCTIONS**

No person is permitted to bring a firearm or other weapon onto Clio Area Fire Department/Fire Authority property. This includes, but is not limited to, lands, vehicles, buildings, and work sites. Exception to this policy is for law enforcement personnel.

It is a violation of this policy to engage in any act of workplace violence. Any person who makes threats, exhibits threatening behavior, or engages in violent acts of Fire Department/Fire Authority property shall be removed from the premises as quickly as safety permits, and shall be subject to arrest. They shall remain off Fire Department/Fire Authority premises pending the outcome of an investigation.

The Clio Area Fire Department/Fire Authority will initiate an appropriate response. This may include, but not be limited to, reassignment of job duties, suspension or termination of employment, suspension and/or termination so any business relationship, and/or criminal prosecution of the person or persons involved.

## **EMPLOYEE TRAINING AND RESPONSIBILITY**

After adoption, copies of this policy will be distributed to each member and employee. Issues of how to report such incidents of violence, what to do if the member or employee is threatened and/or if the incident of violence actually takes place will be reviewed. New members and employees will receive training during orientation.

In the workplace, any member or employee witnessing violence or fearing the possibility of violence directed at another or him/herself shall call a Department Officer. The member or employee should also observe the situation and attempt to get information such as the name of the perpetrator (only if it can be done without endangering the member or employee or others).

Any Clio Area Fire Department member or employee having knowledge of workplace violence involving any other Fire Department member or employee (as victim or perpetrator) shall report such act to a Department Officer immediately. Disciplinary action will result if the member or employee having knowledge of a suspected violent act fails to report the episode.

All members or employees who apply for, or obtain a personal protective order (restraining order), which lists Clio Area Fire Department property or Fire Department facilities as being protected areas, must provide this information to the Fire Chief.

The Clio Area Fire Department and its members and employees shall cooperate fully with police and other law enforcement officials in the investigation and prosecution of violent acts.

All members and employees should openly communicate with each other and be aware of any unusual activity that may increase the potential for workplace violence.

## **IMPLEMENTATION**

### **A. Managing a Potentially Violent Situation**

Clio Area Fire Department/Fire Authority members and employees are expected to assist the general public and fellow member and employees in a courteous manner not to subject themselves to abusive conduct. If confronted by:

1. **A harassing or abusively angry person:**
  - a. If a person becomes angry or abusive, the member or employee should courteously attempt to calm the person down. If that does not work, the member or employee shall ask a Department Officer to intervene.
  
1. **A person threatening bodily harm:** If the employee feels that he/she or another person is threatened, and in danger of bodily harm:
  - a. The member or employee should attempt to leave the area, if it can be done safely.
  - b. If a Department Officer is unaware of the situation, the member or employee must notify a Department Officer when it can be done safely.
  - c. Police personnel will be summoned should it be necessary to intervene or control physical violence, or restrain or remove persons engaged in a violation of this policy.

### **B. Reporting Incidents**

Each threat or incident of violent behavior, whether another member or employee or a non-member or non-employee such as a citizen commits the incident, must be immediately reported to an available Department Officer or the Fire Chief. The Fire Chief will investigate the incident and determine appropriate action to be taken. The Fire Chief will be informed of all reported incidents of workplace violence (A report form is attached.)

There will be no retaliation against any individuals who, in “good faith” complains of, reports, or participates in the investigation of an occurrence of violence or threat of violence.

An employee who willfully and knowingly falsely reports an incident of violence will be subject to disciplinary action, up to and including termination.

### **C. Investigation of Violence**

1. All reported incidents of violence involving employees (as perpetrator or victim) will be promptly investigated. This shall include an internal investigation, and if warranted, a police investigation.
2. Where appropriate, the Clio Area Fire Department/Fire Authority will support the criminal prosecution of individuals found by investigation to have unlawfully threatened or caused injury to an employee or member.
3. Following the investigation, corrective/remedial action will be taken, as appropriate.
  - a. A report will be made to the Clio Area Fire Authority Chairman.
  - b. If appropriate, members and/or employees involved in the incident will be advised of the outcome of the investigation.
1. Violence that does not involve members or employees, but occurs on Fire Department property, and is witnessed and reported by members or employees will be addressed/investigated by the appropriate police department. The outcome of the investigation will be reported to the Fire Chief.
2. Any member or employee who fails to cooperate in an investigation may be subject to disciplinary action up to an including termination.

### **CONCLUSION**

This policy is established for the benefit of members, employees, and others to help insure a safe workplace and a safe place to perform Clio Area Fire Department/Fire Authority business. It is intended for internal use, and is created to provide a higher legal standard of safety or care with respect to third party claims in so far as law imposes the Fire Department's legal duty.