



City of Albuquerque

MAYOR / CAO OFFICE

Richard J. Berry, Mayor

ADMINISTRATIVE INSTRUCTION NO: 7-22 (2016)

TITLE: Violence in the Workplace and Domestic Violence Policies

PRIMARY DEPARTMENT: Department of Finance and Administrative Services

A. Background

Violence in the workplace is a tragedy which occurs all too frequently and appears to be on the rise within the workforce in today's society. Homicide is now the leading cause of death for women in the workplace and the second leading cause for men. As a major and diverse employer in the community, the City of Albuquerque has a significant interest in providing a work environment to all of its employees that minimizes the risk of workplace violence.

Domestic violence is a significant concern in addressing workplace violence since this form of violence often extends to the worksite of the victim. Although statistics indicate that most incidents of domestic violence are attributed to males, no one should ignore the fact that such abuse can also be attributed to females or occur in same sex relationships.

B. Violence in the Workplace Policy

It is the policy of the City of Albuquerque that workplace violence by employees shall be prohibited. Furthermore, violent behavior including domestic disputes directed toward a City employee by a member of the general public shall not be tolerated.

Prohibited workplace behavior includes intimidation; verbal threats; physical assault; vandalism; arson; sabotage; the unauthorized display, possession or use of weapons on City property (Personnel Rules/Regulations 301.7), jokes or comments regarding violent acts which are reasonably perceived to be a threat; or any other behavior reasonably perceived to be a threat of imminent harm against an employee or member of the general public.

It is the responsibility of all employees who witness or are the subject of the behaviors prohibited by this policy to report the incident(s) to their immediate supervisor unless the supervisor is the one exhibiting the prohibited behavior, in which case the employee shall report the behavior to the next highest person within the organization.

It is the responsibility of the supervisor receiving the complaint to conduct an investigation of the incident(s) in accordance with the methods and procedures presented in the mandated supervisory development training. These materials may be obtained from Employee Health Services, 768-4613. The supervisor will initiate appropriate action to abate the prohibited behavior. The supervisor shall prepare a written response within 10 days to the employee(s) reporting the incident(s). This response shall include acknowledgement of the employee('s) complaint; that an appropriate investigation is being or has been conducted; and, the action that was initiated to abate the prohibited behavior.

After a finding of fact that an employee engaged in prohibited behavior, a pre-determination hearing will be conducted and the hearing officer will make a mandatory referral to the Employee Assistance Program (768-4613) and recommend disciplinary action. The applicable department director will determine the level of discipline up to and including termination.

C. Implementation Guidance

Workplace violence is highly situational, requiring creativity and judgment to be applied to a specific situation.

Upon occasion, employees may encounter situations in which the threat of immediate harm from another employee or the general public may occur. In the vast majority of these situations, employees can de-escalate the situation. Examples of appropriate de-escalation techniques include:

1. Offering to transfer an irate caller on the telephone to a supervisor.
2. Requesting the intervention of supervisor.
3. Walking away from the situation.
4. Staying in control of speech and behavior. Do not retaliate or respond in kind.
5. Contacting security or APD to have the offender removed from the premises.

Appropriate action which could be initiated by the supervisor to abate prohibited behavior by an employee might include:

1. Referral of an employee to the City's Employee Assistance Program. This is initiated by contacting the manager of Employee Health Services, 768-4613.
2. Referral of an employee to the City's Medical Director for a Fitness for Duty examination. This is initiated by contacting the HR Administrator of the Human Resources Department, 768-3700.
3. Placing the employee on administrative leave.
4. Imposing disciplinary action up to and including termination from City employment.
5. Offering assistance and cooperation in filing a criminal complaint against the offender.

Appropriate action which could be initiated by the supervisor to abate prohibited behavior directed at a City employee by the general public might include:

1. Notifying the individual that a complaint has been filed by the employee. The specific prohibited behavior should be stated and the individual advised that this behavior violates City Policy, will not be tolerated, and may result in legal action.
2. If possible, eliminate or reduce the opportunity for future contact between the employee and the individual.
- 3 Assist the employee in filing a criminal complaint against the offender.

D. Domestic Violence/Civil Protection Orders

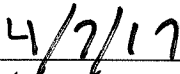
It is the intent of this policy to encourage employees to self-disclose situations relating to domestic violence. Employees shall notify their supervisors the workplace may be in danger from the perpetrator. Employees shall notify their supervisor and the Employee Health Services Manager when the City worksite has been included (or is requested to be included) in a civil protection order and to provide a copy of the civil protection order to their supervisor.

Supervisors have the responsibility to take reasonable steps to honor the civil protection order and to expedite a request for leave of absence, if necessary. Supervisors shall contact the City's Employee Assistance Program to facilitate contact between the Program and impacted employee. Supervisors shall maintain respect for individual privacy and confidentiality within the context of protecting the worksite, co-workers, general public and the individual employee involved.

REFERENCES: Personnel Rules/Regulations 301.7



Robert J. Perry
Chief Administrative Officer



Effective Date