

Recommended Amendments to WVEMS Employee Handbook

Staff recommends the following changes to our Employee Handbook primarily relating to violence in the workplace and building security. These changes are recommended for three reasons. First, the language for 5.23 includes language recommended by SESCO Management, our HR consulting firm, includes recommendations made by labor/HR attorneys from a recent seminar attended by the executive director, and updates the intent of the current policy. The new 5.22 reflects current practice and addresses modern-day threats. Revised 7.03 makes our anti-discrimination policy compliant with recent EEOC interpretations of sexual discrimination.

1. First, changes to Policy 5.22 (Workplace Violence Prevention) make the policy more inclusive of visitors to the building as well as to employees. It also adds gender identity as a protected category to comply with the 2012 interpretation of sexual discrimination by the US EEOC.
2. Policy 7.03 (Sexual and Other Unlawful Harassment) should be amended to provide the same inclusion.
3. A new policy 5.23 should be added to address building security. Recent events have heightened our awareness of the need to keep our Roanoke building secure. We have already put policies in place, but this publishes and makes those policies official as inclusions in our Employee Handbook.

Workplace Violence Prevention – **EXISTING POLICY**

5.22 Workplace Violence Prevention

WVEMS is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, WVEMS has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, **and all visitors** should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of WVEMS without proper authorization.

Conduct by anyone associated with or visiting WVEMS that threatens, intimidates, or coerces another employee, a customer or visitor, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, sexual orientation, **gender identity**, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers **or visitors**, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

Any person who demonstrates or threatens any act of violence or workplace disruption should be escorted to the exterior to the building and the building should be placed on lockdown. Police should be called at the discretion of the supervisor in charge.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

WVEMS will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, WVEMS may suspend employees, either with or without pay, pending investigation.

Any **one employee** determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

WVEMS encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Executive Director before the situation escalates into potential violence. WVEMS is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

Sexual and Other Unlawful Harassment - **EXISTING POLICY**

7.03 Sexual and Other Unlawful Harassment

WVEMS is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, **gender identity** or any other legally protected characteristic will not be tolerated.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- * Unwanted sexual advances.
- * Offering employment benefits in exchange for sexual favors.
- * Making or threatening reprisals after a negative response to sexual advances.
- * Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- * Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- * Verbal sexual advances or propositions.
- * Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- * Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the Executive Director or any other member of management. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against

unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the Executive Director or any member of management so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

Visitors and Building Security - **NEW POLICY**

5.23 Visitors and Building Security

The WVEMS main office building is a Secure Facility. This means that the building will remain locked at all times. There will be security camera, doorbell and communication systems to request access using an electronic locking mechanism that can be released remotely to allow entry. Doors will automatically unlock for routine or emergency egress from the building

To provide for the safety and security of staff and Council facilities only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards staff member welfare, and avoids potential distractions and disturbances.

All visitors should enter the Council at the reception area. Authorized visitors will receive directions or be escorted to their destination. Staff members are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on Council premises, staff should immediately notify the supervisor or, if necessary, direct the individual to the reception area.

Minor children should not be brought into the workplace except in extraordinary circumstances. Staff members with childcare emergencies are encouraged to take vacation time. Children too sick for school or public daycare should not be brought to work.