

21. Workplace Violence Policy and Procedure

Overview

This section discusses the following topics:

- Policy
- Warning Signs
- Obsession
- Incident Management
- Managing the Aftermath of an Incident
- Employee Responsibilities
- Supervisor Responsibilities
- Management Responsibilities

References

FairPoint Communications, Inc. Employee Handbook

Policy

The Company does not tolerate any form of workplace violence. Workplace violence includes actual violence and/or implicit or explicit threats of violence against other employees.

Violence and threats of violence may include:

- An act of physical or mental assault;
- A substantial, communicated or suggested intent to harm another, endanger the safety of employees or visitors, or destroy property;
- Behavior or actions that carry a potential for violence (throwing objects, waving fists, destroying property, etc.); and/or
- Obsessively directed behavior (i.e., stalking, intensely focusing on a grudge, grievance, or romantic interest in another employee).

Offensive weapons include any object, implement, gas or other material intended to be used for the infliction of serious bodily injury. The Company strictly

prohibits offensive weapons of any type on Company property (unless allowed by applicable law), in Company-owned vehicles, or at any site where the Company conducts business or sponsors an event. This includes visible and concealed weapons, even a weapon for which the owner has obtained any necessary permits. A knife or any other object, gas or material, which may be used for working purposes, will be considered an offensive weapon if used to threaten, harass, intimidate, or injure another individual. Anyone who has reason to believe that this policy is being violated must immediately report the matter to a supervisor and/or a member of the Human Resources team. Employees who either violate this policy or fail to report reasonable suspicion of violations shall be subject to disciplinary action, up to and including termination.

It is critical that employees report any acts or threats of violence to their immediate supervisor or another member of management immediately.

Supervisors must report all such incidents to their manager and Human Resources immediately to determine appropriate follow-up.

All employees should recognize and be able to identify threatening behavior and must understand that this behavior is unacceptable in the workplace. If you witness or experience such behavior, notify your supervisor immediately. In cases where it would not be appropriate to notify your supervisor, contact the next level of management in your division or Human Resources.

Each employee has an obligation to observe and follow Company policies and to maintain proper standards of conduct at all times. If an individual's behavior interferes with the orderly and efficient operation of a department or a job, corrective disciplinary measures will be taken, up to and including termination, for any employee engaging in such behavior.”

WARNING SIGNS

There is no exact method to predict when a person will become violent. One or more of these warning signs may be displayed before a person becomes violent, but they do not necessarily indicate that an individual will become violent. A display of these signs should trigger concern as they are usually exhibited by people experiencing problems.

- Verbal, nonverbal, or written threats or intimidation, explicit or subtle
 - Fascination with weaponry and/or acts of violence
 - Expression of a plan to hurt self/others
 - Feelings of persecution, expressed distrust, especially with management
 - Fear reaction to employee among coworkers/clients
 - Frequent interpersonal conflicts
 - Displays of unwarranted anger
 - Indications of marked mood swings
 - Violence toward inanimate objects
 - Sabotaging projects or equipment
 - Holding a grudge against a specific person; verbalizing a hope that something will happen to him/her
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Employees who witness these warning signs are strongly encouraged to inform their supervisors.

Managers and supervisors are encouraged to consult with the Human Resources, Risk Management and General Counsel to attempt to prevent a difficult situation from escalating into violence.

OBSESSION

Another type of workplace violence may occur when an individual becomes romantically obsessed with someone who does not reciprocate the romantic feelings. The obsession is irrational and the subject does not respond to the victim's attempts to set limits or to end the attachment. Obsessed individuals have sometimes been known to be a threat to the safety of the individual with whom they are obsessed. If you believe that you are being stalked or that someone has an obsessive attachment to you, you should notify Law Enforcement.

INCIDENT MANAGEMENT

The degree to which employees are able to survive an actual act of violence in the workplace may depend greatly upon recognition of potential problems and the measures taken in advance of an incident.

Workplace violence incidents will differ greatly and each situation will dictate a different response. The particular circumstances of a given situation will suggest which of, and in which order, the following should occur:

- Report to law enforcement by dialing 9-1-1 at the safest opportunity
- Alert others (signals, codes, alarms)
- Secure surroundings, lock doors
- If appropriate, evacuate employees/leave the area

MANAGING THE AFTERMATH OF AN INCIDENT

Law enforcement and other emergency response personnel will be available to manage all emergencies. Law enforcement will deal with criminal activity. However, it remains the responsibility of FairPoint employees, supervisors and managers to work together to try to normalize the workplace following an incident.

The aftermath of a violent situation can be traumatic, characterized by confusion and disorientation. The wave of uncertainty, panic and disbelief will pass and in its place will be the task of normalizing the workplace. Depending on the severity of the incident the Director of Human Resources will normally coordinate post incident normalization. Under most circumstances, this will include the involvement of the Employee Assistance Program (EAP). Managers will be expected to take the lead in initiating and participating in debriefings following a violent act, normally within 72 hours of an incident.

EMPLOYEE RESPONSIBILITIES

All FairPoint employees are required to adhere to this policy. It is the responsibility of every company employee to assist and cooperate in making the workplace as safe and secure as possible.

- Any conduct or “jokes” which involve intimidation and/or threats are inappropriate and will be taken seriously.

- Employees are strongly encouraged to report any perceived violation of the Workplace Violence Policy to their next-in-line supervisor who is not a party to the violation. No employee shall be subjected to criticism, reprisal, retaliation or disciplinary action for good faith reporting pursuant to this policy.
- Employees who are the subject of, or witnesses to, a possible violation of this policy may be requested by management to document their experience or observations in order to facilitate the handling of the situation.
- Employees are strongly encouraged to report Restraining Orders to Human Resources and to their supervisors when those Orders affect the workplace.

SUPERVISOR RESPONSIBILITIES

All FairPoint supervisory employees are required to adhere to this policy.

Supervisors have a crucial role in making the company a safe and secure working environment by reducing the potential for employee workplace violence through training, appropriate and consistent use of sound supervisory practices and by applying timely corrective action when necessary. Adherence to company policies, workplace rules and regulations, documentation of employee performance problems, and appropriate training in identifying early warning signs, appropriate workplace conduct, and/or conflict resolution will greatly assist in the prevention of potential workplace violence.

It is the responsibility of all supervisors to report the results of their investigations into alleged violations of this policy to their next-in-line supervisor and to consult with Human Resources, Risk Management or General Counsel on potential employee workplace violence situations as appropriate.

Supervisors shall document all violations of the Workplace Violence Policy in order that appropriate corrective action can be administered.

MANAGEMENT RESPONSIBILITIES

All FairPoint management employees are required to adhere to this policy and to ensure that those they manage are aware of and accountable for adhering to this policy.

The issues surrounding employee workplace violence can be complex and difficult to assess. Therefore, department managers are encouraged to consult with available company resources including, but not limited to, local Human Resources, Risk Management, General Counsel and the Employee Assistance Program. Consultation with these resources will greatly assist management in identifying intervention strategies that may minimize or avert potentially violent situations. Such intervention(s) may include:

- Supervisory action to address performance problems and inappropriate conduct
- Corrective action
- Professional employee counseling through the EAP and other available referral services
- Medical and/or psychological evaluation to determine fitness for duty