

ZERO TOLERANCE POLICY

TOWN OF ALSTEAD

1. PURPOSE

The Town of Alstead has adopted this Zero Tolerance Policy against violence and intimidation with respect to Town employees, Town officials and Town volunteers, because the Town recognizes that violence and intimidation is a growing problem in this state, and nationally, that must be addressed by all employers. Consistent with this policy, acts or threats of physical violence, intimidation, harassment and/or coercion which involve or affect the Town or a Town employee, a Town official or a Town volunteer, or which occur on Town property will not be tolerated.

2. AUTHORITY

This policy is adopted by the Select Board under the authority of RSA 41:8 (management of the Town's prudential affairs, including employee matters) and RSA 41:11-a (management and regulation of town property).

3. PROHIBITION

No person shall threaten, harass, bully or intimidate another person:

- a. No matter who the persons are - a Town employee, a Town official, a Town volunteer, a contract or temporary worker, a person engaged in business with the Town, acting within the scope of his or her employment, official position, or business relationship; or
- b. On Town property, regardless of the persons involved.

4. DEFINITION

For purposes of this policy, "to threaten, harass, bully or intimidate" another person includes, but is not limited to the following:

- a. Hitting or shoving an individual or conduct constituting or exceeding Simple Assault under RSA 631:2-a;
- b. Threatening harm to an individual or his/her family, friends, associates or their property, or any conduct constituting Criminal Threatening under RSA 631:4;
- c. Intentional destruction or threat of destruction of property owned, operated or controlled by the Town of Alstead, or any act involving such property and constituting Criminal Mischief under RSA 634:2;
- d. Making harassing or threatening telephone calls, letters or other forms of written or electronic communications, or other conduct constituting Harassment under RSA 644:4, I(a) through I(e);
- e. Conduct which constitutes Stalking under RSA 633:3-a;
- f. Possession of firearms or use of firearms, weapons or other dangerous devices on Town property, except in accordance with adopted Town operating procedures.
- g. Communication which the communicator intends, knows or should know to be annoying or alarming to another, after having been notified that the recipient desires no further communication, and the communication is not necessary for, or exceeds, any lawful or governmental purpose; or any communication which violates RSA 644:4 I(f);
- h. Intimidating or attempting to coerce a Town employee, or other person with a contractual or other business or service relationship with the Town, to do acts which are wrongful or which would adversely affect the interests of the Town.

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5. ENFORCEMENT

Violations of this policy by any person on Town property, by anyone acting as a representative of the Town while not on Town property, or by anyone acting off of Town property when his/her actions affect the Town's interest or public interest will be followed by legal action, as appropriate.

Any person violating this policy on Town property shall be deemed to be disrupting the orderly conduct of business in a public or governmental facility, contrary to RSA 644:2, III(b). Any violation falling within paragraphs (g) and (h) of Section 4 above shall be deemed to be Obstructing Government Administration under RSA 642:1. Any violation of this policy not otherwise provided for by State law shall be deemed a violation.

6. VIOLATION BY AN EMPLOYEE

Violation of this policy by an employee may lead to disciplinary action, up to and including termination. This policy and any sanctions related to it are supplemental to any other Town personnel rules or policies, and to applicable State and Federal laws.

7. REPORTING OF VIOLATIONS

Each employee of the Town and every person on Town property is encouraged to report any violations of this policy of which he/she is aware or any other conduct against persons or property that is sufficiently severe, offensive or intimidating to alter employment conditions, or to create a hostile, abusive, or intimidating work environment for one or more Town employees.

All reports under this policy shall be investigated, using the attached form. All such reports shall be treated with the highest level of confidentiality, consistent with the goals of this policy.

Reports may be made to the Select Board or to the Alstead Police Department. In any case involving a Town employee, a report should also be made or copied to that employee's supervisor, unless the supervisor is involved in the incident.

Nothing in this policy alters any other reporting obligation established in other Town policies or i state, federal or other applicable law.

8. TOWN PROPERTY AND NONPUBLIC PREMISES

If there is probable cause to believe a person has violated this policy on Town property, he or she may be ordered off, or removed from, the premises as quickly as safety permits, and the Select Board, a police officer, or person with authority over the premises, may order the person to remain off Town property pending the outcome of an investigation. Any person violating such an order shall be in violation of this policy, in addition to any other legal remedies.

At the request of any Town employee or official, or on their own initiative, the Select Board may designate any office or other room or area of Town Property as nonpublic premises. The area shall be marked with a sign stating "public prohibited" or other appropriate language. Any person remaining on nonpublic premises after a request to leave shall be in violation of this policy.

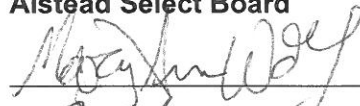
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9. TRAINING AND DISSEMINATION

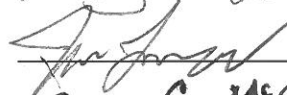
All Town employees will be given copies of this policy. All new employees will be given a copy of this policy as part of their orientation. Employees shall refer any questions regarding their rights and obligations under this policy to the Select Board.

The Town will provide opportunities for employees to be trained in the risk factors associated with workplace violence and intimidation, and the proper handling of emergency situations in order to minimize risks. However, nothing concerning such training, or lack thereof, shall be deemed to excuse any violations of this policy.

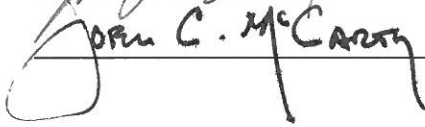
Alstead Select Board



Mary Ann Wolf, Chair



Joseph Levesque, Vice Chair



Joel McCarty

June 1, 2021