

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
District Court Division

Name Of Petitioner/Employer

Address Of Petitioner/Employer

VERSUS

Name And Address Of Respondent

COMPLAINT FOR CIVIL NO-CONTACT ORDER PURSUANT TO THE WORKPLACE VIOLENCE PREVENTION ACT ☐ MOTION FOR TEMPORARY NO-CONTACT ORDER

G.S. 95-262

Spoken Language Court Interpreter Needed For Any Party, Victim, Or Witness? (If Yes, identify person(s) and language(s). Interpreters provided for all court proceedings at no cost.)

☐ No ☐ Yes: (explain)

NOTE TO PETITIONER: This Form is for use by employers only. If you are an individual that has been threatened, please refer to either the "Complaint And Motion For Domestic Violence Protective Order," AOC-CV-303, or the "Complaint For No-Contact Order For Stalking Or Nonconsensual Sexual Conduct," AOC-CV-520. Check only the boxes below that apply and fill in blanks. Additional sheets may be attached.

1. The petitioner is an employer as defined by G.S. 95-260(2) in that:
 - a. ☐ the petitioner is a person or entity that employs one or more employees.
 - b. ☐ the petitioner is the State of North Carolina or one of its political subdivisions.
2. The unlawful conduct occurred in this county.
3. The petitioner is filing this action:
 - a. ☐ on behalf of an employee who suffered unlawful conduct.
 - b. ☐ as an employer that suffered unlawful conduct.
- ☐ 4. An employee of the petitioner has suffered unlawful conduct from the respondent and the unlawful conduct can be reasonably construed to be carried out, or to have been carried out, at the place of employment. The unlawful conduct consisted of:
(give specific dates and describe in detail what happened)
 - a. ☐ The respondent attempted to cause bodily injury or did intentionally cause bodily injury to the employee.

 - b. ☐ The respondent willfully, and on more than one occasion, followed, was in the presence of, or otherwise harassed as defined in G.S. 14-277.3A, the employee without legal purpose and with the intent to place the employee in reasonable fear for the employee's safety.

 - c. ☐ The respondent willfully threatened, orally, in writing, or by any other means, to physically injure the employee in a manner and under circumstances that would cause a reasonable person to believe that the threat was likely to be carried out and that actually caused the employee to believe the threat would be carried out.

 - d. ☐ The respondent by mass picketing, unlawful threats, or force, hindered or prevented the pursuit of lawful work or employment by the employee.

(Over)

e. ☐ The respondent by mass picketing obstructed or interfered with the employee's entrance to or egress from a place of employment.

f. ☐ The respondent by mass picketing obstructed or interfered with the employee's free and uninterrupted use of public roads, streets, highways, railways, airports, or other ways of travel or conveyance.

☐ 5. The employee that is the subject of the unlawful conduct was consulted prior to the filing of this Complaint and Motion in order to determine whether any safety concerns exist in relation to the employee's participation in the process.

☐ 6. The petitioner is an employer that suffered unlawful conduct from the respondent and the unlawful conduct can be reasonably construed to be carried out, or to have been carried out, at the place of employment. The unlawful conduct consisted of:
(give specific dates and describe in detail what happened)

a. ☐ The respondent attempted to cause bodily injury or did intentionally cause bodily injury to the employer.

b. ☐ The respondent willfully, and on more than one occasion, followed, was in the presence of, or otherwise harassed as defined in G.S. 14-277.3A, the employer without legal purpose and with the intent to place the employer in reasonable fear for the employer's safety.

c. ☐ The respondent willfully threatened, orally, in writing, or by any other means, to physically injure the employer in a manner and under circumstances that would cause a reasonable person to believe that the threat was likely to be carried out and that actually caused the employer to believe the threat would be carried out.

d. ☐ The respondent by mass picketing, unlawful threats, or force, hindered or prevented the pursuit of lawful work or employment by the employer.

e. ☐ The respondent by mass picketing obstructed or interfered with the entrance to or egress from the employer's place of employment.

f. ☐ The respondent by mass picketing obstructed or interfered with the employer's free and uninterrupted use of public roads, streets, highways, railways, airports, or other ways of travel or conveyance.

Because Of These Acts Of Unlawful Conduct, The Petitioner Requests That The Court Grant The Following Relief:*(Check only boxes that apply.)*

1. A permanent no-contact order. (A permanent order cannot last longer than one year.)
- ☐ 2. A temporary no-contact order. (A temporary order cannot last longer than ten days.)
- ☐ 3. The temporary order to be issued ex parte (without notice to the respondent) because the petitioner or the petitioner's employee will suffer immediate injury, loss, or damage before the respondent can be heard in that: *(explain)*

AND*(If you checked Block 3 above, check a. or b. below.)*

- ☐ a. I certify that I have made the following efforts, if any, to give notice to the respondent and give the following reasons supporting why notice should not be required: *(explain)*

- ☐ b. I certify that there is good cause to grant the remedy because the harm that the remedy is intended to prevent would likely occur if the respondent was given any prior notice of the request for relief in that: *(Give specific reasons why harm would occur if prior notice were given to respondent.)*

- ☐ 4. An order directing the respondent:

- ☐ a. To not visit, assault, molest, or otherwise interfere with the employer or the employer's employee at the employer's workplace, or otherwise interfere with the employer's operations.
- ☐ b. To cease stalking the employer or the employer's employee at the employer's workplace.
- ☐ c. To cease harassment of the employer or the employer's employee at the employer's workplace.
- ☐ d. To not abuse or injure the employer, including the employer's property, or the employer's employee at the employer's workplace.
- ☐ e. To not contact by telephone, written communication, or electronic means the employer or the employer's employee at the employer's workplace.
- ☐ f. Other relief sought: _____

- ☐ 5. To treat this verified Complaint as an Affidavit for all purposes requiring an Affidavit.

- ☐ 6. Other: *(specify)*

Date	Signature Of Person Filing Complaint
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VERIFICATION

I, the undersigned, being first duly sworn, say that I hold the position of _____ *(position with petitioner)* in this action; that I have read the Complaint and Motion; that the matters and things alleged in the Complaint and Motion are true except as to those things alleged upon information and belief and as to those I believe them to be true and accurate.

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

Date	Signature	Signature Of Person Signing Complaint
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC	<input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> Designated Magistrate	Name Of Person Filing Complaint (type or print)
<input type="checkbox"/> Notary	Date My Commission Expires	
SEAL	County Where Notarized	