

# Workplace Violence Prevention Policy and Procedures

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## Workplace Violence Prevention

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### Purpose

The State University of New York College at Cortland (the College) is committed to providing a safe work environment for all employees and recognizes that it must create an environment where each person's dignity will be valued. In a college setting, it is particularly important that there be respect for diversity and differences of opinion, as the College is dedicated to providing a comprehensive educational experience that prepares individuals to be able to function in a diverse society. This document sets forth standards for employee conduct and guidelines for reasonable precautions. The accompanying procedures outline protocol for response to threats or violence should they occur in the workplace. Employee assistance information is also provided in this document.

### Policy

Students and employees deserve freedom from fear of harassment and/or physical abuse. The College has established a **Zero Tolerance Standard** with respect to acts of workplace violence. Any acts of violence directed against individuals based on race, religion, ethnicity, gender or sexual orientation are especially intolerable and will be subject to the strictest disciplinary actions. Threats, acts of violence and acts of aggression by employees or against employees by coworkers, students, members of the public, or others will be responded to promptly. The College will not accept any behavior that compromises individual dignity or threatens any person's safety. It is, therefore, campus policy that any violations of the restrictions listed in the Prohibited Conduct section will not be tolerated and may be subject to disciplinary action, up to and including immediate termination, consistent with the appropriate collective bargaining

agreement, and, if appropriate, shall be prosecuted to the full extent of the law. Additionally, any individual who makes a substantial threat, exhibits threatening behavior or engages in violent acts on College property shall be subject to removal from the premises as quickly as safety permits. An investigation will subsequently be conducted as promptly as possible.

Any questions or need for additional information relating to this policy can be directed to the Human Resources Office, 301 Miller Administration (ext. 2302); University Police Department, Van Hoesen Hall (ext. 2111); or to a member of the Workplace Violence Advisory Team (see Appendix A). An electronic copy of this policy and procedure can be accessed at <http://www.cortland.edu/hr/policies.html>

## **Prohibited Conduct**

No person may engage in violent conduct or make threats of violence, implied or direct, on College property or in connection with College business. Prohibited conduct includes but is not limited to:

- The use of force or inflicting bodily harm on any person (e.g., physical attacks, any unwanted contact such as hitting, fighting, slapping, pushing, poking, or pinching);
- Behavior that diminishes the dignity of others through racial, sexual, religious or ethnic harassment;
- Acts or threats which intimidate, harass, threaten, bully, coerce, or cause fear of harm whether directly or indirectly;
- Acts or threats made directly or indirectly by oral or written words (e.g., shouting or swearing), making or sending harassing or threatening telephone calls, letters or messages (electronic, print or other method including but not limited to instant messaging or texting) to any employee, student, or visitor to campus;
- Acts or threats made directly or indirectly by gestures. Examples include but are not limited to throwing objects in the workplace regardless of size or type or whether a person is the target of the object being thrown, slamming fists, fist shaking, or slamming doors;
- Publishing or displaying symbols, pictures, or words which intimidate, harass, threaten, bully, coerce, or cause fear of harm whether directly or indirectly by electronic means. Examples include but are not limited to personal websites, blogs, Facebook, or MySpace;
- Displaying symbols that communicate a direct or indirect threat of physical or mental harm;
- Directing verbal abuse at another person because the individual is carrying out duties and responsibilities associated with her/his role as faculty, staff, or student staff at the College;
- Engaging in behavior that subjects another individual to extreme emotional distress;

- Carrying, possessing, or using any firearm, explosive, or other dangerous weapon on College property or in College buildings or facilities without legal authority. Persons using firearms or other dangerous instruments for hunting or other recreational purpose must register and store them at the University Police Department; and
- Taking retaliatory action against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action may be subject to discipline, up to and including immediate termination, consistent with the respective Collective Bargaining Agreement.

## Reporting Procedures

Incidents of workplace violence, threats of workplace violence (either explicit or implied), or observations of workplace violence are not to be ignored by any member of the College community. Workplace violence or threats of workplace violence must be promptly reported to the appropriate College official as noted in the following reporting procedures. Additionally, in order to maintain a safe working and learning environment, all members of the College community are encouraged to report behavior that they reasonably believe poses a potential for workplace violence. Protocol for reporting workplace violence is summarized as follows:

- A. Any person experiencing or witnessing imminent danger, personal injury from violence, violence involving weapons, or actual violence should call the University Police Department (ext. 2111) or 911 immediately.
- B. Any person who is the subject of workplace violence involving situations without weapons or personal injury, or is a witness to such situations, should report the incident to his or her next-in-line supervisor who is not party to the alleged action. If a student is the suspected perpetrator, notify Judicial Affairs, Corey Union, Room 409-B (ext. 4725), or in lieu thereof, the University Police Department (ext. 2111).
- C. Any supervisor, manager or other person in authority who receives a report of a suspected violation of this policy shall consult with the Human Resources Office (ext. 2302) or notify the Workplace Violence Advisory Team (Appendix A). Any emergency, perceived emergency, or suspected criminal conduct must be immediately reported to the University Police Department.

## Reporting Through the Silent Witness Program

It is recognized that some individuals may fear reporting any behavior they believe may be criminal in nature and/or a violation of this policy. SUNY Cortland has a Silent Witness Program that was developed so that members of the community could report criminal activity, suspicious activity or tips and remain anonymous. The information is transmitted to the University Police Department for follow up. All information will be kept confidential. The Silent Witness Reporting page is located on the University Police Web site at: [http://www.cortland.edu/univpolice/silent\\_witness.html](http://www.cortland.edu/univpolice/silent_witness.html)

## Employees' Responsibilities

A. All employees are responsible for helping to maintain a safe work and educational environment and are urged to take reasonable precautions to prevent violence and other unsafe conditions in the workplace and report indicators of risk of violent behavior. Indicators of violent behavior can include:

- Direct or veiled threats of harm;
- Intimidating, belligerent, harassing, bullying, or other inappropriate and aggressive behavior;
- Numerous conflicts with supervisors and other employees;
- Bringing a weapon to the workplace, brandishing a weapon in the workplace, making inappropriate references to guns, or fascination with weapons;
- Statements showing fascination with incidents of workplace violence, statements indicating approval of the use of violence to resolve a problem, or statements indicating identification with perpetrators of workplace homicides;
- Statements indicating desperation over family, financial, and other personal problems to the point of contemplating suicide;
- Drug/alcohol abuse; and
- Extreme changes in behavior.

Precautions to help prevent workplace violence include:

- Do not release information about coworkers' schedules, home telephone numbers, or other personal information.
- Request the credentials of any stranger who enters your office to do repair or other service work. If necessary, verify the Work Request with the building administrator or through the Physical Plant Customer Service Center at ext. 2100 if appropriate.
- Never leave money, credit card travel documents or anything else of value in an unlocked desk or cabinet.
- Report stolen items to University Police immediately.

B. Notify the University Police Department whenever a protective restraining order is granted which mentions College property, or involves a College employee, or a person working at or attending the College. Additionally, provide a copy of the order. Appropriate efforts will be made to protect the privacy and sensitivity of the information provided. Employees should also notify their supervisor.

C. Victims of domestic violence who believe the violence may extend into the workplace, or employees who believe that domestic or other personal matters may result in their being subject to violence extending into the workplace, are encouraged to notify their supervisor, or the University Police Department. Confidentiality will be maintained to the extent possible. SUNY Cortland's Domestic Violence and the Workplace Policy is available at: <http://www.cortland.edu/hr/policies.html>

- D. All employees have an obligation to immediately report any incidents of violence and/or Inappropriate conduct or behavior to: their next-in-line supervisor who is not party to the alleged violation; Human Resources; or to the University Police Department. If the incident of violence and/or inappropriate conduct or behavior is by a student, immediately report the incident to Judicial Affairs at ext. 4725 or to the University Police Department at ext. 2111.
- E. Any employee or representative of employees, who believes that a serious violation of the Workplace Violence Prevention Program exists, or that an imminent danger exists, must contact the University Police Department at ext. 2111 or 911 immediately.

### **Supervisors' Responsibilities**

- A. Each dean, director, department chairperson, executive officer, administrator, or other person with supervisory responsibility (hereinafter "supervisor") is responsible within his/her area of jurisdiction for the implementation of this policy.
- B. Supervisors are required to contact the University Police Department immediately in the event of imminent or actual violence involving weapons or potential physical injuries.
- C. Supervisors must report to the University Police Department any complaint or incident of workplace violence of which he/she becomes aware or reasonably believes to exist. Supervisors are expected to inform their immediate supervisor promptly about any complaints, acts, or threats of violence even if the situation has been addressed and resolved. After reporting such complaints or incidents to the University Police Department and immediate supervisor, the supervisor should keep it confidential and disclose it only as necessary during the investigation process and/or subsequent proceedings.
- D. Every supervisor is required to report any knowledge of workplace violence to the Human Resources Office immediately. Failure of a supervisor to investigate and initiate appropriate action may result in corrective or disciplinary action.

### **University Police Department Responsibilities**

- A. The University Police Department is responsible for responding to, intervening in, and documenting all incidents of violence in the workplace. The University Police Department will immediately log all incidents of workplace violence and will notify the affected supervisor of an incident involving his/her employee, and notify the appropriate College official of an incident involving a student.
- B. The University Police Department will maintain an internal tracking system of all threats and incidents of violence. Annual reports will be submitted to the President detailing the number and description of workplace violence incidents, the disposition of the incidents, and recommended policy, training issues, or security procedures that were or should be implemented to maintain a safe working and learning environment.

- C. The University Police Department officers will be trained in workplace violence awareness and prevention, non-violent crises intervention, conflict management, and dispute resolution.
- D. When informed, the University Police Department will maintain a record of any orders of protection and will provide escort service to members of the College community within its geographical confines, when sufficient personnel are available. Such services are to be extended at the discretion of the chief of police or designee. Only the president, or designee, in his/her absence, can authorize escort service outside of the geographical confines of the college.

### **Human Resources Office Responsibilities**

The Human Resources Office is responsible for the following:

- Assisting the University Police Department and supervisors in responding to workplace violence;
- Facilitating appropriate responses to reported incidents of workplace violence;
- Notifying the University Police Department of workplace violence incidents reported to Human Resources;
- Consulting with, as necessary, counseling services to secure professional intervention;
- Providing new employees or employees transferred to the College with a copy of the Workplace Violence Prevention Policy and Procedure and insuring that employees receive appropriate training pursuant to NYS Labor Law §27b; and
- Annually disseminating this policy to all employees, as well as posting the policy throughout the campus and on the College's website, as appropriate.

### **Workplace Violence Advisory Team Responsibilities**

- A. A Workplace Violence Advisory Team has been created to assist the President to:
  - Perform risk evaluations of the workplace to determine the presence of factors or situations that might place employees at risk of workplace violence;
  - Assess the campus' readiness for dealing with workplace violence;
  - Facilitate appropriate responses to reported incidents of workplace violence;
  - Offer Crisis Counseling when appropriate (Appendix B);
  - Assess the potential problem of workplace violence;
  - Evaluate incidents to prevent future occurrences;
  - Utilize prevention, intervention, and interviewing techniques in responding to workplace violence;

- Develop workplace violence prevention tools such as pamphlets, guidelines and handbooks to assist in recognizing and preventing workplace violence on campus; and
- Arrange regularly scheduled workplace violence prevention training sessions for all employees.

B. This team includes representatives from the following areas:

- University Police Department (1)
- Human Resources Office/Legal (2)
- Counseling Center (1)
- Environmental Health & Safety Office (1)
- Academic faculty (2)
- Professional staff (1)
- Classified staff (1)
- Auxiliary Services Corporation (ASC) (1)

A member list of the Workplace Violence Advisory Team is included as Appendix A to this policy or can be accessed at: <http://www.cortland.edu/hr/policies.html>

## Employee Assistance

Everyone deserves an environment that is nonviolent and that promotes well-being both on and off-the-job. The College's Employee Assistance Program (EAP) is a service to help state employees and their families who are facing a problem in their lives. It might be a marital problem, alcoholism, drug abuse, financial strain, or perhaps a legal problem. EAP is designed to help the employee handle the problem before it affects his or her job. The campus EAP coordinator can be contacted confidentially at ext. 5777. Additional information about EAP is also available on-line at: <http://www.cortland.edu/eap>

In addition to EAP, NYS Balance is available to employees who need assistance to cope with stressful situations. Employees are encouraged to contact NYS Balance or seek other professional counseling services. NYS Balance can be accessed at <http://www.nysbalance.ny.gov> (user name: nys password: balance) or toll-free at 1-800-320-4760. The following work-life services link can also be used to link to EAP and other work life services benefits. ([www.worklife.state.ny.us](http://www.worklife.state.ny.us))

## Questions

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