

# Workplace Violence Prevention Policy and Procedures (revised 6/20/13)

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## Workplace Violence Prevention

### Contents

- [Purpose](#)
- [Policy](#)
- [Definitions](#)
- [Prohibited Conduct](#)
- [Retaliation](#)
- [Reporting Procedures](#)
- [Reporting Through the Silent Witness Program](#)
- [Employees' Responsibilities](#)
- [Supervisors' Responsibilities](#)
- [University Police Department Responsibilities](#)
- [Human Resource Office Responsibilities](#)
- [Workplace Violence Advisory Team Responsibilities](#)
- [Employee Assistance](#)
- [Questions](#)
- [Workplace Violence Advisory Team \(Appendix A\)](#)
- [Crisis Counseling \(Appendix B\)](#)

### 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. 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. Moreover, in accordance with NYS Penal Law (reference?), no person, without legal authority, may carry, possess or use any dangerous weapon on College property or in College buildings or facilities.

Any questions or need for additional information relating to this policy can be directed to the Human Resources Office, Miller Building, Room 301 (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>

## **Definitions**

Workplace violence is any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including but not limited to:

- (i) Any attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- (ii) Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- (iii) Intentional and wrongful physical contact with a person without his her consent that entails some injury; and
- (iv) Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

## **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 with the intent to cause harm, e.g., physical attacks, any unwanted contact such as grabbing, shoving, pushing, slapping, hitting, punching, fighting, or throwing objects.
- Acts or threats which are intended to 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, gestures or symbols that communicate a direct or indirect threat of physical or mental harm.
- Threatening to harm a person or his/her family, friends, associates, or their property.
- Intentionally damaging or destroying or threatening to damage or destroy property owned, operated, or controlled by the College or property of another employee, student, or visitor to campus.
- Making or sending threatening telephone calls, letters or messages (electronic, print or other method) to a person.
- The willful, malicious, and repeated following of another person which results in that person reasonably fearing for his/her safety (also known as “stalking”).
- Aggressive or hostile behavior that results in injury or creates a reasonable fear of injury to another person.
- Making a suggestion or otherwise intimating that an act to injure persons or property is “appropriate.”
- Intentionally causing physical injury to a person.
- Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on the campus. While certain employees of the College may be required as a condition of their work assignment to possess firearms, weapons, or dangerous devices on campus, or are permitted to carry them as authorized by law, such employees are to use such firearms, weapons, and dangerous devices in accordance with campus operating procedures and all applicable state and federal laws.

## **Retaliation**

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 Student Conduct at ext. 4725 or to the University Police Department at ext. 2111.
- E. Any employee or representative of employees, who believes that a 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 with:

- Performing risk evaluations of the workplace to determine the presence of factors or situations that might place employees at risk of workplace violence;
- Assessing the campus' readiness for dealing with workplace violence;
- Facilitating appropriate responses to reported incidents of workplace violence;
- Offering Crisis Counseling when appropriate ([Appendix B](#));
- Assessing the potential problem of workplace violence;
- Evaluating incidents to prevent future occurrences;
- Utilizing prevention, intervention, and interviewing techniques in responding to workplace violence;
- Developing workplace violence prevention tools such as pamphlets, guidelines and handbooks to assist in recognizing and preventing workplace violence on campus; and
- Arranging 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, LifeWorks is available to employees who need assistance to cope with stressful situations. Employees are encouraged to contact a LifeWorks consultant or seek other professional counseling services. LifeWorks can be accessed at <http://www.lifeworks.com> (password 2670) or toll-free at 1-800-362-9874.

### **Questions**

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

# Appendix A: Workplace Violence Prevention Policy and Procedures

<http://www2.cortland.edu/dotAsset/113380.pdf%20%28version%2010%29>

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## Workplace Violence Advisory Team Members (rev. 9/2012)

<i>Name</i>	<i>Representing</i>	<i>Office Location</i>	<i>Campus Extension</i>
Barry, Joanne	Human Resources	Miller Bldg., 301	Ext. 2302
Brackin, Michelle	ASC	Winchell Hall	Ext. 2431
Darling, Robert	Faculty	Bowers Hall, 324	Ext. 2923
DePaull, Mark	University Police	Van Hoesen Hall, C-17	Ext. 4127
Dryja, Dan	Classified Staff	Stadium/Service Group	Ext. 2100
Edelman, Ester	Counseling Center	Van Hoesen Hall, B-44	Ext. 4728
Evans, Gary	Human Resources	Miller Bldg., 301	Ext. 2302
Hendrick, Joy	Faculty	Professional Studies Bldg.	Ext. 1154
Patrick, Ben	Professional Staff	Winchell Hall, 215	Ext. 5511
Wright, Glenn	Env. Health & Safety	Service Group, 8-A	Ext. 2508

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# Appendix B: Workplace Violence Prevention Policy and Procedures

<http://www2.cortland.edu/dotAsset/113382.pdf>

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## Crisis Counseling

After a workplace violence incident, crisis counseling may be an appropriate intervention. If recommended by the Workplace Violence Advisory Team, the Human Resources Office will take the following action:

1. Arrange crisis counseling for employees who may have been affected by witnessing or having been directly subjected to workplace violence as defined in the Prohibited Conduct section of the Workplace Violence Prevention Policy and Procedures.
2. Arrange a debriefing session facilitated by trained professionals in the event of workplace violence resulting in trauma to a group of employees.
3. Encourage and/or direct an individual employee to seek assistance through an organization such as the campus Employee Assistance Program, LIFEWORKS, mental health providers and clinics.