



Title of Procedures: Acts of Workplace Violence and Extremism

Procedures (check one): New Revised

Applies to (check all that apply): Faculty Staff Students

Division/Department: College

Topic/Issue: Procedures to address college's policy on workplace violence and extremism.

Background to Issue/Rationale for Procedure:

Guidance on handling issues of civility and imminent threats of violence are needed to ensure that incidents are addressed fairly and swiftly. Individuals who are alleged victims of violent behavior should know the appropriate personnel to contact and the course of action to take. For clarity, violations of the policy are specified in the procedures.

State/Federal Regulatory Requirements (cite if applicable):

Clery Act 20 U.S.C. § 1092(f) 34 C.F.R. 668.46

Procedural Language:

Definitions: For the purposes of the procedure on Acts of Workplace Violence and Extremism the following definitions will apply:

Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, the academic environment, or the College's ability to provide services. Examples of workplace violence include, but are not limited to:

1. Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing others, or waving arms and fists).
2. Intentional physical contact for the purpose of causing harm (such as slapping, stabbing, punching, striking, shoving, or other physical attack).
3. Menacing or threatening behavior (such as throwing objects, pounding on a desk or door, damaging property, stalking, or otherwise acting aggressively; or making oral or written statements specifically intended to frighten, coerce, or threaten) where a reasonable person would interrupt such behavior as constituting evidence of intent to cause harm to individuals or property.

4. Possessing firearms, imitation firearms, knives or other dangerous weapons, instruments or materials. No one within the College community shall have in their possession a firearm or other dangerous weapon, instrument or material that can be used to inflict bodily harm on an individual or damage to property without specific written authorization from the College President regardless of whether the individual possesses a valid permit to carry the firearm or weapon, unless covered by College policy relating to certified Police Officers.

Prohibited Actions: Prohibited conduct includes, but is not limited to:

- Injuring another person physically.
- Engaging in behavior that creates a reasonable fear of injury to another person.
- Engaging in behavior that subjects another individual to extreme emotional distress.
- Possessing, brandishing, or using a weapon that is not required by the individual's position while on campus or engaged in college business.
- Intentionally damaging property.
- Threatening to injure an individual or to damage property.
- Committing injurious acts motivated by, or related to, domestic violence or sexual assault.
- Retaliating against any employee who, in good faith, reports a violation of the policy.

Workplace Extremism is any behavior which attempts to foster illegal discrimination based on race, creed, color, sex, religion, age, disability, sexual orientation or national origin; or advocate the use of force, violence or other means to interfere with an individual's legal rights of movement or expression, or disrupts the workplace, the academic environment, or the College's ability to provide services.

Prohibited Actions: Prohibited conduct includes, but is not limited to:

- Display, creating graphic images of hate symbols,.
- Use of offensive, derogatory, inflammatory language, or acts or actions.
- Committing injurious threats motivated by, or related to race, creed, color, sex, religion, age, disability, sexual orientation or national origin.
- Retaliating against any employee who, in good faith, reports a violation of the policy.

Actions related to sexual harassment are covered under separate policies and or procedures.

Disagreement is common in professional relationships, particularly in an academic environment that encourages discussion and debate of ideas. In some cases disagreements may escalate into behavior that is disrespectful and harmful. The following procedures cover the actions that will be taken when there is a threat or an act of violence.

I. Reporting an Incident

When an individual is faced with a threat of harm, physical assault, or act of violence, he or she should immediately contact Public Safety for assistance. Public Safety (Police Department) will call for additional emergency assistance if needed. The alleged victim

should notify the appropriate supervising authority (dean, director, chair or manager. The supervising authority will:

- Contact the Executive Director of Human Resources
 - Who will notify the Assistant Attorney General, as appropriate
- Notify Vice President of Student Affairs when incident involves a student
- Notify Vice President of Academic Affairs when the incident involves a faculty member
- Notify the appropriate divisional Vice President, (Student Affairs, BCED, Business & Finance, Academic Affairs, IMAR)

- A. A written report will be prepared by Public Safety (Police Department) documenting the account of the incident from all witnesses and parties involved. This report will be submitted to the Executive Director of Human Resources for review and investigation of the facts. After a thorough review of the fact, including interviews with the alleged victim and the accused employee, the Director of Human Resources will, with the appropriate Vice President will make a recommendation regarding discipline to the President.
 - a. If the situation involves a student, the Director of Human Resources and the Vice President of Student Affairs will follow the Student Code of Conduct and or the appropriate policy or procedure for faculty or staff.
- B. Any individual who believes he or she has been treated in a manner that is inconsistent with the Policy on Acts of Workplace Violence may report the incident directly to his or her immediate supervisor rather than the supervising authority of the accused employee, who will report the incident to the Director of Human Resources. or student.
- C. The Director of Human Resources will make a thorough investigation with the appropriate Vice President will make a recommendation regarding discipline to the President.
 - a. If the situation involves a student, the Director of Human Resources and the Vice President of Student Affairs will follow the Student Code of Conduct and or the appropriate policy or procedure for faculty or staff.
- D. If a complaint is unfounded, it will not be placed in the employee's personnel file.
- E. All individuals who believe a crime has been committed against them have the right, and are encouraged, to report the incident to the appropriate law enforcement agency.
- F. Members of the College community who make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action and/or referral to civil authorities as appropriate.

I. Investigation of the Facts

Upon receiving a report, either verbal or in writing, all incidences will be investigated by:

- I. The Director of Human Resources for Faculty, Administrators, Professional Staff.

- II. Vice President of Student Affairs for students
- III. The Director of Human Resources and Vice President for Student Affairs for situations involving student and Faculty, Administrators, or Professional Staff.

II. Incident Reports

The College will report incidents of workplace violence consistent with the College Policies for Incident Reporting Under the Campus Security Policy and Statistical Act (Clery Act).

III. Disciplinary Actions

Employees violating this policy will be subject to disciplinary actions up to and including termination, based on the situation and the results of the investigation. Student violations will follow the Student Code of Conduct

IV. Employee Assistance Program

The Employee Assistance Program, which includes counseling and referral services, is available to all employees, and should be used both to prevent and deal with violent acts and situations occurring in the workplace. Students will be referred to assistance programs as outlined in the Student Code of Conduct.

V. Safety

The College shall make reasonable efforts to maximize the safety of all employees. These efforts may include, but are not limited to: security escort services, working closely with the appropriate law enforcement agencies, relocation of an employee's work station, and strict enforcement of current security procedures.

VI. Training and Prevention

The Policy on Acts of Workplace Violence and Extremism and procedures will be included in the employee application packets and discussed during Employee Orientation. Professional Development programs providing strategies for prevention and workplace stress management will be offered.

Proposed Implementation Date: Upon Board Approval

Proposed by: Tony Warner, Executive Director, Human Resources

Approved by the Board of Trustees: May 25, 2010

Originator/Division: Human Resources