

Workplace Violence Prevention Policy and Program

DOCUMENT INFORMATION

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DOCUMENT CONTENT

Section I: Definitions

Agreements

The collective bargaining Agreements between the State of New York and each of the following bargaining units:

- Civil Service Employee Association (CSEA)
- Graduate Student Employee Union (GSEU)
- Police Benevolent Association of New York State (PBANYS)
- Public Employees Federation (PEF)
- United University Professions (UUP)

Authorized Employee Representative (AER)

An employee authorized by the employees, or the designated representative of an employee organization recognized or certified to represent the employees pursuant to Article 14 of the Civil Service Law.

Civil Service Employee Association (CSEA)

The state-wide union representing Administrative, Institutional, and Occupational Services Employees.

Employee

All New York State employees of SUNY Fredonia, the SUNY Fredonia Foundation, contractors/subcontractors/vendors doing work for or at SUNY Fredonia, SUNY Fredonia Federal Credit Union, SUNY Fredonia Faculty Student Association (FSA), contractors/subcontractors/vendors doing work for SUNY Fredonia FSA, SUNY Fredonia Student Association, SUNY Fredonia Incubator tenants, Campus and Community Children Center, and SUNY Research Foundation employees.

Graduate Student Employee Union (GSEU)

The state-wide union representing Graduate Student Employees.

Imminent Danger

Any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before such danger can be eliminated through the enforcement procedures provided for in this policy.

Police Benevolent Association of New York State (PBANYS)

The state-wide union representing University Police Officers and Lieutenants.

Public Employees Federation (PEF)

The state-wide union representing Professional Scientific and Technical employees.

United University Professions (UUP)

The state-wide union representing Faculty and Professional employees.

Workplace

Any location away from an employee's domicile, permanent or temporary, where an employee performs work-related duties in the course of his or her employment.

Workplace Violence Prevention Advisory Committee (WVPAC)

A subcommittee of the Campus Safety Committee comprised of Authorized Employee Representatives (AER) and managerial representatives.

Workplace Violence

Workplace violence is any physical assault or acts of aggressive behavior occurring where an employee performs any work-related duty in the course of his or her employment. This may include such conduct as: verbal or physical threats of physical injury; intentional displays of force which cause an employee to fear bodily harm; intentional and wrongful physical contact without consent that results in injury; stalking an employee with the intent to cause fear of physical harm, if such stalking arose in the course of employment; or other similar conduct.

Section II: Workplace Violence Prevention Policy Statement

The State University of New York at Fredonia is committed to creating, providing, and maintaining a safe learning and working environment where physical violence or threats of physical violence directed toward coworkers, members of the public, students, or visitors to the university community are not tolerated. The university supports a proactive stance regarding the elimination of workplace violence, as defined by this policy, and will respond promptly to violations of this policy and program. The university prohibits violent acts and threats of violence. For purposes of this policy, violence and threats of violence include, but are not limited to: verbal or physical threats of physical injury; intentional displays of force which cause an employee to fear bodily harm; intentional and wrongful physical contact without consent, that results in injury; stalking an employee with the intent to cause fear of physical harm, if such stalking arose in the course of employment; or other similar conduct.

This Policy applies to all New York State employees of SUNY Fredonia, the SUNY Fredonia Foundation, contractors/subcontractors/vendors doing work for or at SUNY Fredonia, SUNY Fredonia Federal Credit Union, SUNY Fredonia Faculty Student Association (FSA), contractors/subcontractors/vendors doing work for SUNY Fredonia FSA, SUNY Fredonia Student Association, SUNY Fredonia Incubator tenants, Campus and Community Children Center, and SUNY Research Foundation employees.

Believing that employee safety is a shared-responsibility of the entire university community, the Workplace Violence Prevention Policy and Program, and the related survey of potential workplace safety issues, was developed by management in concert with, and following the review of, all authorized employee representatives. Authorized employee representative input was actively sought when this Policy and Program was developed and sought thereafter.

Consistent with SUNY Policy and New York State Law, no person, without legal authority as it relates to their professional obligation, may carry, possess, transport, or use any weapon on university property or in university buildings or facilities.

Students, employees, and visitors to the campus who violate this policy or program are subject to disciplinary action and/or civil or criminal prosecution as appropriate. Disciplinary measures taken against students shall be taken in accordance with the procedures of the campus judicial system. This policy does not alter any codes of student conduct or procedures of the campus judicial system. Any disciplinary action taken against a university employee will be administered consistent with the terms and conditions of the governing labor Agreement-if applicable. The university's response may also include removal of third party vendors/contractors from campus or termination of contracts with such vendors/contractors.

Any individual who engages in violence as defined by the Workplace Violence Prevention Policy on university property may be subject to removal from university grounds.

Reporting Procedures

Any person experiencing or witnessing imminent danger of personal injury, violence involving weapons, or actual violence, shall immediately contact University Police (716-673-3333).

Any SUNY Fredonia employee, student, or other who believes s/he has been subjected to, or witnessed actions that violate this Policy shall promptly report his/her concerns as follows:

SUNY Fredonia employees shall contact.

- His/her immediate supervisor or the supervisor's supervisor; and
- Human Resources- 716-673-3434; or
- University Police- 716-673-3333

SUNY Fredonia students shall contact.

- Student Affairs- 716-673-3271; or
- University Police- 716-673-3333

All others shall contact:

- His/her immediate supervisor or the supervisor's supervisor; and
- University Police- 716-673-3333

Any SUNY Fredonia employee, student, or other who believes s/he has witnessed any indicators of risk of violent behavior as listed below, is strongly encouraged to promptly report his/her concerns as noted in the above reporting procedures.

Indicators of Risk of Violent Behavior

The following examples are provided as an illustrative not all-inclusive listing:

- Direct or indirect threats of harm;
- Intimidating, belligerent, harassing, bullying, stalking or other inappropriate and aggressive behavior;
- Disruptive conflicts or altercations involving employees;
- Bringing a weapon to the workplace, or brandishing a weapon in the workplace, or 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 or intimidating a possibility of violence;
- Impairment as judged by a reasonable person due to substance abuse; or
- Extreme changes in behavior.

Campus Safety Committee

The university has established the Campus Safety Committee (Committee). The Committee will be co-chaired by designees of, and will report to, the Vice President of Administration and Finance and Vice President of Student Affairs. The Committee has charged the Workplace Violence Prevention Advisory Committee (WVPAC) to develop the Workplace Violence Prevention Policy and Program and to conduct an initial risk assessment. Following the initial risk assessment, the WVPAC will conduct subsequent assessments as requested or required due to the relocation of a department or a significant change in the workplace environment. On July 1st of each year, the WVPAC will also review the annual summary of incidents of workplace violence for the previous year, and make recommendations to the Committee as appropriate. The Committee shall, on an annual basis, review and, as required, act upon said recommendations. The WVPAC will also annually review the in-person and the on-line Workplace Violence Prevention Training module(s) and make recommendations as appropriate.

The WVPAC includes broad campus-wide representation including authorized employee representatives from the primary bargaining units, and others as deemed appropriate by the President.

Section III: Workplace Violence Prevention Program

Pursuant to the university's commitment to the prevention of workplace violence, SUNY Fredonia adopts the following as its Workplace Violence Prevention Program:

Risk Assessment Evaluation Process

Initially, the WVPAC will distribute a risk assessment survey to all employees inquiring about potential risk factors in the workplace and solicit their input. Thereafter, as requested, or required due to department relocation, the WVPAC will again survey affected staff.

As prioritized by the risk assessment survey results, the WVPAC will conduct site visits with each university department. The WVPAC will meet with the dean, director, department head, or designee, and encourage them to have interested employees participate in the site visit. During the site visit, the WVPAC will walk the actual worksite with the department designee, and solicit information on concerns related to workplace safety.

Representatives from Human Resources and University Police shall annually review the risk assessments to determine potential high-risk occupations and potential risk factors on the campus. The WVPAC will prepare an annual report detailing the findings of the representatives from Human Resources and University Police, containing recommendations to address concerns identified. Secondary site visits may be conducted for high-risk areas as appropriate. This report shall be submitted to the Committee for review and comment.

Reporting Process / Procedures

To maintain the safety of the university community, incidents or threats, or witnesses of incidents or threats of violence as defined by the Campus Workplace Violence Prevention Policy and Program shall not be ignored by any member of the university community. All employees and members of the university community are encouraged to promptly report behavior they believe poses a potential for workplace violence as defined in Reporting Procedures in Section II.

Any person experiencing or witnessing imminent danger or personal injury or violence involving weapons or actual violence shall call the University Police immediately:

- ***Campus telephone: 3333***
- ***Cell phone or off campus telephone: 716-673-3333***
- ***Blue light telephones located on campus: Dialed automatically/pick-up receiver***
- ***Red telephones located in campus buildings: Dialed automatically/pick-up receiver***
- ***Office panic buttons***

Following contact with University Police, employees shall also promptly notify his/her supervisor. If the immediate supervisor is not available or is involved in the matter, employees shall contact their supervisor's supervisor.

Employees – Responsibilities and Roles

All employees are responsible for helping to maintain a safe educational and work environment and are urged to take reasonable precautions to prevent violence and other unsafe conditions in the workplace.

All employees shall immediately report any incidents of workplace violence (as defined in Sections 1 and II) to their supervisor or the supervisor's supervisor, and Human Resources or University Police.

Any employee who believes that a serious violation of the workplace violence protection program exists or that an imminent danger exists shall immediately contact University Police.

Employees are expected to exercise good judgment in the performance of their assigned duties. Below are some precautions university employees shall take to promote an environment free of potential workplace violence:

- Do not release information about students' or coworkers' schedules, home addresses, home telephone numbers, or other personal information.
- Consider requesting the credentials of any stranger who enters your office to do repairs or other service work. If necessary, verify the work request with Facilities Services.
- Consider keeping money, credit card, travel documents or anything else of value in a locked location (i.e. desk, vehicle, locker, office, conference room, cabinet, etc...).
- If university property is stolen, report it immediately to University Police.

Employees whom have been granted an order of protection which mentions the university, or involves a university employee, or a person working at or attending the university, shall promptly notify their immediate supervisor, Human Resources and University Police. Confidentiality will be maintained to the extent possible.

Employees who are victims of domestic violence who believe the violence may extend into the university community, shall promptly notify their immediate supervisor, Human Resources and University Police. Confidentiality will be maintained to the extent possible.

SUNY Fredonia Students – Responsibilities and Roles

Students shall immediately report any incidents of workplace violence as defined by this policy, in Sections I and II, to University Police.

Students who believe that a serious violation of the workplace violence protection program exists or that an imminent danger exists shall immediately contact University Police.

Students are responsible for helping to maintain a safe educational and work environment and are urged to take reasonable precautions to prevent violence and other unsafe conditions on campus.

Students whom have been granted an order of protection which mentions the university, or involves a person working at or attending the university, shall promptly notify University Police. Confidentiality will be maintained to the extent possible.

Students who are victims of domestic violence, who believe the violence may extend into the university community, shall promptly notify University Police. Confidentiality will be maintained to the extent possible.

Students shall adhere to this Policy and Program, and the rules set forth in the Code of Student Conduct.

Supervisors – Roles and Responsibilities

Supervisors are required to contact University Police immediately in the event of imminent danger or actual violence.

Each dean, director, department chairperson, or other person with supervisory responsibility (hereinafter "supervisor") is responsible within his/her area of jurisdiction for the dissemination of this policy.

Supervisors are required to direct employees to familiarize themselves with this policy and are expected to model and establish acceptable behavior. They should consult with Human Resources for guidance regarding any problematic employee behavior. In an emergency, they shall contact University Police.

Supervisors shall report to their supervisor and Human Resources any complaint of workplace violence made to him/her and any other incidents of workplace violence as defined by this policy of which he/she becomes aware or reasonably believes to exist even if the situation has been addressed and resolved. After having reported such complaint or incident to Human Resources and immediate supervisor, the supervisor shall keep the information confidential and disclose it only as necessary during the investigation process and/or subsequent proceedings. Failure of a supervisor to initiate appropriate action may result in disciplinary action consistent with the terms and conditions of the governing Agreement--if applicable.

SUNY Fredonia University Police – Responsibilities and Roles

University Police are responsible for:

1. Responding to;
2. Intervening;
3. Notifying Human Resources of any workplace violence reported; and
4. Documenting all incidents of violence in the workplace.
5. Copying Human Resources on all incidents involving workplace violence.
6. Maintaining Order of Protection records, when informed.

University Police will provide escort service to at-risk members of the university 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.

SUNY Fredonia Human Resources – Responsibilities and Roles

Human Resources is responsible for:

1. Assisting University Police and supervisors in investigating and responding to workplace violence;
2. Facilitating appropriate responses to reported incidents of workplace violence;
3. Notifying University Police of workplace violence incidents reported to Human Resources; and
4. Consulting with, as necessary, counseling services to secure professional intervention.
5. Providing new employees or employees transferred to the university with a copy of the Workplace Violence Prevention Policy and Program and ensuring that employees receive appropriate training.
6. Annual dissemination of the Workplace Violence Prevention Policy and Program to all employees, as well as posting the policy on appropriate university’s websites.
7. Maintaining an internal tracking system of all threats and incidents of violence.

Information and Training for Employees

The university shall make this Workplace Violence Prevention Policy and Program available to its employees and members of the campus community.

At the time of employees’ initial appointment or any time there is a significant change to the Workplace Violence Prevention Policy and Program impacting an employee’s workplace, and annually thereafter, the university shall provide its employees with the following information:

1. The requirements of NYS Labor Law § 27-b;
2. The location <http://www.fredonia.edu/humanresources/policies.asp> of the written Workplace Violence Prevention Policy and Program;
3. Training—both in class and on-line—that addresses:
 - a. Details of the written Workplace Violence Prevention Policy and Program developed by the University and,
 - b. The measures employees can take to protect themselves from such risks, including specific procedures the university has implemented to protect employees.

Employees are required to complete the annual Workplace Violence Prevention training.

Record Keeping and Reporting to the NYS Labor Department

All Workplace Violence Prevention record keeping and reporting shall be made in compliance with the then applicable laws and regulations, and SUNY policy.

Retaliation

Retaliatory action against anyone who has made a complaint of alleged 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 and New York State Law. Those found responsible for retaliatory action will be subject to counseling or discipline, up to and including termination, subject to the terms and conditions of the applicable collective bargaining Agreement, if any, and applicable criminal charges.

Confidential Counseling Assistance

If an employee has been involved in or impacted by workplace violence, or an employee has witnessed workplace violence, he or she may seek counseling from the university’s Employee Assistance Program by contacting the EAP Office at 673-3586. Consultations with, and assessments and referrals by, the EAP coordinator are made in confidence.

Employees involved in or impacted by Domestic Violence may also seek assistance from the Domestic Violence Liaison, Associate Director of Human Resources, at 673-3434.

Students may seek assistance from the University Counseling Center 673-3424.

FAQ's											
Keywords											
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