

Policy Regarding Workplace Violence

PURPOSE

SUNY Oswego has adopted a policy of zero tolerance regarding workplace violence. Our goal is to create and maintain an environment free from threatening behavior, acts of violence, and harassment and we will not accept behavior of this type, from any source. It is the responsibility of all college employees to create and maintain a workplace free from threats and acts of violence.

POLICY

A. Statement

Any and all forms of violence, threatening behavior, and/or harassment which involve or affect SUNY Oswego employees or which occur on SUNY Oswego's campus are prohibited by this policy. This includes, but is not limited to, threatening behavior, violent actions and harassment by college employees directed against other employees, by employees directed against students, or visitors, and by students, or visitors directed against college employees. The college will actively work to prevent and eliminate violence, threatening behavior, and harassment on campus. The college will respond promptly and decisively to violence, threatening behavior, and harassment on campus. This response may include up to termination of employees or dismissal of students and will include timely involvement of law enforcement agencies, when appropriate. All 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 or student conduct or procedures of the campus judicial system. The college's response may also include removal of third party vendors/contractors from campus or termination or contracts with such vendors/contractors. Engaging in violence, threatening behavior, and/or harassment is considered a form of employee misconduct.

B. Definition

"Violence, threatening behavior, and harassment" includes, but is not limited to, conduct against persons or property that is offensive, intimidating, hostile, injury producing, and/or abusive. The following are examples of behavior that is unacceptable and should be reported immediately.

Level One

- Uncooperative with supervisors, co-workers
- Belligerent toward customers
- Profanity used
- Makes unwanted and/or inappropriate sexual comments (see the University's Sexual Harassment Policy)
- Refuses to obey department/university policy and procedures
- Increased absenteeism on-the-job (productivity drop; appearing to not be focused)

Level Two

- Direct or veiled threats
- Writes sexual or violent notes – intimidation verbally or physically
- Carries a weapon (New York Statutes and University Policy prohibit firearms and certain other articles that could be weapons on state property)
- Makes suicidal comments or threats
- Involved in fights or assaults
- Stalks co-workers or their family

C. Application of Policy Regarding Workplace Violence

The college's prohibition against threatening behavior, acts of violence, and harassment applies to all persons involved in the operation of the college and all persons who attend the college, including, but not limited to all college employees, all college students, third party vendors, and anyone else on campus.

1. Violations of this policy will be promptly investigated and action will be taken, as necessary, to appropriately address each incident. The college will seek severe disciplinary penalties, up to and including termination, against employees of the college who are involved in the commission of threatening behavior, violence, and/or harassment.
2. The college will seek severe disciplinary penalties, up to and including dismissal, against students of the college who are involved in the commission of threatening behavior, violence, and/or harassment. Student violations of this policy will be adjudicated by the campus judicial system.
3. The college may support criminal prosecution of those who threaten or commit violence or engage in harassment against its employees, students, and visitors to its campus.
4. This policy shall be deemed supplemental to all applicable State and Federal Laws, all personnel rules and regulations, and all student codes of conduct.

D. Employee and Student Obligations

Each employee and student of the college and anyone visiting the campus is strongly encouraged to report all incidents of harassment, threatening behavior, and/or acts of violence of which he/she is aware. If an employee, student, or visitor believes he/she or others are in immediate danger, University Police should be contacted immediately (x5555).

1. When the reporting individual is a campus employee, a student or third party vendor/contractor against a campus employee, the report is to be made to the following persons:
 - Immediate supervisor and
 - University Police
2. When the reporting individual is a campus employee or student and the report is against a student, the report shall be made in accordance with the procedures of the campus judicial system.
3. When the reporting individual is a visitor to the campus, the report shall be made to University Police.
4. Each person to whom such a report has been made regarding an employee shall immediately refer the report to the Director of Human Resources. Reports against students shall be handled through the procedures of the campus judicial system.
5. Nothing in this policy alters any other reporting obligation established in campus policies or in State, Federal, or other applicable laws.

E. Implementation of Policy

1. The college will attempt to reduce the potential for campus violence by positively affecting the attitudes and behavior of its employees and students by:
 - Making all current and new employees and students aware that violence or threatening behavior on campus will not be tolerated.
 - Creating a low-risk campus environment. All employees in positions of authority are expected to promote positive behavior and to lead by example, by treating employees and students with the respect and dignity to which each is entitled. Emphasis will be placed on creating a campus where established standards of conduct are clear, communicated, and consistently enforced, and where discipline is used

fairly and appropriately to deal with instances of unacceptable behavior.

- Developing procedures for increasing awareness and prevention of threatening behavior, violence, and harassment on campus.
- Training employees.
- Encouraging employees and students to use available counseling and assistance services when needed, including the referral of employees to the Employee Assistance Program (EAP) when deemed appropriate. Both victims of violence and those who commit violent acts or have threatened to do so may be referred for such services.

2. The college will deal with threatening behavior, violence, and harassment on campus by:

- Designating a campus representative to take campus violence complaints (Judicial Affairs Director when the complaint involves a student(s) and the Director of Human Resources when the complaint involves an employee(s).
- Requesting that all employees and students report all threatening behavior, violence, and harassment in a timely manner as set forth in this policy and in the procedures of the campus judicial system.
- Quickly dealing with threatening behavior, violence, and harassment. Supervisors are specifically empowered by this policy to take immediate action to resolve or stabilize violent situations on campus and to protect people from harm.
- Promptly and properly investigating all complaints of threatening behavior, violence, and harassment.
- Ensuring that the Judicial Affairs Director, the Director of Human Resources, and/or the Chief of University Police take appropriate disciplinary action.
- Supporting the continuation of a good working relationship between University Police and local law enforcement.
- Employing legal remedies that address issues of workplace violence (i.e., restraining orders).
- Creating and maintaining the highest practical level of physical security on campus.
- Maintaining accurate records on campus violence.

F. Dissemination

All employees shall be given copies of this policy. All new employees will be given a copy of this policy as part of their respective orientations. This policy will be included in the Faculty Handbook and placed on the Human Resources website.