



## Workplace Violence Prevention Policy

### PURPOSE

SUNY Oswego is committed to providing an environment free from threatening behavior and acts of violence. The College will actively work to prevent and eliminate all violent and threatening behavior. 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 or threatening behavior which involve or affect SUNY Oswego employees or which occur on SUNY Oswego's campus or other College locations are prohibited by this policy. This includes, but is not limited to, threatening behavior or violent actions by college employees or against employees by coworkers, students, members of the public or others. The College will respond promptly and decisively to violence and threatening behavior on campus. This response may include up to termination of employees in compliance with collective bargaining agreements and law or dismissal of students and may include timely involvement of law enforcement agencies as required, when appropriate. All disciplinary measures taken against students shall be taken in accordance with the procedures of the Office of Student Conduct. This policy does not alter any campus judicial codes/rules or student conduct procedures as administered by the Office of Student Conduct. 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 or threatening behavior is considered a form of employee misconduct.

#### B. Definition

The term "workplace violence" is defined as any physical assaults or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment. Examples include:

- An attempt or threat, whether verbal or physical, implied or direct, to inflict physical injury upon an employee;
- Any intentional display of force which would give an employee reason to fear or expect bodily harm;

- Intentional and wrongful physical contact with a person without his or her consent that entails some injury;
- Stalking, harassing, or intimidating an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking, harassing, or intimidating has arisen through and in the course of employment.

### C. Application of the Workplace Violence Prevention Policy

The College's prohibition against threatening behavior and acts of violence 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 and third party vendors.

1. Violations of this policy will be promptly investigated and action will be taken, as necessary, to appropriately address each incident in compliance with collective bargaining agreements. 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 or violence in accordance with existing collective bargaining agreements.

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. Student violations of this policy will be adjudicated by the Office of Student Conduct.

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 human resource rules and regulations, and all student codes of conduct.

### D. Supervisor

A supervisor is defined as any person within the employer's organization who has the authority to direct and control the work performance of an employee, or who has the authority to take corrective action.

1. Each dean director, department chairperson, executive officer, administrator, or any other person with supervisory responsibility (hereinafter "supervisor") is responsible within his/her area of jurisdiction for the implementation of this policy.
2. Supervisors are required to contact University Police immediately in the event of imminent or actual violence involving weapons or potential physical injuries.

3. Supervisors must report to University Police any complaint of workplace violence made to them and any other incidents of workplace violence of which they become aware of or reasonably believe exists. 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. Once reported, the supervisor should keep it confidential and disclose it only as necessary during the investigation process and/or subsequent proceedings.
4. Following notification to University Police, supervisors are obligated to contact the Office of Human Resources immediately to report incidents involving college employees.

#### E. Employee and Student Obligations

Each employee and student of the College and anyone visiting the campus is strongly encouraged to report all incidents of 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 danger, University Police should be contacted immediately (315-312-5555).

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:

- University Police
- Immediate supervisor
- If the supervisor is engaging in the prohibited behavior, then report to the next level supervisor

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 Office of Student Conduct which can be found at: <https://www.oswego.edu/student-affairs/dean-students/>

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 Office of Human Resources. Reports against students shall be handled through the procedures of the Office of Student Conduct.

5. Nothing in this policy alters any other reporting obligation established in campus policies or in State, Federal, or other applicable laws.

#### F . Implementation of Policy

1. The College will strive to reduce the potential for campus violence by positively affecting the attitudes and behavior of its employees and students by:

- Informing all current and new employees and students that violence or threatening behavior on campus will not be tolerated.
- Working to create 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 respect and dignity. 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 on campus; ensure that the Workplace Violence Prevention Team performs on-going risk assessments and review of information related to campus safety and workplace violence prevention.
- Providing training to newly hired employees and to all employees on an annual basis.
- 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 address threatening behavior or violence on campus by:

- Designating a campus representative(s) to investigate campus violence complaints (Office of Student Conduct when the complaint involves a student(s) and the Office of Human Resources when the complaint involves an employee(s)).
- Requesting that all employees and students report all threatening behavior and violence, in a timely manner.
- Quickly dealing with threatening behavior and violence. 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 and violence.
- Ensuring that the Office of Student Conduct, the Office of Human Resources, and/or University Police take appropriate disciplinary or corrective action according to existing rules, policies, and/or existing collective bargaining agreements.
- Supporting the continuation of an effective 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.

#### G. Retaliation

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 will be subject to discipline up to and including termination in accordance with collective bargaining agreements.

#### H. Dissemination

Electronic copies of this policy will be disseminated to all employees annually. All new employees will be notified of this policy as part of their respective orientations. This policy will be placed on the Human Resources website.

#### I. Campus Resource Directory

University Police  
Pathfinder Hall  
315-312-5555  
<https://www.oswego.edu/police/>

Dean of Students Office  
501 Culkin Hall  
315-312-5483  
<https://www.oswego.edu/student-affairs/dean-students/>

Office of Human Resources  
201 Culkin Hall  
315-312-2230  
<https://www.oswego.edu/human-resources/>

Employee Assistance Program  
104B Hewitt Union  
315-312-5546  
<https://goer.ny.gov/employee-assistance-program>

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