

State University of New York at Potsdam
Workplace Violence Prevention Policy and Procedures

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Policy

SUNY Potsdam (herein after referred to as “The College”) is committed to providing a safe work environment for all employees and has adopted a zero tolerance policy regarding workplace violence. SUNY Potsdam will respond promptly to threats, acts of violence, and acts of aggression by employees or against employees by coworkers, members of the public or others. This document sets forth standards for employee conduct and guidelines for reasonable precautions. The procedures outline response to threats or violence should they occur in the workplace.

Statement

Any and all forms of violence, threatening behavior, and/or acts of aggression which involve or affect The College employees or which occur on The College’s campus are prohibited by this policy. This includes, but is not limited to, threatening behavior, violent actions, and acts of aggression 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 acts of aggression on campus. The College will respond promptly and decisively to violence, threatening behavior and acts of aggression on campus. This response may include termination of employees or dismissal of students and will include timely involvement of law enforcement agencies, where appropriate. All disciplinary measures taken against students shall be 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. The College’s response may also include removal of third party vendors or contractors from campus or termination of contracts with such vendors or contracts. Engaging in violence, threatening behavior and/or acts of aggression is considered a form of employee misconduct.

Definitions

“Violence, threatening behavior and acts of aggression” includes, but is not limited to, conduct against persons or property that is offensive, intimidating, hostile, injury producing, and/or abusive. Normal, courteous, respectful, pleasant, non-coercive interactions between employees and students, employees and employees, and visitors and students or employees, are not considered to be violent, threatening or acts of aggression.

“Employer” means the State University of New York at Potsdam (The College)

“Employee” means a public employee working for The College or a Research Foundation employee associated with The College

“Visitor” means someone that is not an employee, student, or vendor.

“Vendor” means a representative that renders goods or services and includes PACES employees

“Workplace” means any location away from an employee’s home, permanent or temporary, where an employee performs any work in the course of his or her employment by an employer.

“Supervisor” means any person within The College who has the authority to direct and control the work performance of an employee.

“Retaliatory actions” mean the discharge, suspension, demotion, penalization or discrimination against any employee or other employment action taken against an employee in the terms and conditions of employment.

Application of Policy

The College's prohibition against threatening behavior, violence, and acts of aggression 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.

This policy shall be deemed supplemental to all applicable State and Federal laws, all personnel rules and regulations, and all student codes of conduct.

To determine if a complaint of workplace violence has occurred, the following standard will be applied: The evidence and information appears reliable and is of such weight and persuasiveness as to convince an authorized personnel, as defined in this policy, has occurred.

Prohibited Conduct

The College will not tolerate any act or threat of violence made in the workplace, on College property, or while in work status.

No person may engage in violent conduct or make threats of violence, implied or direct, on College property or in connection with College business. This 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 hitting, fighting, pushing, or throwing objects
- Behavior that is sexual, racial, religious or ethnic harassment (i.e. hate symbols, words, name calling, slurs, and gestures).
- Acts or threats which intimidate, harass, threaten, bully, coerce, or cause fear of harm Acts of threats made by oral or written words, gestures or symbols that communicate a threat of physical or mental harm

No person, without legal authority, may carry, possess or use any dangerous weapon or instrument on College property or in College buildings or facilities as defined by New York State Penal Code.

Responsibilities

Employer

- Perform an annual risk evaluation of the workplace to determine the presence of factors or situations that might place employees at risk of workplace violence
- Create and maintain the highest practical level of physical security on campus.
- Facilitate appropriate responses to reported incidents of workplace violence.
- Assess the potential problem of workplace violence.
- Evaluate incidents to prevent future occurrences.
- Utilize prevention, intervention and interviewing techniques in responding to workplace violence.
- Develop workplace violence prevention tools to assist in recognizing and preventing workplace violence on campus.
- Arrange regularly scheduled workplace violence prevention training sessions for employees.
- At the time of the employees' initial assignment and annually thereafter, the University shall provide its employees with information and training on the risks of violence in their workplace.
- Maintain accurate records on campus violence.

President

- The President shall have ultimate responsibility for oversight of the workplace violence policy and response to reported incidents of workplace violence, in consultation with the appropriate Vice President and Human Resources.

Supervisors

- Supervisors are required to contact University Police immediately in the event of imminent or actual violence involving weapons or potential physical injuries.
- Supervisors must report to the University Police any complaint of workplace violence made to them and any other incidents of workplace violence of which they become aware or reasonably believe 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 having reported such complaint or incident to the University Police and immediate supervisor, the supervisor should keep it confidential and only disclose it as necessary during the investigation process and/or subsequent proceedings.
- Supervisors are empowered to take immediate action to resolve or stabilize situations on campus and to protect people from harm.
- Failure of a supervisor to initiate appropriate action may result in administrative action including possible discipline in accordance with appropriate collective bargaining agreement

Employees and Vendors

- Responsible for helping to maintain a safe work and educational environment and all are urged to take reasonable precautions to prevent violence and other unsafe conditions in the workplace and report indicators of increased risk of violent behavior.
- Notify University Police 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, and provide a copy of the order to University Police. Employees should also notify their Supervisor.
- 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 University Police and their Supervisor.
- All employees have an obligation to report any incidents of workplace violence.

University Police

- University Police is responsible for responding to, intervening and mitigating imminent danger situations.
- University Police is responsible for documenting all incidents reported to them of workplace violence.
- The Dean for Student Affairs or designee will be notified of an incident involving a student.
- University Police will maintain incident reports of all threats and incidents of violence.
- University Police Officers will be trained in workplace violence awareness and prevention, non-violence crisis intervention, conflict resolution and dispute resolution.
- When informed, University Police will maintain a record of any Orders of Protection.

Human Resources

- Human Resources is responsible for assisting the Chief of Police and supervisors in responding to workplace violence, assisting the President in facilitating appropriate responses to reported incidents of workplace violence, referring to University Police workplace violence incidents reported to HR, and consulting with, as necessary, counseling services to secure professional intervention.
- Human Resources is responsible for providing new employees or employees transferred to the College with access to the Workplace Violence Policy and Procedure and ensuring that employees receive appropriate training pursuant to NYS Labor Law§27b and annually thereafter.
- Human Resources will conduct background checks on all new employees.

Reporting Procedures

- Any person experiencing or witnessing imminent danger or personal injury or violence involving weapons or actual violence must be reported to University Police at 267-2222.
- Any person who is the subject of a suspected violation of the Workplace Violence Policy involving violence without weapons or personal injury, or is a witness to such suspected violations, should report the incident to University Police.
- Employees who commit a violent act or threaten to commit a violent act are subject to disciplinary action and /or criminal prosecution as appropriate.
- Any individual who exhibits threatening behavior or engages in violent acts on the College property shall be subject to removal from the premises as quickly as safety permits.

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.

Dissemination

This policy will be included in the Faculty Handbook and be posted on the Human Resources web page.