

## Policies and Procedures

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### Workplace Violence Policy

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The State University of New York College of Environmental Science and Forestry (ESF) Workplace Violence Policy applies to ESF employees, students, and to persons conducting business with or visiting ESF, even though such persons are not directly affiliated with ESF. The policy is in accordance with the New York State Workplace Violence Prevention Act. The Workplace Violence Prevention Program is available for review in the Office of Human Resources, 216 Bray, during College office hours.

#### Policy Statement:

ESF is committed to providing a safe working, learning and social environment that is free from violence. ESF will promptly respond to threats, acts of violence, and acts of aggression that occur in the workplace.

ESF prohibits any act or threat of violence made in the workplace. No person may engage in violent conduct or make threats of violence, implied or direct, on ESF facilities or in connection with College business. ESF requires that any such threat or act be reported.

No person, without legal authority, may carry, possess or use any dangerous weapon on College property or in College buildings or facilities.

Any violation of this College policy will be met with the strongest possible sanction appropriate for the circumstance.

#### Definition:

*Workplace violence* is any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including but not limited to:

- (i) An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- (ii) Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- (iii) Intentional and wrongful physical contact with a person without his or her consent that entails some injury;

(iv) Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Procedures:

A. Reporting

Employees:

- Employees are responsible for reporting all Workplace Violence to their supervisor or to University Police at x6666 immediately (for definition of "Workplace Violence" please refer to page one of this policy). Employees are encouraged to report the information to the Office of Human Resources as well.

Supervisors:

- Unit Heads, Department Chairs and Supervisors are responsible for implementation of this policy in their unit and must report any information they receive from employees as described above to University Police at x6666 immediately. Supervisors are encouraged to report the information to the Office of Human Resources as well.

Students:

- Students must report all Workplace Violence to University Police at x6666 immediately. If the incident involves other ESF students, University Police will also report the incident to the Dean of Student Life and Experiential Learning.

B. Process

University Police will respond promptly and investigate all reports of threats or acts of violence. The Office of Human Resources will assist University Police, as appropriate, in responding to workplace violence.

C. False Charges

Knowingly making a false report under this policy is prohibited.

D. 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 in violation of this policy. Retaliatory action includes but is not limited to, discharge, suspension, demotion, penalization or discrimination against any employee, or other adverse employment action taken against an employee in the terms and conditions of employment. Those found responsible for retaliatory action will be subject to discipline up to and including termination.

#### E. Sanctions

The College will take action, consistent with personnel policies, practices and collective bargaining agreements, up to and including referral to law enforcement authorities and/or possible discharge from State employment, against employees of the College who violate this policy.

Students who violate this policy and/or the Student Code of Conduct will be subject to actions determined by the College's judicial system and may be referred to law enforcement authorities.

Visitors, vendors, etc. who violate this policy may be subject to removal from premises and may be referred to law enforcement authorities.

#### Appendix A

Includes examples of behavior that may be considered workplace violence.

#### Appendix B

Includes some precautions that can be taken in the workplace to avoid workplace violence.

#### Appendix C

Includes some indicators of workplace violence.

### Appendix A – Examples of Prohibited Conduct in the Workplace

In addition to the items listed in the Workplace Violence Policy, the following list of behaviors, while not inclusive, provides examples of conduct that is prohibited in the workplace toward any employee, student, or visitor to campus:

1. The use of force with the intent to cause harm, e.g. physical attacks, any unwanted contact such as grabbing, shoving, pushing, slapping, hitting, punching, fighting, or throwing objects;
2. Acts or threats which are intended to intimidate, harass, threaten, bully, coerce, or cause fear of harm whether directly or indirectly;
3. Acts or threats made directly or indirectly by oral or written words, gestures or symbols that communicate a direct or indirect threat of physical or mental harm.
4. Threatening to harm a person or his/her family, friends, associates, or their property.
5. Intentionally damaging or destroying or threatening to damage or destroy property owned, operated, or controlled by the College or property of another employee, student, or visitor to campus.
6. Making or sending threatening telephone calls, letters or messages (electronic, print or other method) to a person.
7. The willful, malicious, and repeated following of another person which results in that person reasonably fearing for his/her safety (also known as “stalking”).
8. Aggressive or hostile behavior that creates a reasonable fear of injury to another person.
9. Making a suggestion or otherwise intimating that an act to injure persons or property is “appropriate”.
10. Causing physical injury to a person.
11. Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on the campus. While certain employees of the College may be required as a condition of their work assignment to possess firearms, weapons, or dangerous devices on campus, or are permitted to carry them as authorized by law, such employees are to use such firearms, weapons, and dangerous devices in accordance with campus operating procedures and all applicable state and federal laws.

### Appendix B – Precautions to Avoid Workplace Violence

The following list is a list of some precautions that can be taken to avoid workplace violence:

1. In response to telephone inquiries, do not release information about coworkers' or students' schedules, home telephone numbers, or other personal information.
2. In the event of suspicious conduct, request the credentials of any stranger who enters your office or area to do repair or other service work. If necessary, verify the work request with the Physical Plant at ext. 6588.
3. Never leave money, credit cards, travel documents or anything else of value in an unlocked desk, cabinet, etc.
4. If something is stolen, report it immediately to University Police at x6666.

Appendix C – Possible Indicators of Workplace Violence

The following list is a list of some indicators of workplace violence<sup>1</sup>:

1. Direct or veiled threats of harm.
2. Intimidating, belligerent, harassing, bullying, or other inappropriate and aggressive behavior.
3. Numerous conflicts with supervisors and other employees.
4. Bringing a weapon to the workplace, brandishing a weapon in the workplace, making inappropriate references to guns, or fascination with weapons.
5. 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.
6. Statements indicating desperation (over family, financial, and other personal problems) to the point of contemplating suicide.
7. Drug/alcohol abuse.
8. Extreme changes in behavior.

<sup>1</sup> Identified by the FBI's National Center for the Analysis of Violent Crime, (Profiling and Behavior Assessment Unit in *Dealing with Workplace Violence: A Guide for Agency Planners* by the United States Office of Personnel Management, Workforce Relations, February 1998