

# P-005 ZERO TOLERANCE OF WORKPLACE VIOLENCE

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## Southwest Minnesota State University Policy and Plan

### Zero Tolerance of Workplace Violence

#### Introduction

In accordance Minnesota State law (Minnesota Statute 1.5):

#### Freedom from Violence

The State of Minnesota hereby adopts a policy of zero tolerance of violence. It is state policy that every person in the state has a right to live free from violence.

In furtherance of this policy, Minnesota Statute 15.86 mandates that each agency of state government adopt a goal of zero tolerance of violence in, and around, the workplace.

Each agency is required to develop a plan that describes how the agency will 1) seek to eliminate any potential for violence in and around the agency workplace; and 2) seek to eliminate any potential for violence by affecting the attitudes and behavior of the people the agency serves or employs.

#### Definition

In 1994, the Minnesota Violence Prevention Advisory Task Force established by the Legislature endorsed the following definition of violence as a reference for those working on violence prevention issues:

"Violence is the abusive or unjust exercise of power, intimidation, harassment and/or the threatened or actual use of force which results in or has a high likelihood of causing hurt, fear, injury, suffering or death."

#### Southwest Minnesota State University Policy

Southwest Minnesota State University will work to provide a safe workplace for employees, students and visitors to the University. The University will not tolerate workplace or campus violence. This includes threatening or violent actions by employees directed against other employees, students, or visitors, and by students directed against other students, employees, or visitors or by campus visitors directed against students, employees or other visitors.

#### The University through its policy and plan is committed to the following:

- The University will actively work to prevent and eliminate acts of work or campus violence. It is the responsibility of its managers, supervisors and all of its employees to achieve a workplace free from threats and acts of violence. The University will respond promptly, positively, and aggressively to deal with threats or acts of violence. This response will include timely involvement of law enforcement agencies, when appropriate.
- The University hereby adopts, and will work to enforce, a policy prohibiting possession of firearms and other dangerous weapons in the workplace or on campus. Exceptions will be authorized by the Director of University Public Safety.

- Incidents of work-related or campus threats or acts of violence will be treated seriously by the University. Reports of such acts will be promptly investigated, and management will take action, as necessary, to appropriately address each incident.
- The University will develop a reporting and response process to be implemented and training to insure that all employees know how to use the reporting process.
- The University will take strong disciplinary action, up to and including discharge from State employment, against employees of the University who are involved in the commission of work-related threats or acts of violence. Students engaging in such behavior will be dealt with in accordance with the student code of conduct and the University Community Expectations Program.
- The University will report to the local authorities any incident involving those who threaten or commit work-related violence against its employees, students and visitors to the campus environment and will cooperate with authorities in investigation of those incidents.
- Pursuant to Minnesota Statute 15.86, this policy does not create any civil liability on the part of the State of Minnesota.

#### Southwest Minnesota State University Implementation Plan

1. **The University will provide a safe workplace and campus.** The University is committed to ensuring that the workplace and campus provides for the safety of employees, students and visitors for reasonable protection from workplace violence.
2. **The University will attempt to reduce the potential for internal workplace violence by positively affecting the attitudes and behavior of its employees and students by:**
  - Creating a low-risk work/campus environment. University personnel are expected to treat employees and students with respect and dignity. Emphasis will be placed on creating a workplace/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.
  - To assist in reducing the potential for internal workplace violence, Southwest Minnesota State University has instituted the following programs:
    - Escort services
    - Lighting surveys
    - Access control to facilities
    - Security patrol
    - Residence Hall Night Watch Program
    - Security training programs for student support operations
  - Providing supervisory training. Managers and supervisors will be trained to deal with workplace-related threats and acts of violence. This training will focus on prevention, recognition, and de-escalation of violence, conflict management, suggestions for appropriate responses to threats and acts of violence, and will identify those resources, which are available for use once a potential problem has been identified, or an incident has occurred. Coordinated by Human Resources, the Director of University Safety will provide initial in depth training of supervisors and managers by spring of 1998 and annual refresher training thereafter.
  - Providing employee and student training. Employees and students will be given the opportunity to receive training in threat awareness, and appropriate responses to aggressive, threatening and violent behaviors. Assessment of additional training needs for employees will be made upon request of the unit supervisor

*Note: While every effort is made to ensure accuracy, SMSU reserves the right to correct any clerical errors herein. Also, you can submit feedback.*

or student group to be coordinated by Human Resources and provided by University Public Safety.

- Encouraging employee/student counseling and assistance. The University will encourage use of the Employee Assistance Program (EAP). The EAP is primarily an assessment, short-term counseling, and referral agency. While supervisors, union representatives, or family members may encourage employees to seek help from EAP, the decision to use the services is a voluntary one. Students are encouraged to seek the services of the personal Development Center (PDC). Employees or students may also choose to seek assistance from private health services to deal with pressures, stress, emotional problems, or other personal issues which could, if ignored, lead to threats or acts of violence.
  - Periodic assessment of campus climate. To prevent workplace violence, it is important to recognize the need to assess the complete workplace climate and environment. Through use of student and employee surveys, as well as other means, indications of campus climate should be reviewed once each year. This will be coordinated with others by the Director of University Public Safety.
  - Providing information. Safety and security information is published annually in the SMSU Student Handbook and the SMSU Residence Hall Handbook and includes safety and protection guidelines for students. The SMSU Handbook is also distributed to employees each year. Under the Student Right to Know and Campus Security Act, an annual report of campus crime statistics and related incidents of violence is published in the SMSU Student Handbook and in a brochure format which is made available to all students, faculty and staff as well as prospective students and parents upon their request. Informational brochures and other media will be used to make all employees and students familiar with the services offered by the EAP and PDC, respectively. The University will provide information on how to take advantage of those services as well as other options for resolution of personal and work-related problems, which may have a potential for escalating to a violent incident.
  - Auxiliary Policy/Procedure Development. The University will continue to develop and update policies and procedures, which relate to issues of violence, for example: alcohol/drug use policies for employees and students, background check procedures, and bomb threat procedure.
  - SMSU Violence Task Force. The task force, which includes faculty, staff, administrators, and students, meets monthly. This task force works to educate students about a variety of issues related to the prevention of sexual assaults, domestic violence, and general crime.
  - New Horizons Crisis Center. The University has developed a positive working relation with the Center. NHCC is a non-profit, community agency that provides education, advocacy, and assistance for survivors of sexual assault and for victims of general crime.
3. **The University will effectively deal with threats of violence, and with actual incidents of violence. Managers and supervisors have a duty to ensure a safe work environment exists by:**
- Developing sanctions and/or restrictions that will send a strong message that an office will not tolerate violence or threats of violence.

- Contacting the Director of University Public Safety or the Marshall Police when a potentially unsafe or dangerous situation turns into an emergency that demands an immediate response.
- Responding promptly to any employee's expression of concern for their on-the-job security.
- Discussing options, which will provide support, including referrals to Employee Assistance Program.
- Reporting all incidents of violence to Human Resources/ University Public Safety.

4. **The University will work to eliminate dangerous weapons from the workplace.** Dangerous Weapon Prohibition: Effective immediately, the possession of any dangerous weapon, to include any firearm, in any university workplace or campus by any persons other than a law enforcement officer in the course of duty, is strictly prohibited. University personnel are prohibited from possessing any dangerous weapon, to include any firearm, while on official duty. See Appendix C for a list of dangerous weapons included in this prohibition. Procedure and process for storage of weapons on campus will be the responsibility of the Director of University Public Safety.

**Exceptions:** Exceptions will be authorized by the Director of University Public Safety. Planned use of any items in Appendix C in the course of a general academic and work applications should be discussed and reported by faculty and staff to the Director.

#### 5. **Plan Distribution and Responsibility**

Copies of this policy and plan will be distributed to all current and new employees and will be posted on employee bulletin boards. Managers and supervisors will be responsible for informing employees of this policy and plan, and for enforcing compliance with it. A copy will also be available in the University library. This plan will also be included in the Student Handbook.

Copies of this plan will also be distributed to other agencies or organizations who lease SMSU facilities, who rent or use facilities for events and those who through contracts with the University are performing work on the SMSU campus. While these groups may be considered the public and not a regular part of the university community, they are typically on the campus for an extended period of time and will be expected, as appropriate, to adhere to this policy and plan.

The Director of University Public Safety will assume responsibility for coordinating the University response to workplace and campus-related threats and acts of violence. Managers and supervisors will continue to have primary responsibility for ensuring a safe workplace and campus, for monitoring and resolution of employee conflicts or disputes, for taking appropriate corrective action when potentially violent situations develop, and for working with the Director of University Public Safety when threats or acts of violence occur.

### **Reporting and Response to Incidents of Violence**

1. Any incident of violence experienced by an employee should be reported directly by the employee to their supervisor. Incidents initiated by a student for which the employee is victim, should be reported to the Assistant Vice President for Student Affairs, the University Judicial Officer or the employee's supervisor. Incidents initiated by an employee, for which the student is a victim should be reported by the student to the Assistant Vice President for Student Affairs, the employee's supervisor, or the Director of University Public Safety. All employees, including faculty, should be knowledgeable of

this reporting process and ensure that victims of violence are referred to the appropriate university officials when such incidents occur.

2. This reporting will require written documentation in the form of an incident report. The information provided will include the date, time, and conditions of the incident as well as a record of other witnesses.
3. The supervisor will review the incident report, obtain any necessary follow up information, and determine appropriate action to be taken. If the offending employee is outside the supervisory reporting relationship, the supervisor will refer the matter to Human Resources who will coordinate communication and appropriate action with the offending employee's supervisor.
4. The supervisor of Human Resources could call on the Director of University Public Safety for investigative support. The Director would conduct appropriate investigation of the incident and report back to the supervisor.
5. Based on the severity of the situation, the Director of University Public Safety will review protection and safety precautions with the victim.
6. As appropriate, the supervisor, Human Resources and University Public Safety will review all information and determine the course of action for the university. Disciplinary action will be processed and taken in accord with appropriate bargaining units agreements.

## Appendix C

### Dangerous Weapons List

For the purpose of this policy a weapon is defined as any instrument, article, or substance, which is specifically designed for and presently capable of causing death, incapacitation, or serious physical injury. This includes but is not limited to firearms, loaded or unloaded, assembled or disassembled, including pellet, "BB", and stun guns (electronic incapacitation devices), replicate firearms, as defined in Minn. Statute 609.713, firearms ammunition, explosive devices (both incendiary and chemical), fireworks, knives having a blade that swings into position by force of a spring or centrifugal force (commonly known as switch blades) and knives (other than pocket knives) with blades longer than three and one-half inches, bows, cross-bows, arrows, metal knuckles, straight razors, blackjacks, saps, sap gloves, koshers, bludgeons, martial arts stars, and weapons of the type known as nunchakus.