

SUNY Maritime College Policy Regarding Zero Tolerance for Violence in the Workplace

March 2007

See March 4, 2007 NYS Labor Law Workplace Violence Policy Requirements at:

<http://www.labor.state.ny.us/workerprotection/safetyhealth/workplaceviolence.shtm>

PURPOSE

SUNY Maritime College is committed to creating and maintaining a work environment free from threatening behavior and acts of violence. SUNY Maritime College will not tolerate violence or threatening behavior of any type, from any source. It is the responsibility of all College employees, managers, and supervisors to create and maintain a work/learning environment free from threats and acts of violence.

University Police: 911
from a campus phone
or 409-7311 from cell
Human Resources:
409-7301

POLICY

Statement

The persons covered by this policy are: employees of the SUNY Maritime College (the “College”), College faculty, independent contractors, vendors, and other visitors who have been retained by the College with respect to the business and/or operation of the College. Students (who are not also employees of the College) and their guests are not covered by this policy; acts of violence alleged to have been committed by students will be addressed via the policies and procedures relating to student conduct. However, this policy shall apply to students who also serve as employees of the College, during such times as they are acting in their capacity as employees.

Any and all forms of violence or threatening behavior which involve or affect SUNY Maritime College employees or which occur on the College’s campus, or in any off-campus location that could be considered an extension of the College (i.e., the Empire State Training Ship even at times it is away from the campus, or when employees, students, and others are in official travel status as representatives of the College, etc.) are prohibited by this policy. This includes threatening behavior and violence directed against supervisors, by supervisors against employees, by employees directed against other employees, by employees directed against students, or visitors and vendors, and by visitors or vendors directed against College employees or students.

The College will actively work to prevent and eliminate violence and threatening behavior on campus. The College will respond promptly and decisively to violence and threatening behavior on campus. This response may include termination of employees and will include timely involvement of law enforcement agencies, when appropriate. The College’s response may also include removal of third party vendors from campus or termination of contracts with such vendors.

Engaging in violence or engaging in threatening behavior have been and are considered serious forms of employee misconduct.

“Violence and Threatening Behavior” Defined

Violence and threatening behavior include conduct against persons or property that is offensive, intimidating, hostile, injury-producing, and/or abusive.

General Examples of Prohibited Conduct

1. All threats or acts of violence occurring on the campus, regardless of the relationship between the College and the parties involved.
2. All threats or acts of violence not occurring on the campus but involving someone who is acting in the capacity of a representative of the College.
3. All threats or acts of violence not occurring on the campus but where the acts against a person can be linked to the person's association with SUNY Maritime College.
4. All threats or acts of violence not occurring on campus involving an employee of the College if the threats or acts of violence affect the interests of the College, employees, and/or students (i.e. while on official travel, summer sea term, etc.).
5. Any threats or acts of violence resulting in the conviction of an employee or agent of the College, or of an individual performing services on the College's behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests and goals of the College.
6. Any form of retaliation against any employee or student who complains about or reports threatening behavior or violence.

Specific Examples of Prohibited Conduct

This list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

1. Slapping, hitting, punching, grabbing, or shoving an individual.
2. Causing physical injury to another person.
3. Making threatening remarks.
4. Threatening to harm an individual 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.
6. Making or sending harassing or threatening telephone calls, letters or messages (electronic, print or other method) to any employee, student, or visitor to campus.
7. Intimidating or attempting to coerce an employee or student to do wrongful acts that would affect the interests of the College.
8. The willful, malicious, and repeated following of another person which results in that person reasonably fearing for his/her safety (also known as "stalking").
9. Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
10. Verbally abusing an individual to inflame a situation.
11. Committing acts motivated by, or related to, domestic violence.
12. Making a suggestion or otherwise intimating that an act to injure persons or property is "appropriate".
13. Unauthorized possession weapons, or any other dangerous devices on the campus.

Application of Zero Tolerance for Violence Policy

1. The College's prohibition against threatening behavior and acts of violence applies to all persons involved in the operation of the College, including but not limited to all College employees, third party vendors, and anyone else on campus.
2. Violations of this policy will be treated seriously by the College. Reports of such acts 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 or violent acts.
3. The College is committed to quickly dealing with threatening and violent behaviors. Managers and 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. They will ensure that, when a threat is made or a violent incident occurs the University Police Department is immediately notified and, if the incident involves an employee (as perpetrator or victim), that the Director of Human Resources is notified.
 4. The College is further committed to supporting the continuation of a good working relationship with University Police and local law enforcement, employing legal remedies that address issues of workplace violence (i.e., restraining orders), and creating and maintaining the highest practical level of physical security on campus.
 5. The College will promulgate this policy and other related informational documents to the campus community at least once each academic year to raise awareness and help prevent violence on campus. At a minimum, the promulgated materials will address:
 - ◆ The warning signs of violence
 - ◆ Appropriate responses to threatening, aggressive, harassing and violent behavior
 - ◆ Conflict resolution techniques
 6. The College will support criminal prosecution of those who commit violence against its employees, students, and visitors to its “campus” and, where deemed appropriate, against those who threaten others.
 7. The Campus Safety Committee, chaired by the University Police Chief, will continue to inspect the campus and will make recommendations for changes if it notices locations, procedures or services that could be catalysts for the occurrence of violent acts.

Employee Obligations

All potentially dangerous situations must be reported immediately. If an employee, student, or visitor believes he/she or others are in immediate danger, or is witness to a violent act, they should contact University Police as quickly as possible by dialing 911 on any campus phone, by dialing 718-409-7311 on cell phones, by calling from the closest blue light phone, or by reporting to the Front Gate.

Reports of misconduct that creates an uncomfortable or hostile work environment should be report immediately to one of the following persons:

- University Police (first contact if there is imminent danger)
- Immediate supervisor of the work environment
- Supervisory employee (if the report cannot be made to the immediate supervisor)
- Director of Human Resources

Each person to whom such a report is made must immediately forward the report to the University Police, and, if an employee is involved, the Director of Human Resources.

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 disciplinary action up to and including termination.

The Warning Signs of Violence

Verbal

- Talking about weapons
- Using an angry or threatening tone
- Screaming or cursing for the purpose of menacing others
- Making threats or sexual comments
- Unreasonably challenging rules or authority
- Making unreasonable demands
- Talking irrationally

Physical Signs

- Having a weapon
- Nervous pacing, restlessness
- Clenching fists or jaw, tightly gripping objects
- Violent gestures, including pounding on or breaking objects
- Angry looks or staring
- Staggering, slurred speech

The assistance of all members of the campus community in making SUNY Maritime a safe living, working, and learning environment is greatly appreciated.