

**SOUTH CAROLINA STATE UNIVERSITY  
PERSONNEL POLICIES AND PROCEDURES MANUAL**

SECTION: Employee Relations	Section: VII
	Subject: L
SUBJECT: Workplace Violence	Effective: 06/05/09
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**THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND SOUTH CAROLINA STATE UNIVERSITY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE UNIVERSITY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.**

## **WORKPLACE VIOLENCE**

### **Policy**

It is the policy of South Carolina State University to promote a safe environment for its employees. The University is committed to working with its employees to maintain a work environment free from violence, threats of violence, intimidation and other disruptive behavior.

South Carolina State University has zero tolerance for violence against any member of the workforce, any other persons in the workplace, or on its property. Violence, threats, intimidation and other disruptive behavior in the University's workplace are prohibited and will not be tolerated. Each allegation of violence will be taken seriously and will be dealt with appropriately. Workplace violence is defined as any actual or threatening behavior of a violent nature, as understood by a reasonable person, exhibited by any person subject to this policy. Examples of workplace violence include, but are not limited to:

- A. Intentional physical contacts for the purpose of causing harm (such as slapping, punching, striking, shoving, or otherwise physically attacking a person).
- B. Menacing or threatening behavior (such as throwing objects, waving fists, damaging property, stalking, or otherwise acting in an aggressive manner; or using oral or written statements which clearly indicate specific intent to cause physical harm to individuals or property, either presently or in the future).
- C. Possessing any firearm, or any components which can readily be assembled into a firearm without specific written authorization from South Carolina State University Chief of Campus Police, or otherwise authorized by law. (Possession of a concealed weapons permit does not authorize possession of a firearm on South Carolina State University property).
- D. Any such other conduct as may be specifically prohibited by state law or University policy.

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Individuals who commit such acts may be removed from the premises and, depending on the employment relationship may be subject to disciplinary action, criminal penalties or both. Violent, threatening, intimidating or other disruptive behavior must not be ignored. Individuals (including students) who observe or experience such behavior by anyone on University premises or at a University-sponsored event must report it immediately to a supervisor, manager, Campus Police or other appropriate University official. Individuals who receive such reports should seek advice from the Office of Human Resource Management at (803) 536-7047, regarding investigating the incident and initiating appropriate action.

**PLEASE NOTE: Threats and assaults that require immediate attention by police authorities at South Carolina State University should be reported to 911 or Campus Police at (803) 536-7188. All persons at off-campus facilities should dial 911 or the appropriate police number.**

South Carolina State University will support all efforts made by supervisors, managers and others in dealing with such behavior in its workplace and will monitor whether this policy is being implemented effectively.

### **Purpose and Scope**

- A. This policy applies to all acts or threatened acts of workplace violence on property owned or leased by or under the control of South Carolina State University or at South Carolina State University sponsored events, wherever located.
- B. It is the goal of South Carolina State University to promote a safe, respectful and productive work environment in which to deliver quality academic programs, public service activities, research and administrative services. To this end, the university will not tolerate, condone or ignore workplace violence.
- C. Each department head, manager, supervisor and employee is responsible for keeping the workplace free of violence. This includes intimidating, hostile, threatening, or violent behavior by employees or non-employees (vendors, job applicants, visitors, spouses, etc.) against self, others, University property, or property owned by third parties but present on University premises.

### **Procedure for Reporting and Investigating Workplace Violence**

Any person, who experiences, observes or has knowledge of actual or threatened workplace violence has the responsibility to report the situation as soon as possible.

- A. In the case of an actual or imminent act or threat of violent behavior, call 911 or the South Carolina State University Police Department at (803) 536-7188. All persons at off-campus facilities should dial 911 or the appropriate police number posted at that facility.

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- B. A report should be made to the employee's supervisor or department head and to the Office of Human Resource Management **AFTER** notifying the Police Department. If the employee's immediate supervisor is the problem source, then the impacted employee should contact the supervisor at the next level in the administrative channel.
- C. All reports of workplace violence will be investigated promptly, impartially, and as confidentially as possible.
- D. Employees are required to cooperate in any investigation. A timely resolution of each report should be reached and communicated to all parties involved as soon as possible.
- E. Any form of retaliation against employees for making a bona fide report concerning workplace violence is prohibited.

**Reporting Responsibilities of Supervisors**

The Office of Human Resource Management should be contacted immediately if it is anticipated that the actions of anyone have the potential or appearance of creating an environment that could cause or contribute to an act of violence. The following are examples of warning signs which may indicate a potential for workplace violence.

- A. Making intimidating comments, threats, or allusions to violence against others.
- B. Frequent angry outbursts, difficulty controlling temper.
- C. Recent isolation of self from co-workers.
- D. Rash or impulsive behavior without apparent forethought.
- E. Not receptive to accept criticism or blames others when things go wrong.
- F. Evidence of substance abuse.
- G. Extreme interest in or obsession about firearms or other weapons.
- H. Co-workers fear or have concerns about this person's behavior.
- I. Preoccupation with violence.
- J. Expressions of excessive bitterness by disgruntled employee or ex-employee.
- K. Obsession with retaliation after being disciplined.

**A supervisor who observes such behaviors in an employee, particularly when the changes represent recent and sudden behavioral changes, should consult with his or her manager to determine whether other University resources are required in dealing with the situation. Any doubts should be resolved in favor of consulting the Office of Human Resource Management. Human Resource Management can assist with the determination, and can arrange counseling through an Employee Assistance Program.**

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**Non-Disciplinary and Disciplinary Action**

- A. After the investigation is complete, it will be reviewed to determine first whether a violation of this policy has occurred and if so, the appropriate action to be taken.
- B. Actions that may be taken for violations of this policy include, but are not limited to:
  - 1. Mandatory participation in counseling.
  - 2. Application of appropriate sanctions under the Progressive Discipline Policy.
  - 3. Prosecution in the appropriate criminal court.
  - 4. Special procedures such as job relocation, trespass notice, or application for a court order.
- C. If, upon investigation, it is determined that a report was intentionally falsified or made maliciously, the employee who provided the false information may be subjected to appropriate disciplinary action and/or criminal prosecution.
- D. Any employee who believes that he or she is a victim of violent conduct may contact the Office of Human Resource Management to obtain advice in dealing with the situation.

**Responsibilities of Members of the University Community**

- A. Designated University Representatives

Each Vice President (or applicable Division Head) will designate a minimum of two representatives for training in: assisting supervisors in responding to work place violence complaints; facilitating appropriate responses to reported incidents of workplace violence; and notifying the South Carolina State University Police Department and the Office of Human Resource Management of such complaints.
- B. Employees (including Student Employees)
  - 1. Employees should report workplace violence, as defined above, regardless of the relationship of the employee to the person believed to have engaged in workplace violence, to their supervisor. Recurring or persistent workplace violence that an employee reasonably believes is not being addressed satisfactorily, or violence that is, or has been, perpetrated by the employee's supervisor should be reported to the Office of Human Resource Management.
  - 2. Employees who have obtained restraining orders or other judicial orders involving inappropriate contacts are expected to provide a copy of such order to their supervisors and the South Carolina State University Police Department.
  - 3. A victim of domestic violence who believes the violence may extend into the workplace, or employees who believe they may be subjected to violence extending into the workplace, are encouraged to notify their supervisor and the South Carolina State University Police Department. Confidentiality will be maintained to the extent possible.

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**C. Supervisors**

1. All university supervisors and administrators, including department chairs, deans, directors and managers, are required to respond to a notification of a violation of this policy in a timely manner, taking the actions as required herein. Further, supervisors are required to report the suspected violation to the appropriate designated University representative.
2. Supervisors are required to contact the South Carolina State University Police Department in the event of imminent or actual violence.
3. Supervisors are expected to inform the next higher level supervisor promptly about any acts or threats of violence even if the situation has been addressed and resolved.

**D. Students**

Students who witness violence or learn of threats of violence as defined in this Policy should report the incident directly to the South Carolina State University Police Department. If there is no imminent danger, students should report threatening incidents, as defined in this policy, to the Vice President of Student Affairs at (803) 536-8190. Students may refer to the Student Handbook for additional information.

**Confidentiality**

The university shall maintain the confidentiality of investigations to the extent possible within the requirements of conducting reasonable investigations while ensuring the safety of members of the University community. The University will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been a violation of this Policy and that the safety and well being of members of the University community would be served by such an action.

**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 the reporting of, investigation or responding to a workplace violence is a violation of this Policy. It is also a violation of this Policy to take adverse action against an employee solely on account of his/her being an actual or potential victim of workplace violence.

**Education**

In order to eliminate and/or minimize the risks involved with violence in our workplace, the University's Office of Professional Development and Training is responsible for the development, implementation and scheduling of training for South Carolina State University faculty, staff and students. All employees, regardless of their level of risk, will receive workforce violence training.