

# **Clemson University Policy Against Workplace Violence**

## Contents

- Policy
- Implementing Procedure
  - Purpose and Scope
  - Existing Related Law and Policy
  - Procedure for Reporting and Investigating Workplace Violence
  - Reporting Responsibilities of Supervisors
  - Non-Disciplinary and Disciplinary Action
  - Responsibilities of Members of University Community
  - Confidentiality
  - Retaliation
  - Education

## Policy Against Workplace Violence

It is Clemson University's policy 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. While this kind of behavior is not pervasive at Clemson University, the university is not immune.

Violence, threats, intimidation and other disruptive behavior in our workplace will not be tolerated; that is, all reports of incidents 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 Clemson University Chief of Police, or otherwise authorized by law.

(Possession of a concealed weapons permit does not authorize possession of a firearm on Clemson University property).

- d) Any such other conduct as may be specifically prohibited by state law or university policy.

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.

Clemson needs everyone's cooperation to implement this policy effectively and maintain a safe working environment. Do not ignore violent, threatening, intimidating or other disruptive behavior. If you observe or experience such behavior by anyone on university premises or at a university-sponsored event, whether he or she is a Clemson employee or not, report it immediately to a supervisor or manager. Supervisors and managers who receive such reports should seek advice from the Office of Human Resources (employee assistance) at 864-656-2726, regarding investigating the incident and initiating appropriate action. [PLEASE NOTE: Threats and assaults that require immediate attention by police authorities at Clemson University should be reported to 911 or 656-2222. All persons at outlying or satellite facilities should dial 911 or the appropriate police number). (For this location the number is \_\_\_\_\_.)

Clemson 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. If you have any questions concerning this policy, please contact Dr. Melissa Marcus at 864-656-2726 or Eugenia Tichenor at 656-0921. For additional information please consult the procedures which implement this policy as found in the Clemson University Personnel Policies & Procedures Manual on the web at <http://www.clemson.edu/humanres/perman/index.htm> and locating the topic entitled "Workplace Violence Policy". (Note: The Clemson University Personnel Policies and Procedures Manual is formatted according to topic by alphabetical order).

## **Implementing Procedure**

This procedure applies to all acts or threatened acts of workplace violence on property owned or leased by or under the control of Clemson University or at Clemson University sponsored events, wherever located.

### **A. Purpose and Scope**

1. It is the goal of Clemson 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.

2. 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.

## **B. Existing Related Law and Policy**

1. Federal and state law as well as university policy prohibits unlawful discrimination. Those who believe they are victims or have observed such discrimination should contact the University Office of Access and Equity (864-656-3181).
2. South Carolina law generally prohibits the possession of firearms on campus. A concealed weapons permit is not authorization to possess a firearm on campus. Should there be any suspicion that a person has a firearm on campus, contact the Campus Police Department immediately. 864-656-2222 or 911.
3. Persons whose conduct violates state law will be prosecuted in the appropriate criminal court.

## **C. Procedure For Reporting and Investigating Workplace Violence**

1. 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 the Clemson University Police Department at 911 or 656-2222. The appropriate numbers for reporting at satellite or off-campus facilities will be posted at that facility.
  - b) A report should be made to the employees supervisor or department head and to the Employee Relations unit (864-656-0921) in the Office of Human Resources 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/academic channel.
2. All reports of workplace violence will be investigated promptly, impartially, and as confidentially as possible.
3. 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.
4. Any form of retaliation against employees for making a bona fide report concerning workplace violence is prohibited.

## **D. Reporting Responsibilities of Supervisors**

Supervisors are critical to the prevention of employee violence in the workplace. By recognizing early signs and intervening prudently and appropriately, supervisors can reduce the chances of violent behavior. When left unchecked, inappropriate behaviors can escalate to higher levels. Behavior warning signs which, in some combination, may indicate a potential for violence, could include but are not limited to:

- paranoia (e.g. “others are out to get me or get my job”)
- frequent angry outbursts, difficulty controlling temper
- recent isolation of self from co-workers, seems to turn a cold shoulder
- rash or impulsive behavior without apparent forethought
- failure to accept criticism or blames others when things go wrong
- drug/alcohol use or abuse
- obsession about possessing or collecting weapons, or “getting” someone
- co-workers fear or have concerns about this persons behavior
- bragging about past acts of violence

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 OHR. The Office of Human Resources can assist with this determination, and can provide counseling through the Employee Assistance Program, 656-2727

## **E. Non-Disciplinary and Disciplinary Action**

1. 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.
2. Actions that may be taken for violations of this policy include, but are not limited to:
  - Mandatory participation in counseling
  - Application of appropriate sanctions under the Progressive Discipline Policy.
  - Prosecution in the appropriate criminal court
  - Special procedures such as job relocation, trespass notice, or application for a court order.

3. 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.
4. Any employee who believes that he or she is a victim of violent conduct, whether workplace or nonwork-related, may contact the Employee Assistance Program to obtain advice in dealing with the situation.

## **F. Responsibilities of Members of the University Community**

1. Designated University Representatives  
Each Vice President will designate a minimum of two and a maximum of five 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 Clemson University Police Department and the Office of Human Resources of such complaints.
2. Employees (including Student Employees)
  - 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 employees supervisor should be reported to the Office of Human Resources (Employee Development, Relations and Assistance Programs). (864-656-2727).
  - 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 Clemson University Police Department.
  - 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 Clemson University Police Department. Confidentiality will be maintained to the extent possible.
3. Supervisors
  - 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.
  - Supervisors are required to contact the Clemson University Police Department in the event of imminent or actual violence.

- Supervisors are expected to inform the next higher supervisor promptly about any acts or threats of violence even if the situation has been addressed and resolved.

#### 4. Students

Students who witness violence or learn of threats of violence as defined in this policy should report the incident directly to the Clemson University Police Department. If there is no imminent danger, students should report threatening incidents, as defined in this policy, to the Dean of Students (656-0471) or to the Director of Judicial Services (656-0515). Students may refer to the Student Handbook for additional information.

### **G. 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.

### **H. 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.

### **I. Education**

The university has established a Workplace Violence Education Program to develop and implement training sessions to inform employees of the University's Workplace Violence Policy and to raise awareness about workplace violence. For materials concerning training or implementation of this program, contact Emma Knight, Training Manager, at 656-3360.

Questions regarding the policy should be addressed to the Director, Employee Development, Relations and Assistance Programs, Clemson University Office of Human Resources at 864- 656-2726.