Chapter: Personnel Modification No. <u>001</u>

Subject: Prevention of Work Place Violence

I. Montgomery College is committed to providing a workplace that is safe, secure and free of harassment, threats, intimidation and violence for all employees.

- II. Montgomery College views aggressive and/or violent behavior as disruptive and contrary to the development and maintenance of a safe, productive and supportive work environment. Such behavior is prohibited. Employees who exhibit such behavior will be held accountable. Administrators are responsible for assuring that appropriate investigations are undertaken when it appears that such actions may have occurred; and are responsible for recommending appropriate disciplinary action.
- III. It is the policy of Montgomery College to expressly prohibit violence or threats of violence by any College employee against any other employee in or about College facilities or elsewhere at any time. Montgomery College will also not condone any acts or threats of violence by any College employee against College employees, students, or visitors on the College premises (including its leased locations) at any time or while they are engaged in business with or on behalf of the College.
- IV. The President is authorized to develop procedures to implement this policy.

Board Approval: June 20, 2011

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Subject: Prevention of Work Place Violence

I. General

A. Violence, threats of violence, intimidation, harassment, aggression or other threatening behavior towards people or property will not be tolerated.

B. Individuals who violate this policy may be removed from College property and are subject to disciplinary action up to and including dismissal, consistent with College policies, procedures and collective bargaining agreements, and/or referral to law enforcement authorities.

II. Violence, Threats of Violence, Intimidation, Harassment and Workplace Aggression

- A. Violence, Threats of Violence, Intimidation, Harassment and Workplace Aggression Defined:
 - Employees are prohibited from making threats or engaging in violent activities. Violence or threats of violence include conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the conditions of employment, or to create a hostile, abusive, or intimidating work environment for one or more employees, students, or visitors.
 - 2. Violence, threats of violence, intimidation, harassment and workplace aggression includes, but are not limited to:
 - a) threats of any kind;
 - b) aggressive or hostile behavior that creates an objective reasonable fear of injury to another person or subjects another individual to emotional distress;
 - c) intentionally damaging College property or property of another employee;
 - making harassing or threatening telephone calls, or sending harassing or threatening letters or other forms of written or electronic communications;
 - e) the willful, malicious and repeated following of another person, also known as "stalking", and making of a credible threat with intent to place the other person in reasonable fear for his or her safety;
 - possession of a weapon while on College property or while on College business (unless specifically approved as a job-related requirement);
 - g) using any object in a threatening or weapon-like manner;
 - h) committing acts of violence;
 - i) workplace bullying, as evidenced by a pattern of: incivility, discourteous verbal and non-verbal behaviors, name calling, yelling, ignoring or excluding, perpetuating falsehoods or insulting another's habits, attitudes or private life, which is

sufficiently severe, offensive, or intimidating to alter the conditions of employment, or to create a hostile, abusive, or intimidating work environment for one or more employees, students, or visitors.

B. A workplace is defined as any location where an employee performs any work-related duty. This includes but is not limited to, the buildings and the surrounding perimeters, including parking lots, and field locations.

III. Workplace Violence Advisory Team

- A. The College will establish a Workplace Violence Advisory Team. This team will assist in addressing workplace violence by: facilitating appropriate responses to reported incidents of workplace violence; assessing the College's readiness for dealing with workplace violence; evaluating incidents and making recommendations to prevent future occurrences; and utilizing prevention and intervention techniques in responding to workplace violence. This Team will develop workplace violence prevention and education tools (such as incident reporting forms, pamphlets, guidelines, trainings and handbooks, etc.) to further assist in recognizing and preventing workplace violence. Additionally, the Workplace Violence Advisory Team will develop and recommend facility and administrative actions to prevent and reduce workplace violence.
- B. The Workplace Violence Advisory Team shall include representatives from: Facilities, Security, Human Resources, Development, and Engagement, Emergency Planning, Environmental Safety, General Counsel, and others, including faculty, staff and students, as deemed appropriate by the President.

IV. Responsibilities

All members of the College community have the responsibility to report threatening or violent behavior, whether that behavior is exhibited by faculty, staff, students, or visitors.

If there is an immediate threat of violence which may be life threatening, call 911 first, then call the Office of Safety and Security.

A. All employees will:

- 1. If necessary and possible, leave the presence of the threatening person.
- 2. Immediately report to an available supervisor, manager or security officer any threats or acts of violence experienced or witnessed in the workplace. This includes having knowledge of facts reasonably causing him or her to believe a violent situation is present; threats or violent acts by co-workers, students, visitors, or others which have been exhibited on the premises.
- 3. In making reports, an employee will provide as much factual information and detail as possible and will, if requested, prepare a report in writing.

B. Supervisors will:

1. Immediately notify their respective Campus Security Office of any actual

or imminent threat of violence or report thereof.

- Report all violations of this policy to their immediate administrative supervisor and consult with the Workplace Violence Advisory Team on any complaint of workplace violence made and any other incidents of workplace violence of which he/she becomes aware or reasonably believes to exist.
- 3. Document all violations of the Prevention of Workplace Violence Policy in order that appropriate corrective action can be administered.
- 4. Keep information the employee has shared confidential, except for the reporting requirements above or as otherwise required by law or procedure.

V. <u>Discipline for Employees Engaging in Prohibited Conduct or Violating Other Aspects of This Policy</u>

- A. An employee engaging in conduct prohibited by this policy will be disciplined. Appropriate sanctions will be recommended by the supervisor after consultation with Office of Human Resources, Development, and Engagement and may include:
 - Written reprimand;
 - · Suspension; or
 - Dismissal.

Discipline does not preclude referral to law enforcement for criminal prosecution.

- B. An employee failing to report violent acts or situations required by this policy, or failing to cooperate with investigations conducted under this policy may be disciplined. Appropriate sanctions will be recommended by the supervisor after consultation with the Office of Employee Engagement & Labor Relations and may include those sanctions listed in paragraph A of this section.
- C. Retaliation for truthfully reporting violations of this procedure is prohibited and will result in discipline.

VI. Faculty Staff and Assistance Program (FSAP)

- A. The FSAP Program, which includes counseling and referral services, is available to all employees, and should be used both to prevent violent acts and situations occurring in the workplace in accordance with section 35002.
- B. Any employee who displays a tendency to engage in violent or threatening behavior, or who otherwise engages in behavior that the College deems harassing, may be required to contact the FSAP provider for assessment and referral for appropriate treatment or other services and subject to disciplinary action, up to and including dismissal.
- C. A mandatory referral may be used only when the employee is facing imminent suspension or dismissal. A mandatory referral may only be made by the Office of

Human Resources, Development, and Engagement after consultation with the supervisor. If the employee chooses not to participate in the FSAP program, dismissal proceedings will be initiated. If the employee does choose to participate in FSAP, the employee will be required to sign a written statement, agreeing to an immediate referral to FSAP. Further, the employee will agree to sign a release of information statement allowing the Office of Human Resources, Development, and Engagement access to the following limited information: the employee's attendance, cooperation, and progress as specified by the FSAP provider, after the assessment has been made. If the employee does not cooperate with the recommendations of FSAP, then disciplinary proceedings shall begin.

Administrative Approval: July 11, 2012.