

# THE CITY UNIVERSITY OF NEW YORK

## BARUCH COLLEGE WORKPLACE VIOLENCE PREVENTION PROGRAM

In accordance with the University's commitment to the prevention of workplace violence, Baruch College adopts the following as its Workplace Violence Prevention Program (the "Program"):

### 1. Purpose

The University's Workplace Violence Prevention Program provides information to the College community about preventing and responding to incidents of workplace violence at the College's worksites and facilities and seeks to develop programs which will prevent or reduce the likelihood of threats or acts of workplace violence. The Program seeks to ensure that any incident, complaint, or report of workplace violence is taken seriously and dealt with appropriately. The Program implements the Workplace Violence Prevention Policy adopted by the Board of Trustees on February 28, 2011. As set forth therein, workplace violence is defined as any physical assault or acts of aggressive behavior occurring where an employee performs any work-related duty in the course of his or her employment, including but not limited to:

- i. An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- ii. Any intentional display of force that would give an employee reason to fear or expect bodily harm;
- iii. Intentional and wrongful physical contact with an employee without his or her consent that entails some injury; and
- iv. Stalking an employee in a manner that may cause the employee to fear for his or her physical safety and health when such stalking has arisen through and in the course of employment.

### 2. Scope

All College employees are required to comply with the Program. In addition, since students and visitors to the College are required to conduct themselves in conformity with existing law, employees who observe or experience students or visitors engaging in violent or threatening behavior should follow the procedures in the Program for reporting such behavior.

### 3. Workplace Violence Advisory Team ("WVAT")

- a. The WVAT reports directly to the College President and consists of members designated by the President.
- b. The WVAT Chair, selected by the President, sets the times and agendas for meetings and establishes sub-committees, as necessary, to fulfill the WVAT responsibilities set forth herein and in sections 4, 7 and 12.

November 23, 2011

- c. The Chair and members of the WVAT and their contact information are listed in Appendix I.
- d. The WVAT will coordinate the Workplace Violence Prevention training at the College.

#### 4. Risk Assessment and Evaluation Process

- a. On an annual basis, the WVAT will:
  - i. Examine the prior year's relevant records that concern workplace violence incidents to identify patterns in the type and cause of injuries.
  - ii. Assess relevant policies, work practices, and work procedures that may impact the Workplace Violence Prevention Program.
  - iii. Review survey responses received from employees of the College. Survey forms are available to employees on the College's website and in hard-copy at the College's Office of Public Safety and Office of Human Resources. Completed survey forms are to be forwarded to the Director of Public Safety, as the physical site evaluation team leader.
- b. The WVAT will conduct a physical site evaluation of the College's workplace to determine the presence of factors that may place employees at risk of workplace violence. Each authorized employee representative organization with employees at the College will be given advance notice, in writing, from the Vice President for Administration of the date(s) and time(s) of the site visit(s). Each authorized employee organization may designate a representative to participate in the site visit(s) by notifying the WVAT Chair in writing of the designated representative. In addition to the authorized employee representative(s), an employee may also request to participate directly in the site visit for his/her work area by contacting the WVAT Chair. The authorized employee representative(s) will be provided with incident reports (without names) for the previous year. The authorized employee representative(s) may submit to the WVAT Chair any comments regarding situations in the workplace that pose a threat of workplace violence.
- c. Following the physical site evaluation, the WVAT will prepare a report of the findings, including a list of the high risk factors identified during the physical site evaluation and recommendations on appropriate work practice control measures to address identified risk factors. The report will be submitted to the President for appropriate action. Copies of the report will be made available, upon request, to employee(s), their authorized representatives(s), and the New York State Department of Labor.
- d. Physical site evaluation/risk assessment evaluations will be conducted after an incident of workplace violence, as needed and as identified by the Department of Labor, or if it is determined that a significant trend of workplace violence is identified.

## 5. High Risk Locations/Risk Factors

Baruch College invited representatives from each union to participate in a physical site walk-through of the campus on Tuesday, November 22, 2011. The walk-through of work spaces found appropriate security throughout the campus. There were however some good recommendations to make improvements that the college will pursue in the coming year. For example although telephones in classrooms have stickers with Public Safety's telephone number, there are no stickers on staff phones. It was noted in certain workspaces made up of cubicles in the Vertical Campus (west side of the building), that lighting could be improved and that domed mirrors could be installed so employees who had their backs turned to public areas could see if there were people behind them.

## 6. Employee Information and Training

All employees must participate in training on the risks of workplace violence in their workplace at the time of initial employment and at least annually thereafter. The employee training and information program includes information regarding how to locate the Policy and Program as well as survey forms.

The College provides training to its employees. The training program addresses the following essential topics:

- a. An overview and definition of workplace violence;
- b. The College's commitment to providing a safe workplace;
- c. Instructions regarding how to obtain a copy of the written Policy and Program;
- d. A listing of significant identified risk factors;
- e. Techniques on how to recognize and avoid potentially violent situations, including de-escalation techniques;
- f. How employees can protect themselves and how employees can suggest improvements to the Program;
- g. The importance of reporting incidents and how to report such incidents;
- h. Where employees can seek assistance during a dangerous situation; and
- i. Resources, such as trauma counseling, that may be available to employees after an incident has occurred.

Additional training will be conducted as necessary and as determined by the needs of the College.

## 7. Reporting Process/Procedures to Report Incidents of Workplace Violence

In order to maintain a safe working environment, incidents of workplace violence must be reported promptly to a supervisor and/or the Office of Public Safety. The phone number of the College's Office of Public Safety is **646-660-6000**. The Emergency number from **ANY** College phone is **ext. 3333**, and from outside phone or cell phone **646-312-3333**. Members of the

November 23, 2011

College community are also encouraged to report other behavior they believe may lead to potential workplace violence. After an incident occurs or upon receipt of a complaint, an investigation will be conducted by the Office of Public Safety. Complaints involving the Office of Public Safety will be investigated by the Office of Human Resources.

- a. The College will use a form maintained by the University's Office of Public Safety to record incidents of workplace violence. The College Office of Public Safety will maintain all records of initial reports and the results of any investigative reports relating to Workplace Violence at the College. As set forth therein, investigative reports must include:
  - i. Workplace location where the incident occurred;
  - ii. Time of day/shift when the incident occurred;
  - iii. A detailed description of the incident, including events leading up to the incident and how the incident ended;
  - iv. Names and job titles of employees involved;
  - v. Name or other identifier of other individual(s) involved;
  - vi. Nature and extent of injuries arising from the incident; and
  - vii. Names of witnesses.
- b. The WVAT reviews the investigation results of incidents and complaints, determines whether there is a violation of the Policy and provides a report to the President.
- c. The WVAT, with the participation of the authorized employee representative(s), conducts a review of the Campus Workplace Violence Incidents Report at least annually to identify trends in the types of incidents in the workplace and reviews the effectiveness of the mitigating actions taken.

#### 8. Confidentiality of Certain Information

Nothing in this Program requires the disclosure to any person or entity, other than to the Commissioner of the Department of Labor as directed by the New York State Labor Law, of information otherwise kept confidential for security reasons, such as information that if disclosed may:

- i. Interfere with law enforcement investigations or judicial proceedings;
- ii. Deprive a person of the right to a fair trial or impartial adjudication;
- iii. Identify a confidential source or disclose confidential information relating to a criminal investigation;
- iv. Reveal criminal investigative techniques or procedures, except routine techniques and procedures; or
- v. Endanger the life or safety of any person.

#### 9. Report of Violations of the Workplace Violence Prevention Policy and Program

November 23, 2011

Any employee or authorized employee representative who believes that the College's Workplace Violence Prevention Program is in violation of CUNY's Workplace Violence Prevention Policy, New York State Department of Labor Regulation Section 800.6 and New York State Labor Law Section 27(b), should bring their concerns to the attention of the proper authorities.

Events involving the threat of imminent danger should be immediately brought to the attention of the College's Department of Public Safety.

Events relating to concerns of other types of reportable incidents should be reported as detailed in Paragraph 7, above, and brought to the attention of the University's Senior University Executive Director of Human Resources Strategic Planning, 535 East 80th Street, New York, NY 10075.

If a matter has been brought to the proper College authority and the College has had a reasonable opportunity to correct the activity, policy or practice, the matter has not been resolved, and an employee or authorized employee representative still believes that serious violation of the program remains, the employee or authorized employee representative may request an inspection by notifying the Commissioner of Labor of the alleged violation. This notice to the Commissioner must be in writing and shall set forth with reasonable particularity the grounds for the notice and shall be signed by the employee or authorized employee representative in compliance with New York State Labor Law Section 27(b) and its implementing Regulations.

#### 10. Retaliation

No employee is subject to criticism, reprisal, retaliation or disciplinary action by the College for good faith reporting pursuant to the Program. Individuals who make false and malicious complaints of workplace violence, as opposed to complaints that, even if erroneous, are made in good faith, may be subject to disciplinary or other appropriate action.

#### 11. Recordkeeping

All recordkeeping and reporting shall be made in compliance with the applicable law and regulation (currently New York Labor Law Sections 27-a and 27-b and 12 NYCRR Part 800) and the Policy and Program.

#### 12. Program Effectiveness and Evaluation/Post-Incident Response

At least annually or after serious incidents, the WVAT evaluates the effectiveness of the Workplace Violence Prevention Program, including post-incident responses and evaluation processes. The review focuses on incident trends and the effectiveness of the control measures taken by the College. The review also assesses whether the reporting and recordkeeping systems are effective in collecting relevant information.

## Appendix I

### WORKPLACE VIOLENCE ADVISORY TEAM

<b>Name</b>	<b>Title</b>	<b>Phone Number</b>
Gabriel Eszterhas (Chair)	Vice President for Administration and Finance	646.660.6660
Glenn Albright	Associate Professor, Psychology	646.312.3780
Angela Anselmo	Director, SEEK Program	646.312.4628
Mary Gorman	Chief of Staff	646.312.3315
Caroline Kasnakian	Associate Director, Counseling	646.312.2160
Donna Katz	Acting Director, Human Resources	646.660.6590
Jim Lloyd	Assistant Vice President, Campus Operations	646.312.6036
Henry McLaughlin	Director, Public Safety	646.660.6010
Shadia Sachedina	Director, Student Life	646.312.4554
Leah Schanke	Human Resources Manager	646.660.6618
John Siotkas	Assistant Director, Public Safety	646.660.6007
Stephanie Vullo	Executive Legal Counsel	646.312.3320