

**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**

Policy 6.09 Violence Prevention

The City University of New York (the "University" or "CUNY") is committed to the prevention of workplace violence and will respond promptly to any threats and/or acts of violence. For purposes of this Policy, 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 (BTM, 2011, 09-26, 005, \_H):

- (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.
- Workplace Violence presents a serious occupational safety hazard to CUNY and its employees. The University will respond promptly to threats and/or acts of violence. All employees are responsible for helping to create an environment of mutual respect and for assisting in maintaining a safe and secure work environment and will participate in the annual Workplace Violence Prevention Training Program. Individuals who violate this Policy may be removed from University property and are subject to disciplinary and/or personnel action up to and including termination, consistent with University policies, rules and collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution. (BTM, 2011, 09-26, 005, \_H)

Incidents involving Workplace Violence will be given the serious attention they deserve. Employees are responsible for reporting any incidents of Workplace Violence of which they become aware. The procedure for reporting incidents of suspected or alleged Workplace Violence can be found in the campus specific Workplace Violence Prevention Programs at Paragraph 7. The procedure for reporting complaints of a potential violation of the CUNY Workplace Violence Prevention Policy and Programs can be found in the campus specific Workplace Violence Prevention Programs at Paragraph 9. (BTM, 2011, 09-26, 005, \_H). Complaints of sexual harassment are covered under the University's Policy Against Sexual Harassment. (BTM, 2011, 09-26, 005, \_H)

The University, at the request of an employee or student, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee or student on University property unless necessary to transact University-related business. This policy particularly applies when an employee or student anticipates that an act of violence may result from an encounter with said individual(s). (BTM, 2011, 09-26, 005, \_H). Students are not directly covered by this Policy, but they should

contact the Department of Public Safety to report concerns about workplace violence. (BTM, 2011, 09-26, 005, \_H)

Employee participation in the implementation of this Policy will be through their authorized employee representatives, who will be invited to participate in (BTM, 2011, 09-26, 005, \_H):

- (1) scheduled physical risk assessment site evaluation(s) to determine the presence of risk factors which may place employees at risk of workplace violence; (2) the development and annual review of a Workplace Violence Prevention Program promulgated by each College for the implementation of the Policy; (3) the annual review of the Campus Workplace Violence Incidents Report prepared annually by each College; and (4) as appropriate, following a serious incident of Workplace Violence. (BTM, 2011, 09-26, 005, \_H)

## **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 Co-Chairs and the WVAT team members are selected by the President.
- b. The WVAT Co-Chairs set the times and agendas for meetings and establish sub-committees, as necessary, to fulfill the WVAT responsibilities set forth herein and in sections 4, 7 and 12.
- c. The WVAT Co-Chairs and members of the WVAT and their contact information are listed in Appendix I.
- d. The WVAT Co-Chairs will coordinate the Workplace Violence Prevention training at the College.
- e. The WVAT Co-Chairs and where appropriate the Director of Public Safety will conduct investigations into workplace violence complaints.

## **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 Co-Chairs 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 Co-Chairs. 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. The walk-through of workspaces found appropriate security throughout the campus. There were however some good recommendations for improvements that the college will pursue.

## **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 and/or the WVAT Co-Chairs. 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 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 WVAT Co-Chairs and/or the Office of Public Safety. Complaints involving the Office of Public Safety will be investigated by the Office of Human Resources and/or the WVAT Co-Chairs.

- a. The College will use either a form maintained by the University's Office of Public Safety or a form maintained by the WVAT Co-Chairs to record incidents of workplace violence. Each office will maintain all records of their reports. The investigative reports should 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 Co-Chairs or where appropriate Public Safety will conduct the necessary investigation to determine whether there has been a violation of the Policy.
- c. The WVAT, with the participation of the authorized employee representative(s), will conduct 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:

- a. Interfere with law enforcement investigations or judicial proceedings;
- b. Deprive a person of the right to a fair trial or impartial adjudication;
- c. Identify a confidential source or disclose confidential information relating to a criminal investigation;

- d. Reveal criminal investigative techniques or procedures, except routine techniques and procedures; or
- e. Endanger the life or safety of any person.

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

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.

## **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 800.6) and the Policy and Program.

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

At least annually or after serious incidents, the Workplace Violence Advisory Team will meet with Authorized Employee Representatives to evaluate the effectiveness of the Workplace Violence Prevention Program.

## Appendix I

### WORKPLACE VIOLENCE ADVISORY TEAM - Effective July 1, 2020

Name	Title	Email	Phone
Andrea Caviness	Executive Director, Human Resources (WVAT Co-Chair)	<a href="mailto:Andrea.Caviness@baruch.cuny.edu">Andrea.Caviness@baruch.cuny.edu</a>	646.660.6596
Olga Dais	AVP, Legal Affairs & Labor Designee (WVAT Co-Chair)	<a href="mailto:Olga.Dais@baruch.cuny.edu">Olga.Dais@baruch.cuny.edu</a>	646.312.4545
Glenn Albright	Associate Professor, Psychology	<a href="mailto:Glenn.Albright@baruch.cuny.edu">Glenn.Albright@baruch.cuny.edu</a>	646.312.3788
Kenya Lee	Chief of Staff	<a href="mailto:Kenya.Lee@Baruch.cuny.edu">Kenya.Lee@Baruch.cuny.edu</a>	646.312.3322
Larry Manganello	Assistant Vice President, Campus Facilities	<a href="mailto:lawrence.manganello@baruch.cuny.edu">lawrence.manganello@baruch.cuny.edu</a>	646.660.6036
TBA	Chief Diversity Officer/Title IX, Section 504, and ADA Coordinator		646.312.4542
Robert Curry	Director, Public Safety	<a href="mailto:robert.curry@baruch.cuny.edu">robert.curry@baruch.cuny.edu</a>	646.660.6000
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TBA	Assistant Director, Public Safety		
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