



SUBJECT: WORKPLACE VIOLENCE POLICY

DATE: April 2008

I. PURPOSE / DESCRIPTION

San José State University is dedicated to providing a safe work environment that is free from intimidation, acts and/or threats of violence against life, health, well-being, and/or property.

San José State University takes a “zero tolerance” stance regarding workplace violence. Workplace violence that interferes with individuals or disrupts the workplace, the academic environment, or the University’s ability to provide services will not be tolerated. Workplace violence includes physical assault, threat (direct or implied) of physical harm, or threat to destroy property on the university campus, including parking lots or other exterior premises, vehicles or while engaged in activities for the university in other locations.

It is the policy of San José State University to use early prevention strategies in order to avoid or minimize the effects of violence in the workplace by university employees or members of the public.

II. PROCESS

The top priority is to abolish workplace violence through prevention, education and by swiftly mitigating violations of this policy. Violence or the threat of violence against or by any university employee or any other person will not be tolerated and is 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.

1. Should an employee, during working hours or while conducting business on behalf of the university, demonstrate or threaten violent behavior, he/she may be subject to disciplinary action including dismissal, arrest, and/ or criminal prosecution.
2. No one, acting in good faith, who initiates a complaint or reports an incident under this policy, will be subjected to retaliation or harassment.
3. Any employee, alleged to be a perpetrator, will be provided due process pursuant to the CBA and other statutory provisions.

III. DEFINITION OF WORKPLACE VIOLENCE

For the purposes of this policy, workplace violence and threats of violence include but are not limited to any acts that are physically assaultive or any threat, behavior, or action that is interpreted by a reasonable person to carry potential to cause harm or endanger the safety of others, to result in an act of aggression or to destroy or damage property. The following examples are not intended to be a complete list of potentially violent acts:

- The actual or implied threat of harm to an individual or a group of individuals.
- Striking, punching, grabbing, pinching, slapping or assaulting another person.
- Fighting or challenging another person to fight.
- Engaging in dangerous, threatening, or unwanted horseplay.
- Throwing equipment and/or damaging university property.
- Possession, display, use or threat of use of any weapon, including any firearm, or the display or use of any object as a weapon, unless such possession or use is a requirement of the job or has written permission from the Chief of Police or from the Chancellor after consultation with the Chief of Police.
- Harassing surveillance or stalking.
- Making threatening telephone calls or emails.
- Intentionally impeding one's path, not allowing them to pass.

IV. WHAT YOU SHOULD DO AND WHO TO CALL

Do not risk getting yourself hurt. Take action to COMMUNICATE.

- In any case where a university employee fears for the safety of anyone at the scene of a violent act, that employee should immediately contact the University Police Department **by Dialing 9-1-1**.
- If you have a panic alarm, activate it.
- If you have a department crisis plan, set it in motion and use your code word or password.
- If you believe a problem may exist in the future, discuss it with your supervisor or manager.
- If you need to speak to someone, call UPD at 408-924-2236 (4-2236 on any campus telephone) for a consultation.

V. WHAT YOU CAN DO TO MINIMIZE RISK OF WORKPLACE VIOLENCE

A few common precautions to minimize your risk of workplace violence include:

- Do not work alone. If you must work alone, keep the door to your area locked and notify UPD that you are working alone.
- Do not work late at night or in the early morning hours. Again, if you must, Notify UPD.
- Do not walk alone on campus at night. An escort service is available from UPD.
- Be particularly vigilant if you work with money or if you exchange money with the public.
- Immediately notify UPD if anyone in your work area is carrying a weapon.
- Be extra vigilant in high-risk areas, i.e., unlighted or isolated areas.
- Consider threats of violence as real precursors to violence.
- Report burned-out lights and other malfunctioning safety equipment to Facilities Development & Operations (FD&O).
- Report all violent incidents, obscene phone calls or e-mails, intimidating behavior, shouting and yelling, or other coercive behavior to your supervisor or other trusted staff member.
- Know the location of emergency call boxes on campus.

For more information about Workplace Violence Mitigation Training, please review the multi-media video on the UPD website at: www.sjsu.edu/police/prepare_prevent/workplace_violence.

VI. OTHER RESOURCES

Additional campus resources you may access include:

- Employee Assistance Program: To contact CONCERN, visit www.concern-eap.com or call 1-800-344-4222 or 408-223-4050 or 650-940-7100
- Office of Human Resources: www.sjsu.edu/hr or call 408-924-2250
- Office of Faculty Affairs: www.sjsu.edu/facultyaffairs or call 408-924-2450
- Office of Student Conduct & Ethical Development: www.sjsu.edu/studentconduct or call (408) 924-5985

It is the responsibility of every administrator, faculty member, staff member, and student employees to take any threat or violent act seriously, to consult with appropriate resources, and to take action as recommended by this policy.