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PD 94-02

MEMO TO: The San Jose State University Community

FROM: J. Handel Evans
President

A handwritten signature in black ink, appearing to read 'J. Handel Evans', written over a horizontal line.

SUBJECT: Violence in the Workplace

It is the university's desire to maintain a safe environment for the campus community to conduct its business and fulfill its mission. In view of the increase of violent incidents in workplaces across the nation, I would like to clarify the policies and procedures of San José State University regarding potential threats to the university community.

For the purposes of this policy, violence and threats of violence include, but are not limited to:

- any act which is physically assaultive;
- any substantial threat to harm or to endanger the safety of others;
- behaviors or actions interpreted by a reasonable person as carrying the potential for violence and/or acts of aggression;
- any substantial threat to destroy property.

A climate of fear or intimidation will not be tolerated at San Jose State University. Threatening behaviors, acts of aggression and violence will result in appropriate action by the University, up to and including dismissal. Civil and criminal penalties will be pursued as appropriate. It is the responsibility of every administrator, faculty member, staff member and student to take any threat or violent act seriously, to consult with appropriate resources (see attached guidelines "How to Respond to a Threat of Violence in the Workplace") and to take action as recommended by these resources and guidelines.

JHE:11

HOW TO RESPOND TO A THREAT OF VIOLENCE IN THE WORKPLACE

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Bonnie Henkels-Luntz, Employee Assistance Program
Kathleen Wall, Counseling Services
San Jose State University

In the United States there is a dramatic increase in violence in the workplace. Chris Hatcher, Ph. D., a psychologist at the University of California Medical Center who specializes in the assessment and management of threatening behaviors in the workplace states that planning a policy regarding threatening behaviors of violence is a new frontier for corporations, institutions of higher learning and public agencies, "it is incumbent on the employer to do all that he/she can, in the light of the highest current level of knowledge on this issue, to insure a safe workplace." Dr. Hatcher advises that studies of incidents of multiple killings show a series of escalating threatening behaviors before a public act of violence. It is therefore, recommended that any threatening behavior be regarded as a serious matter.

Recognition of Threatening Behaviors

Threatening behaviors are defined as actions interpreted by a reasonable person as carrying the potential for violence. Threatening behaviors may be statements of intention or expressions of strong emotion. They may be indirect or direct, verbal or non-verbal.

- Indirect Non-Verbal:** Gestures such as pounding the desk, throwing articles on the floor, etc.
- Indirect Verbal:** "This place is all messed up; somebody should flush it down the toilet."
- Direct Verbal:** "This place is all messed up; I'd like to torch it."
"You have been treating me this way for years. I am going to get you."
"I'm going to kill you."
"I'm going to kill the Dean of this College."
- Direct Non-Verbal:** Shaking a fist, pointing to or drawing a knife or other weapon, etc.
Stalking, i.e., unwanted and refused attention such as repetitive phone calls, gifts, persistent following, etc.

Every situation is complex and it is not expected that students, faculty, staff or management personnel be experts in the assessment of threatening behavior. ***The University does expect that students, faculty, staff and management personnel consider any threatening behavior potentially serious, obtain professional consultation, design interventions with consultation which will reduce danger and continue to maintain San Jose State University as a safe environment for teaching and learning.***

1. It is the responsibility of every student to take any threatening behavior and/or violent act seriously and to report it to the appropriate University authority (UPD, departmental chair, residential life director, etc.).
2. It is the responsibility of every faculty and staff member to take any threatening behavior and/or violent act seriously and report it to their departmental chair or supervisor.
3. It is the responsibility of supervisors, departmental chairs, directors, managers and other administrators to follow these guidelines:

A. If there is any threatening or bizarre behavior which may indicate possible dangerousness. there are resources on campus to help. Consult with the Employee Assistance Program (4-5940) concerning faculty and staff. Counseling Services (4-5940) concerning students and the University Department of Public Safety (4-2240) for assistance in:

- assessing the level of danger
- designing an intervention (in some cases discussion with the individual making the threatening behavior is appropriate; in others, discussion may escalate the situation).
- choosing appropriate safety measures

B. If it is determined that the threatening behavior is serious and may result in danger to a member of the University community, the supervisor, chair and or manager should:

1. If there is immediate danger call 911.
2. Advise your immediate administrator of the incident, results of the consultation and the action plan. Each administrator should inform the next level up to the Vice President. The Vice President will determine if notification of the President is appropriate.
3. If the incident involves an employee, consult with Human Resources (4-2250) and/or Faculty Affairs (4-2450) regarding personnel issues, e.g., employee rights, disability, discipline and documentation.

4. If the incident involves a student, consult with the Coordinator of Judicial Affairs in the Vice President of Student Affairs Office (4-5900) to determine if there is a violation of the student code and if any action should be taken.
5. Document the incident. Describe the sequence of statements and the context. Give details of the context. Have threatening behavior been made in the past? Is the employee known to have a weapon? Is there a long history of animosity between the threatening employee and the possible victim? This information will be helpful in evaluating the level of risk or if there is another threat in the future. Cite consultations, plan for action and the action taken.

C. If it is determined that threatening behavior is not serious and is unlikely to result in danger to any member of the University community, the supervisor/chair/manager should:

1. Inform the individual that it is not acceptable to engage in threatening behavior.
2. Inform your immediate administrator of the incident, the results of the consultation and the action plan.
3. Document the incident. Describe the sequence of statements and the context. Give details of the context. Have there been threatening behaviors or acts of aggression been made in the past? Is the employee known to have a weapon? Is there a long history of animosity between the threatening employee and the possible victim? This information will be helpful in evaluating the level of risk or if there is another threatening behavior in the future. Cite consultations, plan for action and the action taken.