



POLICY & PROCEDURE DOCUMENT

NUMBER: 4.8051

DIVISION: Finance and Administration

TITLE: Workplace Violence

DATE: June 14, 2004

REVISED: March 12, 2009

Policy for: All Employees

Authorized by: Director, Human Resources

I. Purpose and Scope

Western Kentucky University seeks to maintain a working environment in which individuals are treated with common courtesy, respect and professionalism and which is free from acts or threats of violence. The University has established a zero tolerance policy for threats, violence and any acts, physical or otherwise; that may create an intimidating and disruptive work environment.

The purpose of this policy is to clearly establish expectations of all employees and to establish guidelines and protocols for the handling of threats or acts of violence should they occur. This policy applies to threatening behavior or acts of violence against employees, students, visitors, guests or other individuals who are a part of the campus community.

This policy covers every employee of the University, whether full-time, part-time, regular or temporary, student employees and anyone employed by or who is an agent of Western Kentucky University. It covers all employees while engaged in any activity related to employment with the University, whether on University property or elsewhere.

Individuals who violate this policy will be subject to disciplinary action that may include termination, arrest and prosecution.

II. Policy

A. Definitions

1. Workplace violence is any intentional verbal or physical contact affecting the workplace that causes any individual to reasonably fear for his/her personal safety, the safety of his/her family, friends, co-workers and/or property. For purposes of this policy the following definitions apply:
 - a. Threats: A “threat” is an expression of intent to cause physical or mental harm to another individual. Such an expression constitutes a threat without regard to whether the person communicating the threat has the ability to carry it out and without regard to whether the threat is current or future based.
 - b. Physical attack: A “physical attack” is any unwanted or hostile physical contact with another individual such as hitting, pushing, kicking, shoving, throwing objects or fighting.
 - c. Intimidation: “Intimidation” includes such actions as stalking or similar actions, either verbal or physical, which are intended to create fear or coercive action.
Property damage: “Property damage” is any intentional act intended to damage or destroy property owned by the University or its employees, students, vendors, visitors and guests.
 - d. Stalking: To “stalk” means to engage in an intentional course of conduct directed at a specific person or persons, which seriously alarms, annoys, intimidates, or harasses the person or persons, which serves no legitimate purpose, and which would cause a reasonable person to suffer mental distress.
2. The University reserves the right to utilize the definitions contained in KRS 508.130, 508.140, 508.150 and/or any other appropriate Kentucky statutory definition, in its discretion.
3. Examples of workplace violence include, but are not limited to, the following:
 - a. Physically or verbally threatening another individual
Intentionally destroying University property or another individual’s property
 - b. Harassing, threatening or profane comments, conversation, phone calls, letters, e-mails, or other written communications
 - c. Stalking
 - d. Threatening physical harm or similar intimidation either directly or indirectly, present or future oriented
 - e. Instigating and/or encouraging violent behavior by others
 - f. Advocating the illegal possession and/or use of firearms, bombs, weapons or other items of destruction
 - g. Threatening or attempting to commit suicide

B. Warning Signs

1. There are no exact methods to predict when an individual will become violent. One or more warning signs may be displayed before a person becomes violent. A display of such signs should serve to provide advance warning of potentially violent individuals. Warning signs may include the following:
 - a. Irrational beliefs or ideas
 - b. Fascination with weaponry and/or acts of violence
 - c. Displays of unwarranted anger
 - d. Inability to take criticism
 - e. Expressions of a plan to hurt self or others
 - f. Fear reaction among coworkers/customers
 - g. Expressions of hopelessness or heightened anxiety
 - h. Violence toward inanimate objects
 - i. Lack of concern for the safety of others

C. General Provisions

1. The University encourages all employees to be alert to the possibility of threats and acts of violence on the part of employees, former employees, students, former students, customers and strangers. The University will handle any report of violence in a confidential manner, to the extent permitted by law and policy, and will release information related to such reports only on a need-to-know basis. The University prohibits retaliation against or harassment of individuals who act in good faith by reporting real or perceived behaviors or violations of this policy.
2. The University prohibits individuals from making deliberately false or misleading reports of violence or threats of violence under this policy. Individuals who make such reports will be subject to disciplinary action up to and including termination of employment.

III. Procedure

A. Requirement to Report

1. All University employees are responsible for notifying designated officials of any threats or acts of violence that they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, employees should report any behavior they have witnessed which might be regarded as threatening or violent, when that behavior is job related or might be carried out on University property or in the context of employment. Employees are responsible for making this report regardless of the relationship

between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of threatening behavior.

2. Following are general guidelines for determining appropriate reporting of threats or acts of violence:

- a. Level I: Situations in which a supervisor would use standard issue-resolution techniques such as counseling, referral and discipline. Examples include minor altercations, belligerent attitude toward other employees or customers and disruptive behavior. At minimum, Level I situations should be reported to the employee's immediate supervisor for resolution. Level I incidents are typically not reported to the designated University officials unless the supervisor determines necessary.
- b. Level II: Situations wherein an assessment is required to determine if there is imminent harm or danger and a determination on a specific course of action. Examples include threats; verbal or written expressions of a desire or intent to harm or hurt other employees, guests or customers; intimidation; sabotage and damage to or theft of equipment or property for revenge. Level II situations should be reported to the WKU Chief of Police or Director of Human Resources. The WKU Chief of Police or Director of Human Resources, as applicable, is responsible for notifying the appropriate Senior Divisional Officer of Level II events.
- c. Level III: Situations in which Police or other law enforcement intervention is necessary. Examples include clear acts of violence against other employees, guests or customers and obvious threatening behavior where a reasonable person would be led to believe or conclude that immediate harm is possible. Level III situations should be reported to the WKU Chief of Police. The WKU Chief of Police or Director of Human Resources, as applicable, is responsible for notifying the appropriate Senior Divisional Officer of Level III events.

3. Designated University officials for receiving reports of threats or acts of violence are:

- a. WKU Chief of Police
Parking Structure Building
(270) 745-2458
- b. Director, Human Resources
G-25 Wetherby Administration Building
(270) 745-5360

4. If the designated University officials are not available, employees should report the threat to their immediate department head. At anytime there is a perceived immediate threat of violence, employees should immediately contact the WKU Police at 270-745-2548.

B. Protective Orders, Restraining Orders (Temporary or Permanent) and Domestic Violence Orders

1. Employees who apply for or obtain a protective, restraining, or domestic violence order which identifies or includes University property as being protected areas, must notify their

department head and provide to their department head a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order and a copy of any protective or restraining order which is made permanent. Department Heads are responsible for immediately providing copies of such orders to the WKU Chief of Police and Director of Human Resources.

2. Employees who have had a protective, restraining or domestic violence order entered against them which identifies or includes University property as being restricted areas, must notify their department head and provide to their department head a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order and a copy of any protective or restraining order which is made permanent. Department Heads are responsible for immediately providing copies of such orders to the WKU Chief of Police and Director of Human Resources.

C. Discipline, Referrals and Return to Duty

1. Employees who are determined to have violated this policy are subject to disciplinary action up to and including termination of employment. The University will take reasonable action to make referrals for counseling and/or medical services as appropriate. Prior to return to duty, individuals determined in violation of this policy may be required to complete a fitness-for-duty evaluation by the Medical Director, WKU Health Services, or other qualified individual or health service provider. The Medical Director also serves to review and coordinate medical information from outside medical providers.

IV. Exclusions

V. Related Policies

See also:

VI. Reason for Revision

Appendices: Kentucky Revised Statutes