

Policy/Procedure:
Subject: Workplace Violence Prevention

Human Resource Services
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TITLE: Workplace Violence Prevention Policy
Issued By: Human Resource Services

I. Purpose

Northern Illinois University is committed to a secure, nonviolent, workplace for all faculty, staff, and students. The following policy was created to address improper acts or threats of violence or aggression toward students, faculty, staff, and university property. This policy is also related to university compliance with applicable legal regulations.

II. Policy

It is the policy of Northern Illinois University to endeavor to provide a safe and respectful environment that is conducive to learning, teaching, scholarship and community service. All members of the campus community should be treated with respect and dignity. Accordingly, and consistent with applicable legal standards, the university will not tolerate acts or threats of violence toward members of the university community or to university property. Acts of violence or threats of violence, not including acts of self defense, will be taken seriously and, as warranted by the specific situation, addressed by administrative representatives of the university. All members of the university community are subject to the provisions of this policy, including administrators, faculty, staff, students, student employees, temporary, or regular employees, part-time and full-time employees, graduate students and graduate assistants, as well as vendors or visitors to the campus.

Any behavior that would constitute an act, or threat of unlawful violence in the university workplace is prohibited on all university premises including university buildings, places of work, campus property, residences, off-campus university workplaces or meeting places, and university vehicles. Incidents or threats of violence should be promptly reported to campus officials. Such reports will be addressed/resolved or investigated as warranted by the situation. Consequences (including corrective and disciplinary actions up to and including dismissal and law enforcement actions) for committing violent acts or threats will be administered in coordination with the administrative areas involved and in accordance with relevant state law, campus personnel policies and procedures, or the Student Code of Conduct.

III. Definitions

Workplace Violence is any act that has the result of threatens or causes actual harm to a person or property in or from a university workplace or facility. Actions that constitute workplace violence include, but are not limited to illegal possession or use of weapons in a university workplace or facility; threats or acts of violence against persons or property in a university workplace or facility; acts of physical aggression such as pushing, shoving, hitting, throwing objects at someone; blocking someone's movement to the extent that freedom of motion is limited; use of university property, equipment, or resources to assault, harass, intimidate, or threaten.

Threat or Threatening Behavior is any action or statement that creates a reasonable expectation of fear for one's safety or the safety of another individual. Examples of threats include, but are not limited to, a communicated intent to inflict unlawful physical or other forms of intimidation, harm, loss, or pain on any person or on property; stalking or following another individual with the intent to harass, harm or intimidate; the use of communication (telephone, electronic, or printed) media to accomplish any of the above mentioned actions; and/or verbal aggression or threats directed at an employee/student, the content of which is specifically related to the definition of workplace violence.

Other related policies are outlined at the end of this document. For example, sexual harassment or domestic violence in the workplace is also considered prohibited actions. Such actions may violate both workplace violence prevention and other related laws or policies simultaneously.

IV. General Procedures

Actions, incidents, or behaviors constituting imminent risk or concern should be reported to the Department of Public Safety (Campus Police) immediately. Employees and students should not put themselves at risk, but should call "911" and take steps to protect their own safety or the safety of others. Investigation and corrective measures concerning non-employment-related situations involving students will be undertaken in coordination with Student Affairs and applicable provisions of the Student Code of Conduct.

Supervisors or administrative personnel who are aware of incidents or threats of workplace violence are expected to take appropriate action to resolve the matter, if possible, depending on the severity of the incident. Otherwise, Human Resource Services (HRS) or NIU Department of Public Safety should be contacted as soon as possible.

Employees/students who make good faith reports of concerns or incidents or threats of workplace violence will not be subject to retaliation for their actions. Any such retaliation, if confirmed, may result in disciplinary action.

The direct supervisor, or the administrative area involved, may take steps to resolve situations as appropriate in relation to the nature of actions reported. Resources and information available to assist with such informal resolutions are listed in the final page of this document.

Alternatively, and depending on the severity of the incident involving behavior or treatment of employees, the administrative area and/or the person(s) reporting an alleged violation of this policy may refer their report to HRS. HRS will designate staff to conduct/coordinate an administrative investigation and assessment of reported incidents or behaviors. As part of this process, HRS will consult with appropriate campus resources (e.g., Department of Public Safety, University Legal Services, Employee Assistance and Wellness Program, Affirmative Action and Diversity Resources, Employee Relations or Labor Relations, etc.) and interested divisional authorities to determine the level of risk and an appropriate course of intervention (see section V. below). In cases where immediate action is necessitated, the employee(s) involved may be placed on administrative leave with restrictions under appropriate supervisory authority, pending the determination of subsequent interventions and/or disciplinary procedures. Any final actions related to discipline will be implemented in accordance with applicable due process and appeal procedures (see section VI. below).

V. Assessment and Investigation Procedures Related to Employees

The incident assessment process involving employees shall be coordinated by the Associate Vice President for Administration and Human Resources (AVP) or designee. In some cases, as warranted by the situation, and in coordination with or as requested by appropriate divisional authorities, HRS may coordinate a fitness for duty assessment. Normally, the initial assessment will be conducted by staff designated in the Employee Assistance and Wellness Program (EAP). In cases where EAP staff recommend that further evaluation is necessary, the employee may be referred (in coordination with divisional authorities) to an outside clinical provider to perform a fitness for duty evaluation. Such external evaluations will be at the expense of the employing department or administrative area to which the employee is assigned. Assessment of risk potential may include investigation measures such as interviews of the employee, witnesses, supervisory or management personnel, or consultation with other staff, including the General Counsel or designee, HRS, other appropriate consulting clinicians, and campus police. Confidential reports from external evaluators and medical personnel will be forwarded to the Director of Employee Relations as the designee of the Associate Vice President for Administration and Human Resources.

Recommended corrective measures will be implemented in coordination with appropriate divisional and supervisory authorities. Depending on the nature of the incidents or behaviors such corrective measures may involve referrals for counseling, mental health and or medical evaluation and services, mediation services, stress management interventions, employee coaching, training programs, application for

disability, and other interventions. As warranted by the facts of a given situation, corrective measures may also involve restricted access to university facilities, resources, and/or property. Should an investigation determine that violations of this policy occurred, disciplinary actions up to and including suspension, or even dismissal, may be implemented by appropriate supervisory authorities and in accordance with applicable personnel procedures. Every reasonable effort will be made to maintain appropriate confidentiality.

Reports from external evaluators will not form part of an employee's normal official personnel files. However, related corrective and/or disciplinary measures will become elements of the employee's personnel file.

Depending on the nature of the actions or behaviors involved, the employee(s) may be placed on administrative leave, or be restricted from campus access, pending the conclusion of necessary assessment, corrective measures, and/or personnel procedures. All such actions shall be subject to applicable due process and appeal procedures (source documents referenced below). When appropriate, additional campus resources are available for consultation and support, such as the Office of the Ombudsman or Faculty Personnel Advisor.

VI. Expedited Response to Imminent/Direct Violations of Related Policies

In addition to the general procedures related to workplace violence outlined above, in the following cases of alleged misconduct, the department head (and relevant college dean) following authorization and consultation with the appropriate president's designee or vice president, may invoke an expedited procedure to accomplish restricted access to university facilities, resources, and/or property, and/or implement an administrative suspension, with the aforementioned process to be followed as soon as practicable after such action has taken place:

Alleged misconduct involving:

1. Acts or credible threats of harm to a person in the workplace or a student on university property.
2. Use of university property, equipment, or resources to threaten, intimidate, harass, or do harm to another person and/or property.
3. Indictment by a state or federal grand jury, or arrest and charge pursuant to state or federal criminal procedure, for a felony, involving an act or credible threat of harm to a current or former employee or student.

In such cases, the employee will be provided with a written notice and basis for the actions taken. Disciplinary procedures, if necessary, will be implemented in accordance with applicable due process and appeal procedures (source documents referenced below).

References:

Constitution and Bylaws of Northern Illinois University

http://www.niu.edu/u_council/OUC/constitution.shtml

Grievance Procedures for Faculty and Staff

http://www.hr.niu.edu/resources/files/R&GGrievprocFINAL_1.pdf

Affirmative Action and Diversity Resources – Nondiscrimination/Harassment Policy and Compliant Procedures for Employees and Students

http://www.hr.niu.edu/resources/files/R&GGrievprocFINAL_1.pdf

Collective Bargaining Agreements

www.hr.niu.edu

Student Code of Conduct

[http://www.stuaff.niu.edu/judicial/24430jo\(body\).pdf](http://www.stuaff.niu.edu/judicial/24430jo(body).pdf)

Campus Demonstrations Policy Act, 110 ILCS 10/0.01 et seq.

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1053&ChapAct=110%26nbsp%3BILCS%26nbsp%3B10%2F&ChapterID=18&ChapterName=HIGHER+EDUCATION&ActName=Campus+Demonstrations+Policy+Act%2E&Print=True>

Campus Security Act, 110 ILCS 12/1 et seq.

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1054&ChapAct=110%26nbsp%3BILCS%26nbsp%3B12%2F&ChapterID=18&ChapterName=HIGHER+EDUCATION&ActName=Campus+Security+Act%2E&Print=True>

Illinois Domestic Violence Act of 1986, 750 ILCS 60/101 et seq.

<http://www.ilga.gov/legislation/ilcs/ilcs5.asp?ChapAct=750%26nbsp%3BILCS%26nbsp%3B60%2F&DocName=&ActName=Illinois+Domestic+Violence+Act+of+1986%2E&ChapterName=FAMILIES&ActID=2100&ChapterID=59&SeqStart=&SeqEnd=&Print=True>

Interference with Public Institution of Higher Education, 720 ILCS 5/21.2-1 et seq.

<http://www.ilga.gov/legislation/ilcs/ilcs4.asp?ChapAct=720%26nbsp%3BILCS%26nbsp%3B5%2F&DocName=072000050HArt%2E+21%2E2&ActName=Criminal+Code+of+1961%2E&ChapterName=CRIMINAL+OFFENSES&ActID=1876&ChapterID=53&SeqStart=49900000&SeqEnd=50600000&Print=True>

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C.A. §1092(f); 34 C.F.R. § 668.46

<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=694b9a475d16377000398488163d0cd3&rgn=div8&view=text&node=34:3.1.3.1.34.4.40.6&idno=34>

Victims' Economic Security and Safety Act (VESSA), 820 ILCS 180/1 et seq
<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2502&ChapAct=820%26nbsp%3BILCS%26nbsp%3B180%2F&ChapterID=68&ChapterName=EMPLOYMENT&ActName=Victims%27+Economic+Security+and+Safety+Act%2E&Print=True>

University Resources for Assistance:

Department	Phone	Website
Affirmative Action and Diversity Resources	753-6000	www.hr.niu.edu
Employee Wellness and Assistance	753-9191	www.hr.niu.edu
Faculty Personnel Advisor	753-7084	http://www.niu.edu/u_council/commbook0607/fpa.htm
Human Resource Services	753-6000	www.hr.niu.edu
Judicial Office	753-1571	http://www.stuaff.niu.edu/judicial/ujohome.htm
Ombudsman	753-1414	http://www.niu.edu/ombuds/
Provost's Office	753-8387	www3.niu.edu/provost/index.html
University Police	753-1212	http://www.finfacil.niu.edu/PublicSafety/