



## **XAVIER UNIVERSITY**

### **Workplace Violence**

**Effective:** March 1, 2021

**Last Updated:** March 1, 2021

**Responsible University Offices:** Office of Human Resources

**Responsible Executive:** Associate Vice President for Human Resources

**Scope:** All University Employees, Contractors, and Visitors

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#### **A. PHILOSOPHY**

Xavier University is committed to providing an environment that is safe, secure, and free from threats, intimidation and violence. This policy intends to ensure that employees do not feel threatened by any person's behaviors, actions, or conduct. No actions or threats of violence will be tolerated.

To fulfill our mission and provide a work environment that is positive and professional, responsive action will be taken if violence or the threat of violence arises.

It is intended that useful management strategies be employed to identify and prevent incidents of workplace and campus violence, reduce the effects of violence on victims, and provide consequences to those who threaten or perpetrate violence. Employees are encouraged to report incidents of possible threats, intimidation, or violence, and are not to be subjected to acts of retaliation for reporting such behavior.

## **B. POLICY**

This policy is intended to guide members of the University community both in preventing violence and in responding to threats and acts of violence when they occur.

This policy applies to all Xavier employees. It also applies to contractors, volunteers, as well as any visitor to campus. Vendors and independent contractors are reminded that the behavior of their employees who conduct business on University property, or provide services at University events, are subject to this policy.

Xavier University prohibits and will not condone any acts or threats of violence by any person on or off property owned or leased by the University or any University-affiliated entity while they are engaged in work, events or activities with or on behalf of the University.

Violence includes, but is not limited to, intimidation, threats, physical attack, and property damage. This includes acts of violence committed by or against University employees, students, contractual workers, or other third parties engaged with the University.

Conduct or behavior not tolerated by the University includes, but is not limited to:

- Possession of a weapon on university property (except as stipulated in University policy or if authorized to do so as part of one's job (e.g., police officers);
- Intentionally injuring another person physically;
- Engaging in verbal or physical behavior that creates a reasonable fear of injury;
- Intentionally engaging in verbal or physical behavior that subjects an identifiable individual to significant emotional distress;
- Defacing or damaging property;
- Direct or implied threats;
- Derogatory comments made about a person's race, gender, religion, sexual orientation that would be perceived by a reasonable person as threatening;
- Brandishing a weapon;
- Retaliating against any individual who, in good faith, reports a violation of this policy.

To ensure the objectives of this policy are met, the University will take corrective action, up to and including termination, against any employee engaging in threatening verbal or physical behavior or other acts of violence. The University will take other appropriate action, including termination, exclusion from University property, etc., related to contractors, visitors, or others who engage in threatening verbal or physical behavior or other acts of violence.

Persons who violate this policy may also be subject to arrest for violation of criminal statutes, independent medical and/or psychological evaluations for clearance to return to work, and/or may be barred from campus.

Deliberately false or misleading claims of violence that appear to have been filed with the intention to harass or that appear to be frivolous or an abuse of the reporting process set forth in this policy shall be considered acts of unacceptable personal conduct and may be subject to discipline up to and including termination.

## C. DEFINITIONS

**Intimidation**-Engaging in actions that include, but are not limited to, stalking or behavior intended to frighten, coerce, or induce duress. This may be verbal behavior or any method of communication such as email, text messages, social media options, or other paper or electronic methods.

**Threat**- An expression of intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry it out, and without regard to whether the expression is contingent, conditional, or future.

**Threat Assessment Team (TAT)** - A TAT leverages appropriate experts to help evaluate concerns reported and is authorized to take timely and appropriate action, consistent with the judgment of the TAT university policy and applicable law. The TAT is charged with using its judgment to assess, intervene, and follow policies for individuals whose behaviors may present a threat to the safety of the campus community as appropriate; working with enforcement and mental health agencies to expedite assessment and intervention; and developing comprehensive fact-based assessments of individuals who may present a threat to the University. The TAT is convened by Office of Human Resources (OHR) specifically for each incident and, depending on the incident, may consist of representatives from the Department of Psychology, Xavier University Police Department (XUPD), General Counsel's Office, and other units as appropriate.

**Weapon**- Weapons prohibited on campus include but are not limited to firearms, ammunition, bombs, knives, or any other instruments, devices or substances designed, intended or used to inflict harm upon persons or property.

**Workplace**-This includes campus grounds and facilities, offices, vehicles, classrooms, field locations, and external sites where work is being performed by Xavier employees (e.g. remote ABSN campus sites, clinical assignment sites, alternative break locations, etc.).

**Workplace Violence**-Any act resulting in threatened or actual harm to a person or property in the workplace, including but not limited to: physically harming another, shoving, pushing, intimidating, brandishing weapons, and threatening or talking of engaging in these activities.

## D. PROCEDURES

### ***Reporting:***

In an effort to promote a safe work environment, employees who are the victims of workplace violence, believe they may be targets of violence, or observe statements or behaviors of concern are strongly encouraged to notify a supervisor, the OHR, XUPD, or to report the matter through the EthicsPoint Anonymous Reporting Hotline.

To report an incident or situation using the EthicsPoint Reporting Hotline:

- Access the web site:

(<https://secure.ethicspoint.com/domain/media/en/gui/34090/index.html>)

- Select the “Make a Report” option
- Select “Human Resources”
- Select “Violence or Threat”

Any person who believes there is an immediate danger to the health or safety of any member of the university community should call XUPD immediately (513-745-1000). Confidentiality will be maintained to the extent allowed by law.

***Evaluating:***

When a report is received an immediate evaluation of the urgency of any alleged threat will be assessed by its perceived intent and the capacity and means to fulfill the threat. Factors that will be considered include the nature of the threat, duration of risk, and likelihood that harm will occur. Depending on the outcome of the evaluation the following actions should be taken:

A. In the event of imminent danger or an incident of violence involving injury to persons or damage to property:

1. Notify XUPD.
2. Seek assistance for individuals needing appropriate care.
3. Contact OHR to report the incident.
4. Document circumstances associated with the event to include a record of information from all involved employees or witnesses, and details of the circumstances.

B. If the circumstances do not indicate imminent danger to persons or damage to property:

1. Document the circumstances associated with the event to include a record of information from all involved employees or witnesses, and details of the circumstances.
2. Contact the OHR to report the incident and to request guidance and assistance.
3. Fact-find, develop and implement a plan of action in consultation with OHR.
4. A University TAT may be convened to assess and evaluate a plan of action
5. Initiate appropriate corrective action based upon the individual's degree of involvement.

***Warning Signs:***

Warning signs of violence may include, but are not limited to, the following:

- Confrontational, angry, easily provoked, unpredictable, restless or agitated behavior.
- References to or preoccupation with other incidents of workplace/campus violence or violent incidents in general
- Alleged fondness or fascination with firearms or other instruments of violence
- Resistance/overreaction to changes in policies and procedures
- Feelings of persecution
- Blames others for anything that goes wrong, no sense of own responsibility
- Recent marked performance decline

- Decline in personal grooming
- Serious stressors in personal life (e.g. financial, family, marital problems)
- Substance abuse

**Other applicable policies and/or resources:**

**HCAP – Harassment Code and Accountability Procedures**

(<https://www.xavier.edu/policy/hcap/index> ) - Sexual harassment, stalking, dating violence, domestic violence, sexual assault, and rape are forms of sex discrimination, prohibited by Title IX and Xavier's Sex Discrimination policies. These types of prohibited conduct and the University's response to this conduct are described comprehensively in the [HCAP](#) (applies to employees) and the [Student Handbook](#) (applies to students). To the extent any provision of this Workplace Violence Policy conflicts with the Title IX and Sex Discrimination policies of the HCAP and/or Student Handbook, the HCAP and Student Handbook language takes precedent of this policy.

**Employee Conduct Policy:**

<https://www.xavier.edu/hr/documents/1EmployeeConduct1.pdf>

**Progressive Discipline Policy:**

<https://www.xavier.edu/hr/documents/1ProgressiveDiscipline.pdf>

**Employee Assistance Program**

<https://www.xavier.edu/hr/benefits/employee-assistance-program>

**Student Handbook:**

<https://www.xavier.edu/handbook/aggregate>

**Blue Light Assistant Stations are positioned throughout the main campus.**

**Escort safety services are provided on campus by XUPD:**

<https://www.xavier.edu/safety/safety-escort-policy>