

Davis Technical College

Employee Safety and Workplace Violence Prevention Policy

Effective Date: 29 June 2018

1. Purpose

The purpose of the Davis Technical College (College) Employee Safety and Workplace Violence Policy is to provide an environment free from violence or threats of violence in the workplace and to take reasonable precautions to ensure the safety and health of people, facilities, equipment, and other College property.

2. References

- 2.1. Davis Technical College Disciplinary Sanctions of Personnel Policy
- 2.2. Davis Technical College Workplace Harassment/Discrimination Prevention Policy
- 2.3. Utah Code Ann. Sec. 76-3-203.2(1), Definitions – Use of dangerous weapon in offenses committed on or about school premises
- 2.4. Utah Code Ann. Sec. 76-10-505.5, Possession of a dangerous weapon, firearm, or sawed-off shotgun on or about school premises – Penalties

3. Definitions

- 3.1. **Third Parties** - Individuals who are not College employees, such as relatives, acquaintances, or strangers.
- 3.2. **Workplace** - Any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations, alternate work locations, and travel to and from work assignments.
- 3.3. **Crisis Intervention and Safety Teams** – College Safety Team and the Crisis Intervention Teams that create and implement workplace safety policy and crisis intervention procedures.

4. Policy

- 4.1. Any acts of violence, bodily harm, or physical intimidation by employees will not be tolerated and may be grounds for immediate dismissal. When this type of behavior is exhibited the College reserves the right to request an evaluation by a health care/mental health professional to determine fitness for duty.
- 4.2. Any violent or potentially violent behavior, physical assault, threatening behavior or verbal abuse that arises from or occurs in the workplace by employees or third parties will not be tolerated and may be grounds for immediate dismissal, eviction from campus premises, arrest, request to the County Attorney to file criminal charges, etc. It includes, but is not limited to, beating, stabbing, suicide, shooting, rape, attempted suicide, psychological trauma such as threats, obscene phone calls, or intimidating presence, and harassment of any nature such as stalking, or inappropriate shouting.
- 4.3. The College specifically prohibits the possession of weapons in violation of law, by any employee, while on College property. This includes keeping or transporting a weapon in a vehicle in a parking area, whether public or private. This prohibition explicitly includes any dangerous weapon, firearm, or sawed off shotgun, on or about College premises.
- 4.4. The Crisis Intervention Teams (CIT) shall serve as a resource in crisis situations. All employees should avail themselves of the training and other resources provided by the CIT and the Safety Team so that they will be able to appropriately respond to situations that could be considered unsafe or harmful to others.

4.5. Supervisors are responsible to be continuously cognizant of safety needs and initiate prevention measures to control activities under their direction.

4.6. All members of the College community must cooperate to maintain a safe work environment. Individuals should report to their supervisor any incidents of violent, threatening, harassing, or intimidating behavior in the workplace, whether or not those involved are College employees. This would include, but is not limited to, restraining orders or protective orders from domestic situations. Supervisors who receive reports of violent or threatening behavior that directly involve College employees, must immediately notify the Security and Risk Management Coordinator, the Director of Facility Services and Risk Management, and/or the Director of Human Resources, so that measures can be taken for protection and safety.

4.7. Employees who believe they are victims of workplace violence may request to report incidents of workplace violence in confidence. Such requests will be honored to the degree legally allowable. Employees may utilize one or more of the following options in reporting incidents:

4.7.1. Seek to resolve issues directly with the individual(s) alleged to have created an unsafe work environment or harassed.

4.7.2. Seek to resolve issues through supervisor.

4.7.3. Initiate outside legal action through any law enforcement agency. It is recommended that where time allows (before the end of the applicable statutes of limitations) grievance procedures within the College will be utilized.

4.7.4. The Director of Human Resources or Security and Risk Management Coordinator may initiate an independent investigation into an alleged act of violence, or prohibited behavior, which need not be based upon the alleged victim's choice of action. In addition the College reserves the right to initiate its own criminal investigation as well as civil or administrative.

4.7.5. Consideration shall be given to the alleged victim's requests in the investigation process and fact-finding meeting. College officials, however, reserve the right to override the alleged victim's preferences in handling complaints.

4.8. The College provides fair, expeditious and uniform procedures for investigation and resolution of claims of prohibited behavior.

4.9. The initial notice or inquiry may be submitted either orally or in writing. If the complainant is not willing to file a written complaint, the College can opt to proceed with an investigation without a written complaint.

4.10. If an allegation of misconduct or prohibited behavior is found to be intentionally false or fraudulent in nature by the reporting party in an attempt to discredit, disparage, or damage the reputation of the alleged perpetrator, corrective actions, including possible disciplinary actions, will be conducted with the individual making the false allegation/statements.

4.11. If an investigation reveals evidence of criminal conduct, or if there is even suspicion of criminal conduct, even at the outset, without independent investigation, the College reserves the right to contact law enforcement immediately, regardless of the complainant's choice of action. The College reserves all rights to initiate its own actions, even if it is to do nothing but call the police or other law enforcement agency.

4.12. The College reserves the right to ensure the peace and safety of the employee's workplace and/or campus environment by any reasonable means including administrative/employment sanction and civil or criminal law enforcement.

5. **Retaliation** - Retaliation against any person who opposes a practice, which is forbidden by this policy, or has filed a complaint, testified, assisted, or participated in any manner in an investigative proceeding or meeting under this policy is prohibited. Individuals found guilty of retaliation may face disciplinary action, up to and including termination.

6. Approval and Notes

Revised Board Approval: 28 June 2018

President's Council Approval: 23 April 2018

Revised Board Approval: 26 February 2004