ADMINISTRATIVE RULE

Rule Number/Name: 070.019.000 – Workplace Violence
Responsible Department: Human Resources
Authority: Chief Operating Officer

Overview

This administrative rule outlines the College policy regarding Workplace Violence.

Applicability

This policy applies to all faculty, staff, administrators, students, vendors, contractors, consultants, visitors and others who do business with the College, whether on-campus or off-campus where College business is conducted. Students may be covered under additional provisions of their respective college's Student Handbook.

Nothing in this administrative rule is designed to conflict with any provision in any collective bargaining agreement and in the event of an apparent conflict, the College will apply a collective bargaining agreement provision.

Administrative Rule Statement

Columbia Gorge Community College is committed to providing a safe, healthful workplace for all employees, students and visitors that is free from violence or threats of violence. This policy confirms the College's commitment to prevent, reduce and manage violence to provide a safe environment in which to work and learn. It applies to students, employees, vendors and visitors at all College owned, controlled or leased premises, including satellite locations, at any location at which College business is conducted, or at which employees, students, vendors or visitors represent the College, including while attending off-campus meetings, conferences, or while riding in College owned or leased vehicles.

The College prohibits any form of violence by or against any employee, student, vendor or visitor to the College. Violating this policy will result in disciplinary action up to and including dismissal as unacceptable personal conduct and may also result in criminal prosecution. This policy also prohibits retaliation or harassment against anyone who makes a good faith report of a violation of this policy. The College will, to the extent permitted by law, protect the anonymity and safety of...
anyone who reports an act of violence, as defined by this policy. Complaints of sexual harassment are covered under the College’s Harassment Policy.

The College, at the request of an employee or student, or at its own discretion, may prohibit members of the public, including family members, from having contact with an employee or student on the College campus. This policy particularly applies in cases where the employee or student suspects that an act of violence will result from an encounter with said individual.

Prohibited conduct includes but is not limited to:

- Interfering with an individual’s legal rights of movement or expression;
- Disrupting the workplace, the academic environment or the College’s ability to provide service to the public;
- Engaging in workplace violence as defined by this policy;
- Misusing authority vested to any employee of the College in such a way that it violates this policy
- Engaging in off-duty violent conduct that has a potential adverse impact on the College and its employees, students, clients, visitors, or vendors;
- Injuring another person physically;
- Engaging in behavior that creates a reasonable fear of injury to self or another person;
- Engaging in behavior that would subject a reasonable person to, and does subject another individual to, extreme emotional distress;
- Possessing, brandishing, or using a weapon by students while on College property, in academic or administrative buildings; while attending a sporting, entertainment or educational event; while engaged in College business; or in violation of law or other College policy, except where possession is a result of participation in an organized and scheduled instructional exercise for a course, or where the student is a law enforcement professional;
- Possessing, brandishing, or using a weapon by faculty or staff that is not required by the individual’s position while on College property; engaged in college business; or in violation of law or other College policy, except where the employee is a law enforcement professional;
• Possessing, brandishing, or using a weapon by third parties while on College property, in academic or administrative buildings; while attending a sporting, entertainment or educational event; while engaged in College business; or in violation of law or other College policy, except where the individual is a law enforcement professional;

• Intentionally damaging property;

• Threatening to injure an individual (including oneself) or to damage property;

• Committing injurious acts motivated by, or related to, domestic violence or sexual harassment; and

• Retaliating against any employee or student who, in good faith, reports a violation of this policy.

A violation of this policy shall be considered unacceptable personal conduct as provided in the disciplinary policies applicable to the employee’s appointment type. Acts of violence, as defined herein, may be grounds for disciplinary action, up to and including dismissal.

An act of off-duty violent conduct may be covered by this policy and may also be grounds for disciplinary action, up to and including dismissal. In these situations, department management, in consultation with Human Resources must demonstrate that the disciplinary action is supported by the existence of a significant correlation between the type of violent conduct committed and the potential adverse impact on the College and its employees, students, clients, visitors, and vendors.

Violent or threatening behavior can include: physical acts, oral or written statements, harassing email messages, harassing telephone calls, gestures and expressions or behaviors such as stalking.

Individuals who engage in violent behavior may be removed from the premises, and may be subject to dismissal or other disciplinary action, arrest and/or criminal prosecution.

Violence in the workplace includes relationship violence that intrudes into the workplace, endangering a person in the relationship or others in the workplace. Relationship violence is physically, sexually, and/or psychologically abusive behavior that a household member or dating partner uses to establish and maintain control over another person.

Responsibilities

Chiefs: Each Chief Officer is responsible for administering the Workplace Violence Prevention Policy and Procedures and ensuring compliance and follow-up of alleged incidents of workplace violence regarding incidents involving students, staff and faculty in their respective areas of

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responsibility. The Chief Operating Officer is responsible for administration, compliance and follow-up regarding incidents involving employees.

**Supervisor:** (managers, directors or other persons with supervisor responsibility): are responsible within his/her area of responsibility for the implementation of this policy. Supervisors must report to the Director of Facilities any complaint of workplace violence made to him/her and any other incidents of workplace violence of which he/she becomes aware or reasonably believes to exist. Supervisors are expected to inform their Chief Officers promptly about any complaints, acts, or threats of violence even if the situation has been addressed and resolved. Upon reporting the complaint or incident, the supervisor must keep it confidential except as necessary during the investigation process or subsequent proceedings.

**Faculty and staff:** whom are informed that a workplace violence incident has occurred or has been observed must report this to their supervisor. The supervisor must report this to the Director of Facilities immediately.

**Students:** whom witness violence, or learn of threats, or are victims of violence by employees or students should report the incident immediately to the Director of Advising and Career Services. If there is imminent danger, students should report incidents immediately to 911. Students who wish to report a concern about sexual assault or sexual misconduct should refer to the College’s policies and procedures relating to Title IX, which can be obtained through the Department of Student Services.

The Director of Facilities is responsible for:

- Managing issues involving College safety and security.
- Responding to and documenting incidents of violence in the workplace.
- Investigating and documenting facts concerning workplace violence issues.
- Notifying supervisors of an incident with his/her employee or the Chief Academic and Student Affairs Officer of an incident with a student.
- Maintaining an internal tracking system of all threats and incidents of violence.
- Publishing an annual report detailing workplace violence incidents.
- Recommending policy or procedures to maintain a safe environment.
- Notifying appropriate College administrators about violent incidents, threats of violence, or the presence of a firearm or other dangerous weapon on campus.
• Maintaining records in accordance with The Campus Security Act of 1998.

• Ensuring that new employees receive a copy of the policy and that it is discussed at new employee orientations.

• Developing in-service training on workplace violence prevention.

Definitions

“Employee” means part-time, full-time, temporary or permanent, student and graduate student employees, and other individuals acting as agents of the College, such as College affiliates and associates.

“Workplace” includes all College-owned, controlled or leased premises, including satellite locations, at any location at which College business is conducted, or at which employees, students or visitors represent the College, including while attending off-campus meetings, conferences, or while riding in College-owned or leased vehicles.

“Workplace violence” includes, but is not limited to: intentionally threatening; intimidating; physically injuring; stalking; damaging property, bullying, threats, physical attack, property damage, or domestic and family violence. This includes acts of violence committed by or against College employees. Such incidents may also involve students, clients, visitors or vendors; or referencing or using a weapon or firearm, unless the individual doing so is a certified law enforcement officer acting within the course and scope of his or her duties.

“Intimidation” includes but is not limited to unwarranted behavior intended to frighten, coerce, or induce duress or an intentional act that would cause a reasonable person to fear that s/he is in danger of injury or harm.

“Property damage” is intentional damage to property and includes property owned or controlled by the College or by employees, students, clients, visitors or vendors.

“Stalking” means an intentional or knowing course of conduct directed toward another person if that conduct either would cause a reasonable person to fear for the person’s safety and that person in fact fears for his or her safety; or would cause a reasonable person to fear death and that person in fact fears death.

“Threatening” is the 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 out the threat and without regard to whether the expression is contingent, conditional, or future.
“Domestic and Family Violence” is the use of abusive or violent behavior, including threats and intimidation, between people who have an ongoing or a prior intimate relationship (including people who are married, live together or date, or who have been married, lived together or dated) or between family members.

“Menacing or threatening behavior” includes behavior such as throwing objects, pounding on a desk or door, damaging property, stalking, acting aggressively; or making oral or written statements specifically intended to frighten, coerce, or threaten where a reasonable person would interpret such behavior as constituting evidence of intent to cause harm to individuals or property.

“Weapons” are any objects that may be used to intimidate, attack, or injure another person or to damage property. Objects understood to have a primary function as a weapon are not allowed on campus unless expressly authorized under this policy or under State law.

Confidentiality

The College shall maintain the confidentiality of investigations of workplace violence to the extent possible. The College will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been a violation of this policy and that the safety and well-being of members of the College community would be served by such action.

Interpretation of Administrative Rule

Chief Operating Officer

Cross Reference to Related Administrative Rules

None

Further Information

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Strategic Direction

KFA 3: Faculty and Staff
Appendix

None