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TITLE: VIOLENCE IN THE WORKPLACE

EFFECTIVE DATE: January 20, 2015

LAST REVISION: Initial*

Policy No. 215

STATEMENT OF POLICY

Employees are Baton Rouge Community College's most valuable resource and their safety and security are essential to carrying out their responsibilities. Every employee has a reasonable expectation that he/she will be able to perform assigned duties in an atmosphere free of threats and assaults. Recognizing the increasing incidence of violence in the workplace, the Governor of the State of Louisiana issued an executive order committing the Governor and Baton Rouge Community College to work toward a violence-free workplace for all employees, students and visitors. Baton Rouge Community College fully supports this effort and is committed to a violence-free workplace.

PURPOSE

The purposes of this plan are to direct implementation of effective security measures and administrative work practices to minimize exposure to conditions that could result in harm to employees, students and visitors; to promote a positive, respectful and safe work environment that fosters employees' security, safety and health; and to require ongoing analysis of the workforce and each work site for hazard prevention and control.

SCOPE AND APPLICABILITY

This policy applies to all employees, students and visitors of the BRCC.

PROCEDURES AND SPECIFIC INFORMATION

A. DEFINITIONS:

For the purpose of this policy, the following definitions apply:

1. **Assault:** an attempt to commit a battery, or the intentional placing of another in reasonable apprehension of receiving a battery. For example: *"I may have a stick raised and know that I have no intention of striking you, but, based on the circumstances, you have a reasonable apprehension that I plan to strike you."*
2. **Aggravated Assault:** an assault committed with a dangerous weapon.
3. **Battery:** the intentional use of force or violence upon another, or the intentional administration of a poison or other noxious liquid or substance to another.
4. **Aggravated Battery:** a battery committed with a dangerous weapon.



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5. **Confidential Advisor:** an employee who is trained in handling complaints of workplace violence. While a Confidential Advisor is trained to deal effectively with workplace violence, incidents, complaints and concerns with seriousness, she/he is required to report all complaints of workplace violence through the appropriate channels. A Confidential Advisor keeps confidential reports including the identification of parties involved. Such records are not available to anyone except to those who have a legitimate need to know and to the extent required by law. Generally, each campus has at least two (2) Confidential Advisors (the Chief Student Affairs Officer and a Human Resources Professional who has been trained in the handling of workplace violence complaints). The names of the Confidential Advisors are available in the Office of Student Affairs, the Student Government Association Offices, and Office of Human Resources.
6. **Credible Threat:** a written or verbal statement, or action that would cause a reasonable person to fear for the safety of him/herself or that of another person and does, in fact, cause such fear.
7. **Intentional:** refers to conduct when the circumstances indicate that the offender, in the ordinary course of human experience, must have considered the criminal consequences as reasonably certain to result from his/her act or failure to act.
8. **Physical Harassment:** Any physical assault such as hitting, pushing, kicking, holding, impending or locking the movement of another person; physically touching someone in an intimidating, malicious, or sexually harassing manner; or any nonconsensual physical contact.
9. **Threat or Threatening Behavior:** A physical, verbal, or written act that expresses, or is perceived as expressing, an intent to cause physical or psychological harm, or both, against and individual covered by this policy.
10. **Verbal Harassment:** Verbal threats toward persons, whether said directly to the person threatened or to another employee; threats to property; the use of vulgar or profane language towards others; disparaging or derogatory comments or slurs; offensive sexual flirtations and propositions, verbal intimidation through direct or veiled threats; exaggerated criticism and name calling.
11. **Violence:** the commission of an assault or battery or the making of a credible threat.
12. **Violence in the Workplace:** Any physical assault, threatening behavior, or verbal abuse occurring in the work setting, including but not limited to beatings, stabbings, suicides, shootings, rapes, near suicides, psychological traumas such as threats, obscene phone calls, an intimidating presence, and harassment of any nature such as being followed, sworn at, or shouted at.



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13. Domestic Violence-abuse battery: One household member intentionally using force or violence against another household member.

A household member is:

- any person of the opposite sex living with the defendant as a spouse, regardless of whether they are actually married
- any person of the opposite sex who resided with the defendant as a spouse within five years of the domestic abuse battery, regardless of whether they were actually married
- any child who currently lives with the defendant or has lived with the defendant within the five years preceding the domestic abuse battery, and
- any child of the defendant, regardless of where the child resides.

14. Dating Violence: Includes but is not limited to physical or sexual abuse and any offense against the person as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one dating partner against the other. A victim of a dating partner shall be eligible to receive all services, benefits, and other forms of assistance provided by Chapter 28 of this Title.

15. Stalking: The intentional and repeated following or harassing of another person that would cause a reasonable person to feel alarmed or to suffer emotional distress. Stalking shall include but not be limited to the intentional and repeated uninvited presence of the perpetrator at another person's home, workplace, school, or any place which would cause a reasonable person to be alarmed, or to suffer emotional distress as a result of verbal or behaviorally implied threats of death, bodily injury, sexual assault, kidnaping, or any other statutory criminal act to himself or any member of his family or any person with whom he is acquainted.

14. Violence Prevention: The implementation of effective security measures, work practices, and a work site analysis for hazard prevention and control to promote a positive, respectful, safe work environment and minimize exposure that could result in harm to employees, students and visitors.

15. Workplace: any site where an employee is placed for the purpose of completing job assignments.

B. BRCC'S COMMITMENT

BRCC's commitment, which includes the endorsement and visible involvement of top levels of supervision, provides the motivation and resources to deal effectively with workplace violence, and includes:

1. organizational concern for employee emotional and physical safety and health;
2. commitment to the safety and security of all persons (employees, students and visitors) at the workplace;
3. assigned responsibility for the various aspects of the workplace violence prevention program to ensure that all supervisors and employees understand their roles and responsibilities;



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4. allocation of authority and resources to all responsible parties;
5. accountability for involved supervisors and employees;
6. debriefing/counseling for employees experiencing or witnessing assaults and other violent incidents;
7. support and implementation of appropriate recommendations from Confidential Advisors; and
8. treatment of workplace violence, incidents, complaints and concerns with seriousness, keeping confidential all reports and the identification of parties, except to those who have legitimate need to know and to the extent required by law.

C. RESPONSIBILITIES

1. BRCC's Responsibilities

- a. hire, educate, train, supervise and discipline employees;
- b. intervene in situations of harassment in the workplace where the employer is aware of the harassment;
- c. ensure employees and/or independent contractors are fit for duty and do not pose unnecessary risks to others;
- d. provide security precautions and other measures to minimize the risk of foreseeable criminal intrusion based upon prior experience or location in a dangerous area;
- e. maintain an adequate level of security;
- f. establish and implement a written policy and plan dealing with violence in the workplace;
- g. provide employee training on BRCC's plan, warning signs of potential for violent behavior and precautions which may enhance the personal safety of employees in the workplace;
- h. warn an employee and appropriate personnel, including BRCC Police of a credible threat made by another to do harm to that employee;
- i. support the application of sanctions and/or prosecution of offenders as appropriate;
- j. accommodate, after appropriate evaluation, employees who require special assistance following incident(s) of workplace violence;
- k. cooperate with law enforcement agencies;
- l. establish a uniform violence reporting system with regular review of submitted reports; and
- m. initiate procedures to protect from retaliation employees who report credible threats; and keep up-to-date records to evaluate the effectiveness of administrative and work practice changes initiated to prevent workplace violence.

2. Employee/Student Responsibilities

- a. Employees are required to report to a Confidential Advisor, the Human Resources Office or the BRCC Police Department all threats or incidents of violent behavior in the workplace that they experience, observe or of which they are informed. Students are required to report to a Confidential Advisor, the Vice Chancellor for Enrollment Management & Student Support (or designee), or the BRCC Police Department all threats or incidents of violent behavior in the workplace that they experience, observe



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or of which they are informed. Inappropriate behavior is often a warning sign of potential hostility or violence. When left unchecked it can escalate to higher levels. Examples of inappropriate behavior that must be reported include:

- 1.) unwelcome name-calling, obscene language, and other abusive behavior;
 - 2.) intimidation through direct or veiled verbal threats;
 - 3.) physically touching another employee in an intimidating, malicious or sexually harassing manner, including such acts as hitting, slapping, poking, kicking, pinching, grabbing, or pushing; and
 - 4.) physically intimidating others including such acts as obscene gestures, “getting in your face”, fist-shaking or throwing any object;
- b. Employee involvement and feedback enable workers/students to develop and express their own commitment to safety and security and provide useful information to design, implement, and evaluate the program. BRCC’s Employee involvement includes, but it not limited to:
- 1.) understanding and complying with the workplace violence prevention program and other safety and security measures;
 - 2.) participating in employee complaint or suggestions procedures covering safety and security concerns;
 - 3.) providing prompt and accurate reporting of violent incidents;
 - 4.) cooperating with the safety and security committee that reviews violent incidents and security problems and makes security inspections; and
 - 5.) participating in continuing education covering techniques to recognize and abate escalating agitation, assaultive behavior or criminal intent.

D. INCIDENT RESPONSE AND MANAGEMENT

In responding to threatening or violent conduct, no BRCC employee, student or visitor is expected to take any action that will risk their life and safety, or the life and safety of other persons. No BRCC employee, student or visitor is expected to attempt to disarm an armed person or restrain or forcibly evict an armed person or other dangerous person from BRCC premises. The BRCC Police Department should be contacted to remove the offending person from the premises, if removal is felt necessary.

If a threat is received by phone call, the employee should obtain as much pertinent information from the caller as possible. Record information that will assist law enforcement officials in responding to the threat as quickly as possible.

1. Non-Emergency (Threatening) Situations

A threatening situation is when one person, through intimidating words or gestures has induced fear and apprehension or physical or other harm in another person but there seems to be no immediate danger of the threat being carried out. In non-emergency (threatening) situations, such incidents should be referred to the Title IX Coordinator and the Office of Human Resources. The Office of Human Resources should initiate an investigation by meeting separately with any or all persons to determine the facts of the situation, i.e., the target or victim of the threat, the alleged threat-maker, supervisor of the employee filing the report and the supervisor of the threat-maker, any witnesses, etc.



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The Victim or Witness Account Form is to be used for documenting incidents, injuries, assaults, hazards, and witness accounts. The form should be completed within a reasonable amount of time after the incident has occurred. The designated employee should retain the information in a confidential file.

If the perpetrator is not an employee, encourage the victim to use the criminal justice system, when appropriate. If the threat-maker is an employee, taking disciplinary against the employee may be necessary. Although the supervisor may wish to receive input from the Human Resources Office or others prior to making the decision.

2. Emergency Situations

A situation is an emergency if an injury has occurred, or there is an immediate threat of physical harm or injury. At this point the situation may have escalated beyond control and immediate intervention is needed to save lives or prevent harm or injury to people. Any time there is an immediate threat of injury to a person(s), contact BRCC Police immediately at 225. 216.8888 (6.8888 from any campus line) or 225.216.8001. In the event medical assistance is needed, BRCC Police will contact Emergency Medical Services (EMS) for further assistance.

For other employees responding to emergency situations, the first person on the scene should quickly assess the situation and risk. The first person should keep himself/herself safe, remain calm, think rationally, and avoid overreaction. Call for emergency assistance including BRCC Police and medical assistance, if needed. State the nature of the emergency and provide details about the persons injured and the perpetrator, if known. Do not attempt to physically remove the perpetrator(s) from the premises. The BRCC Police Department should be contacted to remove the perpetrator from the premises, if removal is necessary. As soon as possible, notify the appropriate supervisor, if available. Utilize the office resources such as first aid kits, and employees who are certified to administer first aid. Notify other intended targets, if known, to ensure their safety. The Chancellor is notified through the chain of command.

E. POST INCIDENT RESPONSE AND MANAGEMENT

1. Records

Records associated with violence in the workplace are to be kept in a permanent, secure and confidential manner. It is the responsibility of the Environmental Safety Manager, Director of Human Resources, in coordination with BRCC Chief of Police to maintain the following records in accordance with pertinent statutes as part of the violence prevention program:

- a. reports of work injury, including workers' compensation injuries, if necessary;
- b. report for each reported assault, incidents of abuse, verbal attack, or aggressive behavior occurring between persons in the workplace;
- c. police reports of incidents occurring in the workplace;



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- d. minutes of safety meetings, records of hazards analysis, and corrective actions recommended;
- e. violence in the workplace training, including subjects covered, attendees, and qualifications of trainers; and
- f. other appropriate reports.

2. Evaluation

Regular evaluation of safety and security measures affecting the violence prevention program is to be conducted at least annually. At Baton Rouge Community College this evaluation is the responsibility of the Environmental Safety Office, Director of Human Resources, and the BRCC Police Department. The evaluation program shall consist of:

- a. reviewing reports and minutes from staff meetings on safety and security issues;
- b. analyzing trends in illness/injury or fatalities caused by violence;
- c. measuring improvement based on lowering the frequency and severity of workplace violence;
- d. surveying employees before and after making job or workplace changes or installing security measures or new systems to determine their effectiveness;
- e. requesting periodic outside review of the workplace for recommendations on improving employee safety; and
- f. interviewing employees who experience hostile situations about the medical treatment received (initially, several weeks later, and several months later).

3. Communication

BRCC recognizes that to maintain a safe, healthy and secure workplace, there must be open communication among employees, including all levels of supervision, on these issues. The open communication process includes, but is not limited to:

- a. periodic review of this policy with all employees;
- b. discussion of violence in the workplace during scheduled safety meetings;
- c. posting or distribution of information on violence in the workplace; and
- d. procedures to inform supervisors about violence in the workplace, hazards, or threats of violence.

The Office of Human Resources is to provide an appropriate place for employees to discuss security concerns with assurance that necessary confidences will be maintained.

F. TRAINING AND EDUCATION

1. Baton Rouge Community College is committed to fostering a safe work environment to minimize exposure to violent behavior or hazardous conditions at all BRCC locations. Therefore all employees, student workers, including all levels of supervision, are to have training and instruction on general, job-specific, and work site-specific safety and security practices;



BATON ROUGE COMMUNITY COLLEGE
VICTIM OR WITNESS ACCOUNT FORM

This form shall be utilized by the victim or witness of any written, verbal or physical act perceived as a violation of BRCC HR Policy HR-215/Violence in the Workplace. This form should be completed as soon as possible following the incident, provide clear and concise details of the incident and be submitted to the BRCC Office of Human Resources.

DATE OF INCIDENT:	
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TIME OF INCIDENT:	
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LOCATION OF INCIDENT:	
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NAMES OF PARTIES INVOLVED:	
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TYPE OF INCIDENT:	<input type="checkbox"/>	Verbal Abuse	<input type="checkbox"/>	Carrying a Concealed Weapon
	<input type="checkbox"/>	Physical Abuse	<input type="checkbox"/>	Threat of Harm (written or verbal)
	<input type="checkbox"/>	Other (Explain):		

IDENTIFY YOUR ROLE IN THE INCIDENT:	<input type="checkbox"/>	Victim	<input type="checkbox"/>	Perpetrator
	<input type="checkbox"/>	Witness	<input type="checkbox"/>	Responder

INCIDENT DESCRIPTION

(Continue on next page)

INCIDENT DESCRIPTION CONTINUED

[Large empty rectangular box for incident description]

Attach additional page(s) as needed

Signature

Date

Printed Name

Witnessed By Signature

Date

Witnessed By Printed Name

DATE RECEIVED OHR:	
HR SIGNATURE:	

INVESTIGATIVE PROCEDURE, OUTCOME & ACTION TAKEN

[Large empty box for reporting the investigative procedure, outcome, and action taken.]

Attach additional page(s) as needed

HR Signature

Date

Printed Name

