

# VI.J. POLICY PROHIBITING WORKPLACE VIOLENCE

(Source: *Offices of the President and Provost, Almanac*, May 4, 2004 (<https://almanac.upenn.edu/archive/v50/n32/OR-vio.html>))

The University is committed to maintaining an environment that supports the University's mission and promotes learning, productive employment, and safe experiences for all members of the University community including but not limited to faculty, staff, students, contracted employees, visitors and guests of the University.

This policy applies to all University employees including faculty, staff, temporary and occasional employees and student workers (with respect to conduct that arises from their employment status). In addition, the policy applies to individuals who the University contracts to do work on our behalf including, consultants, vendors, contractors and sub-contractors. University employees and those working on the behalf of the University are covered by this policy at all times, on or off-campus, when they are officially representing or acting on behalf of the University, conducting University business and/or attending University sponsored or financed activities. This policy covers activity at all University owned and operated properties and facilities and off-campus locations where University business is conducted.

## Definition of Workplace Violence

Workplace violence is defined as any violent behavior or threat of violent behavior that would cause harm or reasonable fear of physical harm to a University employee, other member or guest of the University community, or anyone with whom the University is conducting business. Behaviors or conduct that are not tolerated include the following:

- Committing a violent felony, misdemeanor or summary offense as defined by Pennsylvania law against a person on University property, including but not limited to stalking, intimidation, coercion, harassment, and assault;
- Possession of weapons of any kind or dangerous articles in accordance with Human Resources Policy 706: Possession of Dangerous Articles;
- Willful or threatening destruction of University property or property of another University employee, other member or guest of the University community, or anyone with whom the University is conducting business;
- Threats, direct or implied; intimidation, aggressive or hostile behavior that creates a reasonable fear of injury to another.

## Reporting

Maintaining a safe and secure environment is a shared responsibility.

All University employees are strongly encouraged to report any work-related or University connected behavior that they regard as threatening or violent (in accordance with the above definition) to at least one of the University resources listed below.

All emergency situations should be immediately reported to Penn Police by calling 511 (from a campus phone) or (215) 573-3333 (from an off-campus phone) or picking up one of the blue light phones located throughout campus.

Individuals who apply for and/or obtain Protection From Abuse (PFA) orders are encouraged to provide their supervisors and the Penn Police with copies of the temporary or permanent order.

Employees should report workplace violence, as defined above, to their supervisor, manager, department chair or Dean, whoever is deemed to be appropriate in the respective supervisory chain of command. Such reports can also be made, as appropriate, to Penn Police, the Division of Human Resources/Staff and Labor Relations, the Division of Public Safety/Special Services Department, the Office of Student Conduct, and/or the Office of the Vice Provost for Faculty.

A University official who receives a report of workplace violence should take the matter seriously and first take prompt steps to ensure the safety of the parties and/or University property involved. Reports of workplace violence must be investigated appropriately. Supervisors and managers should consult with the Division of Human Resources, Penn Police, the Division of Public Safety/Special Services Department, and/or any of the other investigatory/fact-finding resources mentioned herein, to receive assistance in investigating reports of workplace violence. Where faculty members are concerned, Deans and Chairs should consult with the Office of the Provost on the appropriate procedures to follow as outlined in the *Handbook for Faculty and Academic Administrators*. Workplace violence complaints against student workers should be referred to the Office of Student Conduct, the Office of the Provost, or their respective school office responsible for student conduct and discipline.

## Non-Retaliation

Retaliatory action is prohibited against any persons who report, respond to, participate in an investigation of, are victims of, or use University resources to address workplace violence. Persons found responsible for retaliatory actions will be subject to disciplinary actions up to and including termination of employment and/or student status.

## Sanctions

Once the investigation, fact-finding or hearing is completed and recommended actions for redress are finalized, the University will take the appropriate steps to address the offensive behavior and restore and maintain safety in the community. Employees who violate the Policy Prohibiting Workplace Violence may be subject to disciplinary action up to and including, termination of employment and/or student status. Employees may also be subject to criminal prosecution.

Where appropriate, persons who have violated the Policy Prohibiting Workplace Violence may be required to undertake educational or training courses and/or perform community service to assist in correcting the offensive behavior.

## University Resources

The University offers employees a variety of resources to address workplace violence. These resources provide services ranging from conducting investigations/fact-finding processes, providing security services, training, and counseling, to making referrals and mediating lower level conflicts. The following descriptions outline the University resources provided to address conflicts.

*Counseling*—Personal and psychological counseling services are offered for individuals or groups.

*Conflict Resolution*—Facilitation, mediation, and consultation services are available to assist individuals and groups to proactively resolve workplace issues and concerns.

*Criminal Complaints*—The Penn Police process and investigate reports of criminal incidents.

*Crisis Management*—These resources assist work groups/teams who have experienced a traumatic event or crisis situation, process and acknowledge their reactions, and identify strategies to cope with the aftermath of such incidents. The major goal is to help the affected group restore their productive work environment.

*Education/Training*—Training and educational programs are available to the Penn community on various aspects of campus safety and security, crime prevention and/or workplace violence.

*Investigatory*—These resources are charged with the responsibility of investigating, conducting fact-finding processes, hearings, or just cause proceedings regarding allegations of employee and/or student misconduct, including allegations of workplace violence.

*Referrals*—Some resources will help affected employees identify appropriate University and external resources to assist them with workplace and/or personal concerns.

*Security Services*—Walking and riding escort services are available to members of the Penn community.