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Owner Dept: HR  
Phone: ext. 6605

**Title:** Workplace Violence

**Purpose:** The University of North Carolina at Asheville is committed to creating and maintaining a workplace that is safe, supportive, productive and free from violence.

**Scope:** This policy applies to all employees and students of the University, and applies to the conduct of an employee while performing his/her job duties as well as off-duty violent conduct that has a potential adverse impact on a State employee's ability to perform the assigned duties and responsibilities.

**Definitions:**

1. **Workplace Violence** – includes, but is not limited to, intimidation, threats, physical attack, domestic violence, or property damage, and includes acts of violence committed by State employees, students, clients, customers, relatives, acquaintances or strangers against State employees in the workplace.
2. **Intimidation** – actions including, but not limited to stalking, or behavior intended to frighten, coerce, or induce distress.
3. **Bullying** – unwanted offensive and malicious behavior which undermines an individual or group through persistently negative attacks. There is typically an element of vindictiveness and the behavior is calculated to undermine, patronize, humiliate, intimidate or demean the recipient.
4. **Stalking** – involves harassing or pestering an individual, in person, in writing, by telephone or electronic format. Stalking also involves following an individual, spying on them, alarming the recipient or causing them distress and may involve violence or the fear of violence.
5. **Threat** – 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 ability to carry it out and without regard to whether the expression is contingent, conditional or future.
6. **Physical Attack** – unwanted or hostile physical contact such as hitting, fighting, pushing, shoving or throwing objects.
7. **Domestic Violence** – the use of abusive or violent behavior, including threats and intimidation, between people who have an ongoing or prior intimate relationship. This could include people who are married, live together or date or who have been married, lived together or dated.
8. **Property Damage** – the intentional damage to property and includes property owned by the State, employees, visitors or vendors.

**Policy:**

- I. **Prohibited Actions and Sanctions** - It is a violation of this policy to:
  - A. Engage in workplace violence,
  - B. Use, possess or threaten to use an unauthorized weapon during a time covered by this policy,
  - C. Misuse authority vested to any employee of the University in such a way that it violates this policy, and



- D. Retaliate against any employee who, in good faith, reports a violation of this policy. Every effort will be made to protect the safety and anonymity of anyone who comes forward with concerns about a threat or act of violence.

A violation of this policy will be considered unacceptable personal conduct as provided in the Disciplinary Action, Suspension and Dismissal Policy. 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 also be grounds for dismissal. In these situations, the University must demonstrate that the disciplinary action, suspension or dismissal is supported by the existence of a rational relationship between the type of violent conduct committed and the potential adverse impact on the employee's ability to perform the assigned duties and responsibilities.

*Advisory Note: When a threat has been reported or the university determines that a potential for violence exists, the university may require an employee to undergo an assessment to determine the risk of danger. The Employee Assistance Program will assist the University by facilitating an appropriate resource for this assessment.*

- II. **Authorized Exceptions to Policy** – An employee may possess a weapon *while on the job* if possession is:
  - A. In compliance with North Carolina law,
  - B. Authorized by the agency/university head or his/her designee,
  - C. Used by an employee who is a certified law enforcement officer, and
  - D. Required as a part of the employee's job duties with the State of North Carolina, or
  - E. Connected with training received by the employee in order to perform the responsibilities of his/her job with the State of North Carolina.
  
- III. **Agency Responsibilities** - UNC Asheville strives to create a campus environment free of violence. Any form of violence by one member of the university community against another, be it employee against another employee, or student, vendor or visitor to the University, including but not limited to physical attack, intimidation, threats or property damage including to State or University property, will be cause for corrective and disciplinary action up to and including dismissal. Any form of violence or threat of violence must be reported immediately as described in Section IV of this policy. The University will:
  - A. Create and maintain a workplace violence policy and procedures designed to prevent and manage workplace violence
  - B. Provide training for employees in recognizing signs and symptoms for the potential for violence in the workplace and response procedure and disseminate the policy during new employee orientation sessions. The policy will also be available on the University's policy web page.
  - C. Foster a climate that encourages employees to report incidents of violence without fear of retaliation.

- D. The University will appoint and maintain a Workplace Violence Prevention/Threat Assessment Team, as a subset of the University's Safety Committee led by the Vice Chancellor of Student Affairs, to handle potential or actual incidents of workplace violence on campus and to ensure educational training is provided on an ongoing basis.
1. The team will consist of the following individuals:
    - a. Director of Campus Police (Team Coordinator)
    - b. Vice Chancellor of Student Affairs
    - c. Director of Human Resources
    - d. Director of Employee Relations
    - e. Chief of Staff
    - f. Provost (or designee)
    - g. other individuals the team may determine to be helpful or necessary.
  2. The Workplace Violence Prevention/Threat Assessment Team will:
    - a. Make recommendations to the Chancellor or other appropriate persons on safety issues that have an impact on employees.
    - b. Develop a plan of action for risk assessment.
    - c. Support the campus in the event of a workplace violence crisis.
    - d. Coordinate with the University's Public Information Office to debrief the public, employees and families on incidents of workplace violence.
    - e. Conduct investigation and post-incident analysis to ensure that appropriate policies and procedures were followed and appropriate actions are taken.
    - f. Collect and analyze incident information relating to violence in the workplace (i.e. perpetrator gender/age, weapon used, number of victims, number and nature of incidents reported, actions taken, etc.)
- E. The University will make all reasonable efforts to protect victims of workplace violence, for example, by offering victims security measures and special accommodations or adjustments to their work schedule, location or working conditions in order to enhance their safety. Any incident related to workplace violence should be reported immediately (see procedures in Step IV). The agency will work closely with the victims to ensure that the needs of both the victims and the agency are addressed. Supervisors, co-workers and colleagues are expected to offer support to victims of workplace violence, which includes domestic violence that affects the workplace. This support should include encouragement of the victim to use the services of the Employee Assistance Network. In addition, supervisors may, at their discretion, grant a victim leave time for medical, court, or counseling appointment to deal with trauma and/or victimization. Appropriate leave options include:
1. Flex Scheduling
  2. Vacation Leave
  3. Sick Leave
  4. Bonus Leave
  5. Leave with or without pay

**IV. Employee, Supervisor and Campus Community Responsibilities** – It is the responsibility of any member of the University community to report violence or the threat of violence immediately. This report should be made to the Director of Campus Police or, his/her designee.

An employee who believes that he or she has been the target of workplace violence should report the incident immediately to the Director of Campus Police at 251-6710. In emergency situations, the employee should dial Campus Police at 251-6710 or dial 911 for Emergency Law Enforcement and/or Emergency Medical Response (on a campus phone, dial 9-911).

All incidents of workplace violence, whether or not a violation of law, be reported and documented within one business day of the occurrence, as follows:

- Students should report incidents of violence to the Director of Campus Police and/or Student Affairs staff;
- Faculty and Staff, including students who are working as employees, should report incidents of workplace violence to the Director of Campus Police and to their immediate supervisor; if the immediate supervisor is the alleged perpetrator, the incident should be reported to the next higher level of supervision.

The university is required to maintain records and supply data on incidents of workplace violence to the Office of State Personnel. Therefore, when an incident of workplace violence is reported pursuant to the preceding paragraph, the University official receiving the report must prepare a “*Workplace Violence Reporting Form*” and submit the form to Human Resources. The forms are available in the Office of Human Resources, the Office of Campus Police, and the Office of Student Affairs.

The completed reports on incidents involving employees, whether EPA or SPA, will be forwarded to the Office of Human Resources. Reports on incidents which involve students will be forwarded to the Office of Student Affairs.

In cases where a student and an employee are involved, the report will be filed in both Human Resources and Student Affairs. The Office of Human Resources will coordinate submission of all workplace violence reports to the Office of State Personnel. The Office of Human Resources will fulfill statistical reporting responsibilities identified by the Office of State Personnel.

All employees are encouraged to be alert to the possibility of violence on the part of employees, former employees, students, customers and visitors to our campus. Employees should place safety as their highest concern and should report all acts of violence or threats of violence. All reports of violence will be handled in a



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confidential manner, with information released only on a need-to-know basis. The University will be sensitive and responsive to the reporting employee's fear of possible reprisal.

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