FACILITIES

WORKPLACE VIOLENCE PREVENTION PROGRAM

Effective date: October 2005
This policy’s content shall be reviewed annually. This policy supercedes the previous document dated March 2003 and all other related policy documents.

PURPOSE:

The University of Delaware, Facilities organization, strives to continuously monitor and improve its internal and external customer relations. One of the many methods identified to improve customer relations is its commitment to ensure that all staff members (employees), including management, adhere to work practices that are designed to make the work environment safe, healthy, and secure.

The Facilities organization enforces this commitment by upholding the U/D Violence Free Campus Policy, Policy Number 4-46, located in the University of Delaware Policies and Procedures Manual (see attachment) and/or website address, http://www.udel.edu/ExecVP/polprod/4-46.htm, through implementation of this Workplace Violence Prevention Program.

The Facilities organization is committed to creating and maintaining an environment that is free from negative behaviors such as intimidation, threats, and violent acts. Threats, intimidation and acts of violence will not be ignored, condoned, or tolerated.

DEFINITIONS (Pertaining to workplace violence):

Staff member (employee): Management and non-management, to include student workers, and employees of temporary agencies who represent the Facilities organization by providing work-related services to the U/D Community. A staff member (employee) is considered an internal customer.

Non-staff member (non-employee): Students, Faculty members, other departmental staff members (employees), parents, contractors and subcontractors, and visitors. A non-staff member (non-employee) is considered an external customer.

Intimidation: An act towards another person, the purpose of which is to coerce, and the result of which could reasonably cause the other person to fear for his or her safety or the safety of others.

Violence: Physical force employed so as to violate, damage, or abuse; an act or instance of violent behavior or action; abusive or unjust use of power; abuse or injury to meaning, content, or intent.
**Disorderly Conduct:** A person harms other(s) through verbal threats, physical fights, destroys property, and/or vandalism.

**Domestic violence:** A pattern of coercive behavior that is used by one person to gain power and control over another which may include physical violence, threat of violence, sexual, emotional and psychological intimidation, verbal abuse, stalking, and economic control. Domestic violence occurs between people of all racial, economic, educational, religious backgrounds, in heterosexual and same sex relationships, living together or separately, married or unmarried, in short term or long term relationships.

**Threat of violence:** A communicated intent to inflict physical or other harm on any person or property.

**Act of violence:** Exercise of physical and/or verbal force against another person.

**RESPONSIBILITY AND ACCOUNTABILITY:**

All managers and non-management staff members are responsible and accountable for their own behavior. Each staff member's behavior should be professional and displayed in an appropriate manner. Each staff member is also responsible for treating one another, as well as external customers, with respect and dignity.

All staff members are responsible and accountable for following all directives, policies and procedures, programs, and for assisting in maintaining a safe and secure work environment.

Should a Facilities staff member encounter another Facilities staff member or an external customer who demonstrates behavior that is intimidating, a threat of violence, and/or an act of violence, they should immediately contact their supervisor/manager. Other resources to contact, depending upon the circumstances includes: Facilities Human Resource Administrator, U/D Labor Relations, the Department of Public Safety, or U/D Faculty & Staff Assistance.

**FACILITIES RESPONDS TO DOMESTIC VIOLENCE:**

**A. Early Intervention and Education Prevention Strategies**

1. Facilities shall refer individuals who have questions and/or concerns regarding domestic violence to U/D FSAP/EAP. This support may include confidential means for coming forward for help, resource, and referral information. Other appropriate assistance will be provided based upon an individual need. In all responses to domestic violence, Facilities will respect the confidentiality and autonomy of the adult survivor.
2. Facilities will attempt to maintain, publish, and post in locations of high visibility, such as bulletin boards and on-line information databases, a list of resources for survivors and perpetrators of domestic violence. This includes but is not limited to the phone number and description of local domestic violence resources, and a list of local batterers' intervention programs. (See Appendix)

3. Facilities shall provide its staff with educational information on domestic violence.

COMPLIANCE:

All staff members will have the Workplace Violence Prevention Program (WVPP) reviewed with them by a member of management on an annual basis through a formalized training and development process. Each staff member is responsible for following this program.

Staff members who are new to the Facilities organization will also participate in a formalized training and development process as part of the Facilities new employee orientation.

NON-COMPLIANCE:

A staff member who does not follow this program and who demonstrates behavior that is intimidating, disorderly, a threat of violence, and/or an act of violence, may receive discipline up to and including termination, depending upon the result of the investigation. A complainant whose allegations are found to be both false and brought with malicious intent will be subject to disciplinary action. (See next section: Behavior Expectations of Employees. Refer to the Facilities Performance Requirements and Disciplinary Action policy and University of Delaware Conduct Code).

BEHAVIOR EXPECTATIONS OF EMPLOYEES:

The Facilities organization expects its employees (management and non-management) to conduct him or herself in a positive manner at all times in order to promote the best interests of the organization and the University of Delaware Community. An employee’s professional behavior (conduct) is necessary for efficient operations and for the benefit and safety of the employee and others.
Acceptable employee behavior (conduct) includes:

1. Treat all customers (includes faculty and staff), visitors, and co-workers/peers in a courteous manner.

2. Refrain from behavior or conduct that is offensive or undesirable, or which is contrary to the organization’s best interests.

3. Report suspicious, unethical, or illegal behavior (conduct) by coworkers, customers, or suppliers.

In addition to discipline received, the staff member may be referred to the U/D Faculty & Staff Assistance Program (EAP) or an outside referral for assessment and is expected to adhere to their treatment recommendations, e.g., individual counseling, anger management classes.

Disciplinary Procedures for Employees who Commit Acts or Threats of Domestic Violence and/or Workplace Violence

1. Facilities is committed to providing a workplace in which the perpetration of domestic violence is neither tolerated nor excused. Any physical assault or threat made by an employee while on the University of Delaware’s premises during working hours is not tolerated and it should be immediately reported to the appropriate authorities.

2. After consultation with the Facilities Director level or designee, Facilities Human Resources Administrator, Office of Labor Relations, and/or U/D Faculty & Staff Assistance (EAP), management will take any appropriate corrective or disciplinary action consistent with policy and procedure, up to and including termination. This pertains to employees who commit acts of domestic violence at University of Delaware or Facilities worksites as outlined in the policy or who are convicted of a crime as a result of domestic violence when such action affects the work performance of the employee or affects the normal operation of Facilities.

MANAGEMENT’S RESPONSIBILITY:

The management of Facilities is responsible for ensuring that the Workplace Violence Prevention Program, including the formalized training and development process, is clearly communicated and understood by all staff members.

Management is expected to implement and enforce the program’s procedures fairly and consistently.

• Managers and supervisors shall participate in domestic violence education sessions.
• Managers and supervisors should be aware of physical or behavioral changes in employees and consult with the Director level or designee, Facilities Human Resources Administrator, Labor Relations Office, and/or U/D Faculty & Staff Assistance (EAP) for advice. **The role of management is not to diagnose or counsel the employee, but to refer the employee to appropriate resources.**

• Managers and supervisors must be respectful of employees' personal choices. If a manager or supervisor observes the signs of violence, it is appropriate to convey concern regarding signs and to educate the employee regarding resources available. It is critical that the manager/supervisor respect the employee’s privacy and not pressure the employee to disclose any personal information.

• Managers and supervisors must maintain the confidentiality of domestic violence circumstances and any other referrals under this policy to the extent permitted by law. Inform other employees of the domestic violence circumstances on a **need to know basis only.** Wherever possible, give advance notice to the employee who is experiencing domestic violence if a manager/supervisor needs to inform others about the domestic violence situation.

**INVESTIGATION PROCESS:**

The Facilities HR Services Unit usually conducts an investigation once an incident report is filed. This Unit is responsible for reviewing any personnel file and/or designated file in which disciplinary information and other related correspondence is available and needed to conduct an investigation. The referred employee will be asked to sign a release of information form provided by the U/D Faculty Staff Assistance Office (EAP) or outside referral, in order to keep the Facilities HR Services Unit informed of their progress.

The U/D Faculty Staff Assistance Office (EAP) or outside referral will maintain any confidential files pertaining to counseling regarding the workplace violence referral.

**TRAINING AND DEVELOPMENT:**

Facilities staff members are required to attend an annual violence prevention program. Staff members who are new to the Facilities organization will also participate in a formalized training and development process as part of the Facilities new employee orientation.

In addition, management (professional staff) is responsible for attending a frequent training and development program (usually every 18 – 24 months) created specifically for management only. Training and development of this Program will be co-facilitated by the offices of Public Safety, U/D Faculty & Staff Assistance, Facilities Safety/Training Coordinator, U/D Facilities HR Services, and/or designee each year.
U/D FACULTY/STAFF ASSISTANCE (EAP):

Personal Coping and Prevention: Where to go for help
From time to time every staff member experiences stress and personal difficulties including those due to financial pressures, family matters, health problems, conflicts with colleagues, a supervisor/manager, or other factors. The U/D Faculty/Staff Assistance (EAP) program is a free and confidential service for all employees. Their main telephone number is (302) 831-2414.

In the event of workplace violence, immediate counseling and intervention is critical. It can make a tremendous difference to the mental health and recovery time of the people involved. The University of Delaware has a variety of campus resources to help any staff member with an immediate issue and/or a longer-term problem.

Who to contact: Telephone number:
U/D Faculty/Staff Assistance (302) 831-2414

CRISIS RESPONSE:

Public Safety (ON-CAMPUS EMERGENCY, 9-911) (NON-EMERGENCY, (302) 831-2222

U/D Faculty/Staff Assistance (302) 831-2414

HMS-UD State EAP Program 1-800 343-2186
Hours to contact: 24 hours/day, 7-days/week availability

Rockford Center (302) 996-5480
Hours to contact: 24 hours/day, 7-days/week availability

INCIDENT INQUIRY:

Once an incident has been investigated by Facilities H R Services Unit, Public Safety, and/or U/D Faculty/Staff Assistance, a member or members of this panel will follow-up to provide confidential feedback to the individual(s) who submitted the Workplace Violence Incident Report.
FORMS:

- **Workplace Survey Form**: The objective is to use this data as a “tool” that basically describes the workplace environment on a continuous basis. An initial survey form was distributed to all Facilities staff members on or during the first week of November 2000 and it will be re-distributed each year, or as necessary thereafter. Feedback responses on the survey data shall be reviewed and assessed, focusing on any area that requires more education and development, etc.
  
  All survey data results will be maintained with Facilities H R Services Unit. Blank survey forms are available by contacting Facilities H R Services office. The main telephone number for the Facilities H R Services is (302) 831-1102.

- **Workplace Violence Incident Report**: This form is completed by the person or persons who are alleging an event took place in the work environment. This form may be obtained through Facilities H R Services, U/D Faculty & Staff Assistance office, or designated AFSCME union officials. A complainant whose allegations are found to be both false and brought with malicious intent will be subject to disciplinary action.

A copy of this Workplace Violence Prevention Program is readily available to all Facilities staff members. A copy of this Program is posted on the Facilities website; the website address is [http://www.facilities.udel.edu/](http://www.facilities.udel.edu/). You can also obtain a copy of the Program from your supervisor/manager, or call the Facilities Human Resources Administrator (302) 831-1102.