

POL 05.30.02
UNCP Workplace Violence Prevention Policy

Authority: Chancellor

History:

- First Issued: March 23, 2021

Related Policies:

- [POL 05.30.01 - Unlawful Workplace Harassment Prevention Policy](#)
- [POL 04.10.01 - Campus Crime Reporting Policy](#)
- [POL 04.25.05 – Sexual Harassment Policy](#)
- [REG 04.25.04 – Sexual Harassment Regulation](#)
- [N.C. Office of State Human Resources Disciplinary Action Policy](#)
- [Faculty Handbook: Section II, Chapter One Faculty Personnel Policies](#)

Additional Resources:

- [UNC Policy Manual and Code Chapter 300: Personnel Policies](#)
- [NCGS 95-260 et al Article 23 “Workplace Violence Prevention”](#)
- [NCGC 14-269.2 Weapons On Campus](#)
- [SHRA Grievance Procedures](#)
- [2018 UNC General Records Retention and Disposition Schedule](#)

Contact Information: Director of Employee Relations and Workforce Development, Office of Human Resources (910) 775-4341

1. POLICY STATEMENT

1.1 The University of North Carolina at Pembroke (UNCP) is committed to providing a safe workplace that is free from workplace violence by establishing preventative measures, holding perpetrators of violence accountable, and providing assistance and support to survivors. Violent acts that are prohibited include, but are not limited to, threats, intimidation, bullying, assaults or property damage by or against employees. An Employee Concerns Team (ECT) will evaluate both immediate and potential threats of workplace violence. Any form of violence as defined in this policy may form the basis for disciplinary or other administrative action, as allowed by applicable personnel policy.

1.2 Violent acts, occurring while on-duty or off-duty, can affect the ability of all faculty, staff, administrators, and student employees to perform their work. The University will take seriously any reports of actual or potential violence in an effort to ensure a safe work environment for all employees. Therefore, employees acting in good faith who report real, implied, potential, or perceived violent behavior will not be subject to sanctions, retaliation, or harassment based upon their report. However, deliberately false or misleading claims of violence (actual, potential, or

implied) that appear to have been filed with the intention to harass, or that appear to be frivolous, or an abuse of the violence reporting process, shall be considered unacceptable and may be subject to disciplinary action, as allowed by applicable personnel policy.

1.3 All incident reports shall be confidential, and details may be released only as permitted by applicable law.

1.4 For acts of sex/gender-based discrimination, harassment, or violence, refer to UNCP Sexual Harassment Policy and Regulation.

1.4.1 All allegations of sex/gender-based discrimination, harassment, or violence by faculty, staff, and students are to be reported to the Office of Title IX and Clery Compliance for supportive measures, investigation, adjudication, and/or informal resolution.

2. SCOPE

2.1 Coverage. This Policy applies to all SHRA and EHRA (faculty and staff) employees, including those who are in assignments that are full-time, part-time, probationary, non-career status, adjunct, contractual, and temporary. This Policy applies to the conduct of an employee while functioning in the course and scope of employment as well as off-duty violent conduct that has a potential adverse impact on an employee's ability to perform assigned duties and responsibilities. The Policy also applies to students employed by the university. Any student or student employee (Undergraduate or Graduate) violating this policy will be referred to the Director of Student Conduct, or designee. Additionally, this policy also applies to university employees' interactions with vendors, guests, and campus visitors.

2.2. Violations. It is a violation of this policy to:

2.2.1. Engage in workplace violence as defined in this policy

2.2.2. Possess, use, or threaten to use an unauthorized weapon during a time covered by this policy; and/or

2.2.3. Misuse workplace authority in such a way that it violates this policy.

2.3. On- and Off-Duty Conduct. This policy applies both to the conduct of an employee while functioning in the course and scope of employment and to off-duty violent conduct that has a potential adverse impact on an employee's ability to perform assigned duties and responsibilities. In consultation with the office of Human Resources, Campus Police and Public Safety and the office of Emergency Health and Safety, any off-duty violent conduct must demonstrate a significant correlation between the off-duty behavior and the potential adverse impact to UNCP to warrant disciplinary or related administrative action.

3. DEFINITIONS

3.1 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. The behavior is typically severe or pervasive and persistent, creating a hostile work environment. Behaviors may be considered discriminatory if predicated on the targeted person's protected class (refer to the UNCP Policy on Unlawful Workplace Harassment for additional information and procedures for discriminatory harassment).

3.2 Cyber-Bullying. Using technology to intentionally harm others through hostile behavior, as well as threatening, disrespectful, demeaning, or intimidating messages. This is bullying that occurs via the Internet, cell phones, or other electronic devices (e-mails, IMs, text messages, blogs, pictures, videos, postings on social media, etc.).

3.3 Intimidation: unwarranted behavior intended to frighten, coerce, or induce duress.

3.4 Physical Attack. Unwanted or hostile physical contact including but not limited to hitting, fighting, pushing, shoving, restraining, or throwing objects.

3.5 Property Damage. Intentional damage to property including property owned by the University or by employees, students, clients, visitors, or vendors.

3.6 Threat. A specific 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.

3.7 Weapons. Any object 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 University property unless expressly authorized under this policy or under State law (N.C.G.S. §14-269.2).

3.8 Workplace. Any location at which the employee is on-duty or any location at which the employee is representing or understood to be representing UNCP.

4. THREAT ASSESSMENT AND PREVENTION COORDINATION

4.1. Threat Assessment. The university's ECT will assess and respond to immediate and potential acts of workplace violence. The ECT includes representatives from the Office of Human Resources, the Associate Vice Chancellor for Campus Safety and Emergency Operations, the Associate Provost and may include representatives from other divisions as needed.

4.2. Prevention Coordinator. The Director of Employee Relations and Workforce Development in the Office of Human Resources serves as the workplace violence prevention coordinator.

4.3 Policy Communication. All employees will receive information on the workplace violence prevention program at new employee on-boarding, including procedures for reporting violations of this policy. All active employees will receive policy communications at least annually.

5. EMPLOYEE PROTECTIONS AND STAFF DEBRIEFINGS

5.1 Employee Protections. UNCP will make reasonable efforts to protect employees affected by workplace violence by offering all available security measures to include those described below, as needed:

5.1.1 Flexible Schedules and Work Conditions. Management may grant flexible work schedules or accommodate requests to adjust work locations or conditions in order to enhance employee safety, whenever possible and appropriate. This may include short-term adjustments to reporting relationships.

5.1.2 Leave. Management may grant use of available leave or leave without pay for medical, court, or counseling appointments related to the violence event(s). Employees may also apply Family and Medical Leave and/or Family Illness Leave, if eligible.

5.1.3 Employee Assistance Program (EAP): Affected employees are encouraged to use pertinent services offered through the EAP.

5.1.4 Confidential Referrals. For privacy reasons, the Office for Human Resources may refer affected employees to local police departments, crisis centers, and/or the EAP for off-duty violence incidents without involving or notifying the employee's department management.

5.2 Staff Debriefings. The Office of Human Resources may provide or coordinate critical incident stress debriefings, generally facilitated through an EAP counselor, for employees who have been affected by a workplace violence or other traumatic event.

6. REPORTING AND RECORDKEEPING

6.1 Confidentiality. In accordance with this policy, UNCP will address all reports of workplace violence. All reports will be handled in a confidential manner, with information released on a need-to-know basis. Although anonymity cannot be guaranteed, managers and administrators are expected to be sensitive and responsive to fears of reprisal from the reporting employee.

6.2 Reporting Procedures. The reporting requirements for workplace violence events vary depending on the immediacy and severity of the event.

6.2.1 Immediate Threats. For immediate threats, seek shelter and contact public safety local law enforcement (911), then, when safe to do so, follow up with the Director of Employee Relations and Workforce Development at (910) 775-4341.

6.2.2 Non-Immediate Threats. For non-immediate threats, employees should contact the Director of Employee Relations and Workforce Development at (910) 775-4341, who will determine, based on the situation described, if the event warrants further review by the employee ECT team.

6.2.3 Threats of Self-Harm. For concerns that a colleague may be suicidal or seeking self-harm, contact public safety local law enforcement (911), or Campus Police, (910) 521-6235, if there is concern of an immediate threat, then follow up with the Director of Employee Relations and Workforce Development at (910) 775-4341.

6.3 Management Obligation to Report. All UNCP employees who hold supervisory responsibilities are required to report incidents or allegations of workplace violence to the office of Human Resources within two (2) calendar days of becoming aware of an allegation. Reports can be made via employee.concerns@uncp.edu.

6.4 Non-Supervisory Employees Encouraged to Report. Although non-supervisory employees are not required by this policy to report alleged incidents of workplace violence, the university strongly encourages all employees to report information surrounding these types of incidents.

6.5 Recordkeeping. Once an incident has been reported, the Director of Employee Relations and Workforce Development will complete an employee incident report and coordinate (as needed) next steps for the internal review of the incident. The Director of Employee Relations and Workforce Development will maintain a record of all reported workplace violence incidents in accordance with the 2018 UNC General Records Retention and Disposition Schedule and will forward all reports of sex/gender-based harassment and/or violence to the Office of Title IX and Clery Compliance for resolution.

7. INVESTIGATION AND SANCTIONS

7.1 Investigation. The Director of Employee Relations and Workforce Development, in conjunction with the Associate Vice Chancellor for Campus Safety and Emergency Operations, will investigate alleged incidents as warranted. The Office of Human Resources may require management in the affected department(s) to perform or participate in the investigation. Involved employees may be placed on appropriate administrative leave during the investigation period to address safety concerns.

7.2 Decision-Making. The Director of Employee Relations and Workforce Development will review the investigation findings with the Assistant Vice Chancellor for Human Resources to identify any corrective actions and/or recommendations in order to address and resolve the issue. The Assistant Vice Chancellor, in consultation with appropriate administrator(s) shall decide the course of action.

7.3 Sanctions for Prohibited Actions. A violation of this policy shall be considered unacceptable and sanctions will be implemented as allowed by applicable personnel policy.

7.4 Sanctions for False Reports. Deliberately false or misleading claims of violence that appear to have been filed with the intention to harass, that appear to be frivolous, or that appear to be an

abuse of the workplace violence reporting process, will be considered instances of unacceptable personal conduct and subject to appropriate disciplinary or related administrative action, up to and including dismissal.

7.5 Sanctions for Retaliation. This policy prohibits retaliation against any employee who in good faith reports a possible violation of this policy. Any action of retaliation will be considered an instance of unacceptable personal conduct and subject to appropriate disciplinary or related administrative action, up to and including dismissal.