

METROPOLITAN STATE UNIVERSITY REGULATIONS



Zero Tolerance of Workplace Violence

University Policy #1120

Section 1. Authority

This university policy is established in accordance with Minn. Stat.1.5, and with MnSCU policy 1.B.1.

Related policies and procedures are Metropolitan State University Regulation 1030 University Community Conduct Code, Metropolitan State University Emergency Procedures, and collective bargaining agreements and personnel plans that govern employees of the university.

Section 2. Effective Date

This policy becomes effective immediately and remains in effect until revised or revoked.

Section 3. Responsibility

The primary responsibility for implementation of this policy is assigned to the Director of Personnel and the Associate Vice President for Administrative Affairs. Managers and supervisors have responsibility for implementation of this policy in their work areas.

Section 4. Definitions

The language of Minn Stat. 1.5 addresses the right to freedom from violence:

The State of Minnesota hereby adopts a policy of zero tolerance of violence. It is state policy that every person in the state has a right to live free from violence.

In 1994, the Minnesota Violence Prevention Task Force endorsed the following definition of violence as a reference for those working on violence prevention issues:

"Violence is the abusive or unjust exercise of power, intimidation, harassment and/or the threatened or actual use of force which results in or has a high likelihood of causing hurt, fear, injury, suffering or death."

Section 5. Purpose

In accordance with Minn. Stat. 15.86, Metropolitan State University has adopted a goal of zero tolerance of violence in, and around, the workplace. This policy and plan describes how the university will (1) seek to reduce the potential for violence in and around the workplace; and (2) seek to reduce the potential for violence by affecting the attitudes and behavior of the people that the university employs and serves.

Section 6. Goal

It is the goal of Metropolitan State University to achieve a work environment, which is free from threats and acts of violence. The university will not tolerate workplace violence of any type, from any source. Workplace violence includes threatening or violent actions by employees directed against other employees, by employees directed against students, or visitors, and by students, or visitors directed against university employees or other students or visitors.

Section 7. Policy

It is the policy of Metropolitan State University and the responsibility of all of its employees to attempt to maintain a workplace free from threats and acts of violence for employees, students and visitors to the university.

The university will respond promptly to reports of threats or acts of violence including prompt investigation and timely involvement of law enforcement agencies, when appropriate. Managers and supervisors are specifically empowered to take immediate action to resolve or stabilize violent situations in the workplace, and to protect people from harm.

The university will take disciplinary action, consistent with personnel policies and collective bargaining agreements, up to and including discharge from State employment, against employees of the university who violate this policy. Students who violate the policy will be dealt with in accordance with the university community code of conduct. Employees, students or visitors to campus who engage in violent behavior will be reported to law enforcement authorities as appropriate.

The university will support criminal prosecution of those who threaten or commit work-related violence against its employees, students, and visitors to its work environment.

The possession of any dangerous weapon, to include any firearm, in any university workplace by any person other than a law enforcement officer in the course of his/her duty, is strictly prohibited. University personnel are prohibited from possessing any dangerous weapon, to include any firearm, while on official duty. See Appendix A, for a list of dangerous weapons included in this prohibition.

Section 8. Implementation

As part of its efforts to implement this policy, the university will take the following actions:

1. Training

All university personnel will be provided training in how to deal with workplace-related threats and acts of violence and how to create a work environment in which the risk of violence is low. This training may include such topics as threat awareness, conflict resolution, building positive working relationships, team- building, and effective communication.

Managers, supervisors and faculty are expected to promote positive behavior, and to lead by example, by treating employees and students with respect. Emphasis will be placed on creating a workplace where established standards of conduct are clearly communicated and consistently enforced, and where discipline is used fairly and appropriately to deal with instances of unacceptable behavior.

2. Employee Assistance

The university will encourage use of the Employee Assistance Program (EAP) by employees deemed at risk for violent behavior or who seek assistance in handling stressful work relationships. However, the university recognizes that the decision to use the services must be a voluntary one. Employees may also choose to seek assistance from private health services to deal with pressures, stress, emotional problems, or other personal issues which could, if ignored, lead to threats or acts of violence.

Informational brochures and other media will be used to make all employees familiar with the services offered by the EAP, and the university will provide information on how to take advantage of those services. Information will also be provided about other options for the resolution of personal and work-related problems which may have a potential for escalating to a violent incident. Employees will be encouraged to utilize all available resources.

3. Response and Reporting

When they become aware of actions which violate this policy, all employees have the responsibility to immediately notify at least one of the following: supervisor, the Associate Vice President for Administrative Affairs, the Director of Personnel, and the Dean of Student Affairs.

Managers and supervisors will continue to have primary responsibility for ensuring a safe workplace, for monitoring and resolving employee conflicts or disputes, and for taking appropriate corrective action when potentially violent situations develop.

The Associate Vice President for Administrative Affairs will assume responsibility for coordinating the university response to reports of workplace-related threats and acts of violence and serve as the university contact person with law enforcement authorities. The Director of Personnel will work with managers and supervisors to take appropriate disciplinary action against employees who violate the policy. The Dean of Student Affairs will assume responsibility for handling student discipline which may result from violation of this policy by students.

Section 9. Policy & Plan Dissemination

Copies of this regulation containing the policy and plan will be distributed to all current employees, and will be posted on employee bulletin boards. This regulation will be provided to all new employees and it will be referenced in the student handbook.

Section 10. Liability

Pursuant to Minnesota Statute 15.86, this policy does not create any civil liability on the part of the State of Minnesota.

Section 11. Review

This regulation will be reviewed as needed due to changes in law or at least every two years.

Issued on this 23rd day of April, 1997.

Susan A. Cole, President

APPENDIX A

Dangerous Weapons

For purposes of this Plan and Policy, the following items are considered to be dangerous weapons:

- any weapon which, per applicable law, is illegal to possess
- any firearm, loaded or unloaded, assembled or disassembled, including pellet, "BB", and stun guns (electronic incapacitation devices)
- replicate firearms, as defined in Minn. Stat. 609.713
- knives (and other similar instruments) with a blade length of more than three inches, other than those present in the workplace for the specific purpose of food preparation and service
- any "switchblade" knife
- "brass knuckles", "metal knuckles", and similar weapons
- bows, cross-bows and arrows
- explosives and explosive devices, including fireworks and incendiary devices
- "throwing stars", "numchucks", clubs, saps, and any other item commonly used as, or primarily intended for use as, a weapon
- any object that has been modified to serve as, or has been employed as, a dangerous weapon.