

THE CITY UNIVERSITY OF NEW YORK

CUNY SCHOOL OF LAW WORKPLACE VIOLENCE PREVENTION PROGRAM

In accordance with the University's commitment to the prevention of workplace violence, *CUNY SCHOOL OF LAW* adopts the following as its Workplace Violence Prevention Program (the "Program"):

1. Purpose

The University's Workplace Violence Prevention Program provides information to the College community about preventing and responding to incidents of workplace violence at the College's worksites and facilities and seeks to develop programs which will prevent or reduce the likelihood of threats or acts of workplace violence. The Program seeks to ensure that any incident, complaint, or report of workplace violence is taken seriously and dealt with appropriately. The Program implements the Workplace Violence Prevention Policy adopted by the Board of Trustees on February 28, 2011. As set forth therein, workplace violence is defined as any physical assault or acts of aggressive behavior occurring where an employee performs any work-related duty in the course of his or her employment, including but not limited to:

- i. An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- ii. Any intentional display of force that would give an employee reason to fear or expect bodily harm;
- iii. Intentional and wrongful physical contact with an employee without his or her consent that entails some injury; and
- iv. Stalking an employee in a manner that may cause the employee to fear for his or her physical safety and health when such stalking has arisen through and in the course of employment.

2. Scope

All College employees are required to comply with the Program. In addition, since students and visitors to the College are required to conduct themselves in conformity with existing law, employees who observe or experience students or visitors engaging in violent or threatening behavior should follow the procedures in the Program for reporting such behavior.

3. Workplace Violence Advisory Team ("WVAT")

- a. The WVAT reports directly to the College President and consists of members designated by the President.

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- b. The WVAT Chair, selected by the President, sets the times and agendas for meetings and establishes sub-committees, as necessary, to fulfill the WVAT responsibilities set forth herein and in sections 4, 7 and 12.
- c. The Chair and members of the WVAT and their contact information are listed in Appendix I.
- d. The WVAT will coordinate the Workplace Violence Prevention training at the Colleges.

4. Risk Assessment and Evaluation Process

- a. On an annual basis, the WVAT will:
 - i. Examine the prior year's relevant records that concern workplace violence incidents to identify patterns in the type and cause of injuries.
 - ii. Assess relevant policies, work practices, and work procedures that may impact the Workplace Violence Prevention Program.
 - iii. Review survey responses received from employees of the College. Survey forms are available to employees on the College's website and in hard-copy at the College's Office of Public Safety and Office of Human Resources. Completed survey forms are to be forwarded to the Director of Public Safety, as the physical site evaluation team leader.
- b. The WVAT will conduct a physical site evaluation of the College's workplace to determine the presence of factors that may place employees at risk of workplace violence. Each authorized employee representative organization with employees at the College will be given advance notice, in writing, from the Vice President for Administration of the date(s) and time(s) of the site visit(s). Each authorized employee organization may designate a representative to participate in the site visit(s) by notifying the WVAT Chair in writing of the designated representative. In addition to the authorized employee representative(s), an employee may also request to participate directly in the site visit for his/her work area by contacting the WVAT Chair. The authorized employee representative(s) will be provided with incident reports (without names) for the previous year. The authorized employee representative(s) may submit to the WVAT Chair any comments regarding situations in the workplace that pose a threat of workplace violence.
- c. Following the physical site evaluation, the WVAT will prepare a report of the findings, including a list of the high risk factors identified during the physical site evaluation and recommendations on appropriate work practice control measures to address identified risk factors. The report will be submitted to the President for appropriate action. Copies of the report will be made available, upon request, to

employee(s), their authorized representatives(s), and the New York State Department of Labor.

- d. Physical site evaluation/risk assessment evaluations will be conducted after an incident of workplace violence, as needed and as identified by the Department of Labor, or if it is determined that a significant trend of workplace violence is identified.

5. High Risk Locations/Risk Factors

The Law School community received Employee Workplace Violence Surveys via e-mail on December 8, 2010 and again on January 4, 2011. These e-mails were sent to faculty, staff and adjunct faculty list serves. Certified letters were mailed to all representative union contacts by the Associate Dean of Administration and Finance on December 16, 2010 and again on February 8, 2011. Responses were received from two unions. Representatives from these Unions attended the walkthrough, which was conducted from March 8 to March 11, 2011.

As an outgrowth of this exercise, certain procedural and physical security changes and additions were made and implemented.

The walkthrough was conducted on each floor, through all hallways and vestibules common and private spaces as well as the building perimeter. All employees of the School were encouraged to provide commentary and observations of building in general and site-specific work safety conditions. **Below are the risk factors identified in the walk-through:**

1. Securing of exterior doors not monitored by Public Safety
2. Unannounced cash collections from courier service to Business Office
3. Exterior public address system coverage for emergency notifications
4. Method of addressing potential safety concerns of individual departments

In response, the College utilizes or is in process of upgrading the following control measures to eliminate or reduce workplace violence hazards:

ENGINEERING CONTROLS

1. Loading dock door equipped with mechanical Detex alarm as well as electronic lock with remote opener. Door is monitored with fixed closed circuit camera and intercom system
2. Building wide public address system covers campus interior. Installation of additional exterior building speakers.
3. Forty-three building wide two-way emergency call-stations.
4. All main floor stairway entry points, as well as elevator, are card keyed.

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5. Eight exterior closed circuit cameras with ability to pan/tilt and zoom as well as four interior cameras.

ADMINISTRATIVE OR WORK PRACTICE CONTROLS

1. Loading dock door will remain in the closed position at all times when not in active use

2. Loading dock door will be key alarm locked from the inside at 6:00PM

during workdays and at all times during weekends and holidays

3. Armored couriers will have to be announced and escorted to business

office for all transactions

4. All visitors verified before proceeding to destination via id check and voice permission from office destination

5. Ongoing individualized departmental meetings with Public Safety Director addressing issues of specific concern

Though not a public building, the Law School remains committed to its mission of social justice. The Library is open to members of the public during regular business days with certain exceptions. The School houses a nationally recognized Law Clinic-available by appointment only- serving members of the community having difficulty retaining private legal assistance. The School is open to all current students, faculty and some staff around the clock, each and every day of the year. Some of our key physical plant and procedural safety policies are:

- 24 hours a day, 365 day a year, security coverage consisting of Campus Peace Officers with arrest powers, Campus Security Assistants and Contract Security Officers.
- Regular building patrols check offices, bathrooms, stairwells, large assembly areas and building perimeter as to deter criminal acts and notate defective facility conditions.
- Directed security coverage during periods of higher risk.
- Advanced metal-halide lighting in and around the building.
- Regular building patrols checking the operational condition of alarms, lighting, exits, doors, locks, etc.
- Facilities Services personnel make repairs in a timely manner.
- The use of closed circuit television (CCTV) surveillance and recording, emergency assistance alarms in corridors, public assembly spaces and in many offices and most classrooms.
- Electronic encrypted card access readers at all stairways, elevator and certain restricted areas.
- A building wide public address system capable of building exterior announcements as well.
- An advanced, patented high security key control system with credit card imprint necessary for key duplication.
- Access control policy that includes the locking of all 1st floor stairwell doors and requires all those entering to present a Law School ID card after hours, weekends and holidays.
- Regular reporting and follow-up investigations of crimes and confrontations. .
- Review of NYPD crime reports for the area surrounding Law School area from the 107 Police Precinct (patrol sector F).
- Maintaining a file of security alerts (along with photographs when available), instructing Public Safety personnel to deny access to individuals who have caused problems within the Law School or have harassed members of Law School community outside of the building.

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- Enforcement of Orders of Protection submitted by members of the Law School community to the Office of Security & Public Safety, educating victims of domestic violence on prevention measures and counseling services.
- Establishment of a Workplace Violence Advisory Team and Risk Management Committee.

6. Employee Information and Training

All employees must participate in training on the risks of workplace violence in their workplace at the time of initial employment and at least annually thereafter. The employee training and information program includes information regarding how to locate the Policy and Program as well as survey forms.

The College provides training to its employees. The training program addresses the following essential topics:

- An overview and definition of workplace violence;
- The College's commitment to providing a safe workplace;
- Instructions regarding how to obtain a copy of the written Policy and Program;
- A listing of significant identified risk factors;
- Techniques on how to recognize and avoid potentially violent situations, including de-escalation techniques;
- How employees can protect themselves and how employees can suggest improvements to the Program;
- The importance of reporting incidents and how to report such incidents;
- Where employees can seek assistance during a dangerous situation; and
- Resources, such as trauma counseling, that may be available to employees after an incident has occurred.

Additional training will be conducted as necessary and as determined by the needs of the College.

7. Reporting Process/Procedures to Report Incidents of Workplace Violence

In order to maintain a safe working environment, incidents of workplace violence must be reported promptly to a supervisor and/or the Office of Public Safety. The phone number of the College's Office of Public Safety is **718-340-4270**. Members of the College community are also encouraged to report other behavior they believe may lead to potential workplace violence. After an incident occurs or upon receipt of a complaint, an investigation will be conducted by the Office of Public Safety. Complaints involving the Office of Public Safety will be investigated by the Office of Human Resources.

- The College will use a form maintained by the University's Office of Public Safety to record incidents of workplace violence. The College Office of Public Safety will

maintain all records of initial reports and the results of any investigative reports relating to Workplace Violence at the College. As set forth therein, investigative reports must include:

- i. Workplace location where the incident occurred;
 - ii. Time of day/shift when the incident occurred;
 - iii. A detailed description of the incident, including events leading up to the incident and how the incident ended;
 - iv. Names and job titles of employees involved;
 - v. Name or other identifier of other individual(s) involved;
 - vi. Nature and extent of injuries arising from the incident; and
 - vii. Names of witnesses.
- b. The WVAT reviews the investigation results of incidents and complaints, determines whether there is a violation of the Policy and provides a report to the President.
 - c. The WVAT, with the participation of the authorized employee representative(s), conducts a review of the Campus Workplace Violence Incidents Report at least annually to identify trends in the types of incidents in the workplace and reviews the effectiveness of the mitigating actions taken.

8. Confidentiality of Certain Information

Nothing in this Program requires the disclosure to any person or entity, other than to the Commissioner of the Department of Labor as directed by the New York State Labor Law, of information otherwise kept confidential for security reasons, such as information that if disclosed may:

- i. Interfere with law enforcement investigations or judicial proceedings;
- ii. Deprive a person of the right to a fair trial or impartial adjudication;
- iii. Identify a confidential source or disclose confidential information relating to a criminal investigation;
- iv. Reveal criminal investigative techniques or procedures, except routine techniques and procedures; or
- v. Endanger the life or safety of any person.

9. Report of Violations of the Workplace Violence Prevention Policy and Program

Any employee or authorized employee representative who believes that the College's Workplace Violence Prevention Program is in violation of CUNY's Workplace Violence Prevention Policy, New York State Department of Labor Regulation Section 800.6 and New York State Labor Law Section 27(b), should bring their concerns to the attention of the proper authorities.

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Events involving the threat of imminent danger should be immediately brought to the attention of the College's Department of Public Safety.

Events relating to concerns of other types of reportable incidents should be reported as detailed in Paragraph 7, above, and brought to the attention of the University's Senior University Executive Director of Human Resources Strategic Planning, 535 East 80th Street, New York, NY 10075.

If a matter has been brought to the proper College authority and the College has had a reasonable opportunity to correct the activity, policy or practice, the matter has not been resolved, and an employee or authorized employee representative still believes that serious violation of the program remains, the employee or authorized employee representative may request an inspection by notifying the Commissioner of Labor of the alleged violation. This notice to the Commissioner must be in writing and shall set forth with reasonable particularity the grounds for the notice and shall be signed by the employee or authorized employee representative in compliance with New York State Labor Law Section 27(b) and its implementing Regulations.

10. Retaliation

No employee is subject to criticism, reprisal, retaliation or disciplinary action by the College for good faith reporting pursuant to the Program. Individuals who make false and malicious complaints of workplace violence, as opposed to complaints that, even if erroneous, are made in good faith, may be subject to disciplinary or other appropriate action.

11. Recordkeeping

All recordkeeping and reporting shall be made in compliance with the applicable law and regulation (currently New York Labor Law Sections 27-a and 27-b and 12 NYCRR Part 800.6) and the Policy and Program.

12. Program Effectiveness and Evaluation/Post-Incident Response

At least annually or after serious incidents, the WVAT, together with the participation of the Authorized Employee Representatives, evaluates the effectiveness of the Workplace Violence Prevention Program, including post-incident responses and evaluation processes. The review focuses on incident trends and the effectiveness of the control measures taken by the College. The review also assesses whether the reporting and recordkeeping systems are effective in collecting relevant information.

MEMBERSHIP OF THE 2011-2012 WORKPLACE VIOLENCE ADVISORY TEAM

| | | |
|-------------------------------------|------------|-----------|
| Elizabeth Newman (Coordinator) | ext. 84438 | Room 270D |
| Raquel Gabriel (Deputy Coordinator) | ext. 84249 | Room 130H |
| Steve Katz | ext. 84270 | Room 117 |
| Mary Nevins | ext. 84367 | Room 215C |
| Linda Penkower | ext. 84216 | Room 330E |
| Sondra Brereton | ext. 84543 | Room 205J |
| Pat Kennedy | ext. 84380 | Room 105E |
| Nicole Smith | ext. 84541 | Room 170A |

THE CITY UNIVERSITY OF NEW YORK

THE CUNY SCHOOL OF LAW'S COLLEGE WORKPLACE VIOLENCE PREVENTION PROGRAM

CAMPUS-SPECIFIC INFORMATION

| HIGH RISK LOCATIONS/RISK FACTORS | |
|--|---|
| <i>This section is completed by your College, based on the results of the most recent physical site evaluation. It lists the risk factors identified during the physical site evaluation and recommends appropriate measures to address these risks.</i> | |
| Description of Identified Risk Factors | <ol style="list-style-type: none">1. Securing of exterior doors not monitored by Public Safety2. Unannounced cash collections from courier service to Business Office3. Exterior public address system coverage for emergency notifications4. Method of addressing potential safety concerns from individual departments |

HIGH RISK LOCATIONS/RISK FACTORS

This section is completed by your College, based on the results of the most recent physical site evaluation. It lists the risk factors identified during the physical site evaluation and recommends appropriate measures to address these risks.

How the identified risk factors have been/are being addressed

ENGINEERING CONTROLS

1. Loading dock door equipped with mechanical Detex alarm as well as electronic lock with remote opener. Door is monitored with fixed closed circuit camera and intercom system
2. Building wide public address system covers campus interior. Installation of additional exterior building speakers.
3. Forty-three building wide two-way emergency call-stations.
4. All main floor stairway entry points, as well as elevator, are card keyed.
5. Eight exterior closed circuit cameras with ability to pan/tilt and zoom as well as four interior cameras.

ADMINISTRATIVE OR WORK PRACTICE CONTROLS

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2. Loading dock door will be key alarm locked from the inside at 6:00PM during workdays and at all times during weekends and holidays
3. Armored couriers will have to be announced and escorted to business office for all transactions
4. All visitors verified before proceeding to destination via id check and voice permission from office destination
5. Ongoing individualized departmental meetings with Public Safety Director addressing issues of specific concern

KEY CONTACT INFORMATION AND SPECIFIC CAMPUS RESOURCES

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| <p>Campus Office of Public Safety</p> <p><i>Incidents of workplace violence and behavior that you believe may lead to potential workplace violence must be reported promptly to a supervisor and/or the Office of Public Safety.</i></p> | <p>STEVE KATZ PUBLIC SAFETY DIRECTOR ROOM 117 718-340-4270 katz@mail.law.cuny.edu</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Workplace Violence Advisory Team (WVAT)</p> <p><i>List of members with contact information OR location where this information is posted on campus or on the College web site (i.e., URL).</i></p> | <table border="0"> <tr> <td>ALIZABETH NEWMAN</td> <td>718-340-4438</td> <td>newman@mail.law.cuny.edu</td> </tr> <tr> <td>RAQUEL GABRIEL</td> <td>718-340-4249</td> <td>gabriel@mail.law.cuny.edu</td> </tr> <tr> <td>SONDRA BRERETON</td> <td>718-340-4543</td> <td>sondra.brereton@mail.law.cuny.edu</td> </tr> <tr> <td>MARY NEVINS</td> <td>718-340-4367</td> <td>nevins@mail.law.cuny.edu</td> </tr> <tr> <td>LINDA PENKOWER</td> <td>718-340-4216</td> <td>penkower@mail.law.cuny.edu</td> </tr> <tr> <td>STEVE KATZ</td> <td>718-340-4270</td> <td>katz@mail.law.cuny.edu</td> </tr> <tr> <td>NICOLE SMITH</td> <td>718-340-4541</td> <td>smith@mail.law.cuny.edu</td> </tr> <tr> <td>PAT KENNEDY</td> <td>718-340-4380</td> <td>kennedy@mail.law.cuny.edu</td> </tr> </table> | ALIZABETH NEWMAN | 718-340-4438 | newman@mail.law.cuny.edu | RAQUEL GABRIEL | 718-340-4249 | gabriel@mail.law.cuny.edu | SONDRA BRERETON | 718-340-4543 | sondra.brereton@mail.law.cuny.edu | MARY NEVINS | 718-340-4367 | nevins@mail.law.cuny.edu | LINDA PENKOWER | 718-340-4216 | penkower@mail.law.cuny.edu | STEVE KATZ | 718-340-4270 | katz@mail.law.cuny.edu | NICOLE SMITH | 718-340-4541 | smith@mail.law.cuny.edu | PAT KENNEDY | 718-340-4380 | kennedy@mail.law.cuny.edu |
| ALIZABETH NEWMAN | 718-340-4438 | newman@mail.law.cuny.edu | | | | | | | | | | | | | | | | | | | | | | | |
| RAQUEL GABRIEL | 718-340-4249 | gabriel@mail.law.cuny.edu | | | | | | | | | | | | | | | | | | | | | | | |
| SONDRA BRERETON | 718-340-4543 | sondra.brereton@mail.law.cuny.edu | | | | | | | | | | | | | | | | | | | | | | | |
| MARY NEVINS | 718-340-4367 | nevins@mail.law.cuny.edu | | | | | | | | | | | | | | | | | | | | | | | |
| LINDA PENKOWER | 718-340-4216 | penkower@mail.law.cuny.edu | | | | | | | | | | | | | | | | | | | | | | | |
| STEVE KATZ | 718-340-4270 | katz@mail.law.cuny.edu | | | | | | | | | | | | | | | | | | | | | | | |
| NICOLE SMITH | 718-340-4541 | smith@mail.law.cuny.edu | | | | | | | | | | | | | | | | | | | | | | | |
| PAT KENNEDY | 718-340-4380 | kennedy@mail.law.cuny.edu | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Instructions on accessing your College's Workplace Violence Prevention Program</p> <p><i>Including contact information OR location where this information is made available by the College.</i></p> | <p>THE CUNY SCHOOL OF LAW'S COLLEGE WORKPLACE VIOLENCE PREVENTION PROGRAM CAN BE ACCESSED VIA THE SCHOOL'S WEBSITE AT http://www.law.cuny.edu/about/legal/workplace-violence-prevention.pdf</p> | | | | | | | | | | | | | | | | | | | | | | | | |

KEY CONTACT INFORMATION AND SPECIFIC CAMPUS RESOURCES

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| <p>Additional Campus Resources and Contacts</p> <p><i>List of additional campus contacts and resources available to assist with awareness and prevention efforts, training, or issues related to workplace violence.</i></p> | <p>HUMAN RESOURCES ELIZABETH JOHNSTON 205L 718-340-4520 COUNSELING SERVICE/REFERRAL LINDA PENKOWER 330E 718-340-4216 CUNY EMPLOYEE ASSISTANCE PROGRAM CORPORATE COUNSELING ASSOCIATES 800-833-8707 24 HOUR HELPLINE</p> |
| <p>Domestic Violence Prevention Resources</p> <p><i>Including contact information for your campus Domestic Violence Liaison(s). Concerns about domestic violence entering or affecting the workplace may be reported to your DV Liaison, a supervisor or to Public Safety.</i></p> | <p>HUMAN RESOURCES ELIZABETH JOHNSTON 205L 718-340-4520 HUMAN RESOURCES DIANA KUNKEL 205L 718-340-4225 PUBLIC SAFETY STEVE KATZ 117 718-340-4270</p> |

QUESTIONS?

If you have questions about the information provided in your campus workplace violence prevention training, please contact the following representative(s) at the College.

| Name | Title/Department | Phone | Email | Hours of Availability |
|---------------------|---|------------------|--|-----------------------|
| STEVE KATZ | PUBLIC SAFETY CHIEF-PUBLIC SAFETY | 718-340- 4270 | katz@mail.law.cuny.edu | 900AM- 500PM |
| SONDRA BRERETON | HUMAN RESOURCES BENEFITS COORD. | 718-340- 4543 | Sondra.brereton@mail.law.cuny.edu | 9:00AM- 5:00PM |
| ALIZABETH NEWMAN | PROFESSOR WVAT CHAIR | 718-340- 4438 | newman@mail.law.cuny.edu | 9:00AM- 5:00PM |