

THE CITY UNIVERSITY OF NEW YORK

CUNY SCHOOL OF LAW WORKPLACE VIOLENCE PREVENTION PROGRAM 2023-2024

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:

Intentional and wrongful physical contact with an employee without his or her consent that entails some injury; and

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.
- 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 "Key Contact Information" below.
- d. The WVAT will coordinate the Workplace Violence Prevention training at the Colleges.

4. Risk Assessments 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.

THE CITY UNIVERSITY OF NEW YORK SCHOOL OF LAW

WORKPLACE VIOLENCE PREVENTION PROGRAM- CAMPUS SPECIFIC INFORMATION

2023-2024

HIGH RISK LOCATIONS/RISK FACTORS BASED ON MOST RECENT PHYSICAL SITE EVALUATION AND RECOMMENDED MEASURES TO ADDRESS RISKS.

5. Risk factors/mitigations

DESCRIPTION OF RISK FACTORS

1. Addressing general concerns of employees returning to work in the aftermath of the COVID-19 pandemic
2. Addressing general concerns of response to a violent intruder incident.

On June 26, 2023, a meeting of the Workplace Violence Advisory team was convened. The meeting was conducted over Zoom conference platform. Invitations were sent out via email to all committee members and all authorized union representatives. No union representatives responded. The current Workplace Advisory Prevention Program and our college's Annual Security Report was distributed. There were no reported incidents of workplace violence in the past year. There were no major alterations to work spaces or environments. There was consensus that the school was safe and orderly. The committee discussed general safety concerns and return to work environment. Below are physical and procedural considerations at the building as a work and educational environment.

- Security coverage and patrols 24 hours a day/365 days of the year
- Campus Security Assistants and licensed contract security staff and Peace Officer
- All Public Safety staff trained and certified in CPR/AED and basic first aid
- 72 cameras covering the interior and exterior of the building. All cameras pan tilt and zoom. All Public Safety staff able to operate system. All cameras on record mode and archive capable
- 32 emergency two-way call stations located throughout the building
- A building wide public address system. System can be operated from any School, cellular or outside land line phone with proper log in credentials
- Card key activated lobby turnstiles. Card key activated elevator vestibule doors. Card key activated administrative entry doors. 75 readers in total.
- School-owned Medeco proprietary key system which prevents unauthorized duplication
- School owned facility coded HID proximity card system
- Mobile radios with repeater signal boosters
- CUNY issued mobile radios linking School to communications with Central Office and all other CUNY campuses.
- NYPD issued mobile radio programmed to local police precincts for immediate two-way communication

- All work areas well-lit and ventilated
- Bonded/armed courier service used to take large cash transactions of School premises
- Active liaison with local police precinct (108th). Community Affairs and Crime Prevention Officer conducts annual site walk-through
- Known orders of protection on file. Photos and names of persons no longer permitted on premises at Main Public Safety desk.
- Business Workflow System which ensures that identification cards of any employee no longer on payroll occurs by same day

HOW THE IDENTIFIED RISK FACTORS HAVE BEEN/ARE BEING ADDRESSED

1. All Law School employees are required to annually take the University's online or classroom Workplace Violence Prevention Program Training.
2. Four times a year, School occupants receive live, active shooter instruction from our buildings Fire and Life Safety Director during fire drill exercises.
3. Recommendations will be made to Dean of School regarding campus wide interest in establishment of an anti-bullying policy in addition to the established Henderson Rules (copy below)
4. Law School has been awarded Resolution A-New York City Council funding to update and expand our CCTV, Public Address and Access Control systems. Work on these projects should commence within one year.

KEY CONTACT INFORMATION AND SPECIFIC CAMPUS RESOURCES

Public Safety and Security Office

Emergency 24 Hour Phone-Front Desk	718-340-4270
Emergency 24 Hour Phone-Console Room	718-340-4440
Non-Emergency 24 Hour Phone-Front Desk	718-340-4270
Non-Emergency 24 Hour Phone-Console Room	718-340-4440
Public Safety Chief-Regular Business Hours	718-340-4271

Workplace Violence Advisory Team

Steve Katz, Chair and Public Safety Chief	718-340-4271
Professor Julie Goldscheid	718-340-4207
Professor Douglas Cox	718-340-4241
Dr. Tricia Lawrence- Savane Counselor	718-340-4533
Sondra Brereton, HR Assistant Director	718-340-4543

Accessing the Workplace Violence Prevention Program

The Workplace Violence Prevention Program Plan may be accessed in the Human Resource Office, room 5-109, during regular business hours. At other times, the plan may be accessed at the Public Safety Console room, 1-102. The plan is available on the Law School website at: www.law.cuny.edu/about/legal.html "Workplace Violence Prevention Program."

Additional Campus Resources and Contacts

Human Resources	Elizabeth Johnston	5-109E	718-340-4520
Public Safety	Steve Katz	4-202	718-340-4271
Counseling Services	Dr. Tricia Lawrence Savane	5-112	718-340-4533

CUNY Employee Assistance Program at Corporate Counseling Associates 24-HOUR HELPLINE

800-833-8707

Domestic Violence & Restraining Orders

Definitions from the City University of New York (CUNY) Policy on Domestic Violence. The Policy may be accessed at:

www.cuny.edu/about/administration/offices/ohrm/policies-procedures/domestic-violence.html

For purposes of this policy, the following terms will be defined as follows.

Domestic Violence: A pattern of coercive tactics, which can include physical, psychological, sexual, economic and emotional abuse, perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

Intimate Partner: Includes persons legally married to one another; persons formerly married to one another; persons who have a child in common, regardless of whether such persons are married or have lived together at any time; couples who live together or have lived together; or persons who are dating or who have dated in the past, including same sex couples.

Abuser: A person who perpetrates a pattern of coercive tactics which can include physical, psychological, sexual, economic, and emotional abuse against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

Victim: The person against whom an abuser directs coercive and/or violent acts.

Reporting: Normally acts of domestic violence will be reported to the local police precinct, or law enforcement authority, where the victim resides when the violence occurs. However, there may be occasions where a victim of domestic violence will wait until he/she gets to work to report an incident for safety reasons. In cases where an act of domestic violence is reported or occurs at the CUNY School of Law, Public Safety officers will respond to the incident to protect the victim and maintain order. Public Safety officers will assist the victim in contacting the 108 Precincts Domestic Violence Officer.

In cases where a Law School student, faculty, or staff member is a victim of domestic violence and obtains a restraining order from any court, or any state, the victim is requested to deliver a copy of the restraining order to the Public Safety Office, room 1-102

Domestic Violence Assistance:

Emergency	911
NYC Domestic Violence Hotline	800-621-4673
NYS Domestic Violence Hotline	800-942-6906
NYC Crime Victims Hotline	212-577-7777
Center Against Domestic Violence	718-439-1000 (English, Spanish, French)
National Domestic Violence Hotline	800-799-7233

Domestic Violence Prevention Resources

Human Resources	Elizabeth Johnston	5-109E	718-340-4520
Human Resources	Sondra Brereton	5-109H	718-340-4543
Public Safety	Steve Katz	4-202	718-340-4271
Counseling	Dr Tricia Lawrence Savane	5-112	718-340-4533

Safe Horizons NYC Domestic Violence Hotline	800-621-4673
NYC Domestic Violence Hotline (English)	800-942-6906
NYC Domestic Violence Hotline (Spanish)	800-942-6908
NYC Rape Hotline	212-227-3000
NYPD Crisis Hotline	212-267-7273
Brooklyn Criminal Court	718-643-4044
Brooklyn Family Court	718-643-2650
Bronx Criminal Court	718-590-2000
Bronx Family Court	718-590-3319
Manhattan Criminal Court	212-374-4984
Manhattan Family Court	212-386-5170
Queens Criminal Court	718-520-3469
Queens Family Court	718-298-0197
Staten Island Criminal Court	718-390-8400
Staten Island Family Court	718-390-5460
VINE (Victim Information Notification Everyday)	888-VIN-E4NY

VINE is a 24 hour automated hotline that provides victims with the release date of inmates that are in the custody of the New York City or State Department of Correction prison system.

New York State Office for the Prevention of Domestic Violence 800-942-6908
<http://www.labor.ny.gov/workerprotection/safetyhealth/Links/NYS%20OPDV%20-%20Home.mht>

If you have questions about the information provided in our Campus Workplace Violence Prevention Training, please contact one of the following representatives:

Steve Katz, Public Safety Chief

718-340-4271 katz@mail.law.cuny.edu 24 Hours via emergency phone contacts

Elizabeth Johnston, Human Resource Director

718-340-4520 elizabeth.johnston@law.cuny.edu Regular business hours

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 as provided by the Office of Human Resource Management-Central Office. 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:

- a. An overview and definition of workplace violence;
 - b. The College's commitment to providing a safe workplace;
 - c. Instructions regarding how to obtain a copy of the written Policy and Program;
 - d. A listing of significant identified risk factors;
 - e. Techniques on how to recognize and avoid potentially violent situations, including de-escalation techniques;
 - f. How employees can protect themselves and how employees can suggest improvements to the Program;
 - g. The importance of reporting incidents and how to report such incidents;
 - h. 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. The Office of Human Resources will investigate complaints involving the Office of Public Safety.

- a. The College will use a form developed by the University's Office of Public Safety to record incidents of workplace violence. As set forth therein, investigative reports must include:

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 of information otherwise kept confidential for security reasons, such as information that if disclosed may:

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 or that a threat of imminent danger exists that is not being adequately addressed should bring such exigent concerns to the attention of the University's Senior University Executive Director of Human Resources Strategic Planning, 217 East 42nd Street, New York, NY 10017.

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) and the Policy and Program.

12. Program Effectiveness and Evaluation/Post-Incident Response

At least annually or after serious incidents, the WVAT 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.

Additional Information

HENDERSON RULES

1. A member of the academic community shall not intentionally obstruct and/or forcibly prevent others from the exercise of their rights. Nor shall he interfere with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institutions instructional, personal, administrative, recreational, and community services.
2. Individuals are liable for failure to comply with lawful directions issued by representatives of the University/college when they are acting in their official capacities. Members of the academic community are required to show their identification cards when requested to do so by an official of the college.
3. Unauthorized occupancy of University/college facilities or blocking access to or from such areas is prohibited. Permission from appropriate college authorities must be obtained for removal, relocation, and use of University/college equipment and/or supplies.
4. Theft from, or damage to University/college premises or property, or theft of or damage to property of any person on University/college premises is prohibited.
5. Each member of the academic community or an invited guest has the right to advocate his position without having to fear abuse, physical, verbal, or otherwise, from others supporting conflicting points of view. Members of the academic community and other persons on the college grounds shall not use language or take actions reasonably likely to provoke or encourage physical violence by demonstrators, those demonstrated against, or spectators.

6. Action may be taken against any and all persons who have no legitimate reason for their presence on any campus within the University/college, or whose presence on any such campus obstructs and/or forcibly prevents others from the exercise of the rights or interferes with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational, and community services.

7. Disorderly or indecent conduct on University/college-owned or controlled property is prohibited.

8. No individual shall have in his possession a rifle, shotgun, or firearm or knowingly have in his possession any other dangerous instruments or material that can be used to inflict bodily harm on an individual or damage upon a building or the grounds of the University/college without the written authorization of such educational institution. Nor shall any individual have in his possession any other instrument or material which can be used and is intended to inflict bodily harm on any individual or damage upon a building or the grounds of the University/college.

9. Any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.

10. The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances by University students or employees on University/college premises, or as part of any University/college activities is prohibited. Employees of the University must also notify the College Personnel Director of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction.

11. The unlawful possession, use, or distribution of alcohol by students or employees on University/college premises or as part of any University/college activities is prohibited.

PENALTIES

1. Any student engaging in any manner in conduct prohibited under the Bylaws, including the Henderson Rules shall be subject to the following range of sanctions as hereafter defined in the attached Appendix: admonition, warning, censure, disciplinary probation, restitution, suspension, expulsions, ejection, and/or arrest by the civil authorities.

2. Any tenured or non-tenured faculty member, or other member of the instructional staff, or member of the classified staff engaging in any manner in conduct prohibited under the Bylaws, the applicable employment contract and/or substantive Rules 1-11 shall be subject to the following range of penalties: warning, censure, restitution, fine not exceeding those permitted by law or by the Bylaws of The City University of New York or suspension with/without pay pending a hearing before an appropriate college authority, dismissal after a hearing, ejection, and/or arrest by the civil authorities, and, for engaging in any manner in conduct prohibited under substantive rule 10, may, in the alternative, be required to participate satisfactorily in an appropriately licensed drug treatment or rehabilitation program. A tenured or non-tenured faculty member, or other member of the instructional staff, or member of the classified staff charged with engaging in any manner in conduct prohibited under substantive Rules 1-11 shall be entitled to be treated in accordance with applicable provisions of the Education Law, or the Civil Service Law, or the applicable collective bargaining agreement, or the Bylaws or written policies of The City University of New York.

3. Any visitor, licensee, or invitee, engaging in any manner in conduct prohibited under the Bylaws, including the Henderson Rules shall be subject to ejection, and/or arrest by the civil authorities.

4. Any organization which authorized the conduct prohibited under the Bylaws including the Henderson Rules substantive rules 1-11 shall have its permission to operate on campus rescinded.

Penalties 1-4 shall be in addition to any other penalty provided by law or The City University Trustees.

Warning signs for potential violence may include any of the following:

A history of violent behavior

Conversations or comments indicating irrational ideas and beliefs

Actual threats or actions of intimidation whether expressed verbally, in writing or by gesture

Actual or threatened destruction of property

A drastic change in belief systems

Feelings of victimization, martyrdom, expressions of hopelessness or anxiety

Suicidal or homicidal ideations

Sudden increase in interest in weapons and acts of violence

Displaying weapons of any kind in work environment

Increase of home/life stressors

Outbursts of anger, romantic obsessions and externalization of blame

Use of obscene language and unwelcome name-calling out of any normal work context

What should I do if I am victim of or observe such behavior:

If you feel you are in actual physical danger, try to leave the area, summon help from Public Safety, exercise your right to call 911. Speak with co-workers about having a plan to summon help if such a circumstance arises.

If you observe actual violence contact Public Safety or call 911 then call Public Safety.

If you see warning signs of violence, speak with your supervisor. If your supervisor is displaying the behavior, speak to their supervisor. You are at liberty to speak with Public Safety or Human Resources at any time you feel unsure or uncomfortable with what you observe or experience.

What can I do if I cannot leave the physical space occupied during potential violence?

Be calm, speak and move slowly-yet try to display confidence

Be empathetic and if possible, encourage the person to speak. Listen and be non-judgmental.

Try to have a relaxed manner yet remain in observation. If the person agrees to travel to a different area of the building, do so and use it as an opportunity to summon help or leave. Please remember to inform Public safety of any such incident.

If the person is being critical of you, accept it and offer reassurance that you will take suggestions to heart.

Try to maintain physical distance, don't raise your voice, don't make physical contact, threaten or belittle.

If there is no alternative, you have the right to defend yourself. Observe objects near or around you that can be used in self-defense. The moment you are able to distract or slow down a threat, leave as fast as you can while yelling for assistance.

Are there resources available for me other than at the workplace?

Yes, there are some excellent written and video resources, which can be used to better understand the nature of and response to workplace violence. Please see below.

www.jointcommission.org/workplace_violence.aspx

www.osha.gov/SLTC/workplaceviolence/

www.dol.gov/oasam/hrc/policies/dol-workplace-violence-program.htm

www.youtube.com/watch?v=5VcSwejU2D0

www.dhs.gov/school-and-workplace-violence