

**NCCC Board of Trustees Approved Policy**

**POLICY:** Workplace Violence Prevention Policy  
**BOT APPROVED:** April 28, 2023  
**REVIEWED:**

**I. POLICY STATEMENT**

North Country Community College, sponsored by Essex County and Franklin County, is part of the State University of New York (SUNY) system. The establishment of policies is the responsibility of the North Country Community College Board of Trustees, while assisting in the application and compliance with those policies is the responsibility of the College administration. We maintain and affirm that the most equitable and fair policies are those that involve shared governance, and we are committed to engaging the College community in the development/modification of established policies wherever possible. This policy follows that process.

**II. SCOPE**

The policy applies to students, employees, College-affiliated individuals, and visitors to/guests of the College.

**III. POLICY**

North Country Community College is committed to the safety and security of our students, employees, and visitors. Workplace violence presents an occupational safety hazard. Conduct that threatens, intimidates, or coerces another employee, student, College affiliated individual, or member of the public at any time, including off-duty periods, will not be tolerated. The prohibition includes all acts of harassment, including harassment that is based on an individual's sex, chosen gender, race, age, or any other characteristic protected by federal, state, and/or local law.

Incidents of violence or threatening behavior will be responded to immediately upon awareness or notification. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals will be thoroughly investigated and appropriate action taken, including summoning police authorities when warranted. If appropriate, North Country Community College will also provide counseling services or referrals for employees and students.

The goal of this policy is to promote the safety and well-being of all people in the workplace. All employees and students are responsible for helping to create an environment of mutual respect for each other. To that end, employees must follow all policies, procedures and program requirements to assist in maintaining a safe and secure work environment.

Employees, students, and visitors are to be treated with courtesy and respect at all times and are expected to refrain from fighting, "horseplay" or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or

substances are prohibited from all College buildings and grounds without proper authorization and state licensing compliance.

This policy is designed to meet the requirements of [NYS Labor Law 27b](#), which is intended to ensure that the risk of workplace assaults and homicides is evaluated by affected public employers and that such employers design and implement workplace violence protection programs to prevent and minimize the hazards of workplace violence to public employees. Reports of workplace violence incidents will be used to review the effectiveness of the mitigating actions taken. Information and training on the risk of workplace violence will be provided to all employees upon hire and annually thereafter.

#### **IV. DEFINITIONS:**

- A. Workplace violence is defined as any physical or verbal assault or acts of aggressive behavior occurring where an employee performs any work-related duty in the course of their employment, including but not limited to:
  - 1. An attempt or threat, whether physical or verbal, to inflict physical injury upon an employee or student;
  - 2. Any intentional display of force that would give an employee or student reason to fear or expect bodily harm;
  - 3. Intentional and wrongful physical contact with an employee or student without his or her consent that entails some injury;
  - 4. Stalking an employee or student in a manner that may cause the employee or student to fear for their safety and health when such stalking has arisen through and in the course of employment; or
  - 5. Harassment and/or intimidation that disrupts the College environment or results in fear for personal safety. Such behavior can include oral or written statements, gestures, and expressions that communicate a direct or indirect threat of physical harm.
- B. Violent Acts – Physical force exerted for the purpose of violating, damaging, or abusing an individual or property.
- C. Coerce – To force to act or think in a certain way by use of pressure, threats, or intimidation.
- D. Harassment – Subjecting a person to overt or covert threats, taunts, vilification, ridicule, degradation, or ethnical or sexual slurs.
- E. Intimidation – Coercion or attempts at coercion of an individual through the use of fear-inducing conduct by another.
- F. Horseplay – Rough or rude practical jokes or pranks.
- G. Firearm – A weapon capable of firing a projectile and using an explosive charge as a propellant (i.e., pistol or rifle).
- H. An instrument of attack or defense.
- I. Threat – An oral or written expression (or inference) of an intent to inflict pain, injury, or punishment on an individual or to damage property.

**V. REPORTING PROCEDURES AND RESPONSIBILITIES:**

All North Country Community College employees and students are responsible for notifying the Human Resources Office and/or Office of Student Life of any violent incidents or threatening behavior, or that an imminent danger of workplace violence exists.

The College will neither retaliate against those who report potential incidents of violence nor discriminate against victim of such violence.

An employee, student, or member of the College community who applies for or obtains a protective or restraining order from a court or law having jurisdiction as determined by the College, that lists College locations should provide a copy of the petition and declarations used to seek the order, and should provide a copy of any temporary or permanent protective or restraining order that is granted to the Human Resources Office and/or Office of Student Life as applicable. The College has confidentiality procedures that recognize and respect the privacy of reporting employees and students.

The College will provide annual violence prevention training for all employees.

**VI. INVESTIGATION AND RESPONSE PROCEDURES:**

Incidents of violence, threats, harassment, and intimidation, the possession of unauthorized firearms and other weapons, or other disruptive behavior will not be tolerated. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, up to and including dismissal or expulsion, and/or criminal penalties as set forth in Section VII of this policy.

**VII. SANCTIONS**

In the event of a violation, the sanctions within the Code of Conduct may be imposed and include, but may not be limited to:

- A. **STUDENT:** The following types of sanctions may be imposed upon a student found in violation:
  - i. A range of disciplinary statuses as outlined in the Student Code of Conduct, including Warning, Probations, Suspension or Expulsion.
  - ii. Restrictions on activities or privileges.
  - iii. Restitution may be imposed, which may include direct payment for damages caused by the offender or indirect payment of the same through service to the College.
  - iv. Administrative Withdrawal from a course or Program Dismissal. No monetary refund of any College fees shall be allowed.
  - v. Suspension from College may be imposed and shall mean that the student is not allowed to participate in any College activity in any form, including classes, for a specified length of time. No monetary refund of any College fees shall be allowed.
  - vi. Dismissal from the College may be imposed and shall mean that the student

is prohibited from taking part in any College activity. No monetary refund of any College fees shall be allowed. In such cases, the final decision is subject to review and final determination by the College President.

- vii. In the event of criminal acts, further legal action by local law enforcement officials may be enforced.
- B. EMPLOYEE:** In the event a violation, disciplinary actions may include, but are not limited to:
- i. Corrective action, as applicable to collective bargaining agreements and applicable Civil Service Law Section 75.
  - ii. Suspension and or/termination, as applicable to collective bargaining agreements and Civil Service Law Section 75, if deemed appropriate.
  - iii. Restitution may be imposed, which may include direct payment for damages caused by the offender or indirect payment of the same through service to the College.
  - iv. In the event of criminal acts, further legal action by local law enforcement officials may be enforced.

**Notes and Resources:**

1. [NYS Labor Law 27b](#)
2. [NYS Workplace Violence Prevention Plan Regulations](#)
3. [NYS DOL Workplace Violence Prevention Information](#)
4. <https://www.nysenate.gov/legislation/laws/PEN/265.01-A>
5. <https://dol.ny.gov/workplace-violence-prevention-information>