



Workplace Violence Prevention

Policy HR027

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Responsible Administrator(s): Vice President for Human Resource Management and Labor Relations and Vice President for Finance and Administration

Responsible Office(s): Human Resource Management and Labor Relations and Department of Public Safety

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Policy Statement

The Fashion Institute of Technology (the “college” or “FIT”) is committed to the prevention of workplace violence. All FIT employees are responsible for helping to create an environment of mutual respect and for assisting in maintaining a safe and secure work environment. They are expected to participate in the annual Workplace Violence Prevention Training Program, which is designed to prevent and minimize the hazards of workplace violence to employees. If such conduct occurs, the college will respond promptly to any threats and/or acts of violence. Incidents involving workplace violence will be given the serious attention they deserve.

The process involved in complying with this law includes a workplace evaluation designed to identify workplace violence hazards that FIT employees could be exposed to and recommends methods to reduce or eliminate workplace violence hazards. Reports of workplace incidents will be used to review the effectiveness of the actions taken to mitigate workplace violence. Information and training on workplace violence will be provided to all employees upon hire and annually thereafter.

Reason for the Policy

The policy falls within FIT’s duty to maintain a safe working environment in which each employee is protected, to the greatest extent possible, from physical assault or acts of aggressive behavior occurring while the employee performs any work-related duty in the course of their employment. In addition, FIT must comply with the requirements of the New York State Workplace Violence Prevention Act of 2006 (NYS Labor Law § 27-b), which requires public employers to develop and implement a Workplace Violence Protection Program to prevent and minimize the hazards of workplace violence to public employees and to review the effectiveness of mitigating action taken.

Who is Responsible for this Policy

- Director of Public Safety
- Vice President for Human Resource Management and Labor Relations (“Vice President for HR”) or their Designee
- Workplace Violence Prevention Advisory Committee (“WVPAC”)
- Authorized Employee Representative (“AER”)

Who is Affected by this Policy

- All FIT employees

Definitions

- **Workplace Violence:** For the purposes of this policy, workplace violence is defined as any physical assault or acts of aggressive behavior (including threatening behavior and verbal abuse) occurring where an employee performs any work-related duty during their employment.
- **Workplace Violence Prevention Advisory Committee (“WVPAC”):**
WVPAC is co-chaired by the Director of Public Safety and Vice President for HR or their Designee. WVPAC is thereafter comprised of representatives from the following areas:
 - Office of Policy and Compliance
 - Internal Controls and Management Analysis
 - UCE of FIT
 - Employee Assistance ProgramWVPAC reports directly to the Environmental Health and Safety (“EHS”) Committee (see Environmental Health and Safety policy for more information on the EHS Committee).
- **Authorized Employee Representative (“AER”):** This individual is a representative of college employees, an active member of the United College Employees of the Fashion Institute of Technology (“UCE of FIT”), and serves on WVPAC to provide input from employees, who have the most direct experience with the issue of workplace violence. The AER helps ensure the risk assessment and hazardous controls are relevant, useful, and effective.

Principles

- **Prohibited Conduct**
Incidents involving workplace violence will not be tolerated at FIT and will be given the serious attention they deserve.
- **Workplace Violence Prevention Program**
FIT’s Workplace Violence Prevention Program, (see program in related documents) is reviewed annually and provides information to the college community about preventing and responding to incidents of workplace violence at the college’s worksites and facilities. The program seeks to develop responses that will prevent or reduce the likelihood of threats or acts of workplace violence and to ensure that any incident, complaint, or report of workplace violence is taken seriously and dealt with appropriately. The written program, and copies of risk assessments, will be made available to employees and the Department of Labor upon request.

All college employees are required to comply with the program. In addition, since students and visitors to the college are required to conduct themselves consistent with existing law and college policy, employees who observe or experience students or visitors engaging in violent or threatening behavior should follow the procedures in the college’s Workplace Violence Prevention Program for reporting such behavior.

Employee participation in the implementation of this policy will be through the AER who will be invited to participate in: (1) scheduled physical risk assessment site evaluation(s) to determine

the presence of risk factors which may place employees at risk of workplace violence; (2) the development and annual review of a Workplace Violence Prevention Program promulgated by the college; (3) the annual review of the Workplace Violence Incident Report prepared annually by the college; and (4), as appropriate, discussions following a serious incident of workplace violence.

Incidents of violence, threats of violence, or observation of violence in the FIT community are not to be ignored by any member of the FIT community. All members of the FIT community are encouraged to report behavior they reasonably and in good faith believe poses a potential for workplace violence in order to maintain a safe working and learning environment. An employee who believes that he or she is a victim of threatening or violent conduct in the workplace, or observes such behavior or believes such behavior exists, is responsible for reporting the incident(s).

The college, at the request of an employee or student, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee or student on college property unless it is necessary to transact college-related business. This policy particularly applies when an employee or student anticipates that an act of violence may result from an encounter with said individual(s). Members of the FIT community may obtain an Order of Protection or, if outside of New York State, an equivalent protective or restraining order. For more information on how to obtain an Order of Protection, please see FIT's Sexual Misconduct Response policy.

- **Training**

The college will provide employees with training and information on its Workplace Violence Prevention Program. Per New York State and SUNY guidelines, training is required annually, and upon hire, or any time there is a significant change to the Workplace Violence Prevention Program, a risk factor, or work control.

- **Records Management:**

The Department of Public Safety will maintain all records of initial reports and the results of any investigative reports relating to Workplace Violence at the college.

Responsibilities

- **Director of Public Safety**

The Director of Public Safety shall:

- Serve as Co-Chairperson of the WVPAC;
- Ensure the Department of Public Safety maintains procedures associated with responding to, intervening with, and documenting reports and incidents of workplace violence, or potential incidents of workplace violence, made to Public Safety;
- Oversee the maintenance of a tracking system for all threats and incidents of workplace violence; and
- Work with the Co-Chairperson of the WVPAC to administer required training.

- **Vice President for HR or their Designee**

The Vice President for HR or their Designee shall

- Serve as Co-Chairperson of the WVPAC;

- Assist The Director of Public Safety, and supervisors, in their responses to incidents of workplace violence. This includes facilitating the appropriate responses to reported incidents (for example, disciplinary action), notifying Public Safety of any incidents, or threats, reported to HR, and providing new employees with access to the Workplace Violence Prevention Program;
 - Ensure an annual notification about our Workplace Violence Prevention Program is sent to all FIT employees on an annual basis; and
 - Work with the Co-Chairperson of the WVPAC to administer required training.
- **Workplace Violence Prevention Advisory Committee (“WVPAC”)**
The WVPAC shall
 - Participate in a physical risk assessment evaluation of the campus;
 - Conduct a review of the Workplace Violence Incidents Report at least annually, or as needed, with the participation of the AER, to identify trends in the types of incidents in the workplace, and will review the effectiveness of the mitigating actions taken. The WVPAC may generate additional risk and prevention information by conducting confidential staff surveys and/or focus groups. The WVPAC will make recommendations as appropriate;
 - Document its findings as these records may be used to guide the development or evolution of the Workplace Violence Prevention Program and the risk assessment process; and
 - Review the investigation results of incidents and complaints, determine whether there is a violation of the policy and provide a report to the President.

The Co-Chairpersons shall maintain all records on behalf of WVPAC including, but not limited to, meeting minutes, risk assessments, evolution of Program, and results of staff surveys or focus groups. These records shall be maintained in accordance with their appropriate MI-1 retention schedule.

- **Authorized Employee Representative (“AER”)**
The AER is a member of the WVPAC and represents college staff on that Team. The AER is responsible for assisting the WVPAC with:
 - Analyzing statistics;
 - Conducting the workplace risk evaluation and determination; and
 - Participation in incident reviews.

Procedures

- **Reporting Incidents of Workplace Violence**
In order to maintain a safe working environment, incidents of workplace violence must be reported promptly to the Department of Public Safety. Public Safety can be reached at 212-217-7777 for emergencies and at 212-217-4999 for general inquiries or to report an incident that has occurred in the past. Anonymous reporting can be done by dialing 212-217-TIPS (8477).

Violations

- **Employee Violations**
Individuals who violate this policy as it relates to conduct may be removed from college property and may be subject to disciplinary action up to and including termination (consistent

with college policies, rules and collective bargaining agreements), and/or referral to law enforcement authorities for criminal prosecution.

Employees covered by the Collective Bargaining Unit will be disciplined according to the Collective Bargaining Agreement, as well as relevant law and college policy. For non-bargaining employees, the Vice President for Human Resource Management and Labor Relations, or their designee(s), will review the violation and make a recommendation for appropriate disciplinary action based upon relevant law and college policy.

- **Report of Violations of the Workplace Violence Prevention Program**

Any employee or UCE representative who believes that the college's Workplace Violence Prevention Program is in violation of the New York State Department of Labor Regulation (Section 800.6) and/or New York State Labor Law (Section 27(b)) should bring their concerns to the attention of the proper college authorities. Events involving the threat of imminent danger should be immediately brought to the attention of the college's Department of Public Safety consistent with the reporting procedures described above.

Related Policies

- [Environmental Health and Safety](#)
- [Nondiscrimination and Anti-Harassment](#)
- [Sexual Assault, Stalking and Domestic and Intimate Partner Violence Prevention and Response](#)

Related Documents

- [Collective Bargaining Agreement \(CBA\)](#)
- [Emergency Management Preparedness Plan](#)
- [NYS Records Retention and Disposition Schedule MI-1](#)
- [Recording and Reporting Public Employees Occupational Injuries and Illnesses \(12 NYCRR 801\)](#)
- [Workplace Safety and Loss Prevention Incentive Program, Part 60 \(12 NYCRR 800.60\)](#)

Contacts

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