

Applies to: Faculty, staff, student employees*

Responsible Office

Human Resources

POLICY STATEMENT

Central Ohio Technical College is committed to providing an environment that is safe, secure, and free from threats, and violence. The college's goal is to provide a work environment in which **workplace violence** is not tolerated.

*Students who are not employees are covered by the Code of Student Conduct.

Purpose of the Policy

To maintain a work environment free from workplace violence.

Definitions

| Term | Definition |
|----------------------|--|
| Deadly weapon | Anything designed, made, adapted, or used for the purpose of inflicting death or serious physical injury. This definition does not apply to The Ohio State University's police officers in the performance of their job duties. Also, anything required/authorized for possession/use as part of one's work duties, as integral to one's participation in an academic program, or as integral to one's participation in a college authorized or sponsored event, is not a deadly weapon, unless it is used for the purpose of inflicting death or serious physical injury. |
| Workplace violence | Threatening behavior and/or violent behavior that causes a disruption to the work environment and leads a reasonable person to fear for their physical safety; physical conduct that results in harm to people or property; possession of deadly weapons on college property; and/or use of college property or resources to engage in threatening or violent behavior. |
| Threatening behavior | Conduct that causes a reasonable person to believe that their physical safety, or the security of college property, is endangered. |
| Violent behavior | The use of physical force, violence, or other actions that have the capacity to inflict harm or to endanger the physical safety of another person or the property of the college. |

Policy Details

- I. Scope
 - A. Conduct not tolerated by the college
 1. The following actions are considered to be workplace violence:
 - a. Threatening behavior;
 - b. Violent behavior;
 - c. Possession of **deadly weapons** on college property;
 - i. As required by Ohio Revised Code Section 2923.1210, this section does not prohibit a person who has been issued a valid concealed handgun license from transporting or storing a firearm or ammunition when both of the following conditions are met:
 1. Each firearm and all of the ammunition remains inside the person's privately owned motor vehicle while the person is physically present inside the motor vehicle, or each firearm and all of the ammunition is locked within the trunk, glove box, or other enclosed compartment or container with or on the person's privately owned motor vehicle; and
 2. The vehicle is in a location where it is otherwise permitted to be.

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- B. Medium
 1. This policy prohibits workplace violence that occurs through any medium. Workplace violence may manifest in many evolving forms (e.g., physical, verbal, visual, online/electronic/social media, *etcetera*).
- C. Location
 1. This policy prohibits workplace violence that takes place on or off college property when the behavior causes an unsafe work environment.
- D. Jurisdiction
 1. The college has an obligation to address allegations that this policy has been violated. The college may take any appropriate action, including informing the accused of the allegation and pursuing an investigation even in cases when the complainant is reluctant to proceed.
 2. Students are covered by the Code of Student Conduct. Student employees also are covered by this policy.
 3. Incidents of sexual misconduct, which includes domestic and dating violence and stalking, are addressed under Sexual Misconduct, Sexual Harassment, and Relationship Violence 2.1.20.
 4. The college's response to an allegation of workplace violence may differ if the accused is a visitor or other third-party or is not subject to the college's jurisdiction. In such cases, the college may, among other things, contact or cooperate with law enforcement.
- II. Duty to report
 - A. Anyone who experiences, observes, or believes they may be targets of workplace violence are encouraged to report allegations of workplace violence to:
 1. Their supervisor;
 2. Office of Human Resources; or
 3. Newark Campus Public Safety.
 - B. Each of the following individuals are required to report allegations of workplace violence to both the Office of Human Resources and Newark Campus Public Safety. They should report immediately when they become aware of information that would lead a reasonable person to believe that workplace violence has occurred.
 1. Human resources professionals; and
 2. Anyone who supervises faculty, staff, students, or volunteers.
 - C. Corrective action may be taken when an individual fails to fulfill their duty to report.
- III. Confidentiality
 - A. The college recognizes the importance of confidentiality. To the extent possible, information received in connection with the filing, investigation, and resolution of allegations will be treated as confidential except when necessary to conduct an appropriate investigation, to provide assistance and resources to complainants, to perform other appropriate college functions, or when the college is required to provide information under the law, including Ohio's public records law.
- IV. Retaliation
 - A. The college will not tolerate retaliation in any form against any individual who makes an allegation, files a report, serves as a witness, assists a complainant, or participates in an investigation.
 - B. Retaliation is a serious violation that may result in discipline up to and including termination of employment, independent of the merits of the underlying investigation.
- V. Consequences of policy violations
 - A. Individuals found to engage in behavior in violation of this policy may:
 1. Be required to seek and successfully complete, training, assessment, counseling, and/or referrals; and/or
 2. Be subject to corrective action, up to and including termination.
 - B. Criminal charges may be filed, as appropriate.

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PROCEDURE

- I. Reporting or making a complaint
 - A. In the event of imminent danger of workplace violence, or upon becoming aware of information that would lead a reasonable person to believe that workplace violence has occurred, human resource professionals and anyone who supervises faculty, staff, students, or volunteers have a duty to report as follows:
 1. Call 9-1-1;
 2. Seek assistance for persons needing care.; and
 3. Contact the Office of Human Resources to request guidance and assistance.
 - B. In the event of imminent danger of workplace violence, individuals who do not have a duty to report are encouraged to follow the steps outlined in Procedure I.A.
 - C. Individuals without a duty to report and who have experienced, observed, or believe they may be targets of workplace violence are encouraged to make a report to:
 1. The Office of Human Resources;
 2. Their supervisor;
 3. Newark Campus Public Safety;
 4. Appropriate law enforcement agency.
- II. Evaluating or responding to workplace violence
 - A. Human resource professionals and anyone who supervises faculty, staff, students, or volunteers must be alert to possible signs of violence and immediately evaluate any alleged threat by assessing its perceived intent and the capacity and means to fulfill the threat. Factors to consider include the nature of the threat, duration of risk, and likelihood that harm will occur.
 - B. Human resource professionals and anyone who supervises faculty, staff, students, or volunteers are encouraged to document and evaluate the circumstances associated with the event to include a record of information from all involved employees or witnesses. The Incident Report for Workplace Violence form may be used as resource for documenting the circumstances.
 - C. Office of Human Resources will:
 1. Promptly investigate; and
 2. Initiate corrective action based upon results of the investigation.
- III. Workplace safety plans
 - A. Workplace safety plans are to be developed collaboratively between the department/office and the Office of Human Resources, and/or Newark Campus Public Safety in response to workplace violence or for instances when an employee feels targeted by violence. Plans may include and are not limited to changing workstations and telephone numbers and escort for entry to, and exit from, the work location.

Responsibilities

| Position or Office | Responsibilities |
|---|--|
| Human resource professionals, and anyone supervising faculty, staff, students or volunteers | <ol style="list-style-type: none"> 1. Utilize available resources to familiarize employees with this policy; 2. Notify 9-1-1, and Office of Human Resources immediately when they become aware of information that would lead a reasonable person to believe that workplace violence has occurred; 3. Be alert to possible signs of violence; 4. Evaluate, document, consult, and seek assistance with any alleged threat; 5. Develop and implement individualized workplace safety plans in consultation with the Office of Human Resources and Newark Campus Public Safety; and 6. Respect the confidentiality and reputation of all parties to the extent possible under law. |
| Newark Campus Public Safety | <ol style="list-style-type: none"> 1. Restore order in a conflict situation; 2. Enforce the law including existing protection orders; |

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| Position or Office | Responsibilities |
|---------------------------|---|
| | <ol style="list-style-type: none"> 3. Arrange for emergency medical assistance; and 4. Assist with the development of workplace safety plans as appropriate. |
| Office of Human Resources | <ol style="list-style-type: none"> 1. Familiarize employees with the college's workplace violence policy and sexual misconduct, sexual harassment, and relationship violence policy, and incorporate them into new employee orientation materials. 2. Provide assistance to the employing department or office, including consultation on the development of individualized workplace safety plans; 3. Evaluate and process corrective actions as appropriate; 4. Work in consultation with Newark Campus Public Safety, legal, EAP staff, local law enforcement, and others as appropriate to access and manage incidents involving imminent danger or violence; and 5. Respect the confidentiality and reputation of all parties to the extent possible under law. |

Resources

- [Code of Student Conduct](#)
- [Employee's Report of Incident or Injury](#)
- [Incident Report Form for Workplace Violence](#)
- [Sexual Misconduct, Sexual Harassment, and Relationship Violence Policy 2.1.20](#)
- [Whistleblower Policy 2.1.40](#)
- Websites:
 - [Newark Campus Public Safety](#)
 - [How to respond to an active aggressor](#)
 - [The Ohio State University Health Plan Employee Assistance Program \(EAP\)](#)

Contacts

| Subject | Office | Telephone | E-mail/URL |
|--|-----------------------------|---|---|
| Policy interpretation and consultation | Human Resources | 740-366-9367 | https://go.cotc.edu/hr |
| Imminent danger, police issues | Newark Campus Public Safety | 740-366-9327 (non-emergency) 911 (EMERGENCY) | https://go.cotc.edu/publicsafety |
| Counseling and employee assistance | Employee Assistance Program | 800-678-6265 Toll Free 24/7/365 | https://osuhealthplan.com/programs-and-services/eap |
| Counseling for students | Counseling Services | 740-364-9578 | https://go.cotc.edu/counseling-services |

History

Issued: 07/01/2005
 Revised: 12/01/2008
 Edited: 10/10/2012, 04/17/2014, 05/30/2014, 06/04/2015
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 Revised: 12/12/2018
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