



Fulton-Montgomery  
Community College  
The State University of New York



**Violence Prevention in the Workplace**  
**Policy and Procedural Plan**  
**2022-2023**

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## POLICY

### **Campus Safety, Security, and Workplace Violence Prevention & Incident Reporting**

#### POLICY STATEMENT

Fulton-Montgomery Community College is committed to the safety and security of our students, employees, guests. Workplace violence presents a serious occupational safety hazard to our College, staff, and students. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Fulton-Montgomery Community College property will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of the 2009 NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that was designed to identify the workplace violence hazards our employees could be exposed to. Other tools that were utilized during this process included establishing a committee made up of management and Authorized Employee Representatives who will have an ongoing role of participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. Fulton-Montgomery Community College has identified response personnel that include a member of management and an employee representative. If appropriate, the Fulton-Montgomery Community College will provide counseling services or referrals for employees.

The College will implement and maintain a plan providing for the investigation of any violent felony offense occurring at or on the grounds of Fulton-Montgomery Community College, and providing for the investigation of a report of any missing student. Such plan shall provide for the coordination of the investigation of such crimes and reports with the local law enforcement agencies. Such plan shall include, but not be limited to, written agreements with appropriate local law enforcement agencies providing for the prompt investigation of such crimes and reports. In addition, in accordance with NYS Labor Law 27b, FMCC will develop and maintain a Workplace Violence Prevention Program. Any intentional act of intimidation, threat of violence, or act of violence committed against any person or to the property of another while on the property of FMCC is prohibited. All Fulton-Montgomery Community College personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received. Any FMCC employee

found to be in violation of this policy (including knowingly filing a false report or failing to cooperate during an investigation) shall be subject to disciplinary action, up to and including dismissal, pursuant to applicable Personnel Policies or Collective Bargaining Agreements.

Any FMCC employee who is the subject of, or a witness to, a suspected violation of this policy should report the violation according to College procedures to the next-in-line supervisor who is not a party to the violation.

Designated Contact Person:

Mark Pierce

Director of Public Safety, Chief Law Enforcement Officer

Public Safety

736-3622 x8406

Physical Education Building, P144

Or

His/her designee in their absence

**WHO IS COVERED BY THE POLICY:** All FMCC employees, contractors, subcontractors, and vendors are responsible for complying with this policy and maintaining a reasonably safe and healthy work environment.

**WORKPLACE VIOLENCE DEFINED:** There are five common classifications of violence which can occur in the workplace:

**Employee workplace violence:**

Violence which occurs in the workplace as a result of a workplace relationship.

**Affiliated workplace violence:**

Violence which occurs in the workplace, but which stems from the conflicts of a relationship outside the workplace.

**Occupational workplace violence:**

Violence which occurs in the workplace as a result of a person's occupation.

**Random workplace violence:**

Violence which occurs in the workplace where the offender has no apparent connection with the workplace.

**Hate violence:**

Violence which occurs in the workplace as the result of a bias against another person's ethnicity, race, national origin, religion, gender, sexual orientation, disability, and/or political views.

These acts include:

**Act(s) of intimidation:** (Implied threat)

Any willful act/behavior directed toward another person, the result of which causes the other person to reasonably fear for his/her safety or the safety of others.

**Threat(s) of violence:** (Actual threat)

Any willful act/behavior directed toward another person which threatens the other person or which threatens damage to the property of another, under such circumstances that would cause the other person to reasonably fear for his/her safety, the safety of others or damage to say property.

**Act(s) of violence:**

Any willful act/behavior committed against another person or the property of another, the result of which causes bodily injury, however slight, to the other person or damage to the property of another.

Any "conduct or joke(s)" which involve acts of intimidation and/or threats are considered inappropriate for the workplace and shall be taken seriously and investigated.

**RISK EVALUATION, RECOMMENDATIONS, AND LEADERSHIP RESPONSES (in Bold):**

1. The ability to lock classroom doors from the inside was a major safety upgrade. It is suggested that when funds are available, consideration be given to installing similar locks for other gathering spaces on Campus (e.g. large lounge, Allen House). **We will look where practical and incorporate in our designs for projects.**
2. The Student Development office uses a disguised pass-phrase to alert Public Safety that their presence is needed. The subtle phrase is used to avoid further escalation if there is an incident. This seems like a good practice that we might want to make consistent with protocols in our Emergency Plan or across other departments. **Public Safety does not advise this course of action. They need as much information as possible when responding to an incident. For emergencies dial 911, for non-emergencies dial 8888.**
3. The hallway in the basement of the College Union that includes Student Club space and FCA offices are not easily monitored. And as future upgrades are made to Campus camera system/coverage, consideration be given to adding cameras that cover this hall on either side of the doors. **We will look into better camera coverage for this area.**
4. It is recommended that the library renovation plan considers easy emergency access/egress for program areas serving those with special needs/accommodations. **Yes, when we remodel the library better access will be considered.**
5. When capital expenses are made to upgrade the Bursar and Registrar areas, we recommend considering new door designs for these offices. The current above-the counter-doors are not designed to quickly open and close. Such new doors might be easier to handle in case of an emergency. **Yes, when we remodel the Welcome Center, this will be reconsidered.**

**ADOPTED METHODS TO PREVENT WORKPLACE VIOLENCE:**

FMCC is committed to implementing a number of safety measures to reduce the likelihood of workplace violence. The College is continually evaluating the best preventive measures to enhance the safety of our Campus. Current steps we are taking include a variety of engineering controls, work practices, and a review of policies that may impact workplace violence. This program will adhere to a hierarchy of controls 1<sup>st</sup>) Engineering 2nd) Work Practices 3rd) Personal Protective Equipment.

**ENGINEERING CONTROLS:**

1. The College has over 170 indoor and outdoor closed circuit cameras located across Campus.

2. There are 14 security phones connected to 911 and 6 "911 Blue Beacon" emergency posts on Campus. Emergency beacons were tested on a regular basis.
3. In the event of a major emergency, or if there is an event which poses a threat to students, employees, or others, a "Campus Alert Bulletin" will be prepared and distributed immediately to:
  - SUNY Alert Participants
  - Digital Display Board at the Main Entrance to the Campus will be activated
  - Announcements made over the Campus Emergency Notification System
  - Closed Circuit Televisions (CCTV)
  - Campus e-mail service
  - Facebook, Twitter, Instagram via Hyper-reach Application
4. The SUNY Emergency Alert is made available to all employees. This system will contact persons at home in cases of an emergency.
5. Signs at all entrances prohibiting the possession of firearms on the premises.
6. Outdoor public spaces across Campus are generally kept very open with good lines of sight (few obstructions such as trees etc.).
7. In 2015 the Campus added improved "way finding" signage across the College. This included indoor and outdoor signs that identified buildings, services, and departments.
8. In January 2016 the College completed an overhaul of door locks. This involved replacing every lock and door handle on campus. With each new handle that was replaced on a lab or classroom, we added the functionality to lock these doors from the inside with a push button or a thumb-turn deadbolt. We also took the opportunity to relock the campus so we had better security through proper key control.
9. New AED units were added to the Administration building, the Foundation (BOCES) building area, Student Union and a mobile unit for Public Safety. The AED in the PE building was relocated and made more accessible.
10. In 2017-2018 parking lot light behind the Allen House/Student Welcome Center was upgraded by installing LED lights. The College is seeking to upgrade other areas where appropriate.

#### **WORKPLACE PRACTICES:**

1. Public Safety staff are available 24 hours day 7 days per week.
2. As of 2011 the College began conducting criminal background checks on all new employees. This is done via SUNY which uses the NYS Unified Court System database. For new staff that reside out of state the College has purchased a separate vending contract to screen these applicants.
3. As of 2012 the College began monitoring the driving records of those employees who operate College vehicles and will be alerted of infractions such as Driving While Intoxicated, Driving While Ability Impaired. Persons who operate vehicles covered by US Department of Transportation regulations are also randomly drug tested.
4. FM provides a comprehensive Employee Assistance Program (services from St. Mary's Hospital) available to all of its employees and family members. Staff are provided EAP information during their orientation session. Reminders about this service are also distributed several times per year with paychecks. In addition this service has been extended to employees who are terminated from employment due to layoff or other adverse circumstances.
5. The College maintains an Incident Command Team that holds regular meetings to discuss safety issues and has developed and implemented an Emergency Management Plan.

6. There are now four Buildings and Grounds Staff on third shift. Three weekend Buildings and Grounds Staff have been added to provide 24 hour coverage. In addition to cleaning and maintenance, they help secure doors and report incidents to Public Safety. These staff are all issued radios.
7. All sworn Public Safety officers will be wearing Body Cameras while on duty as of 9/1/2016.
8. Public Safety is implementing a more formal Community Policing Model on Campus. This will foster a closer relationship with students.
9. Training: March 2018 the College conducted its second Active Shooter drills and training. This entailed extensive simulated drills and debriefing instructions and involved Campus Public Safety staff, local law enforcement and EMS personnel, Students and FM employees.
10. FM has least one licensed mental counselor available Monday-Friday each semester. Additional counseling services are available on campus and via telehealth through partnerships with other community mental health providers. The College also has a Behavioral Intervention (BIT) Team who meet every two weeks. This Team is composed of our Mental Health Counselor from St. Mary's, the coordinator of Accessibility, Counseling and Alternative Testing, FM's Head librarian, the Coordinator of Advising, the Coordinator of Financial Aid, and FM's Associate Provost for Academic and Student Affairs
11. Campus Safety Website: In 2012 the Safety Committee established a safety link on the FM website which includes the annual safety report and crime statistics. In April 2015 an Employee Safety site was created in SharePoint with training and other safety information.
12. Safety Committee: The College has a standing safety committee represented by employees from many groups on Campus including union officers from all three bargaining groups. This committee makes safety recommendations and provides oversight of the College's Workplace Violence Program. The following list the members of Safety Committee and their titles:
  - Jacqueline Snyder, Associate Provost of Academic and Student Affairs
  - Cynthia Forrest, Instructor
  - Kathleen Romano, Technical Assistant
  - John Armstrong, Assistant Professor
  - Patrick Grande, Professor
  - Jeremy Hammond, Senior Custodial Worker
  - Mark Pierce, Director of Public Safety
  - Paul "Scott" Marshall, Director of Facilities
  - Connie Grant, Human Resource Manager
  - Christie Davis, Academic Advisor and Workforce Development Specialist
  - Two Vacant Student Positions
13. In September 2013 the College provided training to staff on the Crime Awareness and Campus Security Act (CLERY). This workshop gave an overview of the law, staff responsibilities and reporting of crimes.
14. The College provides annual Title IX training to students and staff. This training covers definitions of sexual violence, protections, and reporting obligations of staff.
15. The College's Student Handbook, The Source, includes Standards of Conduct Expected of Students and a description of disciplinary and appeal procedures. These conduct standards were updated in 2016. The Source is distributed at new student orientations and is available in the Student Development Center and Student Activities. Part time, Adjunct, Faculty, and other full time employees receive orientations and policy manuals which cover professionalism, and codes of conduct. In addition, at new hire orientation for full time employees Human Resources conducts sexual harassment training.

16. Members of Campus are repeatedly encouraged to secure valuables and to be aware of their surroundings at all times. Literature with safety suggestions is available at the Dept. of Public Safety.
17. The Department of Public Safety offers a Safe Walk Program during the spring and fall semesters for employees or visitors to Campus. This service will provide a safety escort upon request.
  - a. The College enforces a strict drug and alcohol policy and complies with the Federal Drug Free Workplace Act, and provides for Employee Assistance Programs for those individuals struggling with substance abuse.
18. In November 2017 the FM Master Plan was presented to the College Senate and received feedback from the Safety Committee with recommendations.

**Review of Policies That May Impact Workplace Violence:**

- In June 2015 the Board adopted a Child Protection Policy. This policy was modeled after new SUNY guidelines mandating that FM staff shall not work alone with a minor on Campus, that staff working with minors undergo a state and federal a sexual offender registry check, and that staff receive training before working with minors (training includes how to report cases of abuse or violence against minors).
- Violence Against Women

**Personal Protective Equipment:**

Public Safety Officers are issued the following: pepper spray, handcuffs, radios, latex gloves, dust masks, and full time officers are issued handguns and ammunition.

**FMCC CRIME STATISTICS:**

The Federal Student Right-to-Know and Campus Security Act requires Fulton-Montgomery Community College to provide information on campus crime statistics to current and prospective students, employees, and others who request it. The following information on crime occurrences during the 2020-2021 academic year was supplied by the Fulton-Montgomery Community College Department of Public Safety.

<b>Incident Stats 9/1/21 to 8/31/22</b>	
Property Damage	4
Medical Emergency	3
Accidental Falls	15
Athletic Injuries	2
Mental Health	2
Disorderly Conduct	2
Harassment	6
Criminal Mischief	1
Petit Larceny (Property Found-Loss)	1
Personal Injury	17
Other/Miscellaneous	0



<b>Crime Stats 9/1/21 to 8/31/22*</b>	<b>College Community Members (non- employees)</b>	<b>FMCC Employees</b>
Murder	0	0
Sex Offenses	1	0
Robbery	0	0
Aggravated Assault	0	0
Burglary	0	0
Motor Vehicle Theft	0	0
Manslaughter	0	0
Arson	0	0
Liquor Law Violations	0	0
Drug Related Violations	0	0
Weapons Possession	0	0
Weapons Arrests	0	0
Drug Arrests	0	0
Alcohol Arrests	0	0
Weapons Disciplinary Actions	0	0
Drug Disciplinary Actions	0	0
Alcohol Disciplinary Actions	0	0

None of the above incidents for this period involved workplace violence.

\*The Crime Stats is a reflection of the Clery Act Report, all stats come from the public safety database (RMS).

\*\*\* A review of the prior and current year to date NYS SH-900 Accident Injury logs was conducted and did not reveal any incidents tied to workplace violence. In addition, the Public Safety statistics for this time period above were reviewed, and there were no incidents of workplace violence involving FMCC employees. \*\*\*

**EMPLOYEE RESPONSIBILITIES**

Adherence to this policy is required of all FMCC employees. Any employee who feels subjected to or witnesses violent, threatening, harassing, or intimidating behavior in the workplace must immediately report the incident or statement to Public Safety, your supervisor, or a referral contact below. No employee shall be subjected to criticism, reprisal, retaliation or disciplinary action for reporting acts pursuant to this policy.

It is the responsibility of every FMCC employee to assist and cooperate in making the FMCC workplace as safe as possible. In order to accomplish this task, all employees need to fully understand and adhere to the zero tolerance policy. As is necessary and safe, employees shall assist management in their efforts to accurately assess, minimize and investigate workplace violence situations.

Emergency response personnel will be available to handle all emergencies. However, it remains the responsibility of FMCC employees, supervisors and managers to work closely together to normalize the environment following a Workplace violence incident. The aftermath can be traumatic--cluttered with confusion and disorientation. The wave of panic, fear, disbelief, and uncertainty will pass, and in its place will be the reality of having to return to the workplace.

Depending upon the severity of the incident and the recommendations of the Incident Command Team, a variety of FMCC departments will be called upon to assist in this post incident/situation normalization and debriefing.

Included in this normalization process will be a debriefing of employees who have been either directly or indirectly affected by an incident/situation. Two different types of debriefings have been designed to assist employees during the post incident phase; an informational and psychological debriefing.

The informational debriefing is designed for all affected employees for the purpose of providing them with accurate and pertinent information surrounding the incident. Providing accurate and timely information to employees is necessary in order to allay the anxieties of the unknown and to prevent false rumors from developing and spreading. An informational debriefing may be conducted by representatives of the affected department, Human Resources and/or Public Safety. In most instances, the informational debriefing will be the only debriefing required.

In severe situations, both an informational and psychological debriefing will be conducted, in that order. Once the informational debriefing is completed, for those who are interested, the psychological debriefing will follow. The psychological debriefing is conducted privately with the affected employees by a trained professional. The purpose of the psychological debriefing is to provide the opportunity for individuals to talk about the incident as a group, to assess any signs of abnormal coping, and to promote healing and resolution. *(It is strongly recommended that the psychological debriefing take place within 72 hours of the incident.)*

#### **MANAGEMENT RESPONSIBILITIES:**

Adherence to this policy is required of management. It is the responsibility of all supervisors to report any suspected violation of this policy to their respective supervisor. Supervisors shall document all suspected violations of this policy which have been brought to their attention. Supervisors shall assist as necessary and safe in the assessment, investigation and management of workplace violence situations.

Supervisors play a critical role in the creation of a safe workplace environment by reducing the potential for workplace violence through the fair, impartial, and consistent application of recognized supervisory practices. Actual case histories of workplace violence situations strongly suggest that violence can be greatly reduced when supervisors:

- Treat employees with respect
- Treat employees fairly
- Treat employees with consistency
- Reward employees for good performance/behavior
- Hold employees accountable for poor performance/behavior

Supervisors who treat their employees in the above manner are better positioned to take the necessary steps toward corrective action and/or remedial training. Adherence to FMCC policies, workplace rules and regulations, along with accurate documentation of employee performance will greatly assist in the prevention of workplace violence through early detection and intervention.

Supervisors need to remember that s/he is not alone, that help and assistance is readily available. The battle against workplace violence is a collaborative multi-disciplinary effort that is best waged with the assistance from Human Resources, Faculty, Staff and the Police Department. Issues surrounding workplace violence are difficult to accurately assess and properly manage. Therefore, it is strongly suggested that department managers seek the advice of other available resources such as Human Resource Department or the Department of public Safety. Problem solving (strategy) Sessions with personnel from these various support units can provide tremendous assistance in identifying suitable action plans that will help minimize or avert violence.

## REPORTING PROCEDURES

Regardless of the source, all threats or indications of potential violence should be taken seriously. Violations of the zero tolerance policy should be reported as indicated in this policy. This notification will set in motion a specialized multi-unit evaluation of the situation, along with real time problem-solving strategy sessions. **Any emergency threat of violence or act of violence should be immediately reported 911 and non-emergency to the FMCC Public Safety Police Department by dialing Ext. 8405.** An incident form (Appendix A) must be completed ASAP and sent to Public Safety.

### **Alternative Referral Contacts Include:**

#### **FMCC Department of Public Safety**

- 911 All Emergencies
- 8405 Non-Emergency
- 8406 Director/Chief
- Google # (518) 620-1760

#### **College Departments/Offices**

- 8403 Human Resources
- 8007 Provost/Vice President's Office
- 8003 Office of the President

## CRIME REPORTING

All members of the Campus community are urged to report criminal incidents, emergencies, and suspicious activity. All reported incidents on Campus of any suspected criminal activity are referred to the Department of Public Safety. In addition, campus disciplinary proceedings may also be initiated if the alleged perpetrator is a student.

Crimes in progress, and any other emergencies that occur on campus should be reported by dialing extension 911. The operator will call the Montgomery County 911 and, if necessary, emergency medical assistance. Should you need medical assistance or the police and cannot contact a staff member, dial 911 from any campus telephone or the Blue Light phones located throughout the campus.

In any kind of emergency, try to have someone stay with you while another person gets help. If you contact medical or police authorities on your own when a staff member is unavailable, at the first possible opportunity, report all medical and security incidents to the Department of Public Safety located in the Physical Education Building. An incident report will be prepared and submitted, and kept on file. If necessary, accommodations will be made for victims of crimes, in accordance with academic regulations.

In the case of a sex offense, a victim, witness, or anyone with knowledge of such an act should immediately notify the Office of Public Safety (8406), Title IX Coordinators (Connie Grant at 8403 or Laura LaPorte at 8300). It is important to preserve physical evidence until law enforcement authorities can arrive on the scene. Victims of a sex offense will also be assisted by college personnel in notifying the police if desired. Counseling and support services are available to victims of crime, including sexual assault. Please refer to the Crime Prevention and Support Services section of this report. All reasonable accommodations will be made as requested by the victim if available.

Please note that the College allows victims and witnesses to report crime on a voluntary, confidential basis. Counselors from the Student Development Center, who are informed by persons they are counseling of the commission of a crime, may also inform that person that crimes can be reported to the Public Safety Office on a voluntary, confidential basis for inclusion in the college's crime statistics only.

During formal Campus disciplinary proceedings that involve an alleged crime or violent incident, including sexual offenses, both the accused and the victim may have someone accompany her/him and be present at all of the proceedings. Both the victim and the alleged perpetrator will be notified of the outcome of these proceedings. Please refer to The Student Handbook, The Source, for Campus disciplinary procedures.

Incident reports involving workplace violence will be reviewed annually. An analysis will be done to reveal potential patterns or yield useful information for prevention purposes.

### **WARNING SIGNS AND BEHAVIORAL INDICATORS**

There is a well-established myth that employees who commit violence in the workplace can be easily identified by some existing psychological or behavioral profiling. The truth is that while there are some common sense indicators available to predict individual tendencies, science has not yet developed a tool that will accurately predict a person's future violent behavior. However, experience strongly suggests that performance related issues often provide the first signs of a potential problem.

#### **Performance Issues:**

- **Attendance problems** (absenteeism/tardiness/unexplained absences)
- **Poor work performance** (work product and work habits deteriorating)
- **Poor workplace relationships** (unusual verbal conflicts, emotional outbursts)
- **Acts of insubordination** (failure to follow instructions, unusual acts of disobedience)
- **Blames others for difficulties** (life is miserable because of everyone else)
- **Indications of substance abuse** (physical decline, behavior swings, tardiness, forgetfulness, and anxiety attacks)
- **Subtle acts of intimidation** (posturing, behavior intended to intimidate)
- **Poor hygiene/appearance** (decline in personal appearance/cleanliness)

The following indicators are warning signs that should be carefully considered when evaluating the potential for violence. However, these indicators should not be viewed as a comprehensive list. If an employee is exhibiting several of these behaviors, consultation with support personnel from the FMCC Human Resource Department is advisable:

- **Fits of rage, and angry outbursts** (screaming/yelling, swearing, wild gestures)
- **Veiled threats of violence** (statements/behavior which imply violence)
- **Feelings of persecution/paranoia** (expressed distrust, especially with management)
- **Deep cynicism of the system** (blames management for every wrong)
- **Holds a grudge** (holding a grudge toward a specific person)
- **Fascination with workplace violence** (likes to discuss incidents of violence)
- **Acts of intimidation** (specific behavior intended to frighten others)
- **Odd behavior** (bizarre/weird-out of character obsessions or behavior)
- **Preoccupation with weapons** (frequent discussions about weapons)

### **INCIDENT MANAGEMENT**

The analysis and management of a threat of violence can be complicated, and will often involve several different units within the College. Due to the complex nature of threats, such situations are best handled by an experienced multi-disciplinary team approach. All situations are different and solutions will differ greatly. However, within the context of: who, what, when, where, why and how of threatening behavior(s); all threats should be taken seriously, reported and properly investigated.

**Incident Command Team** may be comprised of key personnel from:

- College Leadership
- The affected department
- Police Department

- Human Resources Department

## **STRATEGIES**

ICT recognizes that affiliated-type workplace violence situations are dynamic in nature and that a particular strategy deemed appropriate one week may not be deemed appropriate the following week. Therefore, good case management often requires continued reassessment. Based upon continued reassessment, the following strategies (not necessarily in order) should be considered.

- Meet and develop safety/security strategies with the intended victim(s)
- Make referral information available to victim
- Meet and develop strategies with management of the affected department
- Implement an office safety plan
- Simply monitor the situation
- Employer directs offender to cease the behavior
- Police personnel directs the offender to cease the behavior
- Detach and separate victim from the offender
- Initiate corrective action
- Initiate remedial training
- Place offending employee on investigatory leave
- Require medical evaluation to determine fitness for duty
- Police to remove offender from campus for trespassing
- Assist victim in obtaining a Protection Order
- College to obtain a Protection Order
- Arrest offender for any unlawful behavior

## **TRAINING**

All new employees and returning FM employees will receive annual training on Workplace Violence Prevention which will provide site specific information to employees at a training session that will give an overview of employee responsibilities, campus safety issues, current crime statistics, reporting procedures, a review of Campus Shelter in Place procedures, how to respond to an active shooter situation, and updates on control measures. For those employees who will are not able to attend the training session this site specific material will be provided. The attendance and completion of employee training will be tracked and records will be retained in the Human Resources Department.

- The College will also use law enforcement staff to periodically retrain staff on surviving Active Shooter incidents.
- Training is also provided to management on the best way to handle performance management discussions and adverse administrative proceedings.

## **REVIEW PLAN**

The Safety Committee will conduct an annual review of the College's workplace violence plan. This will include a review of any new risks, follow-ups on previously recommended control measures, a review of incidents and crime statistics to identify any patterns or areas of exposure, as well as an assessment of our training needs, and other College policies that may impact workplace violence. The Committee may also implement a survey mechanism to collect input from the College community regarding any safety concerns or recommendations.

## **COMPLAINT PROCEDURE**

Any FMCC employee who is the subject of, or a witness to, a suspected violation of this policy should report the violation according to College procedures to the next-in-line supervisor who is not a party to the violation. Procedures:

1. Employees who wish to file a complaint must present a written complaint to their next-in-line supervisor who is not a party to the violation before filing a complaint with US Department of Education Office of Civil Rights, NYS Division of Human Rights, NYS DOL and/or PESH unless an imminent danger exists and the employee reasonably believes in good faith that reporting to a supervisor would be futile.
2. After the complaint is filed the employee must allow FMCC a reasonable time period to investigate and correct/address the situation as needed.
3. Employees may request an inspection of the alleged violation by US Department of Education Office of Civil Rights, NYS Division of Human Rights, NYS DOL and/or PESH only after notice and a reasonable time to correct are given to the College, and the College is unable or unwilling to correct the alleged violation, unless there is imminent danger.
4. FMCC is prohibited by law from retaliating against employees that file complaints or reports in good faith, or exercising any rights under these regulations, including the filing of a complaint or request for inspection.

SJS #No. 2012-

**Fulton-Montgomery Community College  
Department of Public Safety  
Incident Report**

Report Day	Date	R/Time	Occurred On/From	Day	Date	Time	Occurred To:	Day	Date	Time
<b>Incident Location :</b> <input type="checkbox"/> PE Bldg <input type="checkbox"/> Admin Bldg <input type="checkbox"/> College Union Bldg <input type="checkbox"/> Evans Library <input type="checkbox"/> Student Development <input type="checkbox"/> Pit <input type="checkbox"/> Classroom Bldg <input type="checkbox"/> Campus Housing <input type="checkbox"/> Loop Road <input type="checkbox"/> Student Parking Lots <input type="checkbox"/> Admin Parking Lots <input type="checkbox"/> Faculty Parking Lots <input type="checkbox"/> Annex Parking Lot (Specific location if not checked above): <input type="checkbox"/>										
<b>Type of Incident (check all that apply):</b> <input type="checkbox"/> Aggravated Assault <input type="checkbox"/> Use of Drugs <input type="checkbox"/> Robbery <input type="checkbox"/> Auto Theft <input type="checkbox"/> Use of Alcohol <input type="checkbox"/> Burglery <input type="checkbox"/> Rape/Sexual Assault <input type="checkbox"/> Sexual Offense <input type="checkbox"/> Criminal Mischief <input type="checkbox"/> Accidental fall <input type="checkbox"/> Harassment <input type="checkbox"/> Medical Emergency <input type="checkbox"/> Weapons Possession <input type="checkbox"/> Aggravated Harassment <input type="checkbox"/> Arson <input type="checkbox"/> Homicide <input type="checkbox"/> Found Property <input type="checkbox"/> Missing Property <input type="checkbox"/> Petit Larceny <input type="checkbox"/> Grand Larceny <input type="checkbox"/> Hate Crime <input type="checkbox"/> Disorderly Conduct <input type="checkbox"/> Property Damage MVA <input type="checkbox"/> Personal Injury MVA <input type="checkbox"/> Pedestrian MVA <input type="checkbox"/> Missing Person(s) <input type="checkbox"/> Workplace Violence Incident										
<input type="checkbox"/> Other (Be Specific): <input type="checkbox"/> Injury Type/ Location on Body (Be Specific):										
<b>Person(s) Type:</b> Complainant (CO) Victim (VI) Suspect (SU) Witness (WI) Arrested (AR) Person Reporting (PR) Other (OT) Employee (EMP)										

Type	Name (Last, First, Middle, Title)	DOB: Mo./ Day / Yr	Address	Phone #			
Property of: Victim <input type="checkbox"/> Suspect <input type="checkbox"/>	Stolen <input type="checkbox"/> or Recovered <input type="checkbox"/>	Property Make	Model	Serial No.	Description	Evidence Yes <input type="checkbox"/> No <input type="checkbox"/>	Seized Yes <input type="checkbox"/> No <input type="checkbox"/>

**Narrative of Incident**

Pre-Incident Event
Narrative of Incident
Corrective Actions Taken/Needed:

Reporting Officer Signature	Id No. 3110	Date 01/12/09	Complainants Signature
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Incident Report forwarded to:  Leadership Team  Dept. of Public Safety  Buildings & Grounds  Bursars Office  
 Human Resources

SECTION 27-B

Duty of public employers to develop and implement programs to prevent workplace violence

Labor (LAB) CHAPTER 31, ARTICLE 2

§ 27-b. Duty of public employers to develop and implement programs to prevent workplace violence. 1. Purpose. The purpose of this section is to ensure that the risk of workplace assaults and homicides is evaluated by affected public employers and their employees and that such employers design and implement workplace violence protection programs to prevent and minimize the hazard of workplace violence to public employees.

2. Definitions. For the purposes of this section:

- a. "Employer" means: (1) the state; (2) a political subdivision of the state, provided, however that this subdivision shall not mean any employer as defined in section twenty-eight hundred one-a of the education law; (3) a public authority, a public benefit corporation, or any other governmental agency or instrumentality thereof; and (4) an authorized agency as defined in paragraph (a) of subdivision ten of section three hundred seventy-one of the social services law that accepts children adjudicated delinquent under article three of the family court act.
- b. "Employee" means a public employee working for an employer.
- c. "Workplace" means any location away from an employee's domicile, permanent or temporary, where an employee performs any work-related duty in the course of his or her employment by an employer.
- d. "Supervisor" means any person within an employer's organization who has the authority to direct and control the work performance of an employee, or who has the authority to take corrective action regarding the violation of a law, rule or regulation to which an employee submits written notice.
- e. "Retaliatory action" means the discharge, suspension, demotion, penalization, or discrimination against any employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

3. Risk evaluation and determination. Every employer shall evaluate its workplace or workplaces to determine the presence of factors or situations in such workplace or workplaces that might place employees at risk of occupational assaults and homicides. Examples of such factors shall include, but not limited to:

- a. working in public settings (e.g., social services or other governmental workers, police officers, firefighters, teachers, public transportation drivers, health care workers, and service workers);
- b. working late night or early morning hours;
- c. exchanging money with the public;
- d. working alone or in small numbers;
- e. uncontrolled access to the workplace; and
- f. areas of previous security problems.

4. Written workplace violence prevention program. Every employer with at least twenty full time permanent employees shall develop and implement a written workplace violence prevention program for its workplace or workplaces that includes the following:

- a. a list of the risk factors identified in subdivision three of this section that are present in such workplace or workplaces;
- b. the methods the employer will use to prevent incidents of occupational assaults and homicides at such workplace or workplaces, including but not limited to the following:
  - (1) making high-risk areas more visible to more people;
  - (2) installing good external lighting;
  - (3) using drop safes or other methods to minimize cash on hand;
  - (4) posting signs stating that limited cash is on hand;
  - (5) providing training in conflict resolution and nonviolent self-defense responses; and
  - (6) establishing and implementing reporting systems for incidents of aggressive behavior.

5. Employee information and training. a. Every employer with at least twenty permanent full time employees shall make the written workplace violence prevention program available, upon request, to its employees, their designated representatives and the department.

b. Every employer shall provide its employees with the following information and training on the risks of occupational assaults and homicides in their workplace or workplaces at the time of their initial

(1) employees shall be informed of the requirements of this section, the risk factors in their workplace or workplaces, and the location and availability of the written workplace violence prevention program required by this section; and

(2) employee training shall include at least: (a) the measures employees can take to protect themselves from such risks, including specific procedures the employer has implemented to protect employees, such as appropriate work practices, emergency procedures, use of security alarms and other devices, and (b) the details of the written workplace violence prevention program developed by the employer.

6. Application. a. Any employee or representative of employees who believes that a serious violation of a workplace violence protection program exists or that an imminent danger exists shall bring such matter to the attention of a supervisor in the form of a written notice and shall afford the employer a reasonable opportunity to correct such activity, policy or practice. This referral shall not apply where imminent danger or threat exists to the safety of a specific employee or to the general health of a specific patient and the employee reasonably believes in good faith that reporting to a supervisor would not result in corrective action.

b. If following a referral of such matter to the employee's supervisor's attention and after a reasonable opportunity to correct such activity, policy or practice the matter has not been resolved and the employee or representative of employees still believes that a violation of a workplace violence prevention program remains, or that an imminent danger exists, such employee or representative of employees may request an inspection by giving notice to the commissioner of such violation or danger. Such notice and request shall be in writing, shall set forth with reasonable particularity the grounds for the notice, shall be signed by such employee or representative of employees, and a copy shall be provided by the commissioner to the employer or the person in charge no later than the time of inspection, except that on the request of the person giving such notice, such person's name and the names of individual employees or representatives of employees shall be withheld. Such inspection shall be made forthwith.

c. A representative of the employer and an authorized employee representative shall be given the opportunity to accompany the commissioner during an inspection for the purpose of aiding such inspection. Where there is no authorized employee representative, the commissioner shall consult with a reasonable number of employees concerning matters of safety in the workplace.

d. The authority of the commissioner to inspect a premises pursuant to such an employee complaint shall not be limited to the alleged violation contained in such complaint. The commissioner may inspect any other area of the premises in which he or she has reason to believe that a serious violation of this section exists.

e. No employer shall take retaliatory action against any employee because the employee does any of the following:

- (1) makes an application pursuant to paragraph a of this subdivision;
- (2) requests an inspection as authorized in paragraph b of this subdivision;
- (3) accompanies the commissioner as authorized in paragraph c of this subdivision;


f. The commissioner may, upon his or her own initiative, conduct an inspection of any premises occupied by an employer if he or she has reason to believe that a violation of this section has occurred or if he or she has a general administrative plan for the enforcement of this section, including a general schedule of inspections, which provide a rational administrative basis for such inspecting. Within one hundred twenty days of the effective date of this paragraph the commissioner shall adopt rules and regulations implementing the provisions of this section.

g. Any information obtained by the commissioner pursuant to this subdivision shall be obtained with a minimum burden upon the employers.

h. When a request for an inspection has been made in a situation where there is an allegation of an imminent danger such that an employee would be subjecting himself or herself to serious injury or death because of the hazardous condition in the workplace, the inspection shall be given the highest priority by the department and shall be carried out immediately.



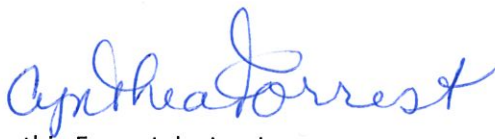
This Workplace Violence Prevention Plan Document is approved by the following Members of the Safety Committee:



Robin DeVito, Coordinator of Accessibility, Counseling and Alternative Testing Services



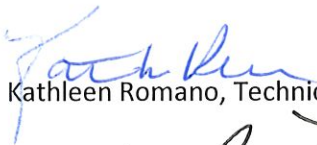
Jacqueline Snyder, Associate Provost of Academic and Student Affairs



Cynthia Forrest, Instructor



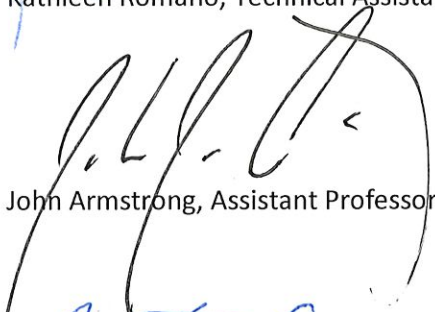
Mathew Lynaugh, Buildings and Grounds Custodial Worker



Kathleen Romano, Technical Assistant



Mark Pierce, Director of Public Safety



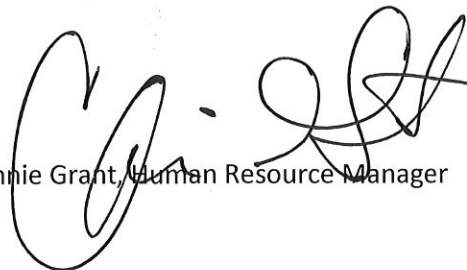
John Armstrong, Assistant Professor



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Patrick Grande, Professor



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