USM Workplace Violence Policy
Division of Human Resources

Applies to: Faculty, Staff, Temporary Employees and Volunteers

Effective: 08/26/13
Last Revised: 08/26/13
Responsible Office: Division of Human Resources

I. Policy Statement

The University of Southern Maine (USM) takes pride in its tradition of maintaining a safe learning and working environment. Civility, mutual respect toward all members of the USM community, and a safe campus are essential for effective teaching, learning, and work performance. USM is committed to the goals of civility and mutual respect and to providing a safe environment in its operations and activities.

USM will not tolerate acts of violence against or by any member of the university community, including students, faculty, staff, and visitors, that occur in USM offices, classrooms, residence halls, facilities, worksites, vehicles, or while a USM employee is conducting university business or a student is participating in curricular or co-curricular activities on or off-campus. USM will provide educational information about, take reasonable measures to prevent, and respond to incidents of workplace violence. USM seeks to support members of the university community who are victims of workplace violence and to reduce the impact of violence on student and employee well-being and productivity.

As part of this policy, USM will not tolerate domestic violence in the workplace or educational setting, including harassment and violent or threatening verbal or physical behavior, which may result in injury or otherwise places one’s safety and productivity at risk. USM is committed to assisting members of the university community who are victims of domestic violence. All faculty, staff, and students need to take seriously the problem of domestic violence and its effect on campus. Domestic violence affects people from all walks of life and can adversely affect the well-being and productivity of faculty, staff, and students who are victims or perpetrators, as well as co-workers and others. Other workplace effects of domestic violence may include increased absenteeism, turnover, and health care costs.

Any member of the USM community who violates this policy or uses any university resources to threaten or harass another person may be subject to disciplinary action, up to and including termination for employees, expulsion for students, and/or civil and criminal prosecution. Alleged violations by students will be referred to the Student Conduct Officer under the Student Conduct Code. A visitor who violates this policy may be removed from the property and reported to law enforcement authorities.
911 or USM Public Safety Department (Campus Police) should be contact immediately if a person sees a violent act in progress. Any employee who experiences, witnesses, or has information about an alleged threat or violent act on campus, at a USM facility, or while engaging in university-related activities is strongly encouraged to immediately contact the USM Human Resources Division (Human Resources Division). All supervisors and administrators must immediately contact the Human Resources Division to report such alleged threats or violent acts. An individual who has experienced violent or threatening behavior is urged to seek support from the Human Resources Division to file a formal report and contact law enforcement, if appropriate.

All reports of incidents will be appropriately investigated. The university will promptly report instances of violence on campus to appropriate law enforcement agencies, as required, and fully cooperate with law enforcement agencies during any investigation.

II. Definitions

Domestic violence is abusive or coercive behavior that serves to exercise control and power in an intimate relationship. The behavior can be physical, sexual, verbal and/or emotional. Domestic violence can occur between current or former intimate partners who have dated, lived together, or been married. It can occur in opposite-sex and same-sex relationships. Domestic violence is sometimes also referred to as intimate partner violence, relationship abuse, or dating violence.

Perpetrator is a person who commits an act of workplace violence, including domestic violence as defined herein.

Victim is a person who is subject to an act of workplace violence, including domestic violence as defined herein.

Workplace is any USM premises or property located in Gorham, Portland or Lewiston Auburn campuses, and any university vehicle and off-campus locations, when conducting USM business.

Workplace violence is any physical assault, or threatening or harassing verbal or physical behavior, occurring on USM premises, in USM facilities, or while conducting USM business. It includes, but is not limited to, beating, stabbing, shooting, sexual assault, punching or striking, threatening or harassing communication or gestures, or harassment of any nature such as stalking.

III. Reporting Procedures

Urgent Threats – If violence is occurring or appears imminent: Call 911 or 9-911.
Any employee experiencing or witnessing violent behavior or impending violence should call law enforcement immediately for emergency assistance. If safe to do so, the person should also warn others who may face imminent risk.
Emerging or Potential Threats
Any employee who experiences, witnesses, or has information about an alleged threat or violent act, including domestic violence, in the workplace or anywhere a USM employee is conducting university business should immediately contact Campus Police, the Human Resources Division or their supervisor.

All supervisors and administrators who become aware of workplace threats or violence, including domestic violence, must immediately contact the Human Resources Division to report this information.

Response Procedures
Employees who receive a disclosure of workplace threats or violence, including domestic violence, should provide the information to their supervisor. Supervisors will contact the Human Resources Division for assistance in providing support and information or referrals to the victim or perpetrator, as appropriate. An employee may also contact the Human Resources Division directly.

Co-workers may offer assistance to employees, referring the person to both internal and external resources described in this policy.

The Human Resources Division will consult, as needed, with Campus Police to evaluate alleged threats and violent acts and to develop and implement a plan for addressing the situation. Other individuals with appropriate areas of expertise may also be consulted, as necessary, depending on the specific circumstances.

Victims
USM will offer support to victims of alleged violent or threatening behavior. Support may include referrals to law enforcement, the Employee Assistance Program, and community agencies; workplace safety planning; work leave options; and other appropriate assistance.

Perpetrators
Any employee who is a perpetrator of violence, including domestic violence, is encouraged to voluntarily seek assistance from any of the resources listed at the end of this policy or from the confidential Employee Assistance Program.

If any employee is concerned that a co-worker is a perpetrator, the employee should notify the employee’s supervisor or the Human Resources Division, who will determine the appropriate course of action. The employee is discouraged from confronting the co-worker directly.

An employee who engages in threats or violent behaviors on-duty or during work hours will be subject to corrective or disciplinary action, up to and including termination. In cases where there is a connection between off-duty conduct of this nature and the individual’s employment with
USM, the off-duty conduct may lead to corrective action or discipline, up to and including termination.

In addition, an employee who uses any university resource at any time or place to engage in threatening or violent conduct will be subject to corrective action or discipline, up to and including termination.

**Investigations**
All reports of incidents will be appropriately investigated. The university will promptly report instances of violence to appropriate law enforcement agencies during any investigation. Investigations may be conducted by the Human Resources Division, University of Maine System Investigations Coordinator, or applicable law enforcement agency, depending upon the circumstances.

Investigations by USM will be conducted as confidentially as possible to protect the privacy and due process rights of all involved. Consultation with and involvement of other employees, supervisors and other will be strictly limited to those who may have information about the situation, who need to know that a complaint has been made, or who are necessary to properly respond to and investigate the situation.

**Protective Orders**
An employee must disclose to his or her supervisor or the Human Resources Division that he or she is the subject of any order of protection from abuse or harassment, any court order, or the condition of bail or probation applicable to the employee that includes conditions that may interfere with the employee’s ability to perform job duties, or conditions prohibiting or limiting contact with other employees at USM. Failure to provide such information may result in corrective action or disciplinary action, up to and including termination.

**Confidentiality**
USM recognizes and respects the need for confidentiality of employees who are affected by domestic violence. To the extent possible, USM will maintain the confidentiality of an employee’s disclosure of domestic violence. Investigations will require disclosure of information to certain individuals in order to assist the individual and protect University employees. Whenever possible, the subject employee will be informed of any additional disclosure that may be necessary for the safety of the employee or others in the workplace.

**Work Performance**
If a victim develops performance problems as a result of violence, USM will offer support and will normally offer an opportunity to correct the problems. Supervisors may develop work plans with employees to assist and support them in meeting performance expectations.
Nothing in this policy alters the authority of USM to establish performance expectations, counsel employees, impose discipline, reassign duties, place an employee on leave, or take other action as it deems appropriate.

**Non-Retaliation**
Retaliation against an employee for reporting or participating in an investigation of alleged violent or threatening behavior is a violation of this policy and may result in corrective or disciplinary action, up to and including termination of employment.

**IV. Resources**

**Batterer’s Intervention Programs**
Provides a list of certified intervention programs, [http://www.maine.gov/corrections/VictimServices/BatIntervent.htm](http://www.maine.gov/corrections/VictimServices/BatIntervent.htm)

**Domestic Violence Programs**


Safe Voices, formerly known as the Abused Women's Advocacy Project (AWAP) – Supports those affected by domestic violence and abuse in Androscoggin, Oxford and Franklin counties, 1-800-559-2927 [http://www.safevoices.org/](http://www.safevoices.org/)

Wabanaki Tribes of Maine Domestic Violence and Sexual Assault Services
Aroostook Band of Micmac
1-800-750-1435 www.micmac-nsn.gov

Maliseet Domestic Violence and Sexual Assault Program
207-532-6401 www.maliceets.com

Passamaquoddy Peaceful Relations
1-877-853-2613 www.wabanaki.com

Penobscot Indian Nation Domestic Violence and Sexual Assault Services Program
207-631-4886 www.penobsctonation.org
Culturally Specific Organizations Providing Domestic Violence Services
United Somali Women of Maine
207-753-0061 www.uswofmaine.org

Sudanese Development Institute of Maine
207-879-2281

Tengo Voz
207-553-2252

Employee Assistance Program
CIGNA EAP – All University employees may participate in the Employee Assistance Program through CIGNA, 1-877-622-4327 http://apps.cignabehavioral.com/home.html

V. Related Documents

Board of Trustees Policy 414: Campus Violence -

Board of Trustees Policy 402: Sexual Harassment –