

## THE CITY UNIVERSITY OF NEW YORK

### The City College Of New York (CCNY) - Workplace Violence Prevention Program

In accordance with the University's commitment to the prevention of workplace violence, The City College of New York (CCNY) adopts the following as its Workplace Violence Prevention Program (the "Program"):

#### 1. Purpose

CUNY's Workplace Violence Prevention Program provides information to the College community about preventing and responding to incidents of workplace violence at the College and seeks to develop programs which will prevent or reduce the likelihood of threats or acts of workplace violence. The Program seeks to ensure that any incident, complaint, or report of workplace violence is taken seriously and dealt with appropriately. The Program implements the Workplace Violence Prevention Policy as set forth therein. Workplace violence is defined as any physical assault or acts of aggressive behavior occurring where an employee performs any work-related duty in the course of his or her employment, including but not limited to:

- I. An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- II. Any intentional display of force that would give an employee reason to fear or expect bodily harm;
- III. Intentional and wrongful physical contact with an employee without his or her consent that entails some injury; and
- IV. Stalking an employee in a manner that may cause the employee to fear for his or her physical safety and health when such stalking has arisen through and in the course of employment.

#### 2. Scope

All College employees are required to comply with the Program. In addition, since students and visitors to the College are required to conduct themselves in conformity with existing law, employees who observe or experience students or visitors engaging in violent or threatening behavior should follow the procedures in the Program for reporting such behavior.

#### 3. Workplace Violence Advisory Team (WVAT)

CUNY campuses and the Central Office have individual Workplace Violence Advisory Teams (WVATs), which consist of members designated by the College President, Central Office, or the campus Executive Director of Human Resources.

Members may include representatives from Public Safety, Human Resources, Labor Relations, Counseling Services, the Environmental, Health and Safety Office, Legal Affairs, and other staff and faculty. A listing of your campus' WVAT members can be found in Campus-Specific Information.

#### **4. Description of High-Risk Locations/Risk Factors**

The following is a summary of risk factors identified during the most recent physical site evaluation conducted on June 12, 2024, of Shepard Hall, The Howard E. Wille Administration Building (Administration Building), Marshak Science Building (Marshak Building), the North Academic Center (NAC Building), and the Spitzer School of Architecture.

During the academic year 2023-2024, each building was identified as undergoing or completed renovation, or where multiple incidents occurred in the same area.

##### **Multiple Incidents:**

Incidents occurred on or around April 30, 2024, in the following locations: the Administration and Marshak buildings. Both locations sustained property damage or reports of injuries to approximately 15-17 Public Safety officers during a protest on the CCNY campus that escalated into violence.

##### **Incidents that occurred at the Administration Building:**

It was reported that demonstrators entered or breached the front, back, and basement entrances, blocking access to Campus Public Safety Officers from entering the building, including trapping one onsite Public Safety Officer.

It was advised that the entrapped officer attempted to receive additional support from other Campus Public Safety Officers and prevent further entry by protestors. However, the protestors blocked the officer between the door and the outer entrance of the building with chairs, tables, and other objects. Additionally, protesters used chains and locks to impede Public Safety's entry further and used red spray paint to disable or removed surveillance cameras and smoke alarms.

Public Safety Officers sustained injuries from substances and items thrown at them, such as clear liquid substances, pepper spray, and rocks.

It has also been reported that protestors further breached the Financial Aid office and damaged computers used to access computer files. They also spray painted or removed security cameras and destroyed a glass table.

The protestors also made attempts to gain entry into the Bursar's office. Their attempt was successful. However, the protestors spray-painted the surveillance camera red, making it inoperable.

**Marshak Building:** The roof located at the plaza, which is currently under renovations, sustained fire damage from a flare shot in the air by protestors encamped at the Quad (open space nestled between several buildings North of the campus).

##### **Identified Risks Factors Identified from the Incidents:**

- Behaviors or activities with intentional displays of force which would give an employee reason to fear or expect bodily harm; bodily harm
- Loss of employee and constituent trust – potential shutdown of college
- Financial loss
- Unauthorized access to Personal Identifiable Information (PII) leading to identity theft
- Inoperable use or access of authorized safety surveillance equipment used to protect persons or property

**Campus Construction/Renovations:**

The following sites that were included in the campus walkthrough included the following:

- Shephard Hall (Elevators)
- Marshak Science Building (Plaza and Jeremiah H. Mahoney Pool)
- The NAC Building (Elevators)

(Note: The Spitzer School of Architecture - an actual walkthrough of the site was not conducted, due to construction safety regulations preventing access to areas under renovation). However, participants received scope of work to include entire roof replacement and mold cleanup).

**Shephard Hall:** Elevators “PE-1” and “PE-2” located near Shephard Hall 50 are part of a construction project to replace and install newly modernized elevators. The elevators are currently operable and are in their last phase of the project, which includes grouping of the two elevators by installing programming/software to comply with speed regulations. Construction began in June 2017 and is expected to be completed in November 2024.

**Identified Risk Factors from Shepard Renovation:** Call response times between “PE-1” and “PE-2” associated with project’s final phases.

**Marshak Science Building:**

**Marshak Plaza:** Renovation of the plaza began in January 2023 and is anticipated to end in August of 2025. The project plans to occur in four phases in the North-West, South-West, North-East, and South-East corners of the Plaza, encompassing approximately 9,100 sq. ft. Work requirements include demolition and instillation of material (including the removal of pavers, parapet walls, roofing exposure and instillation of material).

**Jeremiah H. Mahoney Pool:** Renovation began in the first quarter of 2023, with the original anticipated completion date changed from September 2023 to Fall 2024. While in renovation, the pool is currently owned by the New York State's Public Finance and Construction DASNY (Dormitory Authority of the State of New York) <https://www.dasny.org>

**Identified Risk Factors from the Plaza’s Renovation Include:**

- Noise and air pollution.
- Potential falling objects and debris.
- Unauthorized access to construction areas.
- Current Signage posted on doors leading to the roof read “Do Not Exit” where they should read “Construction Zone, No Unauthorized Access or Entry Allowed.”

**Identified Risk Factors Identified from the Pool’s Renovation Include:**

- Unauthorized access to the site doorways, including emergency exits while under construction
- Bromine chemical levels used to disinfect the pool causing potential irritants and other health concerns.
- Lack of Signage advising of the construction or emergency contact information for DASNY.

**NAC Building:** Elevator renovations to replace and install new 10 new elevators (eight passenger and two freight) within three phases. Three out of the eight elevator renovations are completed, and the elevators are ready for use.

**Identified Risk Factors Identified from the NAC Building Renovation:**

- Unauthorized access to elevators
- Injury

**5. How the identified risk factors have been/are being addressed**

The following are control measures in place to eliminate or reduce workplace violence hazards:

**Campus Buildings and Grounds**

April 30 – June 23, 2024 the Campus implemented safety and security measures for access to the campus buildings and grounds between the perimeter of 133<sup>rd</sup> and 140<sup>th</sup> Streets and Convent Avenue:

1. All campus employees and students must provide a valid College ID
2. All visitors must provide a valid ID and names must be included on a daily list
3. Campus security monitoring and alarms are active in high-risk locations
4. Increase in campus security personnel
5. Vehicular traffic on Convent was restricted to CCNY official vehicles and emergency vehicles
6. Mobile fencing installed at the 133<sup>rd</sup> and West 140<sup>th</sup> entrances of the campus grounds

June 24, 2024 – TBD the campus implemented adjustments to identification procedures and access to the campus grounds:

1. Identification and guest list requirements are no longer required to gain entry to campus grounds; however mobile fencing remains
2. All campus employees and students must present a valid College ID to gain entry to a building.
3. All guests must present valid ID and sign-in to gain entry into a building

**Administration Building** – immediate measures and/or actions implemented:

Ground Floor, Building and Lobby:

1. Increased surveillance of building and entry ways
2. Confirmed no structural damage incurred
3. Exterior cameras installed to the building and surrounding areas
4. CCNY Public Safety educating staff on proper door closure
5. Smashed doors and other damaged areas restored. There are still areas showing spray paint residue - Facilities to verify steps to clean

Financial Aid Office (Admin Building) - Campus IT accounted for damaged computers – no personal information data breach

Bursar Office (Admin Building) – Doors intact, informed bullet proof glass is used, verified cash boxes secure location, and internal camera surveillance.

Marshak Building - Campus Peace Officers observed the flare landing on the Plaza Roof construction area, and immediately notified FDNY. FDNY responded quickly and extinguished the fire averting campus fire/building destruction.

## Renovations

**Shephard Hall** elevators actively in use – Campus Planning and Facilities confirmed that they are installing programming/software to comply with speed regulations. The work is to be completed by November 2024; however, the elevators are safe to use. (Summary of Work-Related Injuries and Illnesses (OSHA'S Form 300A) Current Year 2023 is posted near the work site.)

**NAC Elevators** – Yellow Safety Barriers and Construction signs posted at construction site locations

### Marshak Plaza:

1. Entry actively patrolled by Public Safety
2. CCNY Department of Environmental Health & Occupational Safety to confirm adequacy of current “Do Not Enter” Recommendations made to add construction signage

**Jeremiah H. Mahoney Pool:** Entrances confirmed locked. Verification DASNY has key access only. To confirm with Environmental Health & Occupational Safety adequate signage.

## Workplace Violence Prevention Training

In compliance with New York State law and CUNY Policy, CUNY employees are required to complete training in workplace violence awareness and prevention at least once each academic year from the inception of their active employment at their respective campus at the City College of New York (CCNY) and the CUNY School of Medicine.

The training is available to each campus employee via [CUNY Blackboard](#), which is accessible during the academic year, and is monitored by each of the campus’s designated Workplace Violence Compliance Training Administrators. The campus may also offer classroom training in lieu of, or in addition to, online training.

The training program address the following essential topics:

- a. An overview and definition of workplace violence;
- b. Techniques on how to recognize and avoid potentially violent situations, including de-escalation techniques;
- c. How employees can protect themselves and soliciting employees for program improvements;
- d. The importance of reporting incidents and the procedure for reporting incidents;
- e. Where employees can seek assistance during a dangerous situation;
- f. Resources, such as trauma counseling, that may be available to employees after an incident has occurred;
- g. Active shooter awareness.

## 6. Reporting Process/Procedures for Incidents of Workplace Violence

In order to maintain a safe working environment, incidents of workplace violence must be reported promptly to a supervisor (unless the complaint is made against the supervisor) and Public Safety. The phone number of the Department of Public Safety is (212) 650-7777 or (212) 650-6911.

Members of the College community are encouraged to report behavior they believe may lead to workplace violence:

1. After an incident occurs or upon receipt of a complaint, an investigation will be conducted by the Department of Public Safety. Complaints involving employees of the Department of Public Safety will be investigated by Human Resources.
2. Once there is an alleged incident of Workplace Violence reported, Public Safety will write an incident report. Public Safety maintains all records of initial reports and the results of any investigative reports relating to Workplace Violence at the College.
3. As set forth therein, investigative reports must include:
  - a. Workplace location where the incident occurred;
  - b. Time of day/shift when the incident occurred;
  - c. A detailed description of the incident, including events leading up to the incident and how the incident ended;
  - d. Names and job titles of employees involved; including other identifiers and the names of other individuals involved.
  - e. Nature and extent of injuries arising from the incident; and
  - f. Names of witnesses.
4. The Head of Public Safety, or their designee, will review the investigation results of incidents and complaints. Incidents that involve criminality will be referred to local law enforcement. Incidents in which there is no criminality, are referred to HR (employees) or Student Affairs (students) for review, action, and appropriate recommendations, including disciplinary action, in accordance with applicable policies and procedures.
5. As appropriate, the College Counsel will review cases and provide appropriate recommendations.
6. The WVAT, with the participation of the authorized employee/union representative(s), conducts a review of the Campus Workplace Violence Incidents Report at least annually to identify trends in the types of incidents in the workplace and reviews the effectiveness of the mitigating actions taken.
7. All reports are confidential and non-redacted copies are only distributed unless otherwise advised by College Counsel.

## **7. Retaliation**

No employee is subject to criticism, reprisal, retaliation, or disciplinary action by the College for good faith reporting pursuant to the Program. Individuals who make false and malicious complaints of workplace violence, as opposed to complaints that, even if erroneous, are made in good faith, may be subject to disciplinary or other appropriate action.

## **8. Report of Violations of the Workplace Violence Prevention Policy and Program**

Any employee or authorized employee representative who believes that the College's Workplace Violence Prevention Program is in violation of CUNY's Workplace Violence Prevention Policy, New York State Department of Labor Regulation Section 800.6 and New York State Labor Law Section 27(b), should bring their concerns to the attention of the proper authorities.

During events involving the threat of imminent danger call 911 and then contact the College's Department of Public Safety.

Events relating to concerns of other types of reportable incidents should be reported as detailed in

Paragraph 7, above, and brought to the attention of the University Human Resources, 395 Hudson Street, New York, NY 10014.

If you are not satisfied with the College's response to an activity, policy or practice or believe a violation remains after an investigation you may request an inspection by notifying the Commissioner of Labor of the alleged violation. This notice to the Commissioner must be in writing and with a description of the grounds for the notice and must be signed by the employee or authorized employee representative in compliance with New York State Labor Law Section 27(b) and its implementing regulations.

### **9. Recordkeeping**

All recordkeeping and reporting shall be made in compliance with the applicable law and regulation (currently New York Labor Law Sections 27-a and 27-b and 12 NYCRR Part 800) and the Policy and Program.

### **12. Program Effectiveness and Evaluation/Post-Incident Response**

At least annually or after serious incidents, the WVAT evaluates the effectiveness of the Workplace Violence Prevention Program, including post-incident responses and evaluation processes. The review focuses on incident trends and the effectiveness of the control measures taken by the College. The review also assesses whether the reporting and recordkeeping systems are effective in collecting relevant information.