

SOUTHWESTERN

LAW SCHOOL Los Angeles, CA

Workplace Violence Prevention Policy

Administrative policy approved June 5, 2023. Effective immediately.

Revision history: None; new policy.

Related policies: Student Honor Code; Faculty Manual; Employee Handbook; Sexual Misconduct Policy; and Policy to Prevent Discrimination, Harassment, and Retaliation

Scheduled Review Date: May 2025 (President and Dean's Office and General Counsel's Office)

A. Policy Statement

Workplace violence is a concern among employers and employees across the country. Southwestern is committed to providing a safe and secure working environment for its employees. Southwestern strictly prohibits actual or threatened violence by or against employees, students, contractors, visitors, and other individuals conducting business with or on behalf of Southwestern (these other individuals are referred to in this Policy as "other stakeholders").

B. Scope

This Policy focuses on Workplace Violence (defined in Section C(2)) by or against Employees (defined in Section C(3)). The Policy covers incidents occurring in Southwestern's Workplace (defined in Section C(1)).

C. Definitions

1. Workplace

"Workplace" includes all physical locations and virtual spaces associated with Southwestern's academic, administrative, and residential operations. More specifically, "Workplace" includes, but is not limited to:

- all on-campus buildings, including The Residences, the law library, common areas, and recreational facilities;
- subject to Section E, off-campus locations where Southwestern business, events, meetings, or activities take place, including facilities, conference

centers, and other venues that Southwestern rents, leases, or otherwise uses;

- virtual, remote, or online platforms used to conduct Southwestern business, including teleconferencing, videoconferencing, instant messaging, email, the learning management system, and any other official communication channels used by Employees, students, contractors, visitors, and other stakeholders; and
- any location or situation where Employees or other members of the Southwestern community are engaged in work-related activities or are representing Southwestern in an official capacity, whether in person or through digital means (see Section E for the applicability of this Policy when an Employee is working for Southwestern at home).

2. Workplace Violence

Any act or threat of physical, emotional, or psychological harm, aggression, or intimidation that occurs within the context of Southwestern's operations, involving Employees, students, contractors, visitors, or other stakeholders.

Workplace Violence can take various forms, including verbal, non-verbal, and physical actions, as well as direct or implied threats that create fear or concern for one's safety or the safety of others. "Workplace Violence" includes Threats of Violence and Acts of Violence as defined in this Policy.

A non-exhaustive list of Workplace Violence examples includes, but is not limited to:

- physical assault or battery, such as hitting, slapping, pushing, or kicking a colleague, student, contractor, visitor, or other stakeholder;
- threatening or intimidating behavior, like raising a fist, making aggressive gestures, or displaying a weapon;
- verbal threats or abusive language, including yelling, cursing, or making derogatory remarks about someone's race, gender, religion, or other protected characteristics;
- bullying or harassment, including persistent or repeated behaviors that belittle, humiliate, or undermine a person's sense of dignity or self-worth;
- stalking or following someone in a manner that causes fear or apprehension;
- sexual harassment or assault, including unwanted touching, sexual advances, or inappropriate comments or gestures;
- cyberbullying or online harassment, such as sending threatening emails, posting derogatory messages on social media, or sharing private or embarrassing information without consent;
- damage to property, like vandalism or destruction of personal or school-owned belongings;
- disrupting or interfering with normal work or academic activities, creating a hostile or unsafe environment;

- encouraging or inciting others to engage in violent or aggressive behavior; and
- retaliation against someone who has reported an incident of Workplace Violence, participated in an investigation, or supported a victim.

3. Employees

“Employees,” for purposes of this Policy, includes full-time and part-time faculty, staff, and Federal Work-Study Students. Students in a clinic for credit are not Employees.

4. Act of Violence

An “Act of Violence” means any intentional physical aggression, assault, or behavior that results in bodily harm, injury, or damage to oneself, another individual, their property, or school property within the Workplace or in relation to work-related activities. The following are examples of Acts of Violence: hitting, pushing, slapping, kicking, throwing objects, using weapons, engaging in self-harm, and participating in other violent actions that compromise the safety, health, or well-being of Employees, students, contractors, visitors, or other stakeholders. Acts of Violence may also encompass psychological or emotional harm caused by abusive or self-destructive behaviors, such as bullying, harassment, or self-neglect. An individual does not give up the right to use reasonable force or violence to defend themselves or another against a physical attack; the use of reasonable force for self-defense or defense of another does not violate this Policy.

5. Threat of Violence

“Threat of Violence” means any verbal, non-verbal, or written expression, gesture, or behavior that communicates an intent or desire to cause physical harm, injury, or damage to an individual or their property. A Threat of Violence may include intimidating statements, aggressive posturing, harassment, stalking, or displaying weapons. The threat may be direct or implied, creating a reasonable perception of fear or concern for one’s safety or the safety of others in the Workplace, and includes threats of self-harm.

D. Prohibited Conduct

Employees, students, contractors, visitors, and other stakeholders are prohibited from engaging in threatened or actual Workplace Violence.

E. Working at Home

If an Employee, student, or other stakeholder visits an Employee who is working at home on Southwestern business and an Act or Threat of Violence occurs between those individuals, this Policy will apply. This Policy also applies to Employees who commit an act of Workplace Violence while working at home. This Policy will not otherwise apply to Employees working for Southwestern in their private residence.

F. Personal Situations

Personal situations need not be reported to Southwestern unless they pose a risk of violence in the Workplace. Examples of personal situations that could pose a risk of violence in the Workplace and must be reported to the appropriate authority at Southwestern include, but are not limited to, the following:

- incidents or threats of domestic violence against an Employee where it is possible that the threatening party could seek out the Employee at work;
- incidents or threats of domestic or intimate partner violence against an Employee where the threatening party also is an Employee;
- receiving threatening or harassing telephone calls, emails, or other communications while at work;
- unwanted pursuit or threats by an outside party who has been observed at or near the Southwestern campus; and
- any situation in which an Employee has obtained a protective or restraining order naming their Workplace as a prohibited area of contact.

Southwestern is committed to supporting victims of intimate partner violence. For non-student Employees, Southwestern will provide a referral to the Southwestern's Employee Assistance Program and community resources and, if requested, will provide reasonable time off for reasons related to intimate partner violence. Southwestern will refer Federal Work-Study Students impacted by intimate partner violence to its Title IX Coordinator.

G. Responsibilities and Reporting

Every member of the Southwestern community shares responsibility for creating and maintaining a civil and respectful Workplace free from Workplace Violence. Threats of Violence and Acts of Violence must be reported as soon as possible to a supervisor, Campus Security, or Human Resources. Violence against Federal Work-Study Students must be reported to the Title IX Coordinator.

When reporting a Threat of Violence or an Act of Violence, the reporting person should be as specific and detailed as possible by reporting the location, the people involved, the date and time, and the details of what occurred.

The reporting person should not place themselves in peril or attempt to intervene during an incident unless they can do so safely. If a reporting person believes an immediate threat exists to their safety or the safety of another person, the reporting person should call 911 and then report the incident to Campus Security. In most rooms on campus, signs next to the telephone and near the light switch provide the specific location that the reporting person can provide to the police or Campus Security.

If a member of the public, Employee, student, or contractor makes a Threat of Violence via the telephone, e-mail, or other method of communication, or makes statements indicating a Threat of Violence in the future, the person receiving this communication must report these incidents immediately to Campus Security, then to their own supervisor.

Any supervisor or administrator who receives a report of a Threats of Violence or Act of Violence must report the matter immediately to Campus Security, who will report the matter to the Chief Operating Officer.

H. Investigations and Enforcement

Southwestern will promptly and thoroughly investigate all reports of Threats of Violence or Acts of Violence. To maintain Workplace safety and the integrity of its investigation, Southwestern may (i) suspend Employees suspected of Workplace Violence, either with or without pay; (ii) require Employees suspected of Workplace Violence to work from home; (iii) prevent access to the Workplace for third parties suspected of Workplace Violence; or (iv) take other steps as determined needed by the school in its reasonable discretion. If an investigation involves a member of the full-time faculty, Southwestern will follow relevant procedures in the Faculty Manual, as applicable. In appropriate circumstances, Southwestern will inform the reporting person of the results of the investigation.

I. Confidentiality

The identities of all involved parties will be maintained as confidentially as possible, with the information being disseminated to those having a need to know to facilitate the investigation (e.g., Campus Security, Human Resources, appropriate administrators, and the General Counsel's Office) and preventative or corrective action. Southwestern may, however, need to disclose results in appropriate circumstances, for example, to protect individual safety or to meet its obligations under the Clery Act.

J. Corrective Actions

Anyone found to be responsible for a Threat of Violence, an Act of Violence, or other conduct that violates this Policy will be subject to prompt disciplinary action, which could include termination of employment for Employees and expulsion for students. Southwestern may also ban these individuals from campus and refer them to law enforcement. With respect to full-time faculty, Southwestern will follow relevant procedures in the Faculty Manual with respect to corrective actions taken under this Policy.

K. Fitness for Duty

All Southwestern Employees must be "fit for duty" at all times. If, after an investigation and a finding that the Employee has engaged in conduct that violates this Policy, Southwestern does not terminate the Employee, Southwestern may require the Employee to be evaluated by a medical or mental health professional to determine their fitness for duty before returning to work. Southwestern may request that the Employee participate in counseling, either voluntarily or as a condition of continued employment. On occasion, Southwestern may also require a fitness for duty evaluation as part of an investigation.

Any Employee who believes that they may have a problem that could lead to violent behavior is encouraged to use Southwestern's Employee Assistance Program (EAP) or

BisonCares for Federal Work-Study Students. For information concerning the EAP, please contact Human Resources.

L. No Retaliation

Southwestern will not tolerate any retaliation against any Employee for reporting in good faith Threats of Violence or Acts of Violence, and violators will be subject to discipline.

M. Policy Revisions

Southwestern reserves the right to change or modify any aspect of this Policy at any time, with or without notice.