

**PURPOSE**

To provide all employees with a workplace environment free from physical violence, threats, and intimidation.

**DEFINITIONS**

1. Violence or threats - acts of violence or threats of aggression including gestures or, oral or written expression that:
  - a. create fear of bodily harm;
  - b. cause or can cause death or bodily injury;
  - c. threaten the safety of a co-worker, student or member of the public;
  - d. or, damage property.

Acts of violence and threats of violence include, but are not limited to: verbal (such as threats, harassment, abuse or intimidation), nonverbal (such as gestures and intimidation), written communication (such as notes, e-mail), physical (such as hitting, pushing, shoving, kicking, touching and assault), and other (such as arson, sabotage, vandalism and stalking).

2. On the Work Site/In the Workplace – all real property owned or occupied by TBR, as well as TBR vehicles and personal vehicles when in use performing state business.
3. Reasonable Suspicion - the degree of knowledge sufficient to cause an ordinarily prudent and cautious person to believe that the circumstances being presented are more likely to be true than not. Reasonable suspicion must be based on an articulable, specific and objective basis and may include direct observation; or information received from a source believed to be reliable.
4. Employee - for purposes of this guideline only, all persons receiving a payroll check from TBR or one of its institutions.

**POLICY/GUIDELINE**

- I. Commitment to a Safe and Healthy Workplace
  - A. Nashville State Community College (the "College") has a strong commitment to its employees to provide a safe, healthy and secure work environment.
  - B. The College also expects its employees to maintain a high level of productivity and efficiency.
  - C. The use of violence or threats of violence in the workplace are inconsistent with these objectives. The College expects all employees to report to the work site and perform their duties in a safe and productive manner, without violence or threats of violence toward any other individual. Violence, threats, or intimidation toward any other individual will not be tolerated.
  - D. TBR Policy 7.01.00.00, Firearms and Other Weapons, controls the possession and use of weapons on property owned or controlled by TBR and its institutions. To the extent that this policy conflicts with the provisions of that policy, that policy controls.
- II. Applicability
  - A. The provisions of this policy apply to all College employees and to all College work sites owned or occupied by the College, TBR or its institutions.
  - B. This policy also applies to any employee conduct, on or off the work site, which poses a substantial threat to persons or property within the College community.

### III. Implementation

- A. It is the responsibility of the Office of Human Resources to ensure that all employees are informed about this policy. This policy shall be posted on the College's websites and a copy of the policy shall be made available to each new employee.
- B. Employees who witness violence or threats of violence must immediately report such conduct to campus or local law enforcement, appropriate supervisor and the Director of Human Resources.
- C. Employees who are victims of violence or threats of violence in the workplace are encouraged to report such conduct to campus or local law enforcement, the appropriate supervisor and/or the Director of Human Resources.

### IV. Prohibited Activities

- A. The College specifically prohibits the following:
  - 1. Possessing, storing or using a weapon in violation of TBR Policy 7.01.00.00.
  - 2. Refusing to submit to an inspection for the presence of a prohibited weapon based on reasonable suspicion.
  - 3. Refusing to allow inspection of personal storage areas based on a reasonable suspicion that a prohibited weapon or weapons will be found in such area.
  - 4. Conviction under any criminal statute for the illegal use or possession of a weapon or for committing a violent act against the person or property of another.
  - 5. Refusing to cooperate in an investigation about allegations or suspicion that violence or threats of violence have or is likely to occur, or an investigation about the possession of a prohibited weapon by the employee or a co-employee.
  - 6. Engaging in violence or threats of violence.
  - 7. Repeated verbal abuse in the workplace, including derogatory remarks, insults, and epithets.
  - 8. Verbal, nonverbal, or physical conduct of a threatening, intimidating or humiliating nature in the workplace.
- B. An employee who engages in any of these prohibited activities will be subject to discipline, up to and including termination of employment.

### V. Permissible Activities

- A. The following activities do not violate this policy:
  - 1. Disciplinary procedures conducted in accordance with College or TBR policies and guidelines;
  - 2. Routine coaching and counseling, including feedback about and correction of work performance;
  - 3. Reasonable work assignments, including shift, post, and overtime assignments;
  - 4. Individual differences in styles or personal expression that are otherwise legally permissible.
  - 5. Passionate, loud expression with no intent to harm others and that are otherwise legally permissible;
  - 6. Differences of opinion on work-related concerns; or
  - 7. The non-abusive exercise of managerial prerogative.

### VI. Reporting

- A. An employee who witnesses an incident of violence, threats of violence or suspicious behavior, must immediately report such conduct to campus or local law enforcement, as applicable, appropriate supervisor, and the Director of Human Resources.
- B. Any employee who is granted a court order requiring any other individual to stay away from the employee's place of work must furnish a copy of the order to the Office of Human Resources and campus law enforcement as soon as practicable.
- C. A supervisor who witnesses an incident of violence, threats of violence or suspicious behavior, must immediately report such conduct to campus or local law enforcement, as applicable, and the Director of Human Resources.

VII. Right to Search for Weapons

- A. The College has the right to search for illegally possessed weapons in any area on the institution's premises, including, but not limited to, lockers, furniture, containers, drawers, equipment or other facilities, lunch boxes, brief cases, personal bags, personal toolboxes or tool kits, parking lots, College-owned vehicles and other vehicles parked on the institution's premises. **Such searches may only be conducted by law enforcement officers and, when feasible, in consultation with the Office of General Counsel.**

VIII. Prohibition on Retaliation

- A. Employees who report incidents of threats, violence, intimidating conduct, or illegal possession of weapons; bring a complaint, or assist in the investigation of a complaint, will not be adversely affected in terms and conditions of employment, discriminated against or discharged because of their actions in this regard.

**SOURCES**

T.C.A. § 39-17-1309(e)(9); T.C.A. Title 50, Chapter 1, Part 5, The Healthy Workplace Act

**RELATED POLICIES**

TBR Policy 5.01.00.01

*Approved by President's Cabinet 4-11-22*