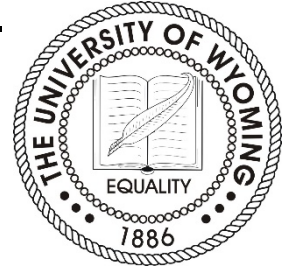

UNIVERSITY OF WYOMING REGULATIONS

Subject: Violence in the Workplace

Number: UW Regulation 4-4



I. PURPOSE

To establish policies and procedures governing violence and threats of violence against or by a University of Wyoming employee.

II. DEFINITIONS

Appointing authority: The individual with the authority or delegated authority to make ultimate personnel decisions concerning a particular employee.

Complainant: A person who is subject to violence or threats of violence.

Dean of Students Office: The disciplinary authority for student respondents.

Disciplinary authority: The individual who or office that has the authority or delegated authority to impose discipline upon a particular employee or student.

Equal Opportunity Report and Response Unit: Investigates allegations of violence or threats of violence that occur in University employment. This office does not have the authority to impose discipline.

Investigating Officer: The Manager of Investigations or designee.

Respondent: A person whose alleged conduct is the subject of a complaint.

Threat of violence: A communicated intent to inflict harm on another.

Violence: Unwarranted use of force.

III. POLICY

The University of Wyoming is committed to providing a safe learning, living, and working environment for its students, faculty, staff, affiliates and visitors. The University will not tolerate violence or threats of violence on its campus, at off-campus locations administered by the University, or in its programs, whether by faculty, staff, students, contractors, or visitors. Individuals who commit such acts may be subject to corrective action and/or

discipline, up to and including termination or separation from the University, removal from the premises, exclusion from the premises, and criminal prosecution.

IV. REPORTING OBLIGATIONS

- A. **Immediate report.** Assaults or threats of physical harm that require immediate police attention should be reported to local law enforcement by dialing 911. The University Police Department (UWPD) or local law enforcement are available to help individuals assess the severity of the circumstances and the need for police involvement. Individuals should contact UWPD or local law enforcement regarding any situation that causes concern about personal safety or well-being.
- B. **General obligation to report.** To take appropriate corrective action, the University must be aware of violence or threats of violence that occur in University employment. Any individual who has experienced or witnessed violence or threats of violence should promptly report such behavior to the Equal Opportunity Report and Response Unit.
- C. **Supervisor and University Officer obligation to report.** Any supervisor or University Officer who witnesses or receives a written or verbal report or complaint of violence or threats of violence that occurs in University employment, **shall** promptly report such behavior to the Equal Opportunity Report and Response Unit.
- D. **Confidential communications.** These reporting requirements do not obligate an individual or supervisor to report confidential communications if the individual or supervisor's profession and/or University responsibilities require the individual or supervisor to keep certain communications confidential (e.g., a professional counselor, medical professional, or STOP violence employee). For all other types of employees, the University is a public institution and cannot promise complete confidentiality.

V. PROCEDURES

- A. **Investigative Process.** The University will address and resolve reports or complaints pursuant to this Regulation promptly and as is practicable after the complaint or report is made. The Equal Opportunity Report and Response unit, through the Office of General Counsel, is responsible for establishing standard investigative processes and procedures. These processes and procedures shall be approved and amended as determined by the General Counsel, and shall be made available on the University's website.
- B. **Complaints involving a University Extension site or the University of Wyoming at Casper.** When an alleged violation involves a University Extension site or the University of Wyoming at Casper, the complaint shall be handled pursuant to this Regulation.

- C. Complaints by and against University employees and students arising at an affiliated entity.** University employees and students often times work or study at the worksite or program of another organization affiliated with the University. When a violation is alleged by or against University employees or students in those circumstances, the University may, in its discretion, choose to: (1) conduct its own investigation; (2) conduct a joint investigation with the affiliated entity; (3) defer to the finding of an investigation by the affiliated entity where the University has reviewed the investigative process and is satisfied that it was fairly conducted; or (4) use the investigation and findings of the affiliated entity as a basis for further investigation.
- D. No limitation on existing authority.** No provision of this Regulation shall be construed as a limitation on the authority of an appointing authority/disciplinary authority under applicable policies and procedures to initiate appropriate action. If an investigation is conducted under this Regulation and no violation is found, that finding does not prevent discipline of the respondent under other applicable regulations, policies and/or procedures.
- E. Dissemination.** The University shall broadly disseminate this Regulation.

Effective Date: July 1, 2018

Responsible Division/Unit: Equal Opportunity Report and Response, through the Office of General Counsel

Source: None.

Links: <http://www.uwyo.edu/regs-policies>

Associated Regulations, Policies, and Forms: Violence in the Workplace Investigative Guidelines.

History:

University Regulation 44; adopted 1/22/2010 Board of Trustees meeting
Revisions adopted 11/15/2013 Board of Trustees meeting
Revisions adopted 7/17/2014 Board of Trustees meeting
Revisions adopted 9/13/2017 Board of Trustees meeting (effective 7/1/2018: previously UW Regulation 1-44, now UW Regulation 4-4)