

General Institution

1 **AP 3510 WORKPLACE VIOLENCE**

2 **References:**

- 3 Cal/OSHA – Labor Code, Sections 6300 et seq. 6401.7, and 6401.9;
4 Title 8, Section 3203;
5 Code of Civil Procedure, Section 527.8;
6 Penal Code, Sections 273.6, 626.9, and 626.10

7 **Responding to Threats of Violence**

8 The top priority in this process is to effectively handle critical workplace incidents,
9 especially those dealing with actual or potential violence.

10 Violence or the threat of violence against or by any employee of the District or any other
11 person is unacceptable.

12 A non-employee who demonstrates or threatens violent behavior may be subject to
13 criminal prosecution.

14 An employee who demonstrates or threatens violent behavior during working hours may
15 be subject to disciplinary action and criminal prosecution.

16 The following actions are considered violent behavior for the purposes of this procedure:

- 17 • Striking, punching, slapping, or assaulting another person.
18 • Fighting or challenging another person to fight.
19 • Grabbing, pinching, or touching another person in an unwanted way whether the
20 behavior is sexual or not.
21 • Engaging in dangerous, threatening, or unwanted horseplay.
22 • Possession, use, or threat of use, of a firearm, knife, explosive, or other dangerous
23 object, including but not limited to any facsimile firearm, knife, or explosive, on
24 District property, including parking lots and other exterior premises, while in or
25 using a District vehicle, or while engaged in offsite activities for the District. If such
26 possession or use is a requirement of the job or the program, it may not be
27 considered as a violent act.
28 • Making credible threats of harm or harming another person, or any action or course
29 of conduct that evidences or implies a threat of bodily harm.
30 • Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade
31 longer than 2½ inches onto or into District property, unless the person is authorized
32 to possess such a weapon in the course of his/her/their employment, has been
33 authorized by a District administrator to have such a weapon, or is a duly appointed
34 peace officer who is engaged in the performance of his/her/their duties.

35 Any employee who is the victim of any violent, threatening, or harassing conduct, any
36 witness to such conduct, or anyone receiving a report of such conduct, whether or not the
37 perpetrator is a District employee, shall immediately report the incident to his/her/their
38 supervisor or other appropriate person.

39 A student or an employee who cannot reach his/her/their supervisor shall immediately
40 report any violent behavior to Campus Police at (562) 860-2451, extension 2325 at any
41 time or to the Human Resources Office at (562) 860-2451, extension 2284 between 8:00
42 a.m. and 4:30 p.m., Monday through Friday.

43 No person who acts in good faith and initiates a complaint or reports an incident under
44 this policy will be subject to retaliation or harassment.

45 If there is a potential for disciplinary action, any employee reported to be a perpetrator will
46 be provided due process and may obtain representation from his/her/their union if
47 applicable and/or at his/her/their own expense.

48 In the event that there is reasonable cause to believe that the perpetrator or others at the
49 scene of a violent act may not be safe, Campus Police and/or appropriate law
50 enforcement personnel will be called.

51 In the event that a student or employee obtains a restraining order against another
52 person, the student or employee shall report this information to his/her/their supervisor
53 and/or to the Campus Police Department to assure the safety of the environment and the
54 individual. The District will make every effort to accommodate the restraining order. The
55 person obtaining the restraining order will cooperate with the directions of the Campus
56 Police Department and the Human Resources Office to ensure the effective enforcement
57 of the restraining order.

58 An investigation of each known threat or act of violence will be completed as soon as is
59 reasonably possible. A written report will be rendered by the appropriate investigator
60 which may be District personnel, including Campus Police, or an outside agency. The
61 District will maintain records of any violent behavior.

62 **Workplace Violence Prevention Plan**

63 In accordance with Labor Code Section 6401.9, the District will maintain a workplace
64 violence prevention plan. This plan will include the following:

- 65 • Names or job titles of the persons responsible for implementing the plan;
- 66 • Procedures to obtain the involvement of employees and authorized employee
67 representatives in developing and implementing the plan;
- 68 • Methods the district will use to coordinate implementation of the plan with other
69 employers, when applicable, to ensure that those employers and employees
70 understand their respective roles;
- 71 • Procedures for the District to accept and respond to reports of workplace violence,
72 and to prohibit retaliation against an employee who makes such a report;
- 73 • Procedures to ensure that employees comply with the plan;

- 74 • Procedures to communicate with employees regarding workplace violence
- 75 matters, including how an employee can report a violent incident, threat, or other
- 76 workplace violence concern and how employee concerns will be investigated;
- 77 • Procedures to respond to actual or potential workplace violence emergencies;
- 78 • Procedures to develop and provide required training;
- 79 • Procedures to identify and evaluate workplace violence hazards;
- 80 • Procedures to correct workplace violence hazards;
- 81 • Procedures for post-incident response and investigation;
- 82 • Procedures to review the effectiveness of the plan and revise the plan as needed;
- 83 and
- 84 • Any other required information.

85 **File Retention**

86 The District will create and maintain records of workplace violence hazard identification,
87 evaluation, and correction for a minimum of five years.

88 The District will create and maintain records of training for a minimum of one year. These
89 records will include training dates, contents or a summary of the training sessions, names
90 and qualifications of persons conducting the training, and names and job titles of all
91 persons attending the training sessions.

92 The District will create and maintain records of violent incident logs for a minimum of five
93 years.

94 The District will create and maintain records of workplace violence incident investigations
95 for a minimum of five years.

96 Office of Primary Responsibility: Vice President, Business Services
97 Vice President, Human Resources

98 See also BP/AP 3500 titled Campus Safety and BP/AP 6800 titled Safety

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