

BP 3510 WORKPLACE VIOLENCE AND SAFETY

References:

Cal/OSHA: Labor Code Sections 6300 et seq.;
8 Cal. Code Regs. Section 3203;
"Workplace Violence Safety Act of 1994" (Code of Civil Procedure Section 527.8
and Penal Code Sections 273.6 and 12021)

The Board of Trustees is committed to providing a District work and learning environment that is safe and free of violence and the threat of violence. The Board's priority is safety at work and the effective handling of critical workplace violence incidents, including those dealing with actual or potential violence.

The Chancellor, or designee, shall establish administrative procedures that assure that employees are informed regarding what actions will be considered violent acts, and requiring any employee who is the victim of any violent conduct in the workplace, or is a witness to violent conduct to report the incident, and that employees are informed that there will be no retaliation for such reporting.

Date Adopted: May 19, 2009

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Title 8 Section 3203;
Code of Civil Procedure Section 527.8;
Penal Code Sections 273.6, 626.9, 626.10, and 12021

DEFINITIONS:

Crisis or conflict constitutes any inappropriate or unreasonable disruption that interferes with the normal functioning of your work.

Acts of violence include any physical action, whether intentional or reckless, that harms or threatens the safety of self, another individual, or property.

A threat of violence includes any behavior that by its very nature could be interpreted by a reasonable person as intent to cause physical harm to self, another individual, or property.

Workplace includes off-campus locations as well as District-sponsored activities where faculty, staff, or student employees are engaged in District business or locations where incidents occur as a result of the person's relationship to the District community.

Any employee shall immediately report any situation that threatens life or property and demands an immediate response of police, fire, or medical personnel by first dialing 911 and then notifying law enforcement.

Responding to Threats of Violence

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

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

Should a non-employee on District property demonstrate or threaten violent behavior, he/she may be subject to criminal prosecution.

Should an employee, during working hours, demonstrate or threaten violent behavior he/she may be subject to disciplinary action and/or criminal prosecution.

The following actions are considered violent acts:

- Striking, punching, slapping, or assaulting another person.
- Fighting or challenging another person to fight.
- Grabbing, pinching, or touching another person in an unwanted way whether sexually or otherwise.
- Engaging in dangerous, threatening, or unwanted horseplay.
- Possession, use, or threat of use, of a firearm, knife, explosive, or other dangerous object, including but not limited to any facsimile firearm, knife, or explosive, on District property, including parking lots, other exterior premises, District vehicles, or while engaged in activities for the District in other locations, unless such possession or use is a requirement of the job.
- Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.
- Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade longer than 2½ inches upon the grounds, unless the person is authorized to possess such a weapon in the course of his or her employment, has been authorized by a District employee to have the knife, or is a duly appointed peace officer who is engaged in the performance of his or her duties.

Any employee who is the victim of any violent threatening or harassing conduct, any witness to such conduct, or anyone receiving a report of such conduct, whether the perpetrator is a District employee or a non-employee, shall immediately report the incident to his/her supervisor or College Safety and Police.

An employee shall notify, and provide a copy to, local municipal and District Police of any restraining orders/court orders when named as a plaintiff. In the event that the supervisor is informed by an employee of a restraining order, the supervisor will contact District Police to ensure they are aware of it and that they have a copy of the order on file.

Any employee experiencing an unsafe work condition should immediately contact his/her supervisor or the Director, Diversity and Human Resources. The employee will be provided consultation regarding resources available to resolve the unsafe work condition.

Should the duties of an employee require the use of equipment to ensure the safety of the employee, the District shall furnish such equipment. Issues related to health safety, sanitation, and working conditions should be discussed with the immediate supervisor or chain of command. If not resolved, the issue shall be forwarded to the Director, Diversity and Human Resources for review and recommendation. If the issue is determined to be a threat to the immediate health and safety of an employee of the District, the District Police shall also be notified.

The College Safety and Police dispatch number is (951) 222-8171.

No one, acting in good faith, who initiates a complaint or reports an incident under this policy will be subject to retaliation or harassment.

Any employee reported to be a perpetrator will be provided both due process and representation before disciplinary action is taken.

In the event the District fears for the safety of the perpetrator or the safety of others at the scene of the violent act, the District Police and/or appropriate law enforcement personnel will be called.

Office of Primary Responsibility: Vice Chancellor, Educational Services, Workforce
Development and Planning
Vice Chancellor, Diversity and Human Resources

Administrative Approval: June 1, 2009

Revised: April, 2014 (job titles only)