

WORKPLACE VIOLENCE PREVENTION POLICY

POLICY NUMBER: 313
DATE ADOPTED: April 18, 2000
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I. GOAL STATEMENT

It is the goal of Colusa County to strive for an environment free from threats, intimidation, or actual workplace violence to its employees or the citizens they serve in the course of that employment.

II. POLICY STATEMENT.

A. As a part of our continuing commitment to workplace safety, the Board of Supervisors, Risk Manager, Department Heads, and all other employees of the County of Colusa, are determined to strive for an atmosphere free from actual or threatened workplace violence against any employee(s) or the citizen(s) we serve. The Workplace Violence Prevention Policy (WVPP) is implemented in accordance with Title 8, California Code of Regulations Section 3203.

B. Every employee has an obligation to assure that the work environment is free from workplace violence.

C. Any act of workplace violence or threatening conduct of any kind, whether directed against a co-worker, subordinate, manager or outside party will not be tolerated. This conduct includes but is not limited to:

1. Striking, punching, slapping, or assaulting another person.
2. Fighting or challenging another person to a fight.
3. Grabbing, pinching, or touching another person in an unwanted way (sexually or otherwise).
4. Bringing any firearm, knife or other weapon into/onto county-owned or leased property or while on county business unless specifically authorized by the employee's department head. A concealed weapon permit does not automatically authorize the holder to possess same and authorization must still be obtained from the department head.
5. Threatening or harming another person in any way, whether verbal, written or physical.

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6. Any intimidating behavior perceived as a threat.

D. Any employee(s) found to have engaged in such unacceptable behavior will be severely disciplined up to and including termination. In appropriate cases the County will inform and cooperate with law enforcement authorities.

E. No person shall have to tolerate workplace violence or the threat of workplace violence on the job. Any person who is the victim of any violent, threatening or harassing conduct, or who observes such conduct, shall report the conduct to her/his immediate supervisor or Department Head. That person shall initiate investigation procedures immediately.

F. Reasonable action will be taken to prevent any further violent conduct or threat of violent conduct from occurring or being repeated. No adverse action will be taken against anyone who brings a good-faith complaint under this policy.

G. Some employees, such as peace officers and custodial officers encounter threats and violence during the normal scope of their duties. Therefore, the procedures imposed by public safety agencies are deemed compliant with this policy.

III. DEFINITIONS

A. Threat. An expression of intention, coupled with a present ability, to inflict harm, injury or damage; to announce or forecast impending danger or harm.

B. Outside party: Any person not an employee of the county.

IV. RESPONSIBILITIES UNDER THE POLICY

A. Board of Supervisors

1. The Board of Supervisors have the ultimate authority and responsibility for the effective implementation of the provisions of the Colusa County Workplace Violence Prevention Policy.

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B. Risk Manager

1. Is responsible for implementing the Policy.
2. Ensure that all Department Heads implement and maintain this Workplace Violence Prevention Policy.
3. Assess the risk of the workplace violence and take action to mitigate any identified risk.
4. Inform the Board of Supervisors of any circumstance that creates a danger to a county employee.
5. Notify all departments of any trend or change in reported workplace violence incidents. The County will utilize mass mailings, departmental meetings and posting to ensure that employees are aware of workplace violence issues.
6. Immediately investigate all workplace violence reports.
7. Notify, in writing, the victim and the accused of the outcome of the investigation.

C. Department Head

1. Ensure that all employees are fully informed of all the elements of the Workplace Violence Prevention Policy.
2. Ensure that all managers and supervisors implement and maintain this Workplace Violence Prevention Policy.
3. Assure the Risk Manager is immediately notified of any threats or acts of workplace violence. Cooperate with and assist the Risk Manager in conducting any investigation.

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4. Ensure all appropriate employees are immediately made aware of the potential threat and provide a complete description (picture if possible) of the threatening employee(s), or citizen(s).
5. Provide a written report to the Risk Manager of any and all corrective action(s) taken to eliminate the problem.
6. Conduct ongoing workplace violence risk assessments. Supervise, evaluate, counsel, discipline, and document employee(s) behavior and performance in conformance with a safe work environment.
7. Department heads shall notify the Risk Manager and Sheriff's personnel whenever an employee has been authorized to be in possession of a concealed weapon on county property.

D. Supervisors, Mid-level and First-Line

1. Ensure implementation of the Workplace Violence Prevention Policy in all work areas under their authority.
2. Conduct ongoing workplace violence risk assessments. Supervise, evaluate, counsel, discipline, and document employee(s) behavior and performance in conformance with a safe work environment.
3. Report results of workplace violence risk assessments to department head.
4. Receive and assure immediate investigation of any reports of workplace violence or threat of workplace violence.
5. Immediately report all threats or violent acts to the department head.
6. Develop and implement a safe work environment for the control of potential workplace violence.
7. Train employee(s) in a safe work environment and ensure that they are fully informed of all the elements of the Workplace Violence Prevention Policy.

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8. Ensure employee(s) safety and security to the extent possible. Employees shall be notified of a potential threat, if deemed appropriate, under the circumstances.

E. Employees

1. Are to be fully informed of all the elements of the Workplace Violence Prevention Policy.

2. Immediately report all threats or incidents of violent behavior to your immediate supervisor or Department Head.

3. Immediately disengage and contact a supervisor upon any instance of direct workplace violence or threatening behavior.

4. Peace officers and correctional officers in the performance of their official duties shall follow the procedures established by their agency.

5. Employees in possession of a permit and wishing to carry a concealed weapon on county property must obtain authorization to do so from their department head.

F. County Safety Committee

1. Evaluate each incident, discuss the causes of the incident, and make recommendations on how to revise the program to prevent similar incidents from occurring. All revisions will be in writing and made available to all employees.

V. INCIDENT REPORTING

A. Prompt and accurate reporting of all incidents is required whether or not a physical injury has occurred. Victims of workplace violence will not be discriminated against.

B. Threats or incidents may be reported in person or anonymously to a departmental supervisor, Department Head, or Risk Manager. Reports may be done verbally or in written form. However, if done verbally, a written report must follow. An Incident Report Form may be obtained from the Department Head, a Supervisor, or the Risk Manager.

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C. A completed Incident Report Form will not be made available to the accused unless ordered by the court.

VI. INCIDENT INVESTIGATION

A. Incident investigation includes actual workplace violence as well as threats.

B. An investigation shall be initiated immediately upon knowledge of the incident and shall conclude as soon as possible. The reporting employee(s) (if known) shall be informed of the procedure to be followed.

C. The investigation shall take precedence over all other matters. The investigation will be conducted by the Risk Manager. The Department Head will cooperate and assist in the investigation as needed. The investigation may also include a representative from the personnel office and law enforcement and shall include a review of previous incidents.

D. All individuals necessary to conduct a thorough investigation will be interviewed. All employees shall cooperate with the investigation without fear of retaliation.

E. To the extent possible, proceedings under this policy, including the investigation, and all reports and records filed, shall be confidential. Review and release of any documents, including personnel records, shall be subject to any statutory requirements or restrictions.

F. To the extent possible, the department head or his/her designee will give the reporting employee(s) (if known) a verbal status report of the ongoing investigation.

G. When a department head, supervisor or the Risk Manager forms the opinion that the circumstances create a danger to the safety of staff members they shall:

1. Ensure security personnel, and other appropriate employees are immediately made aware of the potential threat and provide a complete, description (picture if possible) of the threatening employee(s), or citizen(s).

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2. Instruct personnel to immediately notify a designated person at the facility in the event the person who made the threat is seen at the facility.
 3. Contact the local law enforcement agency and request increased patrol/security checks are made at the facility. If appropriate, request a police report be taken on the incident.
 4. Make timely notification to the appropriate Department Heads, and Risk Manager.
 5. If other facilities are affected or are the object of the threats, ensure appropriate personnel at the facility are notified.
- H. Notify, in writing, the victim and the accused of the outcome of the investigation.
- I. Peace officers and correctional officers in the performance of their official duties shall follow the procedures established by their agency.

VII. COMPLIANCE

A. During the Investigation

1. When a complaint of the Workplace Violence Prevention Policy is received, the suspected employee(s) may be placed on administrative leave at the discretion of the department head during the investigation. The employer may also request a restraining order. The department head's decision will be based upon the following:
 - a. Type of complaint
 - b. Threat or actual workplace violence
 - c. Past behavior of employee
 - d. Potential for reoccurrence
2. The availability of professional counseling shall be communicated to the employee, victim and accused.
3. The victim will be protected to the extent possible. This may include a temporary departmental transfer or paid administrative leave.

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B. Conclusion of the Investigation

1. At the conclusion of the investigation the department head, with assistance from the Risk Manager, shall make one of the following findings:
 - a. Sustained - Findings found to be true with one or more of the following consequences:
 - (1) Training
 - (2) Written reprimand
 - (3) Documentation in personnel file
 - (4) Require professional counseling
 - (5) Suspension without pay
 - (6) Termination
 - (7) A restraining order
 - (8) Criminal charges
 - b. Not sustained - Findings were insufficient.
 - c. Unfounded - Allegations were found to be untrue.
 - d. Justified - Warranted self-defense, just cause.
2. The victim and the accused will be notified, in writing, of the outcome of the investigation by the Department Head and/or the Risk Manager.
3. Written documentation of the investigation and its conclusion will be prepared and stored in a confidential file with the Risk Manager.
4. All levels of management of appropriate departments shall be notified immediately upon the conclusion of the investigation.
5. The following measures may be implemented:
 - a. Professional counseling if recommended by medical doctor
 - b. Debriefing
 - c. Evaluation of the incident and possible risk factors
 - d. Evaluation of Office/building security measures
 - e. Implement corrective security measures and procedures.

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VIII. HAZARD ASSESSMENTS

A. The following inspections of the workplace will be conducted to identify potential workplace violence hazards that most likely will affect the workplace:

1. Semi-annual inspections conducted by the Risk Manager, the building safety inspector and/or the section safety representative as set forth in the Colusa County Injury and Illness Prevention Plan.

2. Periodic spot inspections as the need arises by appropriate personnel.

B. The inspection will identify three types of risk and evaluate areas of potential risk using the following criteria:

1. Type I - An act of workplace violence or the threat of workplace violence not associated with County business, committed by an individual who has no legitimate relationship to the workplace and usually enters the workplace to commit an illegal act such as robbery.

2. Type II - An act of workplace violence or threat of workplace violence committed by an individual who is either the recipient or the object of a service provided by the affected workplace or victim, such as an attack or threat by an irate or irrational citizen/client toward the employee(s).

3. Type III - An act of workplace violence or threat of workplace violence by an individual with an employment relationship with the affected workplace. This usually involves a current or ex-employee. This type also includes a person who may have a personal relationship with an employee outside of the workplace.

C. A potential hazard assessment checklist will include the following questions and others as necessary:

1. Is there a consistent response policy in place?

2. Are there substantial physical barriers between a potential attacker and the workplace?

3. Do employees work alone or in isolation?

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4. Do employees exchange money with the public?
 5. Can the worker see persons approaching the entrance?
 6. Is there control of the initial contact with persons entering the workplace?
 7. Are there remotely activated locks on entrance doors?
 8. What means of emergency communications are available to employees?
 9. Do employees have more than one escape route in the event of an incident?
 10. Have employees been trained in emergency response and have drills been held?
 11. Are local law enforcement authorities familiar with the physical layout of the workplace and response policy?
 12. Is the parking lot well lit and does it have unobstructed views?
 13. Who has keys to entrances and other locked spaces?
 14. Is the work area a high crime area?
 15. Are employees working late at night or early in the morning?
- D. Assessments will also include a review of previous reports and incidents.

IX. HAZARD CORRECTION

- A. Any hazard identified during scheduled inspections will be reported to the Department Head and the Risk Manager. The Risk Manager will prioritize first by severity and second by date of assessment or report, with appropriate action taken as soon as possible.

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X. TRAINING

A. Training will be ongoing for all County employees. The following training may be available:

1. Policy Training
2. Workplace Violence Awareness
3. Emergency Response Drills
4. Bomb Threats - prepared questions to ask when a threat is received
5. On-Site Customized Evacuation Plan
6. Diffusion Techniques
7. Forms of Hostility
8. Hostage Survival
9. Self Defense

XI. DOCUMENTATION

A. Record keeping is an important part of an effective Workplace Violence Prevention Policy. The following types of records will be kept:

1. Log-in sheet of training sessions
2. Inspection and assessment reports
3. Safety meetings and communication
4. Trindel Incident Hazard Reports
5. Incident investigation reports
6. Police reports

B. A record of all workplace violence incidents will be maintained in a confidential file in the Risk Manager's office.

C. Any employee injury that requires more than first aid, is a lost-time injury, requires modified duty, or causes loss of consciousness, is a Workers' Comp injury. In the event of such an injury, all Workers' Comp forms must be completed and the injury will be recorded on an OSHA 200 log available through the Risk Manager. If applicable, doctors' reports and supervisors' reports will be kept for each recorded incident.

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D. Incidents of abuse, verbal attack, or aggressive behavior, which may be threatening to the employee, but not resulting in injury, will be recorded. The County Safety Committee will evaluate these records on a regular basis.

E. Records of training program contents, and the sign-in sheets of all attendees will be maintained by the Safety Analyst.

XII. DISTRIBUTION

A. This policy, and any revision thereof, shall be distributed to all County Officers and employees.

(End)

HISTORY

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WORKPLACE VIOLENCE INCIDENT REPORT FORM
Colusa County

1. Victims Name:

2. Job Title:

3. Victims Address:

4. Home Phone Number:

Work Phone Number:

5. Department:

6. Date of incident:

7. Time of incident:

8. Location of Incident:

9. Work Location (if different)

10. Type of Incident:

Assault

Robbery

Harassment

Disorderly Conduct

Sex Offense

Other (Please Specify): _____

(see attached – Definition of Incident)

11. Were You Injured:

Yes _____

No _____

If yes, specify your injuries and the location of treatment if applicable: _____

12. Did police respond to incident:

Yes _____

No _____

13. What police department: _____

14. Police report filed?

Yes _____

No _____

15. Was your supervisor notified?

Yes _____

No _____

If no, explain why they were not notified: _____

16. Supervisors Name: _____

17. Was your Employee Representative notified?

Yes _____

No _____

18. Was any action taken by employer:

Yes_____

No_____

Please specify: _____

19. Assailant/Perpetrator:

Department Head_____

Supervisor_____

Co-Worker_____

Other County Employee_____

Client_____

Former Employee_____

Intruder_____

Customer_____

Patient_____

Family Friend_____

Visitor_____

Student_____

Other, please specify: _____

20. Assailant/Perpetrator: (Complete information if known)

Name & Address: _____

21. Briefly describe the incident: _____

22. Did incident involve a weapon?

Yes_____

No_____

Please specify: _____

23. Did you lose any work days?

Yes_____

No_____

Please specify: _____

24. Were you singled out or was the violence directed at more than one individual? _____

25. Were you alone when the incident occurred: Yes _____ No _____

Please specify: _____

26. Did you have any reason to believe that an incident might occur? Yea _____ No _____

Please specify: _____

27. Has this type or similar incident(s) occurred to you or your co-workers in the past?

Yes _____ No _____ Please specify: _____

28. Have you had any counseling or support since the incident? Yes _____ No _____

Please specify: _____

29. What do you feel can be done in the future to avoid such an incident? _____

30. Has this assailant been involved in previous incidents? Yes _____ No _____

Specify: _____

31. Are there any measures in place to prevent similar incidents? Yes_____ No_____

Specify:_____

32. Has corrective action been taken? Yes_____ No_____

Specify:_____

33. Comments:_____

(Use back if more space is needed)

I CERTIFY THAT ALL STATEMENTS MADE IN THIS FORM ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature

Today's Date

DEFINITION OF INCIDENTS

◆ **ASSAULT:** The intentional use of physical injury, (impairment of physical condition or substantial pain) to another person, with or without a weapon or dangerous instrument.

◆ **CRIMINAL MISCHIEF:** Intentional or reckless damaging of the property of another person without permission.

◆ **DISORDERLY CONDUCT:** Intentionally causing public inconvenience, annoyance or alarm or recklessly creating a risk thereof by fighting (without injury) or in violent numinous or threatening behavior of making unreasonable noise, shouting abuse, misbehaving, disturbing an assembly or meeting or persons or creating hazardous conditions by an act which serves no legitimate purpose.

◆ **HARASSMENT:** Intentionally striking, shoving or kicking another of subjecting another person to physical contact, or threatening to do the same (without physical injury). ALSO, using abusive or obscene language or following a person in about a public place, or engaging in a course of conduct which alarms or seriously annoys another person.

◆ **LARCENY:** Wrongful taking, depriving or withholding property from another (no force involved). Victim may or may not be present.

◆ **MENACING:** Intentionally places or attempts to pace another person in fear of imminent serious physical injury.

◆ **RECKLESS ENDANGERMENT:** Subjecting individual to danger by recklessly engaging in conduct which creates substantial risk of serious physical injury.

◆ **ROBBERY:** Forcible stealing of another's property by use of threat of immediate physical force. (Victim is present and aware of theft).

◆ **SEX OFFENSE:**

- ◆ Public Lewdness: Exposure of sexual organs to others.
- ◆ Sexual Abuse: Subjecting another to sexual conduct without consent.
- ◆ Sodomy: A deviant sexual act committed as in rape.
- ◆ Rape: Sexual intercourse without consent.