

# CSUCI - WORKPLACE VIOLENCE PREVENTION PROGRAM

## I. Purpose

This Workplace Violence Prevention Program (WVPP) addresses and provides corrective measures associated with the workplace violence hazards unique to the work areas and operations of the University. Members of the University community are encouraged to immediately report workplace violence incidents, each of which will be taken seriously and investigated.

## II. Authority

California Senate Bill 553 (SB 553) amended California Labor Code section 6401.7 and created section 6401.9 and the new requirements (Workplace Violence Prevention) found in those Labor Code sections will be in effect and enforceable on July 1, 2024.

## III. Scope

The WVPP is applicable to all members of the University community, including faculty, staff, volunteers, contractors, vendors, guests, and visitors, when engaged in university academic, business, or co-curricular programs and activities, whether on or off-campus.

## IV. Definitions

**Emergency:** Unanticipated circumstances that can be life-threatening or pose a risk of significant injuries/harm to an individual. An emergency refers to unforeseen circumstances that require immediate action or an urgent need for assistance or relief.

**Employee(s):** Includes faculty, staff, MPPs, student employees.

**Engineering Controls:** These refer to the physical modifications made to the workplace or the implementation of certain tools and technologies to mitigate the risk of violence. These controls aim to either eliminate the hazard from the workplace or create a barrier between the worker and the hazard.

**Log:** The violent incident log required by Labor Code Section 6401.9.

**Procedural Controls:** These refer to the policies, procedures, and protocols established to prevent or manage violent incidents in the workplace. These controls are typically part of a comprehensive violence prevention program and include:

**Reporting and Documentation System:** A system for reporting and documenting acts of violence. This includes procedures for workers to follow when lodging a complaint with the employer, including how and when to report.

**Response Procedures:** Procedures for responding to instances of violence. This can include steps for immediate response, investigation, and follow-up.

**Training and Education:** Procedures for ensuring employee education and training on violence prevention. This includes training in recognizing potential risks, understanding violence prevention policy, and knowing what to do in the event of a violent incident.

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**Risk Assessment and Control Measures:** Procedures for identifying contributing factors to workplace violence, assessing those factors, and selecting controls and prevention measures.

**Threat of Violence:** Any verbal or written statement, including, but not limited to, texts, electronic messages, social media messages, or other online posts, or any behavioral or physical conduct, that conveys an intent, or that is reasonably perceived to convey an intent, to cause physical harm or to place someone in fear of physical harm, and that serves no legitimate purpose.

**Workplace Violence:** This refers to any act or threat of violence that occurs in a place of employment, including animal attacks. This term encompasses, but is not limited to, the following:

1. The threat or use of physical force against an individual that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, irrespective of whether an injury is sustained.
2. An incident involving the threat or use of a firearm or other dangerous weapon, including the use of common objects as weapons, regardless of whether an injury is sustained.
3. Any act or behavior that contributes to a hostile work environment, including verbal or physical harassment, bullying, or other forms of psychological harm, which may lead to severe stress, anxiety, depression, or suicidal thoughts, irrespective of whether an injury is sustained.
4. The following four types of workplace violence:
  - a. **Type 1 Violence:** Workplace violence committed by a person who has no legitimate business at the worksite and includes violent acts by anyone who enters the workplace with the intent to commit a crime.
  - b. **Type 2 Violence:** Workplace violence directed at employees by students or visitors. Type II events primarily involve threats, intimidation, or assaults on law enforcement and public safety personnel, healthcare and student service providers, faculty, and other University employees who provide professional, public safety, administrative, or business services to the public.
  - c. **Type 3 Violence:** Workplace violence against an employee by a present or former employee, supervisor, or manager. This usually involves an assault by a current or former employee, supervisor, or manager; by a current or former spouse or lover; a relative or friend; or some other person who has a dispute involving an employee.
  - d. **Type 4 Violence:** Workplace violence committed in the workplace by a person who does not work there but has or is known to have had a personal relationship with an individual who works or is enrolled at the University.
5. The term “workplace violence” does not include lawful acts of self-defense or defense of others.
6. In the event of a conflict between a definition in the WVPP and a definition in Labor Code 6401.9, the definition in Labor Code 6401.9 prevails.

## V. Workplace Violence Incidents

### A. Reporting Acts or Threats of Violence

1. Members of the University community who witness or perceive an act of violence or a threat of violence on campus are encouraged to report such incidents of workplace violence through one or more of the following channels:
  - a. Call 9-1-1.
  - b. Calling Police non-emergency line at 805-437-8444.
  - c. Emergency Blue Phones: Exhibit A contains a copy of the locations of Blue Phones on campus.
  - d. To their supervisor or appropriate administrator.
  - e. Using the University's Workplace Violence Incident Reporting Form. This may be used anonymously.
  - f. Anonymous reporting may also be completed by using the Ventura County Crime Stoppers Hotline at 800-222-8477 (tips).
2. The WVPP strictly prohibits any retaliation for reporting an instance of workplace violence. Any member of the University community who retaliates against someone for reporting an incident is subject to discipline, up to and including non-retention, expulsion, and/or removal from campus.

### B. Emergency Communication

1. In the event of a workplace violence emergency, the University will communicate through the following means in a manner that is readily understandable by all members of the University community:
  - a. Send alerts to members of the University community via CSUCI Alert emergency notification system if immediate action is required
  - b. Send messages through the Timely Warning and/or Emergency Notification system.
  - c. Students, Faculty and Staff can register for CSUCI Alert through MyCI.
2. When information is available and appropriate, these alerts will:
  - a. Provide information about the presence, location, and nature of the workplace violence emergency.
  - b. Note evacuation or sheltering plans appropriate for the situation.
  - c. Inform recipients about how to obtain assistance from the UPD or other law enforcement agencies.

### C. Restraining Order Process

1. The University recognizes the importance of safety in the workplace and supports the use of restraining orders as a means to protect employees from threats or acts of violence. The process for obtaining a restraining order is as follows:
  - a. **Identification of Threat:** If an employee or their collective bargaining representative identifies a threat of violence that may warrant a restraining order, they should report it to the University Policy Department (UPD) or their supervisor.

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- b. **Application for Restraining Order:** The affected employee, University, or the collective bargaining representative, with the consent of the employee, may apply for a temporary restraining order and an order after hearing on behalf of the employee and other employees at the workplace.
  - c. **Communication:** If the University or collective bargaining representative files the restraining order on behalf of the affected employee, the University will communicate the status of the restraining order application to the affected employee and other relevant parties while maintaining confidentiality as required by law.
  - d. **Implementation:** If a restraining order is granted, the University will work with the UPD and local law enforcement to ensure the order is properly implemented and enforced.
  - e. **Review:** The University will regularly review the status of the restraining order and adjust its response as necessary to ensure the continued safety of its employees.
2. The employee in question could decline to be named in the temporary restraining order, but that decision would not prohibit the University or the representative from seeking a temporary restraining order on behalf of other employees at the workplace.

### C. Violent Incident Log:

1. The Risk Management Office is primarily responsible for maintaining the Log, which will be used to record every workplace violence incident. The Log will include the following information:
  - a. The date, time, and location of the incident.
  - b. The type or types of workplace violence involved in the incident.
  - c. A detailed description of the incident.
  - d. A classification of who committed the violence, including whether the perpetrator was a client or customer, family or friend of a client or customer, stranger with criminal intent, coworker, supervisor or manager, partner or spouse, parent or relative, or another perpetrator.
  - e. A classification of circumstances at the time of the incident, including, but not limited to, whether the employee was completing usual job duties, working in poorly lit areas, rushed, working during a low staffing level, isolated or alone, unable to get help or assistance, working in a community setting, or working in an unfamiliar or new location.
  - f. A classification of where the incident occurred, such as in the workplace, parking lot or other area outside the workplace, or other area.
  - g. The type of incident, including, but not limited to, whether it involved any of the following:
    1. Physical attack without a weapon, including, but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting.
    2. Attack with a weapon or object, including, but not limited to, a firearm, knife, or other object.
    3. Threat of physical force or threat of the use of a weapon or other object.
    4. Sexual assault or threat, including, but not limited to, rape, attempted rape, physical display, or unwanted verbal or physical sexual contact.
    5. Animal attack.
    6. Other.

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- h. Consequences of the incident, including, but not limited to:
- i. Whether security or law enforcement was contacted and their response.
- j. Actions taken to protect employees from a continuing threat or from any other hazards identified because of the incident.
- k. Information about the person completing the Log, including their name, job title, and the date completed.

### **E. Post-Incident Response and Investigation:**

After a workplace violence incident, the Risk Management in conjunction with UPD, will implement the following post-incident procedures:

1. Visit the scene of an incident as soon as it is safe and practicable.
2. Interview involved parties, such as employees, witnesses, law enforcement, and/or security personnel.
3. Review security footage from existing security cameras, if applicable.
4. Examine the workplace for security risk factors associated with the incident, including any previous reports of inappropriate behavior by the perpetrator.
5. Determine the cause of the incident.
6. Take corrective action to prevent similar incidents from occurring.
7. Record the findings and ensure corrective actions are taken.
8. Obtain any reports completed by law enforcement.
9. Review all previous similar incidents for pattern and learning.
10. Ensure that personal identifying information is safe guarded. This includes information that would reveal the identification of any person involved in a violent incident, such as the person's name, address, email address, telephone number, social security number, or other information that, alone or in combination with other publicly available information, reveals the person's identity.

## **VI. Workplace Violence Prevention and Mitigation**

### **A. Workplace Violence Consultation Team**

1. The WVCT's core members include representatives from the UPD, Risk, Human Resources, EHS, Faculty Affairs, and CAPS. The Office of the President (OPT), Dean of Students, and University Counsel will be called upon as needed.
2. This joint group will meet after a workplace violence incident to review the incident, provides collaborative oversight and support to the University in the identification, assessment, and management of threats and/or threatening behavior that may lead to acts of targeted violence against the campus and community.
3. Participate in an annual review of the WVPP, Workplace violence incidents, Hazard detection procedures, corrective actions, Hazard notification procedures, and timely notices.

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### B. Training:

1. The University will provide training to members of the University community:
  - a. When the WVPP is first established, and then annually.
  - b. When a new employee joins CSUCI.
  - c. Whenever a new or previously unrecognized workplace violence hazard has been identified and when changes are made to the plan. The additional training may be limited to addressing the new workplace violence hazard or changes to the plan.

### C. Workplace Violence Physical Hazard Identification and Evaluation

1. The Office of Environmental Health & Safety (EHS), in coordination with UPD, Risk Management, and Human Resources will oversee the identification of workplace violence physical hazards.
2. Examples of physical hazards include:
  - a. Poor environmental design, blind spots, ingress, and egress etc.
  - b. Poorly lit corridors, rooms, parking lots and other areas
  - c. Overcrowded spaces
  - d. Inadequate security (alarms, etc.)
  - e. Working alone
  - f. Moving machinery or vehicles
  - g. Fire hazards: Such as flammable materials or inadequate fire exits
  - h. Loud noise or sudden high noise levels
  - i. Temperature: Extreme heat or cold
  - j. Sharp objects or tools
3. Members of the University community can report workplace violence hazards or concerns through the following channels:
  - a. Report A Hazardous or Unsafe Condition.
  - b. Use the University's Workplace Violence Incident Reporting Form
  - c. The University Police Department.
4. EHS will coordinate and conduct periodic inspections with the aim of identifying and documenting unsafe physical conditions, new or previously unrecognized hazards, including those that may increase the likelihood of a crime. As part of the inspection, the areas reviewed and the administrators and staff who conducted the review will be documented.
5. UPD along with Emergency Management, EHS and Facilities Services will review for the following:
  - a. The need for violence surveillance measures, such as mirrors and cameras (annually).
  - b. Procedures for employee response during a robbery or other criminal act based on lessons learnt.
  - c. Procedures for reporting suspicious persons or activities based on lessons learnt.
  - d. The effective location and functioning of emergency buttons and alarms (annually).
  - e. Posting of emergency telephone numbers for law enforcement, fire, and medical services.
  - f. Inspections after any workplace violence incident, which may include:
    1. The adequacy of workplace security systems, such as door locks, entry codes or badge readers, security windows, physical barriers, and restraint systems.
    2. The effectiveness of systems and procedures that warn others of actual or potential workplace violence danger or that summon assistance, e.g., alarms or panic buttons.
    3. The availability of employee escape routes.

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4. Access to and freedom of movement within the workplace by non-employees, including recently discharged employees or persons with whom one of our employees is having a dispute.
5. The frequency and severity of employees' reports of threats of physical or verbal abuse by managers, supervisors, or other employees.
6. Any prior violent acts, threats of physical violence, verbal abuse, property damage, or other signs of strain or pressure in the workplace.

### D. Workplace Violence Physical Hazard Correction:

The Facilities Services will oversee the evaluation and timely correction of identified workplace violence physical hazards.

1. All corrective actions taken will be documented, dated, and recorded.
2. Corrective measures for workplace violence hazards will be specific to a given work area. For example, these may include:
  - a. Improving lighting around and within the workplace.
  - b. Installing and utilizing surveillance measures, such as cameras and mirrors, to provide information about activities inside and outside the workplace and to deter criminal activity.
  - c. Providing workplace violence systems, such as door locks, secure windows, physical barriers, emergency alarms, and restraint systems.
  - d. Posting emergency telephone numbers for law enforcement, fire, and medical services.
  - e. Installing effective systems to warn others of a potential violence danger or to summon assistance, e.g., alarms or panic buttons.

### E. Workplace Violence Procedural update focused on Hazard Identification, Evaluation, and Correction

1. Members of the University community may report workplace violence procedural hazards or concerns using the following means: to their supervisor or appropriate administrator, using the University's Workplace Violence Incident Reporting Form (may be used anonymously).
2. Human Resources will oversee the evaluation and correction of workplace violence procedural hazards. Procedural hazards refer to potential risks or dangers that can occur due to the procedures followed in a workplace or during a process.
3. HR administrators and staff will review and document the outcomes of all such reports.
4. HR administrators and staff will also review and assess new or previously unrecognized hazards.

## VII. Responsibilities:

The following administrative positions have the authority and responsibility for implementing all or specific portions of the WVPP.

- 1. Vice President for Business and Financial Affairs:** This role is responsible for the overall implementation and coordination of the University's WVPP, which includes assessing the effectiveness of the WVPP as well as its compliance with all applicable federal, state, and CSU laws and regulations.

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- 2. Associate Vice President for Human Resources & HRO:** This role has responsibility for execution of implementation and coordination and assure functionality of procedures established to identify and receive reports related to procedural workplace violence hazards.
  1. Provide support for Investigating reported acts or threats of violence received directly or received from UPD and taking appropriate action.
  2. Implementing procedures to prevent retaliation of those who submitted reports.
  3. HR is responsible for organizing training programs, which help educate employees about the signs of potential violence, how to avoid violent situations, and what to do if they find themselves in a potentially violent situation.
  4. HR to support Risk Assessment by identifying individuals or groups who may be more vulnerable to workplace violence, such as those with disabilities, elderly employees, or those in minorities.
  5. HR provides support to employees who have been affected by workplace violence. This can include arranging for counseling services, facilitating communication between the employee and management, and assisting with any necessary paperwork.
- 3. Chief of the Police Department (UPD):** The Chief's primary responsibility is to implement measures to ensure the University is prepared to respond to, investigate, and potentially mitigate workplace violence incidents. Other responsibilities include:
  1. Developing procedures on how workplace violence investigations will be conducted, recorded, and the results thereof widely disseminated.
  2. Receiving and investigating all reports of acts or threats of violence.
  3. Issuing timely notices of workplace violence emergencies, including instructions for how members of the University community should respond to such emergencies.
- 4. Emergency Management** has responsibility for developing and implementing procedures on how to respond to emergencies, including evacuation and/or sheltering in place plans.
- 5. Risk Management:** The office Risk Management has primary responsibility post-incident response and review. Other responsibilities include:
  1. Maintaining records of workplace violence post-incident response.
  2. Recording reports of acts or threats of violence in the Violence Incident Log and maintaining the Log.
  3. Coordinating Workplace Violence Consultation Team reviews, which include reviews annually, after a workplace violence incident, and when a new hazard becomes known.
- 4. Director of Environmental Health and Safety:** The Director of Environmental Health & Safety has primary responsibility for overseeing the functionality of procedures established to identify and receive reports related to physical workplace violence hazards. Other duties include:
  1. Oversee required physical hazard assessments, which include assessments of when the WVPP is initially implemented, after an act of workplace violence, and when a new hazard becomes known.
  2. The office of EHS has primary responsibility for maintaining the University's OSHA 300 log. Ensuring reporting of serious injury or fatality per Title 8 CCR Sections 330(a) and 342.
- 5. Director of Facilities Services:** Has responsibility of ensuring the implementation of corrective actions related to physical hazards to confirmed workplace violence hazards.

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**6. Director, Contracts & Procurement:** The Director, Contracts & Procurement, has primary responsibility for coordinating the implementation of the WVPP with other employers who have employees on the campus of the University.

**7. Management Plan Personnel:** All MPPs and appropriate administrators have primary responsibility for implementing and maintaining the WVPP in their administrative areas, ensuring that employees have access to training and written materials concerning University safety policies, procedures, and practices; assault prevention; and guidelines for resolving violent confrontation. Additional responsibilities include:

1. Informing University Police of all threats or acts of violence, even if the situation has been resolved.
2. Enforce compliance in campus workplace violence training.
3. Schedule meetings with staff and faculty that address security issues and potential workplace violence hazards.
4. Evaluation of workspace and personnel issues related to workplace security.
5. Training and/or counseling employees whose performance is deficient in complying with work practices designed to increase workplace security.

**8. Employees:** All members of the University community are responsible for using safe work practices, following all University directives, policies, and procedures concerning campus security, and assisting in maintaining a safe and secure work and learning environment. Review and become familiar with materials concerning campus security and participate in campus workplace violence training.

To encourage employees to comply with work practices designed to make the workplace more secure and to not engage in threats or physical actions which create a workplace violence hazard for others on campus, the University will:

1. Communicate and provide training concerning the WVPP.
2. Provide training and/or counseling to members of the community whose performance is deficient in complying with work practices designed to enhance workplace security.
3. Discipline workers for failure to comply with workplace violence practices.

### VIII. Access to the Written WVPP and Requested Records

1. The WVPP will be in writing and available on the University's website.
2. The University will make the following records available to employees and employee representatives, upon request and without cost, for examination and copying within 15 calendar days of a request: a) Records of workplace violence hazard identification, evaluation, and correction. b) Training records. c) Violent incident logs.
3. The University will make all records of workplace violence hazard identification, evaluation, and correction; training, incident logs, and workplace violence incident investigations required by LC section 6401.9(f), available to Cal/OSHA upon request for examination and copying.

**IX. Recordkeeping**

1. EHS will maintain records of workplace violence hazard identification and correction for a minimum of five (5) years.
2. HR will create and maintain training records for a minimum of one (1) year and include the following: a) Training dates. b) Contents or a summary of the training sessions. c) Names of all people attending the training sessions.
3. The Risk Management office will maintain Violent incident logs and workplace violence incident investigations for a minimum of five (5) years and follow the California State University Records/Information Retention And Disposition Schedule. These records shall not contain medical information per subdivision (j) of section 56.05 of the Civil Code.

**X. WVP Plan Review**

1. The plan shall be reviewed by the WPCT annually, after a workplace violence incident, and when a new hazard becomes known.
2. Review and revision of the WVPP will include a) Review of incident investigations and the Log. b) Assessment of the effectiveness of security systems, including alarms, emergency response, and security personnel availability (if applicable). c) Review that violence risks are being properly identified, evaluated, and corrected. Any necessary revisions are made promptly and communicated to all employees.
3. Coordination with Other Employers: The University, through its Office of Contracts & Procurement, will communicate the WVPP to other employers on campus.

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