

AP 3510 Workplace Violence

Reference:

*Cal/OSHA; Labor Code Section 6300 et seq.; 6401.7, and 6401.9
Title 8 Section 3203;
Code of Civil Procedure Section 527.8;
Penal Code Sections 273.6, 626.9, and 626.10*

The West Kern Community College District is committed to providing a safe work environment that is free of violence and the threat of violence.

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 work hours, demonstrate or threaten violent behavior, he/she may be subject to disciplinary action.

The following actions are considered violent acts:

1. Striking, punching, slapping or assaulting another person.
2. Fighting or challenging another person to fight.
3. Grabbing, pinching or touching another person in an unwanted way whether sexually or otherwise.
4. Engaging in dangerous, threatening or unwanted horseplay.
5. 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.

6. Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.
7. Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade longer than 2 ½ 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 other appropriate person.

Contact the Vice President of Human Resources at (661) 763-7809, Director of Campus Safety and Security at (661) 763-7872 or the City of Taft Police Dept. at (661) 763-3101

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, police will be called.

Workplace Violence Prevention Plan

The District has a Workplace Violence Prevention Plan that will include requirements of Labor Code Section 6401.9. The plan will include all of the following:

- Names or job titles of the persons responsible for implementing the plan;
- Procedures to obtain the involvement of employees and authorized employee representatives in developing and implementing the plan;

- Methods the district will use to coordinate implementation of the plan with other employers, when applicable, to ensure that those employers and employees understand their respective roles;
- Procedures for the District to accept and respond to reports of workplace violence, and to prohibit retaliation against an employee who makes such a report;
- Procedures to ensure that employees comply with the plan;
- Procedures to communicate with employees regarding workplace violence matters, including how an employee can report a violent incident, threat, or other workplace violence concern and how employee concerns will be investigated;
- Procedures to respond to actual or potential workplace violence emergencies;
- Procedures to develop and provide required training;
- Procedures to identify and evaluate workplace violence hazards;
- Procedures to correct workplace violence hazards;
- Procedures for post-incident response and investigation;
- Procedures to review the effectiveness of the plan and revise the plan as needed; and
- Procedures or other required information.

File Retention

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

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

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

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