



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Administrative Procedure

Chapter 7 – Human Resources

4870.1 - WORKPLACE VIOLENCE PROCEDURE

PURPOSE

The purpose of these procedures is to implement the provision of POLICY 4870 - WORKPLACE VIOLENCE, by defining its components and assigning responsibilities for carrying out the policy. These procedures are designed as the district's response to the adoption of practices, means methods, operations and processes reasonably adequate to create a safe workplace.

DEFINITION OF WORKPLACE VIOLENCE

1. Workplace violence is defined as verbal threats, violent behavior or physical conduct, which interferes with employee's safety in the workplace.
2. Workplace violence includes, but is not limited to, making written, physical, or visual contact with verbal threats or violent behavior overtones.

DESIGNATION OF RESPONSIBLE OFFICER

The Assistant Chancellor of Human Resources and Administrative Services is hereby designated as the District Officer responsible for implementing the requirements as set forth in this procedure for the investigation and corrective action to remedy any incidents or alleged incidents of workplace violence.

DISTRICT EMERGENCY RESPONSE PROCEDURES

The following are steps that the supervisor or manager should take when dealing with an emergency violent situation:

1. Call College Police (388 6405) and San Diego police (911);
2. If incident involves a gun, lock classrooms and/or office if necessary and order everyone to lie flat on floor;
3. Secure the immediate area;
4. Provide first aid, if necessary;
5. Notice and remember participants and witnesses;
6. Direct participants and witnesses to administrative office;
7. Secure written statements that are signed and dated from those individuals:

- a. statements should contain detailed facts, not conclusionary statements;
 - b. statements should describe participants' actions; witnesses should be asked to describe the event act-by-act.
- 8. Advise victims of right to file a police report which could result in a criminal complaint;
- 9. Notify spouse or families of victims and participants, Chancellor, Presidents, and others with a need to know, i.e., Human Resources, College Information Officer, College Nurse, Workers' Compensation carrier, and legal counsel;
- 10. As appropriate, provide for mental health counseling referral to the Employee Assistance Program (571-1698), as needed for those involved;
- 11. Initiate appropriate progressive discipline, which may include suspension, a court ordered restraining order, or termination of the perpetrator (if a district employee);
- 12. Prepare reports or other administrative actions.

REPORTING AND INVESTIGATING THREATS OR VIOLENT BEHAVIOR

- 1. The supervisor* should assure the employee (alleged victim) that a thorough and prompt investigation will occur, and should ask whether he/she has any suggestions for minimizing the risk of a violent act. *The term "supervisor" shall mean the individual supervisor or manager to whom the employee (alleged victim) customarily reports.
- 2. The supervisor will immediately notify the Office of the Assistant Chancellor of Human Resources and Administrative Services and, if appropriate, investigate in consultation with the College Police any reported threat of violence to their employees.
- 3. The Human Resources and Administrative Services Department (hereinafter Human Resources) shall advise the supervisor on any special circumstances required to investigate and report the alleged violent behavior. Such circumstances may include directing the accused employee to remain away from the workplace while the investigation is proceeding.
- 4. The supervisor conducting an investigation should interview the reporting party and obtain information regarding the threat which would include:
 - a. who made the threat;
 - b. against whom the threat was made;
 - c. the specific language of the threat;
 - d. any physical conduct by the threatening party which would tend to substantiate that the individual intends to follow through on the threat;
 - e. the names of any other witnesses to the threat or violent conduct;
 - f. the time and place where the threat or violent conduct occurred;
 - g. threats or violent conduct by the alleged perpetrator before this incident; and
 - h. any other pertinent information.
- 5. The supervisor in consultation with Human Resources and the College Police should decide how to approach the accused. Fairness and due process require that the perpetrator's rights be considered.
- 6. Upon completion of the investigation, the supervisor will confer with Human Resources and, if appropriate, College Police, and an appropriate course of action will be determined. This may include disciplinary action and/or a psychological evaluation of the accused employee. This may also include the provision of employee assistance counselors to those employees who have been threatened.

7. The supervisor will report back to the employee (alleged victim) on the action taken concerning the incident.

DEFAMED CLAIMS

Supervisors and managers are asked to proceed with the investigation in a cautious manner, working closely with the Human Resources Department for legal assistance due to possible claims of defamation by the accused. Defamation occurs when a statement which is communicated to another individual is false, unprivileged, and the cause of injury.

TRAINING

The Assistant Chancellor of Human Resources and Administrative Services shall be responsible for scheduling workshops on workplace violence, conflict resolution and related topics.

A "CHECKLIST" OF EARLY WARNING SIGNS OF THE POTENTIAL FOR VIOLENCE IN THE WORKPLACE

Experts caution that there is no definite profile from which an employer can determine whether an individual will be more prone to violence in the workplace than another. However, the same experts agree that a number of signs often exhibited by employees in a pattern of escalation may lead to violence in the workplace. Having one or even several of these signs does not mean that the employee will be violent, but should be used to heighten concern. Conditions in the workplace can also suggest an increased potential for violence. The most common warning signals are the following:

1. any history of violent behavior or other aggressive behavior exhibited by the employee;
2. an extreme interest in or obsession with weapons, e.g. paramilitary training, weapons collections (often including semiautomatic weapons), and compulsive reading and collecting of gun magazines. If this behavior starts spontaneously or is out of character for the employee, it should be considered;
3. excessive discussion of weapons at work, carrying a concealed weapon or flashing a weapon to test reactions;
4. making either direct or veiled verbal threats of harm (i.e., predicting that bad things are going to happen to a co-worker or supervisor);
5. intimidating others or instilling fear in co-workers or supervisors or managers. (This can be physical or verbal intimidation.) Harassing phone calls and stalking are examples;
6. having an obsessive involvement with the job, often with no apparent outside interests. (Usually outside relationships fail or are strained.) The workplace becomes the person's sole source of identity. (Please be advised that this characteristic may apply to many of your best employees, including those who would never commit a violent act);
7. being a loner with little involvement with co-workers with the possible exception of a romantic interest with a co-worker. This interest will often be so intense that the co-employee will feel threatened and may report the unwanted attention under the sexual harassment policy;

8. being paranoid, panicking easily and often perceiving that the whole world is against the employee;
9. not taking criticism well, holding a grudge, especially against a supervisor, and often verbalizing a hope for something to happen to the person against whom the employee has the grudge. A classic example is to hold a grudge over being denied a promotion, transfer, etc.
10. expressing extreme desperation over recent family, financial, or personal problems. Giving up statements, threats to quit, depression;
11. fascination with other recent incidents of workplace violence and approval of the use of violence under certain circumstances;
12. an escalating propensity to push the limits of normal conduct, with a disregard for the safety of co-employees;
13. failure to take consistent disciplinary measures against threats of violence or minor incidents of violence (e.g., pushing or touching which may or may not be associated with a sexual harassment complaint);
14. workplace events generating great stress such as layoffs (downsizing), terminations, labor disputes, and transfers;
15. workplace locations and activities which expose employees to the threat of violent behavior from non-employees entering the workplace.

LEGAL REQUIREMENTS

SDCCD Workplace Violence Policy 4870
Federal Occupational Safety and Health Act
29 United States Code Section 654(a)(1)

Adopted: October, 14 1998

SUPERSEDES: October 10, 1994