

# **CALIFORNIA WORKPLACE VIOLENCE PREVENTION PLAN**

**Prepared: August 2024**



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## **WORKPLACE VIOLENCE PREVENTION PLAN FOR AMERICAN RIVER FLOOD CONTROL DISTRICT**

**Date of Last Review:** August 9, 2024

**Date of Last Revision:** August 9, 2024

### **Responsibility**

The Workplace Violence Prevention Plan (“WVPP” or “Plan”) Administrator, Tim Kerr, General Manager, has the authority and responsibility for implementing the provisions of this Plan for American River Flood Control District (“ARFCD”).

All managers and supervisors are responsible for implementing and maintaining the WVPP in their work areas and for answering questions about the WVPP.

### **Employee Participation**

All ARFCD employees are expected to assist in maintaining a safe, healthy, and secure work environment. Everyone is responsible for using safe work practices, following this WVPP, following the applicable Injury and Illness Prevention Plan and Workplace Violence policy in the employee handbook, as well as complying with all related directives, policies, and procedures. All employees and authorized employee representatives are invited to be actively involved in developing and implementing the WVPP by:

- Identifying, evaluating, and determining corrective measures to prevent workplace violence. As part of this Plan, the ARFCD surveyed all employees to obtain their feedback regarding workplace violence hazards and concerns in their specific workplace.;
- Designing and implementing training. Employees are encouraged to participate in designing and implementing training programs, and their suggestions are incorporated into the training materials. For example, an employee might suggest a new training scenario based on a recent incident.; and
- Reporting and investigating workplace violence incidents.

The ARFCD will coordinate the WVPP’s implementation with other employers, if appropriate, to ensure those employers and employees understand their respective roles, as provided in the Plan. All such employees will be required to attend workplace violence prevention training and to report, investigate, and record workplace violence incidents at work.

### **Employee Compliance**

Our system of ensuring that supervisory and nonsupervisory employees comply with the WVPP includes:

- Recognizing employees who follow safe work practices that promote the WVPP in the workplace.

- Training and retraining employees, supervisors, and managers on the provisions of this WVPP and general workplace violence prevention principles.
- Taking disciplinary action against employees who fail to comply with safe and healthful work practices following training, refresher training, or instruction. The ARFCD will not tolerate unsafe acts by its employees. If any employee violates workplace violence policies and rules or otherwise does not perform their job safely and healthfully, they may be subject to appropriate corrective action, up to and including termination.
- Implementing effective procedures to ensure that all employees, regardless of their title or classification, comply with the WVPP by conducting periodic assessments and training.

### **Prohibition on Retaliation**

The ARFCD has implemented effective procedures for accepting and responding to reports of workplace violence, as described below. We prohibit retaliation for reporting workplace violence incidents, and for participating in any investigation of such incidents. This commitment means that we will not discipline, terminate, or otherwise take negative action against any employee for reporting a workplace violence incident, or assisting the ARFCD in investigating such an incident. If you believe someone has retaliated against you for engaging in such conduct, please notify the WVPP Administrator immediately.

### **Communication with Employees**

We recognize that open, two-way communication among our management team, staff, and other employers about workplace violence is essential to a safe and productive workplace. Our communication system is designed to facilitate a continuous flow of workplace violence prevention information in a form that is readily understandable by all employees, and consists of the following:

- New employee orientation that includes a discussion of workplace violence prevention policies and procedures
- Workplace violence prevention training programs
- Posted or distributed workplace violence prevention information

Employees may report a violent incident, threat, or other workplace violence concern to the ARFCD or law enforcement without fear of reprisal or adverse action.

Employees also will not be prevented from accessing their mobile or other communication devices to seek emergency assistance, assess the safety of a situation, or communicate with a person to verify their safety.

Employees' concerns will be investigated in a timely manner, and they will be informed of the results of the investigation and any corrective actions to be taken. The ARFCD also will provide updates to employees on the status of investigations and corrective actions through email, at safety meetings, and via other appropriate methods. These updates may include information

about the progress of investigations, the results of investigations, and any corrective actions taken.

### **Reporting Workplace Violence Incidents, Threats, and Concerns**

#### **Definitions:**

“Workplace violence” means any act of violence or threat of violence that occurs in a place of employment including, but not limited to, the following:

- The threat or use of physical force against an employee that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether the employee sustains an injury.
- An incident involving a threat or use of a firearm or other dangerous weapon, including the use of common objects as weapons, regardless of whether the employee sustains an injury.

There are four types of workplace violence:

- 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 or approaches workers with the intent to commit a crime.
- Type 2 Violence: Workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors.
- Type 3 Violence: Workplace violence against an employee by a present or former employee, supervisor, or manager.
- 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 employee.

Workplace violence does not include lawful acts of self-defense or defense of others.

“Threat of violence” means 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.

#### **Reporting Procedures**

Employees must report any violent incident, threat, hazard, or other workplace violence concern to a supervisor or manager, who immediately will inform the WVPP Administrator. If for any reason an employee does not feel comfortable or cannot inform a supervisor or manager, they may contact Human Resources directly or immediately contact law enforcement.

The ARFCD will promptly investigate all employee reports of violent incidents, threats, or concerns, and will notify the reporting employees of the results of the investigation and any actions taken to correct workplace violence hazards identified in the course of the investigation.

### **Responding to Workplace Violence Emergencies**

A “workplace violence emergency” is any act of violence or threat of violence that occurs at work, including circumstances that can be life threatening or pose a risk of significant injuries to employees or other persons.

In case of a workplace violence emergency, ARFCD will:

- Alert all employees of the presence, location, and nature of the workplace violence emergency by announcements and/or use of the blue light emergency alerts. When employees see a flashing blue light in designated areas of the building including the conference room or hear a safety code, which indicates that there is safety issue in the front desk area, employees should exit the building by the office’s side door in the Employee Benefits department.
- Where appropriate and/or necessary, implement the ARFCD’s evacuation plans. Maps of evacuation routes, are available upon request to Human Resources.

In case of a workplace violence emergency, employees may contact the following entities for help:

- Tim Kerr, General Manager, 916.929.4006 ext. 102 (Office); 916.417.4161 (Cell)
- Sacramento City Police Department, 916.808.4500 (Non-emergency)

If there is immediate danger, call for emergency assistance by dialing 9-1-1 (dial outside access number first, if applicable) and then notify the WVPP Administrator.

### **Training**

The ARFCD will develop and facilitate workplace violence prevention training for all employees, including managers and supervisors. Attendance is mandatory.

The following topics will be covered in the training:

- The ARFCD’s WVPP, including how to obtain a copy of the Plan at no cost
- How to participate in the development and implementation of the WVPP
- Workplace violence prevention definitions and requirements under California law
- How to report workplace violence incidents and concerns to the ARFCD or law enforcement without fear of retaliation
- Worksite and job-specific information, including:
  - Workplace violence hazards specific to employees’ jobs

- Corrective measures the ARFCD has implemented
- How to seek assistance to prevent or respond to workplace violence
- Strategies to avoid physical harm
- Workplace Violent Incident Logs maintained by the ARFCD for each workplace violence incident
- How to obtain copies of the following records:
  - Workplace violence hazard identification, evaluation, and correction
  - Training records
  - Workplace Violent Incident Logs
  - Records of workplace violence investigations
- Opportunities for interactive questions and answers with a person knowledgeable about the ARFCD's Plan
- Strategies to avoid/prevent workplace violence and physical harm, such as:
  - How to recognize workplace violence hazards including the risk factors associated with the four types of workplace violence
  - Ways to defuse hostile or threatening situations

Training and instruction will be provided as follows:

- When the WVPP is implemented, and annually thereafter
- To all employees with respect to workplace violence hazards specific to each employee's job assignments/work location
- To all new employees and/or employees given new job assignments/work location for which they have not previously received training
- When new processes or procedures are introduced to the workplace and present a new workplace violence hazard
- When the ARFCD is made aware of a new or previously unrecognized workplace violence hazard
- When the ARFCD makes changes to the WVPP

## **Workplace Violence Hazard Assessment**

The WVPP will be in effect at all times and in all work areas and is specific to the hazards and corrective measures for each work area and operation.

The ARFCD will implement and enforce procedures to identify and evaluate workplace violence hazards including, but not limited to, scheduled periodic inspections to identify unsafe conditions and work practices and employee reports and concerns.

Periodic inspections to identify and evaluate workplace violence hazards will be performed by the ARFCD's Human Resources Manager, Risk Control Manager, and/or Human Resources Specialist.

Periodic inspections are performed according to the following schedule:

- When the WVPP is implemented
- After any workplace violence incident
- When the ARFCD is made aware of a new or previously unrecognized hazard
- Inspections will include an assessment of:
  - The need for violence surveillance measures, such as mirrors and cameras
  - Procedures for reporting suspicious persons or activities
  - Effective location and functioning of emergency buttons and alarms
  - Posting of emergency telephone numbers for law enforcement, fire, and medical services
  - Whether employees have access to a telephone with an outside line
  - Whether employees have effective escape routes from their work areas
  - Whether employees have a designated safe area where they retreat in an emergency
  - The adequacy of workplace security systems, such as door locks, entry codes or badge readers, security windows, physical barriers, and restraint systems
  - The effectiveness of systems and procedures to warn others of actual or potential workplace violence danger or that summon assistance, such as alarms or panic buttons

The ARFCD will review all submitted/reported concerns of potential hazards and take appropriate steps to address them.



### **Employee Access to the WVPP**

All employees, their designated representatives, and Cal/OSHA representatives have the right to examine and receive a copy of our WVPP. This access will be accomplished by providing unobstructed access through the intranet.

### **Recordkeeping**

The ARFCD will:

- Create and maintain records of workplace violence hazard identification, evaluation, and correction, for a minimum of five (5) years
- Create and maintain training records for a minimum of one (1) year, including the following:
  - Training dates
  - Contents or a summary of the training sessions
  - Names and qualifications of persons conducting the training.
  - Names and job titles of people attending the training sessions
- Maintain Workplace Violent Incident Logs for a minimum of five (5) years
- Maintain records of workplace violence incident investigations for a minimum of five (5) years, which will not contain medical information per California Civil Code Section 56.05(j)
- All records required by California Labor Code Section 6401.9(f) will be made available to Cal/OSHA upon request for examination and copying.

### **Correcting Workplace Violence Hazards**

The ARFCD will correct workplace violence hazards in a timely manner when they are observed or discovered, and according to the following procedures:

- When an imminent workplace violence hazard exists that cannot be immediately abated without endangering employee(s) and/or property, ARFCD will remove all employees from the area, except those necessary to correct the existing condition. Employees required to correct the hazardous condition will be provided with the necessary protection.
- All corrective actions taken will be documented and dated on the appropriate forms, including the Workplace Violent Incident Log and Workplace Violent Incident Investigation Report forms.
- Corrective measures for workplace violence hazards will be specific to a given work area

- Install security surveillance cameras in and around the workplace
- Provide workplace violence systems, such as door locks, physical barriers, and emergency alarms by:
  - Ensuring the adequacy of workplace violence systems
  - Controlling access to, and freedom of movement within, the workplace by non-employees, include recently discharged employees or persons with whom one of our employees is having a dispute
  - Installing effective systems to warn others of a violence danger or to summon assistance, e.g., alarms, blue strobe lights, and intercom announcements
- Provide employee training/re-training (refreshers) on the WVPP, which could include but not limited to the following:
  - Recognizing and handling threatening or hostile situations that may lead to violent acts by persons who are service recipients of our establishment
  - Ensure that all reports of violent acts, threats of physical violence, verbal abuse, property damage or other signs of strain or pressure in the workplace are handled effectively by management and that the person making the report is not subject to retaliation by the person making the threat
  - Improve how well our establishment's management and employees communicate with each other
  - Procedures for reporting suspicious persons, activities, and packages
- When Board governance meetings take place at the worksite, Board members will be reminded of the ARFCD's emergency procedures, including evacuation plans, and the use of code words over the intercom and blue strobe light alerts in case of disturbance in the office lobby/main entrance.
- Establish a policy for prohibited practices, including the ARFCD's no-weapons policy

### **Post-Incident Response and Investigation**

After a workplace incident, the WVPP Administrator or their designee will implement and enforce procedures for post-incident response and investigation including, but not limited to:

- Visiting the workplace violence incident scene as soon as safe and practicable
- Interviewing employees and witnesses, and any other involved parties

- Examining the workplace for security risk factors associated with the incident, including any previous reports of inappropriate behavior by the perpetrator, if any
- Determining the cause of the incident
- Taking corrective action to prevent the incident from reoccurring
- Obtaining copies of any reports completed by law enforcement
- Recording the findings and corrective actions taken, using a Workplace Violent Incident Log, which will include information such as:
  - The date, time, and location of the incident
  - The workplace violence type or types involved
  - A detailed description of the incident
  - A description of the relationship of the perpetrator to the workplace, 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 other perpetrator
  - A description of the circumstances at the time of the incident, including, but not limited to, whether employees were completing their usual job duties, working in poorly lit areas, rushed, working during a low staffing level, isolated or alone, unable to get help or assistance, or working in a community setting or in an unfamiliar or new location
  - A description of where the incident occurred, such as in the workplace, parking lot or other area outside the workplace, or other area
  - The type of incident, including, but not limited to, whether it involved any of the following:
    - Physical attack without a weapon, including, but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting
    - Attack with a weapon or object, including, but not limited to, a firearm, knife, or other object
    - Threat of physical force or threat of the use of a weapon or other object
    - Sexual assault or threat, including, but not limited to, rape, attempted rape, physical display, or unwanted verbal or physical sexual contact
    - Animal attack

- Other
- Consequences of the incident, including, but not limited to:
  - Whether security or law enforcement was contacted, and their response
  - Actions taken to protect employees from a continuing threat or from any other hazards identified as a result of the incident
  - Information about the person completing the log, including their name, job title, and the date completed
- Reviewing all previous incidents
- Ensuring that no personal identifying information is recorded or documented in the Violent Incident Log. This prohibition includes information that would reveal identification of any person involved in a violent incident, such as the person's name, address, electronic mail address, telephone number, social security number, or other information that, alone or in combination with other publicly available information, reveals the person's identity

### **Review and Revision of the WVPP**

The ARFCD will implement and enforce procedures to review the effectiveness of this WVPP and revise it as needed including, but not limited to, obtaining the active involvement of employees in reviewing the Plan, as described above.

The ARFCD will review the WVPP at least annually, when a deficiency is observed or becomes apparent, after a workplace violence incident, and as needed. All such reviews will include, but be not limited to:

- Review of incident investigation and Workplace Violent Incident Log(s)
- Assessment of the effectiveness of security systems, including alarms, emergency response, and security personnel availability, if applicable
- Ensure violence risks are being properly identified, evaluated, and corrected, and any necessary revisions are made promptly and communicated to all employees; revisions may involve changes to procedures, updates to contact information, and additions to training materials

The ARFCD also will update the WVPP to include any procedures or other information determined by Cal/OSHA's Occupational Safety and Health Standards Board to be necessary and appropriate to protect the health and safety of employees.

### **District Reporting Responsibilities**

As required by California Code of Regulations ("CCR"), Title 8, Section 342(a), "Reporting Work-Connected Fatalities and Serious Injuries," the ARFCD will immediately report to Cal/OSHA any

employee's serious injury or illness (as defined by CCR, Title 8, Section 330(h)), or death (including any injury, illness, or death due to workplace violence) occurring at work or related in any way to employment with the ARFCD.

**ACKNOWLEDGEMENT OF WORKPLACE VIOLENCE  
PREVENTION PLAN ADMINISTRATOR**

I, Tim Kerr, General Manager of ARFCD, hereby authorize and ensure the establishment, implementation, and maintenance of this written workplace violence prevention plan and the documents/forms within this written plan. I am committed to promoting a culture of safety and violence prevention in our workplace and believe that these policies and procedures will help us achieve that goal.

\_\_\_\_\_  
Tim Kerr, ARFCD

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date