



Book	Administrative Procedures
Section	CHAPTER 3: General Institution
Title	Workplace Violence
Code	Interim AP 3510
Status	Active

Interim AP 3510 Workplace Violence

References:

Cal/OSHA; Labor Code Sections 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 District has established a Workplace Violence Prevention Plan for all District worksites which is publicly available at www.smccd.edu/wpv.

The 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/they may be subject to criminal prosecution.

Should an employee, during working hours, demonstrate or threaten violent behavior he/she/they may be subject to disciplinary action.

The following actions are considered violent acts:

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

- Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.
- Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade longer than 2½ inches upon the grounds, unless the person is authorized to possess such a weapon in the course of his/her/their 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/her/their 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/their supervisor or other appropriate person.

No one, acting in good faith, who initiates a complaint or reports an incident under this procedure or related 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, Appropriate law enforcement personnel will be called.

The District will maintain a workplace violence prevention plan in compliance with Labor Code Section 6401.9. The workplace violence prevention plan includes:

- Names and 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; and

Procedures to review the effectiveness of the plan and revise the plan as needed.

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 the 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.

Also see BP 3510 Workplace Violence and BP/AP 3515 Reporting of Crimes.

Approved:
(This is a new procedure)