

Chualar Union School District Workplace Violence Plan

July 2024 - 27

Pursuant to the California Labor Code 6401.9.9 (sb 553)

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This Workplace Violence Prevention Plan (WVPP) is established and implemented in accordance with the requirements of the California Labor Code, Section 6401.9 (SB 553) and the Injury and Illness Prevention

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Plan, California General Industry Safety Order Code of Regulations, Title 8, §3203 effective July 1, 2024. This Plan is intended to ensure the occupational safety and health of all District employees regardless of position and job tasks. This Plan is a component of the District Loss Control Plan. Only the Superintendent or the appointing authority may amend this WVPP. Each District office/school shall develop safety policies specific to their procedures and operation to comply with the requirements of § 3203, California Code of Regulations, Title 8. This WVPP does not supersede any law, legal requirement, regulation, or District policy.

I. PURPOSE

To establish a Plan to manage the prevention of workplace violence and a process of intervention to protect employees from threats of violence in the workplace.

II. POLICY STATEMENT

It is the policy of **Chualar Union School District** to provide a safe and secure working environment reasonably free from fear of violence, aggression, intimidation, harassment, or retaliation for all employees. Acts or threats of violence against the life, health or wellbeing of employees or members of their family or their property either in the workplace or in connection with that employee's conduct of District business will not be tolerated. Any such acts by District employees towards others constitute grounds for disciplinary action up to and including termination from District employment and may result in criminal prosecution. A threat may, in and of itself, constitute grounds for discipline regardless of whether the perpetrator intended to carry out the threat.

This policy will address the hazards known to be associated with the four major types of workplace violence as outlined by California Labor Code, Section 6401.9.

Type I, which means 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 II, which means workplace violence directed at employees by parents, students, clients, or visitors.

Type III, which means workplace violence against an employee by a present or former employee, supervisor, or manager.

Type IV, which means 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.

III. DEFINITIONS

Crisis Incident Response Team (CIRT) are employees who are delegated the responsibility to evaluate and recommend courses of action with regard to anyone who has demonstrated acts or conduct which constitute a threat or threats of violence in the workplace. The following employees, or their designees, are designated as members of the CIRT:

Superintendent - Ruben Pulido
Assistant Principal
Administrative Assistant - Martha Contreras
Human Resources Dir. - Mireya Solis

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Emergency means an unanticipated circumstance that can be life threatening or pose a risk of significant injuries to employees or other persons.

Engineering controls means an aspect of the built space or a divide that removes a hazard from the workplace or creates a barrier between the worker and the hazard.

Log means the violent incident log required by this section.

Plan means the workplace violence prevention plan required by this section.

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.

Workplace violence means any act of violence or threat of violence that occurs in a place of employment. Workplace violence includes, but is 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.
- Physical violence: Unwelcome physical contact between two parties. Physical violence includes assaults, sexual assaults or property damage deliberately caused.
- Verbal violence: Threats, verbal abuse, or harassment involving language designed to threaten, intimidate, or do harm.

Violent Acts means:

- Striking, punching, slapping, spitting, or otherwise assaulting another person.
- 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.
- Fighting or challenging another person to fight.
- Grabbing, pinching, or touching another person in an unwanted way whether sexual or otherwise.
- Engaging in dangerous, threatening, or unwanted horseplay.
- Possession of firearm, replica firearm, explosive device, or incendiary device on District property, in District vehicles, in other District equipment or while engaged in activities for the District in other locations, unless such possession or use is a requirement of the job or otherwise legally permitted or authorized.
- Use or threat of use, of any object intended as a weapon of aggression (i.e., as opposed to justifiable self-defense), while engaged in District business at any location, or on District property, including parking lots, other exterior premises, or while in or using District vehicles.

Weapons: Are defined as firearms, chemical sprays, clubs or batons, and knives, and includes any device, tool, chemical agent, or other implement capable of bodily harm if it is used as a weapon or displayed in such a manner to cause harm or threaten a person with harm.

Workplace: any location where District business is conducted by District employees including vehicles and parking lots.

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Written violence: Written threats including letters, notes, texting, e-mail, blogging, plans, or drawings describing, detailing, warning or delivering threats.

IV. PROHIBITED ACTS AND BEHAVIOR

Employees of District shall not engage in, encourage or promote acts of harassment, intimidation, violence, threats, coercion, and abusive and/or assaultive behavior toward an employee, a member of an employee's family, or other person, if in connection with that employee's District employment; or intentionally damaging property owned, operated or leased by the District.

District management is prohibited from authorizing employees to carry weapons while engaged in District business unless carrying a weapon is required by the job classification of the employee and there are specific policies and procedures which govern the use and/or display of the weapon.

Employees engaged in District business shall not carry self-defense weapons in violation of any law or this policy. Employees who carry a legal self-defense weapon shall notify the department head in writing of what type of weapon is being carried. Employees who carry legal weapons for self-defense may be in violation of this policy and may be subject to personal civil liability and legal prosecution in the event of accidental discharge or loss of the weapon; use, threat of use, or display of the weapon while engaged in District business, or violation of any law related to carrying a legal self-defense weapon while engaged in District business. Examples include but are not limited to concealed weapon (handgun permit); mace, pepper spray or other chemical agents; stun guns.

V. RESPONSIBILITIES AND TRAINING

CIRT Members

To facilitate the appropriate actions related to any workplace threat of violence and to mobilize and direct the necessary resources to ensure the safety of District employees, vendors, visitors and other members of the public. Recommend to Superintendents alternative actions relative to the incident.

Principal/Assistant Principal

- Report threats or acts of workplace violence immediately to any member or designee of the CIRT.
- Aid possible to allow the CIRT to proceed in the assessment and evaluation of the threat of violence incident.
- Document pertinent information relative to the incident.
- Attending Workplace Violence training.
- Ensure that the appropriate staff members receive the necessary training to identify probable threats of workplace violence.
- Ensure that appropriate action is taken relative to the incident. Examples are disciplinary action, counseling, trauma intervention, medical referral, EAP referral, etc.
- Ensure that all members of the department are aware of this process and understand the importance of timely reporting.

Managers and Supervisors

- Managers and Supervisors share the responsibility for implementing and enforcing the provisions of this Plan for the District.
- Conduct new employee orientation on the district's Workplace Violence Policies, procedures, and

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work practices.

- Conduct annual review of the district's Illness and Injury Prevention Plan (IIPP) for Workplace Violence Prevention Policy with all employees.
- Receive Workplace Violence Prevention training.
- Present training Plans designed to address specific aspects of workplace violence prevention unique to each site's working environment.
- Post or distribute Workplace Violence Prevention Plan to inform employees and management at all levels of this policy.
- Implement and communicate a procedure that encourages employees and authorized employee representatives in developing and implementing the plan, including, but not limited to, through their participation in identifying, evaluating, and correcting workplace violence hazards, in designing and implementing training, and in reporting and investigating workplace violence incidents.
- Report Threats or acts of violence immediately to any member or designee of the CIRT.
- Assure that incident documentation is accurately provided and reported in a timely manner.
- Document and maintain incident records and follow-up actions.

Employees

- Participate in the implementation, review of WVPP training Plan, and review of the written Plan. Provide information of vulnerabilities identified and recommendations for the prevention of workplace violence as needed.
- Attending training when WVPP is implemented, or employee is hired, and annually thereafter.
- Report threats of violence immediately to any member or designee of the CIRT, and to a supervisor.
- Review the policy, sign the Employee Workplace Violence Prevention Plan Acknowledgment form, and fully comply.
- Request information from those who should be familiar with this policy (the Trainer, Supervisor, Manager, Assistant Principal and Principal) to clarify any points of misunderstanding.
- Ensure compliance of this policy by refraining from behaviors that are in violation with this policy prohibiting threats or acts of violence in the workplace.
- Provide all assistance possible to allow the CIRT to proceed in the assessment and evaluation of the threat of workplace violence.

VI. WORKSITE SECURITY RULES

Suspicious Persons

All employees should be alert to persons whose actions or presence appears to be of suspicious nature not typically expected of an ordinary employee, customer, or visitor. If employees have doubts concerning the intentions of any such person, they should avoid the individual, if possible, quickly but quietly notify a supervisor, and/or follow other applicable security procedures.

Access to Premises

Employees should be on the premises only during normal business hours or authorized hours of work.

Visitors

Individuals not employed or contracted by the district should sign in at the main office, be issued a Visitor

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tag and/or be accompanied by a district employee when they are afforded access to areas normally restricted to employees only. Employees bringing visitors shall request authorization from a supervisor prior to affording access to areas normally restricted to employees only.

VII. HAZARD ASSESSMENT

Each site will perform workplace violence hazard assessments for security in the form of periodic inspections. The Site Principal or other designated representative, including MERMA's Loss Control Manager, may aid with the inspections. A hazard assessment shall be conducted according to the following:

When the IIPP for Workplace Violence Prevention Plan is initially established.

When new or previously unidentified workplace violence hazards are recognized.

When potential workplace violence conditions warrant an inspection.

VIII. INCIDENT REPORTING REQUIREMENTS

Episodes of workplace violence can only be reduced if employees are willing to report threats of violent behavior.

Any employee who believes he or she has been a subject of workplace violence or is a witness of such act shall report immediately the alleged incident of workplace violence or threat of violence to a Supervisor, Manager, Assistant Principal, Principal, Superintendent or Manager in the Human Resources. An employee may also report the incident to the appropriate law enforcement agency.

Information about a workplace violence incident will remain confidential and will be disclosed only to those who have a need to know. No one who initiates a good faith complaint or reports an incident under this policy may be subject to adverse personnel action.

Supervisors and Managers who have received reports of or have knowledge of workplace violence situations shall complete "Appendix B of the District's Workplace Violence Prevention Policy Incident Report Form", enter the information on the WVPP Log and inform the Principal, Assistant Principal and Human Resources as soon as possible.

The appropriate law enforcement agency shall be notified of the incident, at the discretion of the site manager or Principal.

Incidents involving workplace violence shall be resolved by management, employing disciplinary measures for employees, and either appropriate steps taken to deal with the public or referred to local law enforcement.

Failure to report an incident shall subject employees to appropriate disciplinary action.

IX. RESPONSE TO IMMEDIATE THREAT OR DANGER

This policy does not require or encourage employees to intervene in a violent situation or to place themselves in danger.

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In the event of an immediate threat or violent act contact law enforcement by dialing 9-9-1-1.

All people, whether employed by the district or not, should be evacuated from the area, if it is warranted and can be done safely. The evacuation shall follow the procedures contained in the Evacuation and Emergency Action Plan section of the Injury and Illness Prevention Plan (IIPP).

X. INVESTIGATIONS

Workplace violence incidents involving district employees must be investigated to determine if steps can be implemented to prevent like incidents from recurring and/or to gather information for possible criminal/civil action.

The CIRT shall conduct, or authorize, an investigation into the incident within 24 hours of having received the report. Upon completion of the investigation an appropriate response shall be prepared. If there is employee misconduct, then disciplinary action will be taken against the employee(s) involved.

XI SECURITY MEASURES

If the risk or threat came from a member of the public, the district will evaluate security measures and/or institute new procedures for dealing with the specific public person and incident reported to appropriate law enforcement authorities.

XI. RECORDKEEPING

Records of workplace violence incident investigations conducted pursuant to the Workplace Violence Prevention Plan shall be maintained for a minimum of five (5) years. These records shall not contain "medical information," as defined in subdivision (j) of Section 56.05 of the Civil Code. Keep records in human resources as separate file, copy to employee personnel file as appropriate.

XII. MONITORING

District sites shall monitor the effectiveness of the Workplace Violence controls in place at their facilities to ensure compliance with the District's Workplace Violence Prevention Plan's prevention practices. The site *title of designee* shall monitor the Workplace Violence Prevention Plan for its effectiveness.

XIII. ANNUAL INSPECTIONS

Inspections for workplace violence hazards will be conducted annually in the context of the annual Injury and Illness Prevention Plan audit. This inspection will consist of the identification and evaluation of the potential hazards of any changes in workplace function. Records of workplace violence inspections, including the name of the person conducting the inspection, are to be recorded and retained for five years.

XIV. EMPLOYEE PARTICIPATION

All employees are encouraged to take an active role in creating a safe work environment and providing suggestions for the improvement of the WVPP. Any questions, comments or suggestions regarding this Plan shall be directed to the Principal/Assistant Principal.

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XV. DISCIPLINARY PROCEDURES

Employees found to be in violation of this plan will be subject to disciplinary action, up to and including termination of employment. An employee convicted of a violent crime or engaging in off-duty behavior which violates this Plan, may be subject to disciplinary action, if, during the crime or behavior, the employee represented him/herself as a District employee.

Appropriate actions may include the following:

- Immediately placing an employee on Administrative Leave and having the employee leave the premises, pending investigation; and/or,
- Asking any threatening or potentially violent person to leave the site; and/or,
- Immediately contacting the appropriate law enforcement agency to maintain safety, including removal of the offender from the work site and to determine if a violation of the law has occurred.

This section intentionally left blank.

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XVI. POLICY SUPPORT ELEMENTS

Critical Incident Policy: *Workplace Violence Prevention Plan.*

Chualar Union School District Personnel Policies and Practices:

Article 5 Section D - Welfare 5140, Subsection 1 - 5141 (BP/AR) - 5142.3 - Health Care and Emergencies

The District establishes policies and procedures for the investigation and resolution of discrimination complaints. These complaints may be related to harassment, threats, acts of violence, and other human rights violations.

District Safety Plan: Provides guidelines on workplace security.

Policy Compliance: The Human Resources Division is authorized by this Plan to audit departments to assure compliance with this policy. The Human Resources Division may also recommend and implement training, surveys, or other quality control procedures to evaluate the effectiveness of this Plan.

XVII. POLICY SIGNATURES

Policy: Workplace Violence Prevention Plan		
Signature	Title	Date
Prepared By:		
Reviewed By:		
Signature:		
Authorized By:		
Signature:		

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Appendix A Employee Workplace Violence Prevention Policy Acknowledgment

The **Chualar Union School District** is committed to providing and maintaining a safe work environment free from the threat of violence, aggression, intimidation, harassment, or retaliation for all employees and the public. It is the policy of the District that threats of violence or violent behavior, direct or implied, will not be tolerated in the workplace. Acts or threats of violence against the life, health, and wellbeing of employees or members of their family or their property either in the workplace or in connection with that employee's conduct of district business will not be tolerated.

This policy covers acts or threats of violence, whether made directly or indirectly, including but not limited to words, gestures, correspondence, phone calls or other electronic communication, symbols or physical acts which threaten the safety or security of district employees or which may inhibit district employees from conducting business or providing services in an environment of safety and security. This also includes, but is not limited to, threats on district premises, at district functions or any other location where violence or threats of violence may have an adverse impact on the District's ability to do business or provide services.

Employees of the District Name shall not engage in, encourage, or promote acts of harassment, intimidation, violence, threats, coercion, and abusive and/or assaultive behavior toward any person while in the course and scope of employment. District management is prohibited from authorizing employees to carry weapons while engaged in District business unless carrying a weapon is required by the job classification of the employee and there are specific policies and procedures which govern the use and/or display of the weapon. "Weapons" are defined as firearms, chemical sprays, clubs or batons, knives, and includes any device, tools chemical agent, or other implement capable of bodily harm if it is used as a weapon or displayed in such a manner to cause harm or threaten a person with harm.

Threatening Statements or actions, or violent behavior at any District Workplace where District work is conducted shall be reported immediately to district supervision. Supervisors shall ensure the incident is reported directly to the site Principal immediately.

Employees are encouraged to call 911 and contact the appropriate law enforcement agency in cases where there is an imminent potential for violence.

Employees found to be in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

I acknowledge that I have received, read, understand and have been trained on the District Name Workplace Violence Prevention Policy.

Employee Name (please print clearly)

Supervisor Signature

Employee Signature

Date

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Appendix B: Instructions for completing the Violent Incident Log

All workplace violence incidents shall be recorded in the “Violent Incident Log” as follows:

- A. **Date, Time and Building Name and Address:** enter the date and time of the incident and specific building name and address.
- B. **Location Class:** Specific location of where the incident occurred, such as in the workplace, parking lot or other area outside the workplace, or other area.
- C. **Violence Incident type:** Enter the type of violence that applies as follows:
 - 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 or approaches workers with the intent to commit a crime.
 - b. Type 2 violence: Workplace violence directed at employees by, parents, students, vendors or visitors.
 - c. Type 3 violence: Workplace violence against an employee by a present or former employee, supervisor, or manager.
 - 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 employee.
- D. **Incident Type:** Enter the incident type, including, but not limited to, whether it involved the following:
 - a. Physical Attack without a weapon, including, but not limited to biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting.
 - b. Attack with a weapon or object, including, but not limited to firearm, knife, or other object.
 - c. 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.
 - d. Animal Attack.
 - e. Other.
- E. **Incident Description:** Provide a detailed description (sequence of events) of the incident, i.e. who, what, when, why, where, how.
- F. **Assailant Class:** Provide a classification of who committed the violence, including whether the perpetrator was a student or parent, family or friend of a student, a stranger with criminal intent, coworker, supervisor or manager, partner or spouse, parent or relative, vendor or other perpetrator.
- G. **Circumstances Class:** Provide information on the circumstances, 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.
- H. **Consequences:** Indicate whether security and/or law enforcement were summoned to the location. Actions taken to protect employees from continuing threat or from any other hazards identified because of the incident.
- I. **Report By, Job Title, Date:** Provide information of the person completing the log.

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Appendix D: Incident Report Form

Instructions:

This form shall be used by Managers/Supervisors to document incidents of workplace violence or violations of the **Chualar Union School District** Workplace Violence Prevention Plan. Narratives and other documentation may be attached. (see Violence Incident Log Instructions to complete this report).

Building Name and Address:		Specific Incident Location:	
Report Date:	Incident Date:	Incident Time:	
Violence Type:	Incident Type	Assailant Class:	
Incident Description (Sequence of events and circumstances. Use extra paper if needed):			
Description of Injuries, Property Damage or Fatality(s):			
Describe actions taken to maintain safety and security of work site (Use Incident Investigation Follow up Report):			
Names of employees (persons) involved (Attach statements for each name listed):			
Name: _____	Title/Other: _____		
Name: _____	Title/Other: _____		
Name: _____	Title/Other: _____		
Name: _____	Title/Other: _____		
Name or description of witness(es) (Attach statements):			
Name: _____	Title/Other: _____		
Name: _____	Title/Other: _____		
Name: _____	Title/Other: _____		
Name: _____	Title/Other: _____		
List responding public safety agencies (Consequences):			
Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe:			
A copy of this report will be sent to and verbal notification was made to:			
District Counsel Date/Time: _____ Name of contact: _____			
HR/Safety Date/Time: _____ Name of contact: _____			
Principal Date/Time: _____ Name of contact: _____			
Superintendent Date/Time: _____ Name of contact: _____			

Report Prepared by (print name): _____ Title: _____

Signature: _____ Date: _____ Phone: _____

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Incident Investigation Follow up Report

Incident Type:

Injured Employee:

Incident Date:

Incident Investigation Closed Date: _____

Corrective Actions (actions short term, intermediate, and long term)	By whom	By when	Comple ted Y/N and Date	Comments

