

WORKPLACE VIOLENCE POLICY

Southwestern Community College District is committed to providing a safe environment free from acts of physical violence and threats of violence. To that end, the District hereby adopts a "zero tolerance" policy under which threats or violent behavior will not be tolerated.

It shall be the policy of the District to immediately investigate all allegations of workplace violence and take appropriate and consistent corrective action to remedy any situation in which an employee of the District is threatened. Any employee who violates this policy will be subject to appropriate and immediate disciplinary action. Incidents involving threats or acts of violence by students shall be processed through District Policy No. 6047, "Student Conduct Standards and Discipline," and the Student Policy Manual.

DEFINITION OF WORKPLACE VIOLENCE

Workplace violence is defined as verbal threats, violent behavior or physical conduct which interferes with the employee's safety in the workplace.

Workplace violence includes, but is not limited to, written, physical or visual contact with verbal threats or violent behavior overtones.

PROCEDURES

- 1.0 The Superintendent/President shall:
 - 1.1. Appoint the Director of Human Resources as the District officer responsible for assuring compliance with the rules of this policy.
 - 1.2. Establish a committee responsible for implementing a workplace violence response plan (by developing strategies aimed at the prevention of, and education about potential incidents of workplace violence.)
 - 1.3. Provide employees with information and training, regarding the potential for violence in the workplace by:
 - a) Increasing their ability to recognize the early warning signs of a potentially violent person or situation.
 - b) Demonstrating how to record incidents indicative of a potential problem.
 - c) Encouraging them to report suspicious incidents through the appropriate individuals.

WORKPLACE VIOLENCE POLICY**2.0 DESIGNATION OF RESPONSIBLE OFFICER**

The Director of Human Resources will implement the requirements, as set forth in this procedure, for the investigation and corrective action necessary to remedy any incidents or alleged incidents of workplace violence.

3.0 DISTRICT EMERGENCY RESPONSE PROCEDURES

The following are steps that the supervisor should take when dealing with a violent situation that is considered an emergency:

- 3.1 Call the College Police (Ext. 6380) and/or Chula Vista Police (Dial 9, then 911).
- 3.2 Refrain from direct physical involvement and/or action that could cause escalation of the violence (unless acting in self defense).
- 3.3 If the incident involves a gun, lock classrooms and/or office if necessary and order everyone to lay flat on floor.
- 3.4 Secure the immediate area.
- 3.5 Provide first aid, if necessary.
- 3.6 Notice and remember participants and witnesses.
- 3.7 Direct participants and witnesses into administrative offices.
- 3.8 Secure written statements from witnesses that are signed and dated. The statements should contain detailed facts, not conclusionary statements. Statements should describe the participants' actions; witnesses should be asked to describe the event act-by-act.
- 3.9 Advise the victim(s) of his/her right to file a police report which could result in a criminal complaint.
- 3.10 Notify spouse or families of victims and participants, the Superintendent/ President, and others with a need-to-know, i.e., Human Resources Office, Public Information Officer, College Nurse, workers' compensation carrier or legal counsel.
- 3.11 Provide for crisis counseling referral to the Counseling Center (Ext. 5240), as needed, for those involved.

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- 3.12 Initiate appropriate progressive discipline, which may include suspension or dismissal of the perpetrator and/or a court-ordered temporary restraining order and injunction.
- 3.13 Prepare reports or fulfill other administrative actions.

4.0 REPORTING AND INVESTIGATING THREATS OR VIOLENT BEHAVIOR

- 4.1 The supervisor should immediately notify the Human Resources Office and investigate, in consultation with the Director of Human Resources, or designee, and the College Police, any reported threat of violence to the employee.
- 4.2 The supervisor should assure the employee that a thorough and prompt investigation will be conducted.
- 4.3 The supervisor conducting the investigation should first interview the reporting party and obtain information regarding the threat including, but not limited to:
 - 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 could 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.
- 4.4 The supervisor, in consultation with the Human Resources Office and the College Police, should next interview the accused. Fairness and due process require that the rights of the accused be considered.
- 4.5 Upon completion of the investigation, the supervisor shall confer with the Human Resources Office and, if appropriate, College Police, and an appropriate course of action against the perpetrator will be determined. This may include disciplinary action and/or a psychological evaluation of the accused. This may also include the provision of crisis counseling to those employees who have been threatened.
- 4.6 The supervisor shall report back to the employee (alleged victim) within a reasonable time period regarding the findings of his/her investigation and regarding the action taken in response to the incident.

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- 4.7 In those situations where the alleged victim and the accused do not report to the same supervisor, the investigation shall be conducted by the Director of Human Resources.

5.0 DEFAMATION CLAIMS

- 5.1 Defamation occurs when a statement which is communicated to another individual is false and is the cause of injury.
- 5.2 Any employee who defames another employee shall be subject to appropriate disciplinary action.
- 5.3 Supervisors must proceed with the investigation in a cautious manner, working closely with the Human Resources/Legal Affairs Office for legal assistance, to protect accused employees from being defamed and to avoid possible claims of defamation by the accused employee.

6.0 TRAINING ON HOW TO IDENTIFY EARLY WARNING SIGNS OF THE POTENTIAL-FOR-VIOLENCE IN THE WORKPLACE

The Special Assistant to the President for Human Resources and Legal Affairs shall be responsible for scheduling training on workplace violence and related topics.

7.0 LEGAL REQUIREMENTS

Federal Occupational Safety and Health Act
29 United States Code Section 654 (a) (1)