



# **WORKPLACE VIOLENCE AND BULLYING PREVENTION PROGRAM**



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Business Services Section  
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# Table of Contents

<b>MESSAGE FROM THE DOR DIRECTOR.....</b>	<b>4</b>
<b>INTRODUCTION .....</b>	<b>5</b>
<b>DEFINITIONS.....</b>	<b>5</b>
<b>POLICY .....</b>	<b>6</b>
<b>WEAPONS PROHIBITED .....</b>	<b>7</b>
<b>LEGAL AUTHORITY.....</b>	<b>8</b>
<b>RESPONSIBILITIES.....</b>	<b>8</b>
<b>THREAT ASSESSMENT TEAM.....</b>	<b>11</b>
<b>INCIDENT REPORTING.....</b>	<b>12</b>
<b>INCIDENT INVESTIGATION .....</b>	<b>14</b>
<b>DISCIPLINE .....</b>	<b>14</b>
<b>THREATENING CONSUMER BEHAVIOR.....</b>	<b>14</b>
<b>HAZARD ASSESSMENT AND CORRECTION.....</b>	<b>14</b>
<b>RECORDKEEPING .....</b>	<b>15</b>
<b>TRAINING AND COMMUNICATION.....</b>	<b>16</b>
<b>RESOURCES.....</b>	<b>16</b>
<b>Appendix A – Employee Awareness Information (All)</b>	
<b>Appendix B – Resources (All)</b>	
<b>Appendix C – WVBPP Forms Reference (All)</b>	

**Appendix D – Guidelines to Request Protective Services (All)**

**Appendix E – Progressive Behavior Action Guidelines and Additional Information Regarding Employees (S/M)**

**Appendix F – Incident Investigations (S/M)**

**Appendix G – Corrective Measures For Workplace Violence (S/M)**

**Appendix H – Training Guidelines (S/M)**

(All) indicates Appendix is required to be reviewed by all staff. (S/M) indicates Appendix is required to be reviewed by Supervisors and Managers.

## **MESSAGE FROM THE DOR DIRECTOR**

Your safety is a high priority. The Workplace Violence and Bullying Prevention Program (WVBPP) lets employees know what they can do if they are threatened, harmed, or bullied. In addition, the WVBPP provides guidance to supervisors to prevent these behaviors and take action when policy violations occur.

Our mission is to serve as an employment and independent living resource to Californians with disabilities. As such, we recognize that some individuals' exhibit disability-related behaviors or actions that may appear to be threatening but in fact do not jeopardize employee safety.

Although policies address most situations, we rely upon managers, supervisors, and counselors to use good judgment when addressing potentially harmful situations and deciding the appropriate course of action.

Thank you for all you do to create and maintain a safe and healthy workplace.

Joe Xavier  
Director

# INTRODUCTION

The purpose of this Workplace Violence and Bullying Prevention Program (WVBPP) is to provide Department of Rehabilitation (DOR) employees and members of the public with a place to conduct the business of DOR free of threats, acts of violence, and bullying. The WVBPP contains the Workplace Violence Policy, defines applicable terms, states applicable legal authority, outlines employees' and supervisors' responsibilities, outlines training, reporting, assessment, and record keeping requirements, mandates consequences for noncompliance with this policy, and provides guidance for incident investigations, hazard assessments, and hazard corrections.

The WVBPP shall be utilized to help prevent workplace violence and bullying and to ensure appropriate action is taken in response to incidents of workplace violence and bullying. However, it is not a substitute for, nor is it intended to prevent or delay, an employee from calling 9+9-1-1 for any health or safety crisis in the workplace.

## DEFINITIONS

**Act of Violence** – An act of violence is the attempt coupled with the ability to use physical force or the actual use of physical force.

**Threat** – A threat is an expression (verbal, written, or physical), which would cause a similarly situated reasonable person to believe the individual making the expression intends to hurt or take the life of another person, or damage/destroy property.

**Bullying** – Bullying refers to repeated, unreasonable actions of an individual directed towards another individual, which a similarly situated reasonable person would believe were intended to intimidate, degrade, or humiliate the employee in a way that is likely to escalate in violence. Bullying behaviors may include, but not be limited to verbal abuse; conduct or behaviors that are threatening, intimidating or humiliating; and/or work interference or sabotage that prevents work from getting done.

Weapon – A firearm, a knife with a blade exceeding four inches, an unauthorized tear gas weapon, a taser or stun gun, an instrument that expels a metallic projectile through the force of air pressure or spring action, a spot marker gun, a paint gun, or an explosive device.

Similarly situated reasonable person – A prudent person in similar external circumstances, with similar knowledge of past events, as the person who asserts that he/she has been subjected to workplace violence or bullying.

## **POLICY**

It is DOR's policy to provide a safe and secure work environment in which to conduct business. The DOR will take appropriate action to protect employees and members of the public with whom we interact, as fully as possible, from threats, acts of violence, and bullying that may occur at DOR's workplaces.

This policy addresses threats, acts of violence, and bullying only. DOR employees are expected to refrain from discourteous treatment of coworkers and members of the public at any time they are engaged in performing their duties. Employees engaged in discourteous treatment towards the public or other employees (e.g., using insulting or offensive language) may be subject to corrective action or formal discipline under Government Code 19570. Although discourteous treatment may result in discipline, it is not considered a violation of this policy unless it is also conduct that constitutes a threat, act of violence, or bullying.

In determining whether conduct violates this policy and in considering appropriate corrective or adverse action, DOR will evaluate whether the conduct was of such nature that it would cause a similarly situated reasonable person to be apprehensive about his or her personal safety. The intention of the individual who initiated the threat or act of violence is not determinative. Even if the conduct was delivered in a joking manner, a threat or act, either direct or indirect, to do harm to another DOR employee, state property, or a member of the public, will not be tolerated.

This policy is not limited to acts within a DOR facility. This policy also applies anywhere a DOR employee is conducting authorized state business. In addition, this policy applies if a threat, act of violence, or bullying by or against a DOR employee takes place away from DOR offices, but relates to or arises from the employee's position with DOR.

It is a violation of this policy for a manager, supervisor or co-worker to retaliate in any form, against an employee who reports, threatens to report, or files a report of a complaint of violence in the workplace or participates in an investigation alleging violence in the workplace. The DOR will take available steps, if necessary, to protect employees from retaliation.

### **Prohibited Behavior**

Threats, acts of violence, and bullying are strictly prohibited and are not tolerated at DOR. Examples of prohibited behavior include, but are not limited to:

- Physical violence such as hitting or shoving an individual;
- Direct threats, such as saying words to the effect of "I'm going to kill you" or "If you don't do what I want, I'm going to blow you away;"
- Indirect threats, such as saying words to the effect of "You're going to get yours," or "Someday, somebody is going to get hurt;"
- Terrorist threats, such as saying words to the effect of "If I get fired, I am going to blow up a bunch of state buildings;"
- Unauthorized use of firearms or weapons, including brandishing a loaded or unloaded gun in the workplace.

## **WEAPONS PROHIBITED**

Possession of weapons, as defined above, is strictly prohibited in any DOR workplace. This applies to all DOR employees, consumers, and the general public even if the individual holds a valid license to carry a firearm. The only exception to this prohibition is a duly appointed peace officer.

If an individual brings or possesses a weapon at any DOR workplace, the supervisor or manager shall direct the individual to remove the weapon from the workplace, or shall contact CHP or local law enforcement to do so and must complete an Incident Report, DR160, (see the applicable Section on Recordkeeping, Incident Reports) and notify the Health and Safety Specialist.

Supervisors and managers must not attempt to retrieve or confiscate the weapon(s).

## LEGAL AUTHORITY

[California Labor Code Section 6400](#): Requires every employer to furnish a safe and healthful place of employment.

[California Penal Code Section 171b](#): Prohibits any person from bringing or possessing a weapon within any state or local public building.

[California Penal Code Section 71](#): Prohibits any person from threatening or inflicting unlawful injury upon any public officer or employee, which would cause the public officer, or employee to refrain from doing any act in the performance of his/her duties.

## RESPONSIBILITIES

The following provides a description of the responsibilities of various persons.

### **All Employees (including Managers and Supervisors)**

- Must be knowledgeable and supportive of, and comply with DOR's WVBPP.
- Must take all threats seriously.
- Must, in an emergency situation, follow the procedures outlined in DOR's Emergency Response Plan.
- Must review on an annual basis, the Health and Safety Program Certification located within the Learning Management System (LMS) that includes various program plans including, the Workplace Violence Bullying Prevention Program including
- Appendices A through D, initially when the plan is released, when revisions are made, upon employment with DOR, and at least annually thereafter.
- Are responsible for assisting with maintaining a secure workplace by being attentive and following office procedures and practices.
- Are responsible for questioning and/or reporting unknown or unfamiliar persons in the workplace to supervisors.



- Are required to immediately report acts of workplace violence or bullying verbally and/or in writing. Incidents should be reported on the DR-160 as soon as reasonably possible. (See Section on Incident Reporting below.)
- Are required to cooperate fully and in good faith in any investigation or follow-up activity related to workplace violence or bullying incidents. Failure to cooperate with an investigation constitutes insubordination and may result in adverse action.

### **Managers and Supervisors**

- Must review Appendices E through H, in addition to reviewing the WVBPP and Appendices A through D.
- Must inform employees of workplace violence and bullying policies and procedures.
- Must enforce the WVBPP.
- Must respond to potential threats, escalating situations, and/or allegations of violence.
- Must contact law enforcement in non-emergency situations if necessary (if unsure, the Health and Safety Specialist may assist in determining if law enforcement should be notified).
- Must notify the Health and Safety Specialist of workplace violence or bullying or alleged workplace violence or bullying incidents.
- Must take all threats seriously and take appropriate action.
- Must ensure that performance standards reflect the importance of workplace safety and security.
- Must ensure that an on-site safety and security review has been completed for the office at least annually (See Section for Hazard Assessment and Correction below.)

**Supervisor of the complaining party, if any:**

- Shall ensure that the employee completes the Incident Report Form DR160 and received written acknowledgement of receipt of the form.
- Shall work with the supervisor of the employee who, it has been asserted, was threatening, bullying, or committed an act of violence (if employee vs. employee) to investigate and document all interviews or discussions with the complainant/and or witnesses regarding the complaint.
- Shall brief the Threat Assessment Team, if applicable, of details of the incident and the supervisor of the employee whose behavior is at issue will also participate.
- Shall, as fully as possible, do what is necessary to protect the complaining party from further violence, threats, or bullying.
- Shall, at the end of the investigation, notify the complainant in writing that the appropriate steps were taken and the situation was addressed, but will not disclose the nature of any actions taken.

**Supervisor of the employee who, it has been asserted, was threatening, bullying, or committed an act of violence:**

- Shall immediately contact the employee and inform him/her:
  1. A complaint was received;
  2. He/she must be reminded of the policy that any act of violence, threat, or bullying will not be tolerated;
  3. The supervisor must provide the employee with a copy of the policy to review and employee will acknowledge review of the policy by replying back to the manager in an email that they have completed their review of the policy. Any retaliation against a known or suspected complainant or other attempt to interfere with the investigation would be grounds for disciplinary action; and
  4. He/she will have an opportunity to hear the details of the complaint and respond at a later time, before the investigation is completed.

- Shall document the conversation with the employee.
- Shall work with complainant's supervisor, if any, to investigate the complaint.
- Shall participate in the briefing of the incident to the Threat Assessment Team, if applicable, in coordination with the complainant's supervisor.
- Shall work with the Personnel Analyst to determine whether sufficient documentation and/or substantiation exists to justify taking disciplinary action, once any investigation is complete. (Depending on the circumstances, supervisors and/or managers may need to place an employee who poses a risk to others on administrative leave to protect staff.)
- Shall ensure that an on-site safety and security review is completed for the office after the incident report has been submitted. (See Section for Hazard Assessment and Correction below.)

### **Health and Safety Specialist**

- Is responsible for developing and maintaining the Workplace Violence and Bullying Prevention Program.
- Must notify and convene the appropriate Threat Assessment Team members when necessary upon notification of an incident.
- Must maintain records of incidents for statistical purposes.

## **THREAT ASSESSMENT TEAM**

The DOR has established a Threat Assessment Team that meets, when warranted and at the discretion of the Health and Safety Specialist, to review the incident report, provide additional guidance, if needed, to the supervisor(s) whose staff are involved, and to take other action as appropriate to address a workplace violence or bullying issue. The team may suggest when outside resources are advisable (i.e. training, counseling, law enforcement, etc.) if not already included in the supervisor's/manager's plan.

The Threat Assessment Team will include the Health and Safety Specialist and a designee(s) from Personnel, Legal, Labor Relations, the Office of Civil Rights, and the supervisor(s) of any employee referenced in the Incident Report. If team members are notified of a situation, and they have not already been contacted by the Health and Safety Specialist, they shall contact the Health and Safety Specialist immediately.

## **INCIDENT REPORTING**

Call 9+9-1-1 if there is an emergency situation necessitating immediate law enforcement intervention or if someone has been injured and in need of immediate medical assistance. The DOR's Emergency Response Plan also provides direction for responding to emergency situations.

Report all threats, acts of workplace violence, or bullying to the supervisor or manager immediately. If that is not possible, report incidents to DOR's Health and Safety Specialist. If the incident involves a supervisor or manager, the employee shall report the incident to the next level of management. If an employee wishes to make an anonymous report of an incident of violence, he/she should contact the DOR's Health and Safety Specialist. It should be noted that anonymity cannot be guaranteed in cases requiring legal action.

The supervisor or manager shall notify DOR's Health and Safety Specialist. Supervisors or managers shall ensure that the employee(s) completes Incident Report, DR160 and receives written acknowledgement of receipt of the form. The supervisor/manager will review the Incident Report, sign and forward copies to the District Administrator/Section Chief and the Department's Health and Safety Specialist. (See Section on Recordkeeping.)

Nothing in this WVBPP alters any other reporting obligations established in DOR policies or in state, federal, or other applicable laws.

## **CHP Reporting**

As prescribed in California Government Code Section 14685, the CHP has jurisdiction over those matters related to the security of State officials, employees, property, and occupants of State owned or leased property. Criminal acts of workplace violence must be reported to the CHP. If local law enforcement, other than the CHP responds to an incident, a form STD 99, must be completed and sent to the local CHP office and a copy sent to DOR's Health and Safety Specialist. Contact DOR's Health and Safety Specialist if there are uncertainties regarding reporting an incident.

## **Reporting of Work-Related Serious Injuries, Illnesses or Deaths**

- Supervisors shall **immediately** report a **work-related serious injury or illness, or death of an employee** by telephone to the nearest Cal/OSHA District Office of the Division of Occupational Safety and Health. (CCR, Title 8, Section 342);
- Supervisors shall contact DOR's Personnel Services Section as soon as possible;
- Supervisors shall contact the Workers' Compensation Unit as soon as possible for Cal/OSHA Form 300 reporting.

Note: For this purpose, "immediately" means as soon as possible, but no longer than eight (8) hours after the supervisor knows or with diligent inquiry would have known of the death or serious injury or illness. If the supervisor can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident.

As defined in California Administrative Code, Title 8, Section 330(h), "serious injury or illness" means any injury or illness occurring in a place of employment or in connection with any employment which requires inpatient hospitalization for a period in excess of 24 hours for other than medical observation or in which an employee suffers a loss of any member of the body or suffers any serious degree of permanent disfigurement, **but does not include** any injury or illness or death caused by the commission of a Penal Code violation, except the violation of Section 385 of the Penal Code (refers to high voltage), or an accident on a public street or highway.

## **INCIDENT INVESTIGATION**

The DOR will make every effort to ensure the safety and privacy of the individuals involved during the investigation; however, DOR cannot promise that any written statements or reports will remain confidential in light of the Public Records Act and the Information Practices Act.

Witnesses must maintain confidentiality so as not to jeopardize the integrity of the supervisor's investigation and so that a fair and thorough investigation can be conducted, and/or appropriate corrective action can be taken. (See Section on Responsibilities above.)

## **DISCIPLINE**

An employee who engages in prohibited conduct will be subject to appropriate action up to and including dismissal from employment. The appropriate action will depend on the particular facts but in all instances, the action will be calculated to ensure that the misconduct is not repeated and to ensure a safe and healthy work environment. In addition, certain actions may involve criminal prosecution or liabilities under state and/or federal laws.

## **THREATENING CONSUMER BEHAVIOR**

Guidelines for addressing threatening or harassing behavior by applicants or consumers are available in RAM 30, Record of Services.

## **HAZARD ASSESSMENT AND CORRECTION**

Periodic inspections for violence prevention/security hazards must be conducted at least annually to identify, evaluate, prevent or correct workplace hazards. Supervisors/Managers shall ensure workplace hazard assessments are performed as needed and documented. The Security and Workplace Violence Assessment Checklist, Form DR162, is available to assist with inspections. (CCR, Title 8, Section 3203)

Periodic Inspections shall be performed according to the following schedule:

- When the WVBPP is implemented.
- As often as requested by management or the Health and Safety Specialist, but no less than annually.
- When occupational injuries occur.
- When made aware of a new or previously unrecognized hazard.
- Whenever workplace conditions warrant an inspection.
- Within 30 days of a reported incident.

Hazards which threaten the security of employees shall be corrected in a timely manner based on severity of the hazard.

## **RECORDKEEPING**

### **Incident Reports (DR-160)**

Workplace violence or bullying incidents as outlined in the WVBPP shall be reported on the DR-160 as soon as reasonably possible, but within three (3) business days from the date of discovery of the incident. This includes all threatening behavior, not just those that result in physical injury. The report shall describe who was threatened, assaulted, bullied, etc.; the type of activity, (e.g. unprovoked sudden attack); and all other circumstances of the incident. The records shall include a description of the location/environment, nature of injuries sustained, etc.

Copies of incident reports shall be maintained by the supervisor and/or manager and DOR's Health and Safety Specialist. The reports may contain sensitive and/or confidential information and the appropriate measures must be taken to protect the information.

### **Training Records**

Records of workplace violence and bullying training shall include at a minimum, the dates the training was conducted, type (subject) of training given, name of the trainer, and names of employees trained. (The Health and Safety Program Training/Meeting Attendance, Form DR98, may be used for this purpose.) The records must be maintained on site for a period of at least one (1) year. (CCR, Title 8, Section 3203)

## **Inspection Records**

Records of hazard inspections shall include dates of inspection, inspector's name, areas inspected, all findings and recommendations, any control measures implemented, etc. The records must be maintained on site for a period of at least one (1) year. (CCR, Title 8, Section 3203)

## **TRAINING AND COMMUNICATION**

Training and instruction on general and job-specific workplace security practices shall be provided annually to all employees. Further training must be provided when new workplace conditions or incidents warrant training and instruction. In addition, or as part of this training, all employees must review the **WVBPP** initially when the plan is released, when revisions are made, upon employment with DOR, and at least annually thereafter.

## **RESOURCES**

On occasion, DOR may have a need for non-emergency special protective services provided by the California Highway Patrol (CHP) when there are concerns for staff safety. This service is normally requested for meetings with consumers when there may be concerns regarding the consumer's behavior, but may be used for other situations. Refer to Appendix D, Guidelines to Request CHP Protective Services, for information and guidelines for requesting this service. Please note that this service is not for emergency situations. In an emergency, call 9+9-1-1 and refer to DOR Emergency Response Plan.

The Employee Assistance Program is available as a resource for employees who desire counseling for stress, interpersonal conflicts, legal issues, and/or concerns that have arisen due to workplace violence and bullying incidents. Employees may call the Employee Assistance Program Coordinator to obtain information regarding the Employee Assistance Program. All assistance and information is handled in a strictly privileged and confidential manner.

Guidelines for addressing threatening or harassing behavior by applicants or consumers are available in RAM 30, Record of



Services.

In addition, Appendix B, Resources, provides resources that may be helpful to obtain additional information and/or assistance.

# Appendix A

## EMPLOYEE AWARENESS INFORMATION

This Appendix describes the different types of workplace violence and what can be done to recognize and prevent acts of violence or to minimize incidents of violence, threats, bullying, and other disruptive behavior.

### TYPE CATEGORIES

The California Occupational Safety and Health Administration (Cal/OSHA) has categorized workplace violence into three types:

Type I – The aggressor has no legitimate business relationship to the workplace and usually enters the affected workplace to commit a robbery or other criminal act such as robbery.

Type II – The aggressor is either the recipient or the object of a service provided by the affected workplace or the victim, such as a current or former client, patient, customer, passenger, criminal suspect, inmate or prisoner.

Type III – The aggressor has some employment-related involvement with the affected workplace such as a current or former employee, supervisor, manager; a current/former spouse or significant other, a relative, friend; or some other person who has a dispute with an employee of the affected workplace.

### PREVENTION – BEFORE AN INCIDENT HAPPENS:

Know the warning signs - Research into incidents of workplace violence shows the presence of at least **several** of the following characteristics in the potentially violent individual. **Clearly, not everyone who exhibits one or more of these warning signs is potentially violent, and this list is not to be used as an exclusive tool of warning signs.** Understanding these signs, recognizing them when they occur, and acting on that knowledge and recognition are vital steps in heading off possible tragedy. If you observe serious or pervasive behaviors of the types described here, and you feel concerned or threatened, you should contact your supervisor and report what you observed.

## **WARNING SIGN STAGE**

### General Warning Signs

- Numerous conflicts with supervisors and other employees.
- Bringing a weapon to the workplace, brandishing a weapon in the workplace, making inappropriate references to guns, or fascination with weapons.
- Statements showing fascination with incidents of workplace violence, statements indicating approval of the use of violence to resolve a problem, or statements indicating identification with perpetrators of workplace homicides.
- Statements indicating desperation (over family, financial, and other personal problems) to the point of suicide;
- Extreme changes in behavior.
- Making direct or veiled threats.

### Warning Signs for Type I, Type II, and Type III Categories of Violence

#### TYPE I

- Purposeful Attitude - There are few warnings signs for a Type I incident. Usually, someone who is about to commit a robbery or some other violent act enters the premises looking very purposeful, knowing what they want to accomplish and where they must go to accomplish the act.
- Lingerer/Stalker/Suspicious Person - Pay attention to anyone who may linger around the premises who seems to be checking out the building, the actions of employees, or the routine of the office.
- Familiar Vehicle - Notice if someone has been driving around the building on several occasions casing out the area.

#### TYPE II

- Easily Irritated - Notice if the customer is showing signs of irritability or anger, or if their temper flares up easily when dealing with an employee or with another customer.
- Combative Attitude - A combative customer may glare at another customer or an employee, use threatening remarks, or make physical gestures. This attitude may be caused by personal disagreements or gang-related issues.
- Fatigue - Customers may become tired of waiting in long lines for long periods of time. They may show signs of fatigue, which will increase the possibility of an uneasy demeanor.

- Anger - Just plain anger over bureaucracy or government in general where they may want to verbally express their discontent.

### TYPE III

- Attendance Problems - Excessive sick leave or tardiness, leaving work early, peculiar or improbable excuses for absences, higher absentee rate than other employees, leaving the work site without notice.
- Decreased Productivity - Be aware of any employee with a satisfactory performance record in the past whose work performance suddenly changes or deteriorates.
- Inconsistent Work Patterns - Alternating periods of high and low productivity may indicate substance abuse or alcohol abuse. Monitor degrees of productivity to see if there is a pattern.
- Poor Co-worker Relationships - Warning signs include belligerent behavior, overreaction to criticism, mood swings, verbal harassment of others.
- Concentration Problems - A troubled employee is usually distracted and often has difficulty recalling job instructions, project details, and deadline requirements.
- Safety Issues - Becoming more accident-prone is a clear indicator of stress.
- Poor Health and Hygiene - Marked deterioration in personal grooming habits is a warning sign of internal conflict.
- Unusual or Changed Behavior - This can include emotional outbursts, physical violence such as hitting a wall or a piece of equipment, inappropriate remarks or threats, delusional statements such as the end of the world, being spied on, and secretive behavior.
- Fascination with Guns or Weapons - Talks frequently about guns and obsessed with the power of guns.
- Evidence of Possible Drug/Alcohol Abuse - Employee may act secretly around his personal workspace, meet other employees or visitors in remote areas, or take long lunches.
- Evidence of Serious Stress in the Employee's Personal Life - Crying, excessive personal phone calls, bill collectors, recent separation or death of a loved one.
- Continual Excuses/Blame - Inability to accept responsibility for even the most inconsequential errors.
- Unshakable Depression - Demonstrates depressed behavior for long periods of time. Low energy, little enthusiasm, expresses cynicism or despair.

## **ACTIVE STAGE**

Do's & Don'ts when confronted with potential violence:

### **Do:**

- Your best to stay calm.
- Speak to the other person quietly and calmly.
- Try to put some space between yourself and the other person;
- Create physical barriers of protection, using objects, movement and communication to stop the person.
- Obey the person's orders as in a robbery.
- Evacuate the area, if possible.
- Try to take cover, such as under a desk, if it is not possible to evacuate the area and you are not the immediate victim.
- Document conversations immediately, the person's description, and what occurred, obtaining names and any identification (driver's license or registration), if possible.
- If there is immediate danger, call for emergency assistance by dialing 9+9-1-1.

### **Don't:**

- Try to out shout the other person or make any aggressive moves toward him/her.
- Argue with the other person.
- Use defensive sprays or weapons.
- Fight with the person.
- Chase the person.
- Try to break up or intervene in a violent act unless you are specially trained. Do not risk getting hurt yourself.

# Appendix B

## RESOURCES

There are several places people can turn for help when they have, in some way, been involved with workplace violence or bullying. The following suggestions are merely provided as a starting point.

- **Employee Assistance Program (EAP):** The State of California provides access for all employees to EAP Counselors who are specially trained and ready to deal with the most difficult of workplace related problems. EAP personnel are available to provide assistance 24 hours a day at 866-327-4762. Critical Incident Stress Debriefings are also available, for an additional fee, through the EAP; arrangements for the use of these specialized services should be made by management personnel.
- **Support Group:** Sometimes talking with others who have shared the same experience is helpful in the healing process. If this is the case, consider joining a local support group. (For more information contact your county social services office.)
- **Clergy:** Local clergy can be called upon for just about anything; rarely will any compensation be expected. Most often, Pastors, Ministers, Priests and Rabbis have received training to deal with even the most horrible of situations.
- **Threatening Consumer Behavior:** Guidelines for addressing threatening or harassing behavior by applicants or consumers are available in RAM 30, Record of Services.
- **Information on Terrorism Prevention, Preparedness & Response:** In addition to checking with your local police, fire and public health departments, the websites of the following state and federal agencies have guidance on a variety of possible terrorist acts that could affect your workplace:

**California Office of Emergency Services Agency** has terrorism guidance and response plan information.

**Web address:** [www.caloes.ca.gov](http://www.caloes.ca.gov)

**California Department of Public Health (DPH)** has health information and guidance on bioterrorism.

**Web address:** [www.cdph.ca.gov](http://www.cdph.ca.gov)

At the federal level, the **Center for Disease Control (CDC)** will provide the latest public health recommendations on bioterrorism.

**Web address:** [www.cdc.gov](http://www.cdc.gov)

**California Highway Patrol (CHP)** has terrorism prevention and law enforcement advice specific to state agencies such as mail handling procedures.

**Web address:** [www.chp.ca.gov](http://www.chp.ca.gov)

At the federal level, the **Federal Bureau of Investigation (FBI)** will provide the latest law enforcement recommendations on terrorism.

**Web address:** [www.fbi.gov](http://www.fbi.gov)

## Appendix C FORMS REFERENCE

The following provides a listing of referenced forms and where they are located.

Form Number	Name of Form	Where to find the form:
<a href="#">STD 99</a>	Report of Crime/Incident on State Property Missing/Lost Property	<a href="https://indor/Contents/Item/Display/2621">https://indor/Contents/Item/Display/2621</a>
<a href="#">DR160</a>	Incident Report	<a href="https://indor/Contents/Item/Display/1973">https://indor/Contents/Item/Display/1973</a>
<a href="#">DR162</a>	Security and Workplace Violence Assessment Checklist	<a href="https://indor/Contents/Item/Display/1979">https://indor/Contents/Item/Display/1979</a>
	Emergency Response Plan – Central Office	<a href="https://indor/asd/financial-management-branch/business-services/health-safety">https://indor/asd/financial-management-branch/business-services/health-safety</a>
	Emergency Response Plan – Field Offices	<a href="https://indor/asd/financial-management-branch/business-services/health-safety">https://indor/asd/financial-management-branch/business-services/health-safety</a> Contact your Supervisor or Manager for site specific plan
Form 300	Cal/OSHA Form 300	DOR Worker’s Compensation Unit or Department of Industrial Relations-CAL/OSHA



# Appendix D GUIDELINES TO REQUEST CHP PROTECTIVE SERVICES

(RAM Section 27080)

On occasion, the Department of Rehabilitation (DOR) has a need for special protective services where there are concerns for staff safety. This service is normally requested for meetings with consumers where there may be concern regarding the consumer's behavior, but may be used for other situations.

The DOR has an interagency agreement with the California Highway Patrol (CHP) for special protective services on an as needed basis when there are concerns for the safety of staff and others. The CHP officer(s) provided for the services will be working outside their normal shifts and will be paid at standard overtime basis.

Please note that this service is not for emergency situations. In an emergency call 9+9-1-1 and refer to the Emergency Plan.

**All requests for this service must be requested through DOR Health and Safety Specialist\* in the Business Services Section.**

To request this service, the following guidelines are provided:

1. Contact DOR Health and Safety Specialist at 916-558-5513\* to request service **at least five (5) working days** in advance of the scheduled service date. While on the telephone or via voice mail (for confidentiality do not send this information via email or fax) provide DOR Health and Safety Specialist with the following consumer's information:
  - Name (must have)
  - Date of Birth (must have)
  - Address (if available)
  - Driver's License or California ID number (if available)
2. The following additional information may be provided to DOR Health and Safety Specialist via email, fax or telephone/voicemail:
  - a. Name, telephone number, and FAX number of person requesting police protective services.
  - b. Field Office contact person (who will the officer check

in with?

i.e. counselor, supervisor, etc.) and the officer manager's name

- c. Complete address of office requesting service (including zip code).
  - d. DOR office billing code.
  - e. Provide an explanation for requesting service (i.e. hostile behavior based on previous experience with consumer, unstable mental behavior, etc.).
  - f. Date of requested service.
  - g. Time period of requested service (include the time the officer is to arrive at the office to the approximate time the protective service will end). *(Please note DOR will be charged a minimum of four (4) hours at the overtime rate for each officer.)*
  - h. The CHP usually makes the determination of the number of officers needed; however, DOR may request more than one with substantiation. *(Please note, usually it is not necessary to have more than one officer; however, the CHP will determine if more than one officer is deemed necessary and may choose to send more than one officer based on information provided and prior history of consumer.)*
3. The DOR Health and Safety Specialist will contact the CHP Area Office to request the services.
  4. The CHP Area Office will complete and sign the Safety Services Program (SSP) Task Order (CHP 312) and transmit it by FAX to DOR Health and Safety Specialist.

Upon receipt of the SSP Task Order from CHP, DOR Health and Safety Specialist shall review and sign the SSP Task Order in the "Requesting Agency" Approval Section. The form shall then be transmitted by FAX back to the CHP Area Office.

5. Upon arrival at DOR office, the CHP Officer will record the relevant CHP Officer information and vehicle mileage information on the SSP Daily Report (CHP 313). At the end of the shift, the CHP Officer is required to calculate the "ending time," "total time," and "total miles." The calculations will include the estimated travel time and mileage back to the CHP Area Office.

After the CHP Officer signs the SSP Daily Report, the CHP Officer will have the on-site DOR office manager approve the SSP Daily Report. Upon approval, the CHP Officer will leave the fourth (4<sup>th</sup>)

copy of the SSP Daily Report with the on-site DOR office manager. The remaining copies will be returned with the CHP Officer to the CHP Area Office for processing.

6. The DOR office utilizing the protective services will either FAX (916-558-5502) or mail copies of the CHP 313, SSP Daily Report and any invoices to DOR Health and Safety Specialist in the Business Services Section.

It is requested that each office use these services wisely. **In the event that the services must be cancelled, immediately notify DOR Health and Safety Specialist at 916-558-5513\***. The DOR Health and Safety Specialist is required to provide cancellation notice to the CHP at least 24-hours prior to the scheduled request. In addition, the notice will only be accepted between the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding legal holidays. Charges will be incurred for non-cancellation and for cancellations of less than 24 hours.

\*If DOR Health and Safety Specialist is not available, contact the Business Services Section at 916-558-5500.

## Appendix E

### PROGRESSIVE BEHAVIOR ACTION GUIDELINES AND ADDITIONAL INFORMATION REGARDING EMPLOYEES

Behavior Level	Behaviors	Manager/Supervisor's Guidelines for Action
<b>Level I</b>	<b>The person may:</b>	
	<p>Show signs of increasing stress, perhaps involving negative changes in behavior</p> <p>Show signs of deterioration in work performance</p> <p>Show signs of increasingly unkempt appearance</p> <p>Show signs of alcohol or substance abuse</p> <p>Show signs of distress over personal or workplace problems</p> <p>"Act strange" or "unusual" by appearing confrontational, argumentative, stressed, anxious, withdrawn or secretive</p> <p>Behave as such to cause concern for person's own well-being and/or possibly others</p>	<p>Observe, ask the employee how they are doing, and document</p> <p>Engage employee in conversation to gain insight into behavior, and document</p> <p>Carefully offer help</p> <p>Report concerns, if continuing, to next higher-level supervisor, seek consultation from Personnel Officer, EAP consulting services for managers/supervisors or Health and Safety Specialist</p>
<b>Level II</b>	<b>The person may:</b>	
	<p>Make veiled threats to harm</p> <p>Have a history of violent behavior and loses temper easily</p> <p>Be chronically disgruntled, inflexible</p> <p>Refuse to take responsibility for problems or actions</p> <p>Find fault with and blame others</p>	<p>Report concerns to next higher-level supervisor before any effort to engage person</p> <p>Engage person in conversation, if appropriate, to gain insight into potential for violent behavior and document</p> <p>Consult with next higher level of administration as follow-up</p> <p>Seek consultation from Personnel Officer</p>

<b>Level III</b>	<b>The person may:</b>	
	<p>Make blatant threats to harm others and/or destroy property</p> <p>Carry a weapon onto work site</p> <p>Engage in aggressive behavior such as verbal abuse, physical “in your face” posturing</p> <p>Be violent toward others or property</p> <p>Displays overt acts of violence or out-of-control behavior</p> <p>May or may not use a weapon or cause death</p>	<p>Warn those who may be in immediate danger</p> <p>Immediately report behavior to next higher-level authority and press for quick intervention</p> <p>If person is present and seriously acting out, call 9+911 and ask for assistance</p> <p>Attempt to get others out of harms way</p>

### **Managers and Supervisors – Additional Information**

Managers and supervisors must be attentive and be prepared to recognize potentially threatening situations. Before a potential or actual incident occurs, managers and supervisors shall:

- Foster a supportive, harmonious work environment. Mutual respect can help reduce harassment and hostility in the workplace;
- Communicate openly and give employees support and recognition;
- Develop skills in effective communications, team building and resolving disputes;
- Work with the building team and health and safety team members to address building issues such as keeping the building free of potential hiding places and maintaining clear views of lobbies and work places;
- Know the available community resources, building ingress and egress, and geographical layout of the building;
- In order to assist in reducing or eliminating incidents from occurring, the following guidelines are suggested for managers/supervisors when hiring new employees:
  - (a) Conduct a pre-employment screening on each candidate.
  - (b) Check references with more than one previous employer.
  - (c) Review the application and resume for inconsistencies in employment; and
  - (d) Note questions or actions by the interviewee during an interview that may indicate a problem or concerning behavior.

# Appendix F

## INCIDENT INVESTIGATIONS

All reports shall be taken seriously. The analysis of what happened and why it happened is aimed at determining the cause of an incident, how it can be prevented in the future, and to determine if disciplinary action is necessary. Statements and/or acts shall be judged by whether they would cause a similarly situated reasonable person to worry about the safety of himself/herself, other individuals, or property.

It is the supervisor's responsibility to determine whether there is an immediate and recognizable threat that exists. It is essential that incidents are investigated as soon as possible after they occur or are reported.

Facts will be clearer, more details will be remembered, and conditions existing at the time of the incident will be easier to reconstruct. The DOR has established the following procedures to assist supervisors and managers in investigating reports of incidents of workplace violence or bullying as follows:

1. Interview involved employees (employee accused of misconduct, victim, witness, etc.) as soon as possible while facts are fresh and before witnesses forget important details. **(NOTE: Consult with Personnel and Legal for considerations before interviewing the employee who, it has been asserted, was threatening, bullying, or committed an act of violence.)**
  - Interviews shall be conducted as privately as possible;
  - Speak with all employees who have knowledge of the incident;
  - Clearly document details of statements made;
  - Ask open-ended questions and listen to what is said. To ensure that you have heard and documented the facts correctly, it is appropriate to repeat what the interviewee said;
  - Only collect facts and not opinions.
2. Review all previous known incidents;
3. Examine the workplace for security risk factors associated with the incident, including any previous reports of inappropriate behavior by the employee accused of misconduct;

4. Determine the cause of the incident. Analyze what happened, how it happened, and how it could have been prevented. Determine what caused the incident to occur;

5. Record the findings;

Obtain any reports completed by law enforcement. Send a copy to DOR Health and Safety Specialist.

# **Appendix G**

## **CORRECTIVE MEASURES FOR WORKPLACE VIOLENCE**

Corrective measures for Type I workplace security hazards can include:

1. Making the workplace unattractive to thieves and others who would commit criminal acts;
2. Utilizing security guards and surveillance measures such as cameras or mirrors, to provide information as to what is going on outside and inside the workplace if available;
3. Reporting procedures for notifying designated employees of suspicious persons or activities;
4. Posting emergency telephone numbers for law enforcement, fire and medical services where employees have access to a telephone;
5. Training on emergency action procedures for employees, supervisors and managers; and
6. Using alarm systems and access control systems if currently available.

Corrective measures for **Type II** workplace security hazards include:

1. Controlling access to the workplace and freedom of movement within it, consistent with business necessity;
2. Ensuring adequate workplace security/access control systems, such as door locks, security windows, physical barrier systems;
3. Providing worker training in recognizing and handling threatening or hostile situations that may lead to violent acts by consumers;
4. Placing effective systems to warn others of a security danger or to summon assistance, e.g., alarms or panic buttons;
5. Providing procedures for a "buddy" system for specified emergency events; and
6. Ensuring adequate emergency escape routes.

Corrective measures for **Type III** workplace security hazards include:

1. Communicating the Department of Rehabilitation's (DOR) Workplace Violence and Bullying Prevention Program to all employees, supervisors, and managers;
2. Improving DOR's management and employee communication with each other;



3. Increasing employees', supervisors', and managers' awareness of the warning signs of potential workplace violence or bullying;
4. Controlling access to and freedom of movement within the workplace by non-employees, including recently discharged employees or persons with whom one of DOR's employee is having a dispute;
5. Providing Employee Assistance Program referrals to employees, supervisors or managers who exhibit behavior that represents strain or pressure which may lead to physical or verbal abuse of coworkers;
6. Ensuring 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;
7. Ensuring worker disciplinary and discharge procedures address the potential for workplace violence.

# **Appendix H**

## **TRAINING GUIDELINES**

General workplace security training and instruction shall include, but is not limited to the following:

1. WVBPP training for departmental employees;
2. Review of the Workplace Violence and Bullying Policy;
3. Explanation of the WVBPP, including measures for reporting any violent acts or threats of violence;
4. Recognition of workplace security hazards including the risk factors associated with the three types of workplace violence;
5. Measures to prevent workplace violence, including the procedures for reporting workplace security hazards or threats;
6. Ways to defuse hostile or threatening situations;
7. Measures to summon others for assistance;
8. Routes of escape;
9. Notification of law enforcement authorities when a criminal act may have occurred;
10. Emergency medical care to be provided to a victim of any violent act upon a worker;
11. Post-event trauma counseling for those employees desiring such assistance – Employee Assistance Program Referral;
12. California Victim Compensation and Government Claims Board procedures;
13. California Department of Human Resources Rules; and
14. Relevant union contract provisions.