

ADMINISTRATIVE PROCEDURE 3510 WORKPLACE VIOLENCE

The District is committed to providing a safe work environment that is free of violence and the threat of violence.

A. Threats of Violence

1. The top priority in this process is effectively handling critical workplace incidents, especially those dealing with actual or potential violence.
2. Violence or the threat of violence against or by any employee of the District or any other person is unacceptable.
3. Should a non-employee on District property demonstrate or threaten violent behavior, he/she may be subject to criminal prosecution.
4. Should an employee, during working hours, demonstrate or threaten violent behavior he/she may be subject to disciplinary action and/or criminal prosecution.

B. The following actions are considered violent acts:

1. Striking, punching, slapping or assaulting another person.
2. Fighting or challenging another person to fight.
3. Grabbing, pinching or touching another person in an unwanted way whether sexually or otherwise.
4. Engaging in dangerous, threatening or unwanted horseplay.
5. 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.
6. Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.
7. 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 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 duties.

C. Employee Responsibilities:

1. In the event, an employee fears for the safety of the perpetrator or the safety of others at the scene of an actual or potential violent act, Peralta Police Services should be immediately contacted.
2. 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 supervisor or other manager.
3. No one, acting in good faith, who initiates a complaint or reports an incident under this policy will be subject to retaliation or harassment.

D. Management Responsibilities:

1. Any employee reported to be a perpetrator will be provided both due process and representation before disciplinary action is taken.

2. Supervisors or Managers should report the incident to the supervising President, or Vice Chancellor.
3. The supervising President or Vice Chancellor shall ensure that an appropriate investigation is conducted, the Chancellor is apprised, and an appropriate resolution is implemented.

References:

Cal/OSHA; Labor Code Sections 6300 et seq.
Title 8 Section 3203
Code of Civil Procedure Section 527.8
Penal Code Sections 273.6; 626.09; and 626.10

Approved by the Chancellor: February 19, 2013

Revised and approved by the Chancellor: August 13, 2015