

County of Yolo Administrative Policies and Procedures Manual

TITLE: WORKPLACE VIOLENCE PREVENTION POLICY

Department: Human Resources

TYPE: POLICY & PROCEDURE

DATE: July 9, 2024

I. DEFINITIONS

Emergency - Unanticipated circumstances that can be life threatening or pose a risk of significant injuries to employees or other persons.

Log - The violent incident log required by Labor Code section 6401.9. This log will be maintained by the Safety Committee.

Plan - This workplace violence prevention plan required by Labor Code section 6401.9.

Serious injury or illness - Any injury or illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement, but does not include any injury or illness or death caused by an accident on a public street or highway, unless the accident occurred in a construction zone.

Threat of violence - 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 - 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.
- 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.

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- *Workplace violence* does not include lawful acts of self-defense or defense of others.

II. RESPONSIBILITY

The WVPP administrator, Human Resources Director and Risk Manager has the authority and responsibility for implementing the provisions of this plan for Yolo County (the “County”). If there are multiple persons responsible for the plan, their roles will be clearly described.

Position	WVPP Responsibilities	Phone #
Director of Human Resources	The Director of Human Resources will approve the final plan and any changes made thereafter, subject to final approval from the Yolo County Board of Supervisors.	(530) 666-8149
Risk Manager	The Risk Manager conducts safety inspections, coordinates emergency response procedures, communicates with other employees about the plan, organizes Safety Committee meetings, updates training materials, and handles any reports of workplace violence.	(530) 666-8062

All managers and supervisors are responsible for implementing and maintaining the WVPP in their work areas and for answering employee questions about the WVPP.

III. EMPLOYEE ACTIVE INVOLVEMENT

The County implements the following policies and procedures to obtain active involvement of employees and authorized employee representatives in developing and implementing their Workforce Violence Prevention Plan:

Management will work with and allow employees and authorized employee representatives to participate in:

1. **Identifying, evaluating, and determining corrective measures to prevent workplace violence.** It shall be the policy of the County to provide ongoing training opportunities and to facilitate access to educational resources for the professional development of its employees. In addition, the County shall ensure that such training as is mandated by law or statute (e.g., HIPAA, Brown Act, sexual harassment, and profession-specific safety training) is accomplished in compliance with the applicable mandate.

In addition, the Risk Management department conducts monthly county-wide safety meetings with department representatives to discuss identification of workplace hazards and potential violence in the workplace. The safety committee will then evaluate these concerns and how to correct them in a timely manner. These meetings also involve discussions of recent accidents a review of relevant County safety procedures, when appropriate.

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- 2. Designing and implementing training.** Employees may request to participate in training and development opportunities. Supervisors are encouraged to allow employees reasonable opportunities to attend requested training where that training adds value to the employee's current or prospective job duties, or where time away from job duties is feasible and funds, if applicable, are available.

The County shall, through the operation of the Yolo Training Academy (YTA), offer an ongoing catalogue of courses designed to do the following:

- Prepare employees for their specific job responsibilities.
 - Increase employees' level of technical, behavioral, or managerial competence.
 - Allow development of new skills that may lead to beneficial job changes, promotions, and/or increased responsibilities.
 - Prepare employees to meet the challenges brought about by organizational, technological, or workplace environment changes.
 - Assure compliance with and current knowledge of local, state, and federal regulations that impact the workplace.
 - Comply with training mandates from local, state, or federal government. Responsibility for the catalogue content shall rest with Human Resources, who from time to time shall survey employees, managers, and department heads to determine topics for training and development.
- 3. Reporting and investigating workplace violence incidents.** The County is committed to ensuring a workplace environment free from threats and acts of violence. Threats of violence or violent acts in the workplace will not be tolerated. Any threats or incidents of violence must be reported promptly to a supervisor or manager. Employees are encouraged to report to management disputes in which there is a high potential of violence being brought into the workplace. Once reported, management can then assist in taking steps to protect the employee and co-workers. To that end, the Board of Supervisors delegates joint authority to the County Counsel and any County manager or supervisor, following consultation with the County Administrative Officer or a designee, to seek a restraining order on behalf of the County.

The County will take all reasonable and necessary steps to prevent violence in the workplace. Should a violent act occur, each situation will be responded to based on the circumstances. The nature of the incident will dictate the actions to be taken. Incidents are categorized into levels 1 through 3, as follows:

LEVEL 1 - Immediate physical threat to person or property. **EXAMPLES:** Bomb threat; employee assaulted in parking lot; prosecutor assaulted by defendant; citizen in county building brandishing a weapon; and/or employee threatens another

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employee or citizen with immediate harm or damage to property.

LEVEL 2 - Serious, but not immediate, threat to person or property. **EXAMPLES:** Verbal threat to commit physical harm or property damage in the near future; an employee receives threat of damage to personal or county vehicle; threats associated with domestic issues or domestic violence.

LEVEL 3 - Nonphysical threat. **EXAMPLES:** Verbal harassment without a threat of physical harm to persons or property.

LEVEL	ACTION	RESPONSIBLE PERSON
LEVEL 1 IMMEDIATE SERIOUS THREAT	1. Call for emergency responders. "911" (relate the specifics of the incident to ensure appropriate personnel are dispatched.)	Employee
	2. Call Safety Committee Member assigned to the specific department involved in the incident. See Attachment A for committee member assignment.	Employee
	3. Notify supervisor or manager	Department Safety Committee Member
	4. Notify Human Resources of incident	Department Safety Committee Member
	5. HR to notify Risk Manager	Human Resources Staff
	6. Determination of Countywide notification of incident.	Human Resources Staff, County Counsel

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LEVEL 2 SERIOUS THREAT, NON-IMMEDIATE	1. Notify supervisor or manager	Employee
	2. Notify Human Resources	Supervisor or Manager
	3. Notify law enforcement and Department Safety Committee Member	Human Resources and Department Head
	4. Assess and Implement preventive security measures	Safety Committee and Department Head
LEVEL 3 NON-PHYSICAL THREAT	1. Notify Supervisor or Manager	Employee
	2. Notify Human Resources	Supervisor or Manager
	3. Notify Department Safety Committee Member	Human Resources
	4. Attempt to resolve	Safety Committee and Department Head

Yolo County also provides a number of ways to report workplace issues. Employees may report harassment or violence by:

- Talking with their supervisor, manager or department head;
- Contacting Human Resources at (530) 666-8055;
- Contacting the Yolo Fraud Hotline 1-833-416-6434 (toll-free) 24 hours a day, 7 days a week;
- Sending a confidential message to Human Resources through the NAVEX reporting portal; and
- Reporting anonymously to Riskmgmt@YoloCounty.org.

Nothing in this section prohibits employees from discussing concerns with their authorized representative, including association representative.

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IV. EMPLOYEE COMPLIANCE

Our system to ensure that employees comply with the rules and work practices that are designed to make the workplace more secure, and do not engage in threats or physical actions which create a safety or security hazard for others in the workplace, include at a minimum:

1. Training employees, supervisors, and managers in the provisions of the WVPP.
2. Effective procedures to ensure that supervisory and nonsupervisory employees comply with the WVPP. The County will ensure compliance by the following:
 - Maintaining open communication with its employees;
 - Consistently applying policies throughout the organization;
 - Providing training resources for managers and supervisors available through third-party administrators;
 - Ongoing communication through monthly Safety Committee meetings;
 - Setting clear expectations of acceptable workplace behaviors;
 - Providing retraining to employees whose safety performance is not aligned with the WVPP;
 - Recognizing employees who demonstrate safe work practices that promote the WVPP in the workplace by issuing memos, emails or certificates of recognition, when appropriate;
 - Management will ensure that all workplace violence policies and procedures within this written plan are clearly communicated and understood by all employees. Managers and supervisors will enforce the rules fairly and uniformly. All employees will follow all workplace violence prevention plan directives, policies, and procedures, and assist in maintaining a safe work environment; and
 - Issuing employee discipline if employees fail to comply with the WVPP pursuant to Article 14 of the Yolo County disciplinary procedures and the applicable Memorandums of Understanding.

V. COMMUNICATION WITH EMPLOYEES

We recognize that open, two-way communication between our management team, and staff about workplace violence issues is essential to a safe and productive workplace. The following communication system is designed to facilitate a continuous flow of workplace violence

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prevention information between management and staff in a form that is readily understandable by all employees, and consists of one or more of the following:

1. New employee orientation including workplace violence prevention policies and procedures.
2. Workplace violence prevention training programs.
3. Regularly scheduled Safety Committee meetings that address safety issues and potential workplace violence hazards.
4. Effective communication between employees and supervisors about workplace violence prevention and violence concerns. Communications between employees and supervisors regarding workplace violence will be accomplished by:
 - One on one conversations between supervisor and employee (without fear of reprisals);
 - Use of the secure intranet mailbox;
 - Discussions with Yolo County Safety Committee;
 - Departmental "tailgate" meetings;
 - Evaluating WVPP communications process on an annual basis;
 - Use of Inside Yolo "AVENUES" employee website; and
 - Confidential reporting through NAVEX reporting portal.
5. Posted or distributed workplace violence prevention information.

Employees will not be prevented from accessing their mobile or other communication devices to seek emergency assistance, assess the safety of a situation, or communicate with a person to verify their safety. The use of cellphones can be a valuable tool during the time of an emergency, e.g. Active Shooter situations and Natural Disasters. Yolo County will weigh the safety needs of the organization and employees on a situational basis and develop cell phone policies that address phone use during an emergency. Employees' concerns will be investigated in a timely manner, and they will be informed of the results of the investigation and any corrective actions to be taken.

VI. WORKPLACE VIOLENCE INCIDENT REPORTING PROCEDURE

Yolo County will implement the following effective procedures to ensure that all threats or acts of workplace violence are reported to an employee's supervisor or manager, who will inform the WVPP administrator. This will be accomplished by any of the methods articulated in the previous section titled: "Employee Communication." If that's not possible, employees will report incidents directly to the WVPP administrator the Yolo County Risk Manager.

Anti-Retaliation Policy. This policy is designed to protect employees who report harmful, discriminatory, or unethical behaviors. Employees will not suffer retaliation or other adverse job actions for making a good-faith report of actual or potential workplace violence. Our goal is to

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prevent victimization and other retaliatory behaviors towards the employee. We believe that employees should not be afraid to speak up about these issues and it is in Yolo County's best interests to resolve them promptly. In all cases, we will strive to maintain legality and uphold government ethics. This policy applies to all prospective, current, or former employees of Yolo County. Employees may file complaints internally with a supervisor, manager, or the Human Resources Department.

VII. EMERGENCY RESPONSE PROCEDURES

The County has in place the following specific measures to handle actual or potential workplace violence emergencies:

1. Effective means to alert employees of the presence, location, and nature of workplace violence emergencies by the following: alarm systems and email announcements.
2. In accordance with OSHA Standard (29 CFR 1910.38) Yolo County will provide training on countywide evacuation and sheltering plans.
3. In the event of an emergency, including a Workplace Violence Emergency, contact the appropriate response as referenced **in Section III**.

VIII. WORKPLACE VIOLENCE HAZARD IDENTIFICATION AND EVALUATION

The following policies and procedures are established and required to be conducted by the County to ensure that workplace violence hazards are identified and evaluated:

1. **General Inspections.** Inspections shall be conducted when the plan is first established, after a workplace violence incident occurs, and whenever the employer is made aware of a new or previously unrecognized hazard. The Safety Committee will review all submitted/reported concerns of potential hazards.
2. **Periodic Inspections.** Periodic inspections of workplace violence hazards will identify unsafe conditions and work practices. This may require assessment for more than one type of workplace violence. Periodic Inspections shall be conducted quarterly or when a potential workplace hazard is reported. Periodic inspections to identify and evaluate workplace violence and hazards will be performed by the Safety Committee. Each Safety Committee member will perform periodic inspections within their own assigned Department. Safety Committee members are reflected on Attachment A. Attachment A will be maintained and updated as necessary by the Yolo County Risk Manager.
3. Inspections for workplace violence hazards may include assessing:

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- Lack of security patrol during normal business hour;
- Vagrancy;
- Lack of situational awareness;
- Absence of safety training;
- Procedures for reporting suspicious persons or activities;
- Malfunctioning equipment, e.g., emergency buttons and alarms;
- In adequate signage directing employees to safe areas;
- The availability of employee escape routes; and
- Failure to act on potential threats.

IX. WORKPLACE VIOLENCE HAZARD CORRECTION

Workplace violence hazards will be evaluated and corrected in a timely manner. Yolo County will implement the following effective procedures to correct workplace violence hazards that are identified:

1. If an imminent workplace violence hazard exists that cannot be immediately abated without endangering employee(s), all exposed employee(s) will be removed from the situation except those necessary to correct the existing condition. Employees required to correct the hazardous condition will be provided with the necessary Personal Protective Equipment (PPE).
2. The County Safety Committee will serve as first point of contact for LEVEL I incidents pursuant to Section III of this policy.

X. PROCEDURES FOR POST INCIDENT RESPONSE AND INVESTIGATION

After a workplace incident, the WVPP administrator or their designee will implement the following post-incident procedures:

1. The Risk Manager, the Department Head, and the Department-specific Safety Committee member will visit the scene of an incident as soon as safe and practicable.

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2. Interview involved parties, such as employees, witnesses, law enforcement, and/or security personnel.
3. Review security footage of existing security cameras if applicable.
4. Examine the workplace for security risk factors associated with the incident, including any previous reports of inappropriate behavior by the perpetrator.
5. Determine the cause of the incident.
6. Take corrective action to prevent similar incidents from occurring.
7. Record the findings and ensuring corrective actions are taken.
8. Obtain any reports completed by law enforcement.
9. The violent incident log will be used for every workplace violence incident and will include information, such as:
 - The date, time, and location of the incident.
 - The workplace violence type or types involved in the incident.
 - A detailed description of the incident.
 - A classification of who committed the violence, including whether the perpetrator was a client or customer, family or friend of a client or customer, stranger with criminal intent, coworker, supervisor or manager, partner or spouse, parent or relative, or other perpetrator.
 - A classification of circumstances at the time of the incident, including, but not limited to, 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.
 - A classification of where the incident occurred, such as in the workplace, parking lot or other area outside the workplace, or other area.
 - The type of incident (LEVEL 1, LEVEL 2 or LEVEL 3), including, but not limited to, whether it involved any of the following:
 - Physical attack without a weapon, including, but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting.
 - Attack with a weapon or object, including, but not limited to, a firearm, knife,

or other object.

- 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.
 - Animal attack.
 - Other relevant information regarding type of violence.
- Consequences of the incident, including, but not limited to:
 - Whether security or law enforcement was contacted and their response.
 - Actions taken to protect employees from a continuing threat or from any other hazards identified as a result of the incident.
 - Information about the person completing the log, including their name, job title, and the date completed.

10. Reviewing all previous incidents.

11. Ensure that no personal identifying information is recorded or documented in the written investigation report. This includes information which would reveal identification of any person involved in a violent incident, such as the person's name, address, electronic mail address, telephone number, social security number, or other information that, alone or in combination with other publicly available information, reveals the person's identity.

XI. TRAINING AND INSTRUCTION

All employees, including managers and supervisors, will have training and instruction on general and job-specific workplace violence practices. These sessions could involve presentations, discussions, and practical exercises. Training and instruction will be provided as follows:

- When the WVPP is first established.
- Annually to ensure all employees understand and comply with the plan.
- Whenever a new or previously unrecognized workplace violence hazard has been identified and when changes are made to the plan. The additional training may be limited to addressing the new workplace violence hazard or changes to the plan.

The County will provide its employees with training and instruction on the definitions found on page 1 of this plan and the requirements listed below:

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- The employer’s WVPP, how to obtain a copy of the employer’s plan at no cost, and how to participate in development and implementation of the employer’s plan.
- How to report workplace violence incidents or concerns to the employer or law enforcement without fear of reprisal.
- Workplace violence hazards specific to the employees’ jobs, the corrective measures Yolo County has implemented, how to seek assistance to prevent or respond to violence, and strategies to avoid physical harm.
- The violent incident log and how to obtain copies of records pertaining to hazard identification, evaluation and correction, training records, and violent incident logs.
- Opportunities the County has for interactive questions and answers with a person knowledgeable about the County plan.
- Strategies to avoid/prevent workplace violence and physical harm, such as:
 - How to recognize workplace violence hazards including the risk factors associated with the four types of workplace violence.
 - Ways to defuse hostile or threatening situations.
- How to recognize alerts, alarms, or other warnings about emergency conditions and how to use identified escape routes or locations for sheltering.
- Employee routes of escape.
- Post-event trauma counseling for employees desiring such assistance.

XII. EMPLOYEE ACCESS TO THE WVPP

The County ensures that the WVPP plan shall be in writing and shall be available and easily accessible to employees, authorized employee representatives, and representatives of Cal/OSHA at all times. This will be accomplished by:

1. Whenever an employee or designated representative requests a copy of the written WVPP, we will provide the requester with a printed copy of the WVPP, unless the employee or designated representative agrees to receive an electronic copy.
2. We will provide unobstructed access through a company server or website, which allows an employee to review, print, and email the current version of the written WVPP. Unobstructed access means that the employee, as part of their regular work duties, predictably and routinely uses the electronic means to communicate with management or

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co-employees.

XIII. RECORDKEEPING

The County will:

1. Create and maintain records of workplace violence hazard identification, evaluation, and correction, for a minimum of five (5) years.
2. Create and maintain training records for a minimum of one (1) year and include the following:
 - Training dates.
 - Contents or a summary of the training sessions.
 - Names and qualifications of persons conducting the training.
 - Names and job titles of all persons attending the training sessions.
3. Maintain violent incident logs for minimum of five (5) years.
4. Maintain records of workplace violence incident investigations for a minimum of five (5) years. The records shall not contain medical information per subdivision (j) of section 56.05 of the Civil Code.

All records of workplace violence hazard identification, evaluation, and correction; training, incident logs and workplace violence incident investigations required by Labor Code section 6401.9(f), shall be made available to Cal/OSHA upon request for examination and copying.

XIV. ACCESS TO RECORDS

The following records shall be made available to employees and their representatives, upon request and without cost, for examination and copying within **15 calendar days of a request**:

1. Records of workplace violence hazard identification, evaluation, and correction.
2. Training records.
3. Violent incident logs.

XV. REVIEW AND REVISION OF THE WVPP

The County WVPP will be reviewed for effectiveness:

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1. When a deficiency is observed or becomes apparent.
2. After a workplace violence incident.
3. As needed.

Review of the County's WVPP should include, but is not limited to:

1. Review of incident investigations and the violent incident log.
2. Assessment of the effectiveness of security systems, including alarms, emergency response, and security personnel availability (if applicable).
3. Review that violence risks are being properly identified, evaluated, and corrected. Any necessary revisions are made promptly and communicated to all employees.

XVI. EMPLOYER REPORTING RESPONSIBILITIES

As required by California Code of Regulations (CCR), Title 8, Section 342(a) Reporting Work-Connected Fatalities and Serious Injuries, Yolo County will immediately report to Cal/OSHA any serious injury or illness (as defined by CCR, Title 8, Section 330(h)), or death (including any due to Workplace Violence) of an employee occurring in a place of employment or in connection with any employment. "Immediately" means as soon as practically possible but not longer than 8 hours after the employer knows or with diligent inquiry would have known of the death or serious injury or illness. If the employer can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident.
