

California State University, Fresno Foundation

Workplace Violence Prevention Program

INTRODUCTION

The Foundation's Workplace Violence Prevention Plan (WVPP) addresses the threat of violence, and its related hazards as required under Labor Code § 6401.9. The plan is reviewed annually and updated as needed, including after any incident of workplace violence, and is always available to employees for review. All employees are encouraged to identify workplace violence hazards and suggest ways to evaluate and correct such hazards.

DEFINITIONS

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

Engineering controls - An aspect of the built space or a device that removes a hazard from the workplace or creates a barrier between the employee and the hazard.

Log - The violent incident log required by LC section 6401.9.

Plan - The workplace violence prevention plan required by LC 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.
- The following four workplace violence types:
 - **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 employees with the intent to commit a crime.
 - **Type 2 violence** - Workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors.
 - **Type 3 violence** - Workplace violence against an employee by a present or former employee, supervisor, or manager.
 - **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.

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

Work practice controls - Procedures and rules which are used to effectively reduce workplace violence hazards.

RESPONSIBILITY

The Executive Director, Auxiliary Services has approved this WVPP dated July 1, 2024, which has been written according to Cal/OSHA Standard (and the Federal General Duty Clause) SB 553. This summary and all supporting policies and procedures are effective July 1, 2024, and supersede any other written and verbal workplace violence prevention procedures previously implemented.

The Director of Human Resources has the responsibility for administering and maintaining the Workplace Violence Prevention Plan (WVPP), and handling of reports. The Human Resources Manager has responsibility for employee involvement and training.

All employees are responsible for reading, understanding, and following the WVPP in their work areas.

Employees with concerns related to any workplace violence issues or the plan may contact Nicole Lane, Auxiliary HR Director, at (559) 278-0865 or nicolel@csufresno.edu.

Additionally, because workplace violence issues are a serious concern, employees may also report issues to any manager or partner as well. All managers and supervisors should implement and maintain the WVPP in their work areas and consult with the administrator if they have any questions or issues.

EMPLOYEE ACTIVE INVOLVEMENT

Management will work with and allow employees to participate in identifying potential workplace violence hazards and developing corrective measures. Employees are encouraged to recommend improvements in training, reporting and communication of WVPP elements to the campus community.

COMPLIANCE

The WVPP ensures all employees are responsible for complying 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 security hazard for others in the workplace, include at a minimum:

- Informing employees of the provisions of our WVPP.
- Evaluating the safe work practices of all employees.
- Recognizing employees who demonstrate safe work practices.
- Providing training to employees whose safety performance is deficient.
- Disciplining employees for failure to comply with the WVPP.

COMMUNICATION

We recognize that open, two-way communication between our management 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 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:

- New employee orientation includes WVPP and procedures.
- Workplace violence prevention training programs.
- Effective communication between employees and supervisors.
- Regularly scheduled safety meetings.
- 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. 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.

INCIDENT REPORTING PROCEDURE

The WVPP implements the following effective procedures to ensure that:

- All threats or acts of workplace violence should be reported to an employee's supervisor or manager, who will promptly inform the HR Director. This will be accomplished by submitting a report via phone or email.
- If that's not possible, employees can report incidents directly to the HR Director.

Any manager who is unsure how best to proceed should promptly contact the HR Director or a partner. Emergency issues should be communicated by phone or in person to ensure prompt attention.

If an employee raises a concern, the Foundation will conduct a prompt and impartial investigation into the matter and provide a summary of the results of the investigation to the employee, and will discuss corrective actions, if any.

NO RETALIATION

The Foundation has a strong policy against retaliation, and no retaliation shall be permitted against any employee who makes use of any reporting procedure under the Plan or who reports any good-faith concerns related to workplace violence.

The Foundation will discipline any employee involved in improper retaliation, up to and including termination of their at-will employment.

COORDINATION WITH OTHER EMPLOYERS

The Foundation will implement the following effective procedures to coordinate implementation of its plan with other employers to ensure that those employers and employees understand their respective roles, as provided in the plan.

- All employees will be trained on workplace violence prevention.
- Workplace violence incidents involving any employee are reported, investigated, and recorded.
- If there is a multiemployer worksite, the Foundation will ensure that if its employees experience workplace violence incident that the Foundation will record the information in a violent incident log and shall also provide a copy of that log to the controlling employer.

EMERGENCY RESPONSE PROCEDURES

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

- Effective means to alert employees of the presence, location, and nature of workplace violence emergencies.
- The Foundation has evacuation/sheltering plans. Managers and employees for each work location should review the plans for their respective work locations as each location has a plan related to that work location.
- How to obtain help from staff, security personnel, or law enforcement:
 - Each work area has information on how to contact University Police.
 - From a campus phone, one should call 9-1-1 or 8-8400 to reach University Police.
 - If 9-1-1 is called from a mobile phone, that will be routed to the local law enforcement dispatch center.
 - If there is immediate danger, call for emergency assistance by dialing 9-1-1, and then notify Auxiliary HR Director, the WVPP Administrator.

WORKPLACE VIOLENCE HAZARD IDENTIFICATION AND EVALUATION

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

- Inspections shall be conducted when the plan is first established, after each workplace violence incident, and whenever the employer is made aware of a new or previously unrecognized hazard. Also, periodic inspections of workplace violence hazards will also help in identifying unsafe conditions and work practices.

Examples of periodic inspections include (not a comprehensive list):

- The exterior and interior of the workplace for their attractiveness to theft.
- The need for violence surveillance measures, such as mirrors and cameras.
- Procedures for reporting suspicious persons or activities.
- Posting of emergency telephone numbers for law enforcement, fire, and medical services.
- Whether employees have access to a telephone with an outside line.
- Whether employees have effective escape routes from the workplace.
- Whether employees have a designated safe area where they can go to in an emergency.
- Adequacy of workplace security systems, such as door locks, entry codes or badge readers, security windows, physical barriers, and restraint systems.
- Frequency and severity of threatening or hostile situations that may lead to violent acts by persons who are service recipients of our establishment.
- The use of work practices such as the "buddy" system for specified emergency events.
- How well our establishment's management and employees communicate with each other.
- Access to and freedom of movement within the workplace by non-employees, including recently discharged employees or persons with whom one of our employees is having a dispute.
- Frequency and severity of employees' reports of threats of physical or verbal abuse by managers, supervisors, or other employees.
- Any prior violent acts, threats of physical violence, verbal abuse, property damage or other signs of strain or pressure in the workplace

WORKPLACE VIOLENCE HAZARD CORRECTION

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

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 that are needed to correct the hazardous condition will be provided with the necessary protection based upon the situation. All corrective actions taken will be documented. Corrective measures for workplace violence hazards will be specific to a given work area.

Some examples of this include:

- Ensure proper lighting around and at the workplace, including the exterior and parking lots.
- Improve workplace violence systems, such as door locks, physical barriers, and other items to mitigate against workplace violence.
- Ensure posting of emergency telephone numbers for law enforcement, fire, and medical services
- Control, access to, and freedom of movement within, the workplace by non-employees, include recently discharged employees or persons with whom one of our employees is having a dispute.
- Ensure employees have access to a telephone with an outside line. Improve how well our establishment's management and employees communicate with each other.
- Ensure adequate employee escape routes.

- Increase awareness by employees, supervisors, and managers of the warning signs of potential workplace violence.
- Ensure that employee disciplinary and discharge procedures address the potential for workplace violence.

PROCEDURES FOR POST INCIDENT RESPONSE AND INVESTIGATION

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

- Visit the scene of an incident as soon as safe and practicable.
- Interview involved parties, such as employees, witnesses, law enforcement, and/or security personnel. Work with UPD to review any security footage if available.
- Examine the workplace for security risks associated with the incident, including any previous reports of inappropriate behavior by the perpetrator.
- Determine the cause of the incident.
- Take corrective action to prevent similar incidents from occurring.
- Record the findings and ensure corrective actions are taken.
- Obtain any reports completed by law enforcement.
- The violent incident log will be used for every workplace violence incident and will include full completion of the log requirements.
- Other post-incident procedures will be provided such as support and resources, such as counseling services, provided for affected employees.

Ensure that no personal identifying information is recorded or documented in the violent incident log. This includes information which would reveal the 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.

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.
- Training will include all the components included in this plan.

EMPLOYEE ACCESS TO THE WRITTEN WVPP

The Foundation 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 posting the plan on Auxiliary HR website, which allows an employee to review, print, and email the current version of the written WVPP; providing plan when requested by employee.

RECORDKEEPING

The Foundation will:

- Create and maintain records of workplace violence hazard identification, evaluation, and correction, for a minimum of five (5) years.
- 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.
- Maintain violent incident logs for minimum of five (5) years.
- 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 [LC section 6401.9\(f\)](#), shall be made available to Cal/OSHA upon request for examination and copying.

EMPLOYEE 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**:

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

REVIEW AND REVISION OF THE WVPP

The Foundation's WVPP will be reviewed for effectiveness:

- At least annually.
- When a deficiency is observed or becomes apparent.
- After a workplace violence incident.
- As needed.

Review and revision of the WVPP will include the procedures listed in the employee active involvement section of this WVPP, as well as the following procedures to obtain the active involvement of employees and authorized employee representatives in reviewing the plan's effectiveness:

- Review of Foundation's WVPP should include, but is not limited to:
 - Review of incident investigations and the violent incident log.
 - Assessment of the effectiveness of security systems, including alarms, emergency response, and security personnel availability (if applicable).

Review that violence risks are being properly identified, evaluated, and corrected. Any necessary revisions are made promptly and communicated to all employees. These revisions could involve changes to procedures, updates to contact information, and additions to training materials.

EMPLOYER REPORTING RESPONSIBILITIES

As required by California Code of Regulations (CCR), Title 8, Section 342(a). Reporting Work-Connected Fatalities and Serious Injuries, the Foundation 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.

I, Nicole Lane, Executive Director, Auxiliary Services hereby authorize and ensure, the establishment, implementation, and maintenance of this written workplace violence prevention plan and the documents/forms within this written plan. I am committed to promoting a culture of safety and violence prevention in our workplace and believe that these policies and procedures will help us achieve that goal.



Nicole Lane
Executive Director, Auxiliary Services