

2011.    ADMINISTRATIVE REGULATIONS ON WORKPLACE VIOLENCE

2011.1        The Administrative Dean, Human Resources, shall administer these regulations.

2011.2        Definition

Workplace violence includes threatening, intimidating, physically abusive, physically aggressive or violent actions that would cause a reasonable person to believe that he or she is in danger of physical harm and compromises the employee's safety in the workplace.

Examples of workplace violence include, but are not limited to, the following:

- A.    Striking, punching, slapping, grabbing, pinching or assaulting another person.
- B.    Fighting or challenging another person to fight.
- C.    Engaging in dangerous, threatening, or unwanted horseplay.
- D.    Possession, use, or threat of use, of a gun, knife or other weapon of any kind on District property, including parking lots, other exterior premises, District vehicles, or while engaged in activities for the District in other locations.
- E.    Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.
- F.    Stalking or other harassing behavior that causes an employee to be fearful for his/her personal safety, including racial slurs, verbal or visual insults, or other abusive behavior.

2011.3        Procedure for Reporting and Investigating Incidents

- A.    Emergency situations shall be reported immediately to the College Police Department.
- B.    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 non-employee, shall immediately report the incident to his/her supervisor or other appropriate person in the chain of command. If the perpetrator is a student, the Dean of Student Affairs shall be contacted immediately. The Dean of

Student Affairs shall follow the procedures in Board Policy 5012, Policy on Student Conduct.

- C. The supervisor shall immediately conduct a preliminary investigation of the reported incident and shall report his/her findings to his/her Vice President/Executive Dean, and the College Police Department. The Vice President/Executive Dean shall conduct a formal investigation if the perpetrator is in his/her chain of command, or refer the matter to the Vice President/Executive Dean who is in the perpetrator's chain of command.

2011.4 Formal Investigation Procedures

Upon receiving the preliminary investigation report, the Vice President/Executive Dean, who is in the perpetrator's chain of command, shall immediately conduct a formal investigation of the event.

- A. The appropriate Vice President/Executive Dean shall interview the victim(s) and perpetrator in order to obtain specific information regarding the incident which shall include:
  - 1. Who committed the violent act;
  - 2. Against whom the violent act was committed;
  - 3. The specific language used by the person committing the violent act;
  - 4. Any physical conduct by the person committing the violent act;
  - 5. The names of any witnesses;
  - 6. The dates(s), time(s), and place(s) where the act(s) occurred;
  - 7. Threats or violent conduct by the alleged perpetrator before this incident;
  - 8. Other pertinent information.
- B. The Vice President/Executive Dean shall review the incident with the Chief of College Police or his/her designee, who shall prepare any required criminal reports, and advise the employee of his/her options regarding restraining orders and criminal complaints.
- C. The Chief of College Police shall provide a copy of any crime reports and related information to the Administrative Dean of Human Resources. The

Administrative Dean will consult with the supervisor regarding any follow-up investigation activities.

2011.5 Disciplinary Action

- A. If the perpetrator of the workplace violence is a District employee, the Administrative Dean of Human Resources shall recommend disciplinary action to the Superintendent-President.
- B. In situations where a serious threat exists, the Superintendent-President shall be authorized to seek a restraining order in accordance with and pursuant to the terms of the California Workplace Violence Safety Act.
- C. If the perpetrator is a student, the Dean of Student Affairs shall be contacted immediately. The Dean of Student Affairs shall follow the procedures in Board Policy 5012, Policy on Student Conduct.
- D. No one, acting in good faith, who initiates a complaint or reports an incident under this policy will be subject to discipline. Disciplinary action will be taken against any person who, in bad faith, initiates a complaint under this policy.