

2011. ADMINISTRATIVE REGULATIONS ON WORKPLACE VIOLENCE

2011.1 The Vice President, Human Resources, or designee, 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, taunting, or any other action or conduct that implies the threat of bodily harm.
- F. Stalking or other harassing behavior that causes a person to be fearful for his/her personal safety, including racial slurs, verbal or visual insults, or other abusive behavior.
- G. Hostile, abusive, or threatening words or actions that have the effect of creating a fear of harm.
- H. Any other form of verbal, written, or physical harassment of a threatening or intimidating nature.

2011.3 Procedure for Reporting Incidents

- A. Emergency situations shall be reported immediately to the contracted law enforcement agency.

Students, employees, or members of the public who believe they have been the victim of workplace violence in violation of this policy and administrative regulations may make a complaint orally or in writing, within one year of the date of the alleged conduct or the date on which the complainant knew or should have known the facts underlying the complaint.

Complaints by phone should be directed to:

Vice President, Human Resources
Associate Vice President, Human Resources
Director, Human Resources

Complaints in writing should be directed to:

Vice President, Human Resources
Long Beach Community College District
4901 East Carson Street, G3
Long Beach, CA 90808

All managers shall immediately refer any information regarding workplace violence of which they have knowledge to the Vice President of Human Resources, regardless of the information source.

2011.4 Procedure for Investigating Incidents

The Vice President, Human Resources, or designee shall promptly investigate every complaint of workplace violence. No complaint of workplace violence shall remain unexamined. The District will keep the investigation confidential to the extent possible, but cannot guarantee absolute confidentiality because release of some information on a “need-to-know” basis is essential for a thorough investigation.

All employees are expected to cooperate with a District investigation into allegations of workplace violence. Lack of cooperation by a complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that workplace violence is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed.

2011.5 Discipline and Corrective Action

If workplace violence and/or retaliation occurred in violation of this policy and administrative regulations, the District shall take disciplinary action against the accused and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with

the severity of the offense. If discipline is imposed, the nature of the discipline will not be communicated to the complainant.

Disciplinary actions against students, faculty and staff will conform to all relevant statutes, board policies and regulations, and personnel policies and procedures, including the provisions of any applicable collective bargaining agreements.

The District shall also take reasonable steps to protect the complainant from further harassment, and to protect the complainant and witnesses from retaliation as a result of communicating the complaint and/or assisting in the investigation. The District shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all parties to the extent possible without impeding the District's ability to investigate and respond effectively to the complaint.

2011.6 Statement on False Reporting

The District will investigate any individual(s) suspected of knowingly making a false complaint. Individual(s) found to have made a false complaint shall be subject to discipline up to and including termination or expulsion.

2011.7 Statement on Confidentiality

Employees and students of the District, who are involved in any manner in an investigation into a complaint of workplace violence or harassment, must keep all information pertaining to the complaint or investigation of the complaint confidential. Failure to adhere to confidentiality shall subject the employee or student to discipline up to and including termination or expulsion.

Adopted: January 16, 1997

Revised: May 24, 2011