



City of Riverside, California
Human Resources Policy and Procedure Manual

Approved:


Human Resources Director


City Manager

Number: III-4 Effective Date: 08/26

SUBJECT: VIOLENCE IN THE WORKPLACE/CRITICAL INCIDENT RESPONSE

PURPOSE:

The City of Riverside maintains zero tolerance for workplace violence and is committed to preventing and deterring such conduct. This policy provides examples of workplace violence, prohibits all forms of workplace violence and provides that its occurrence will lead to discipline, up to and including termination, establishes guidelines to assist supervisors and employees in identifying and reporting potential or actual workplace violence, and establishes procedures for the investigation and handling of potential and actual workplace violence. This policy complies with the requirements found in California Labor Code (LC) section 6401.9 resulting from Senate Bill 553.

DEFINITION:

Workplace violence includes, but is not limited to, any act or threat of violence against the physical, psychological, or economic interests of an individual. This includes direct or implied, verbal or non-verbal threats against individuals. Per California law, workplace violence is further classified into four types:

Type 1: Violence committed by a person who has no legitimate business at the worksite, including violent acts by anyone who enters the workplace with the intent to commit a crime.

Type 2: Violence directed at employees by customers, clients, patients, students, inmates, or visitors.

Type 3: Violence against an employee by a present or former employee, supervisor, or manager.

Type 4: 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.

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

- Hitting, pushing, shoving, kicking, assaulting, or harming the physical body of an individual or threatening to engage in such behavior.
- Unlawfully touching an individual. Any intentional and unauthorized touching of another individual that is considered inappropriate, offensive, or harmful.
- Making menacing, threatening, or harassing gestures or statements toward an individual. This includes statements or inappropriate joking that could be perceived as threatening, intimidating, or demeaning.
- Making menacing, harassing, or threatening phone calls, messages, or other forms of communication to an individual.
- Stalking or conducting unlawful or unauthorized surveillance of an individual.
- Attempting to intimidate an individual through body language, threatening statements, innuendo, prolonged staring, or other direct or indirect forms of communication.
- Using firearms in an inappropriate, unsafe, or unauthorized manner.
- Using tools, equipment, or any other device against an individual in an inappropriate, unsafe, or unauthorized manner.
- Harming, attempting to harm, or threatening to harm an individual's personal property.
- Harming, attempting to harm, or threatening to harm City property. This includes, but is not limited to, arson, sabotage, and vandalism.

- Engaging in conduct that poses a credible threat to the bodily safety, physical or psychological well-being, or economic interests of an individual.
- Engaging in any of the prohibited behaviors as described above toward an employee's family or friends may constitute workplace violence.
- Making statements to a third-party that evidences a credible or meaningful possibility that the maker of the statement will commit workplace violence, including making threats of workplace violence.

A threat of violence does not need to be explicit or directly communicated to the intended target. Threats of violence may be in written, verbal, or non-verbal forms. Threat of violence may also be communicated by body language, gestures, or other means.

Workplace violence may be evidenced by a pattern of conduct composed of a series of acts over a period of time, notwithstanding that some or all of the acts individually may not appear to constitute workplace violence.

Workplace violence does not need to be directed toward an identifiable individual. It may be directed toward an unidentified individual, a group of employees, or employees of a protected class, e.g., race, sex, religion, age, disability, or other legally protected status.

POLICY:

The City of Riverside is committed to maintaining a safe, secure, and respectful work environment for all employees. Workplace violence in any form is strictly prohibited.

This policy applies to all persons involved in the City's operation, including but not limited to, the following: City of Riverside employees; contractors; temporary workers; volunteers; visitors; anyone on City property; subcontractors; vendors; any individual acting as a representative of the City of Riverside while off City property; any individual off City property whose actions involve City's business or interests.

Workplace violence can occur in a variety of settings and include, but are not limited to, the following:

1. On City property, regardless of the relationship between the City and the persons involved in the incident.
2. Off City property, if the assailant is a City employee, worker, representative, agent, contractor, subcontractor, vendor, and the incident involves or is connected to any City business or interest.

Non-employees are strongly encouraged to report known incidents of workplace violence, including any threats or concerns related to workplace violence.

City employees, workers, volunteers, visitors, representatives, agents, contractors, subcontractors, and vendors must report any known incidents of workplace violence pursuant to the procedures outlined in this policy, policy I-12 Workplace Violence Prevention Plan in the Safety and Health Policy and Procedure Manual and any other applicable city policies.

To comply with California law and promote a safe working environment, the City will adhere to this policy and take all reasonable steps to maintain a workplace free from violence. This includes implementing appropriate security measures and practices as well as providing relevant training programs as needed.

The City will designate a management team to review the implementation of this policy and recommend corrective actions and preventative strategies to supervisors and managers on risk mitigation and response measures to offset and prevent incidents of workplace violence.

Compliance with the Violence In the Workplace Policy III-4 is a condition of employment and will be evaluated, together with other aspects of an employee's performance. Violations of this policy may result in corrective or disciplinary action, up to and including termination, and in accordance with Human Resources Policy and Procedures Manual, Discipline policy, III-1.

To reduce the risk of workplace violence managers and supervisors are expected to implement the following practices:

Reference Checks: Prior to extending an offer of employment a reference check should be completed. At a minimum, verification should include, and is not limited to, prior positions held, job duties and responsibilities, dates of employment and reason for separation. All information obtained must be documented and factual with no subjective comments. The Human Resources Department is available to assist departments in conducting reference checks.

Employee Privacy: To protect employee privacy supervisors are encouraged to refer all requests for information concerning current employees to the Human Resources Department. Information regarding an employee's workplace location shall not be given to anyone who cannot demonstrate a legitimate business necessity and authorized to receive this information.

Workplace Security: Managers and supervisors are encouraged to solicit assistance from the Police Department and/or Safety Manager for an inspection of the workplace facilities. This inspection would include recommendations to managers on securing the workplace against potential acts of workplace violence.

Observations: Supervisors and employees should rely on their own judgment, personal observations, and corroborating information when assessing the likelihood that an employee or other person will commit workplace violence. Behaviors that may warrant attention includes persistent hostility or excessive aggression, erratic behavior, irrational behavior, behavior evidencing use of drugs or alcohol (e.g., incoherent or impaired speech, dilated pupils, lack of coordination when walking or other physical task, alcohol on the breath), and out of ordinary work mistakes or behavior. Acts that may individually appear harmless may, in conjunction with other behavior, indicate a possibility of (or potential for) workplace violence.

Supervisors and employees should consult with their supervisor, Human Resources, the Safety Manager, and other appropriate personnel regarding behavior that may not constitute workplace violence but that may indicate a significant increase in the likelihood of workplace violence.

It is important to exercise caution when drawing conclusions or relying on any of the above behaviors as indicators of potential violence. Many individuals experience stress, loss, or illness and the vast majority navigate these challenges without resorting to violent behavior. Intervention efforts should focus on supporting the employee through these difficult times. Managers should be equipped with the training and resources necessary to recognize, respond to, and effectively support employees during these difficulties.

Whenever a situation arises that may present a risk of workplace violence, it is critical that a timely assessment be conducted to determine the level and immediacy of the threat. All threats must be taken seriously and addressed promptly. Supervisors and employees must immediately report any incidents, threats, or concerns related to workplace violence. Employees and supervisors should not attempt to independently investigate or intervene in situations that may pose a safety risk. Instead, all concerns must be escalated promptly to appropriate personnel, including management, Human Resources, the Safety Manager, and/or law enforcement when warranted.

All situations will be managed in a manner that prioritizes the safety and protection of all employees.

Critical Incident Response to Workplace Violence:

In the event of a workplace violence credible threat:

1. Recognize the situation and remain as calm as possible. Respond in a logical and deliberate manner.
2. Assess the situation, including the level of threat, potential for injury, and extent of damage.
3. Do not engage in counter threats or actions that may escalate or provoke the individual.
4. Move to a secure area, when safe to do so, and assist others in reaching safety if feasible.
5. Call 911 immediately if any of the following conditions exist:
 - The assailant is actively violent or continues to make threats;
 - The assailant has not been detained or is not in custody;
 - Any person is injured or requires medical attention.

When contacting emergency services, remain calm and provide clear, accurate information. Be prepared to answer dispatcher questions. For City facilities, provide the building location and floor, if known.

6. Warn others, when safe and feasible, of the potential danger.
7. Remain in a secure location until law enforcement, security, or medical personnel arrive and provide further direction.

Reporting Workplace Violence:

8. As soon as it is safe, immediately report any actual or potential workplace violence to your immediate supervisor, another manager, or the Department Head. Reporting must not be delayed due to the unavailability of a specific individual.

Supervisor/Manager Responsibilities:

9. The immediate supervisor, manager, or Department Head must immediately notify the Human Resources Director (or designee) and the Safety Manager upon receiving a report.

Human Resources/Department Head Responsibilities:

10. Human Resources or the Department Head shall ensure the situation is stabilized and controlled, including:
 - Confirming the assailant is removed, detained, or no longer poses a threat;

- Ensuring employee and public safety;
- Issuing warnings or notifications to affected individuals, as appropriate; and
- Contacting any required federal, state, or local agencies in accordance with applicable laws and reporting obligations.

11. When employees or work groups are impacted, Human Resources shall coordinate access to Employee Assistance Program (EAP) services or other supportive resources.

Human Resources Additional Actions:

12. When appropriate and in compliance with applicable laws and policies, Human Resources may arrange for drug and/or alcohol testing.

13. Human Resources may also arrange safe transportation for an employee when necessary.

- If an employee appears impaired, they shall not be permitted to drive.
- Human Resources may contact a family member or arrange alternative transportation.

Human Resources Responsibilities:

- Any employee alleged to have committed an act or threat of workplace violence shall not return to the worksite without authorization from the Department Head, in consultation with the Human Resources Director or designee.
- Human Resources shall conduct a prompt, thorough, and impartial investigation into all credible reports or allegations of workplace violence, consistent with applicable laws and City policies.
- All information related to the incident shall be kept confidential to the extent permitted by law, and shared only with those who have a legitimate business need to know.
- Employees found to have engaged in workplace violence or violations of this policy will be subject to disciplinary action, up to and including termination, in accordance with applicable laws, rules, and labor agreements.
- The City shall maintain a Violent Incident Log for every incident of workplace violence. Information in the log shall be based on information solicited from the employees who experienced the workplace violence. These records, along with investigation records, shall be maintained for a minimum of five (5) years.

