



COUNTY OF EL DORADO, CALIFORNIA

BOARD OF SUPERVISORS POLICY

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| Subject: WORKPLACE VIOLENCE PREVENTION POLICY | Policy Number: K-2 | Page Number: 1 of 5 |
| | Date Adopted: 03/30/1999 | Revised Date: 02/08/2022 |

I. PURPOSE

A. The County of El Dorado (County) is firmly committed to providing a workplace that is free from acts or threats of violence. In keeping with this commitment, the County has established a strict policy that provides "zero tolerance" for actual or threatened violence against employees, visitors, or other persons who are either on County premises or have contact with employees in the course of their duties. It is essential that every employee understand the importance of workplace safety and security. This policy establishes training, procedures, and protocol to reduce the potential for violence, and also identifies security contacts and reporting procedures for employees to report violence, threats of violence, harassment, and intimidation that occur in the workplace.

B. The State of California Division of Occupational Safety and Health (CAL/OSHA) defines workplace violence in three main categories:

Type I - An incident where the assailant has no legitimate business relationship to the workplace and usually enters the workplace to commit a robbery or other criminal act.

Type II - An incident involving a violent act by a recipient of a service provided by the County, such as a client, patient, customer, passenger, or a criminal suspect or prisoner.

Type III - An incident committed by someone seeking revenge for perceived unfair treatment. A Type III event usually involves a threat of violence or a physical act of violence resulting in a fatal or non-fatal injury, by a current or former worker, supervisor, or manager; a current or former spouse or lover; a relative or friend; or some other person who has a dispute involving a worker of the County.

C. Under the General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health Act (OSHA) of 1970, employers are required to provide their employees with a place of employment that "is free from recognizable hazards that are causing or likely to cause death or serious harm to employees." The courts have interpreted OSHA's general duty clause to mean that an employer has a legal obligation to provide a workplace free of conditions or activities that either the employer or industry recognizes as hazardous and that cause, or are likely to cause, death or serious physical harm to employees when there is a feasible method to abate the hazard.

II. POLICY

A. The County prohibits violent acts or threats of violence against employees or other persons. A threat is the clearest indicator of potential violence and employees should understand that certain risk factors and behavior patterns may offer early warning signs of violent behavior. This includes threatening or acts of violence in the workplace, while on duty, while on County-related business, or while operating any vehicle or equipment owned or leased by the County. Conduct which is prohibited, includes, but is not limited to, violence; direct, indirect, or veiled threats of violence; threats conditioned upon other actions; intimidation; physical fighting or altercation; or unauthorized use of weapons. It is the responsibility of every employee in the



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workplace to assist in the prevention of violence. Every verbal or physical threat of violence must be treated seriously.

Employees must immediately report all threats or acts of violence which occur while acting in the scope of County employment on or off County premises, or during any activity which relates to the legitimate business interests of the County, to a supervisor, department manager, and/or department head, in addition to Human Resources, Risk Management Division. Employees must make these reports regardless of any relationship, which may exist between the individual who initiated the threat or engaged in the violent act, and the individual who was the victim of the conduct. These reportable threats or acts of violence may be actually experienced or witnessed, or they may be acts that the employee becomes aware of otherwise. In cases of emergency, employees must immediately contact local law enforcement (i.e., 911 for local or county phones).

This policy applies to all employees and volunteers of the County, including contract employees, supervisory employees, department heads, managers, elected officials, and all non-supervisory staff. No employee will be disciplined, retaliated against, or discharged for reporting any legitimate threats or acts of violence. Intentionally false and/or misleading reports are unacceptable. Employees found to have made such intentionally false or misleading reports will be subject to disciplinary action up to and including termination.

Employees who obtain a restraining order listing their workplace, person, or County property as a protected area must provide a copy of the temporary restraining order, or the permanent restraining order to their supervisor, department manager and/or department head, and Human Resources, Risk Management Division. The County has an obligation to provide a safe workplace and can only meet this obligation if it receives information concerning individuals who have been ordered to maintain a distance from its facilities and/or employees.

Every department head will assess the potential for violence and take measures to maintain workplace safety. Supervisors and managers will monitor the workplace and immediately assess any violent or threatening behavior even if the person or persons engaged in the conduct are not their subordinates, or they have not received a complaint.

Compliance with this Workplace Violence Prevention Policy is a condition of employment. This policy is a zero-tolerance policy. Due to the importance of this policy, employees who violate any of its terms, who engage in or contribute to violent behavior, who do not report all acts or threats of violence, or who threaten others with violence will be subject to disciplinary action, up to and including termination. The County may also take legal action where appropriate.

B. Training

Workplace Violence training will be assigned and required for each new County employee to complete. Upon attending the New Employee Orientation, provided through Human Resources, the new employee will receive a training in Workplace Violence. Additionally, all employees will be set up with an account from a training vendor and able to access a



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computer-based training module in Workplace Violence. This training will be available to all County employees at any time and can be assigned through either the department training coordinator or the department safety coordinator, depending on the department's procedures. Department heads are responsible for providing their staff with information about workplace violence threats and violence management techniques on a periodic basis.

The Sheriff's Department Office of Emergency Services provides hands-on and classroom violence prevention training to County employees. This training is available upon request.

C. Definitions

Harassment: Behavior that is not welcome, and that is offensive, demoralizing, and/or interferes with work effectiveness.

Intimidation: Instilling fear in a person by a show of force or a threat of force.

Physical Fighting: The act of aggression or initial force in physically contending with another person with the intent to overpower and/or to cause harm.

Risk Factors: The behavioral warning signs (acts, behaviors, and situations) that may increase the probability of workplace violence. Examples of Risk Factors include: individuals exhibiting unusual fascination with the illegal use of firearms/weapons, and/or incidents of workplace violence; individuals that exhibit changes in behavior suggestive of drug and/or alcohol addiction; severe depression; significant decrease in productivity; poor or strained relationships with co-workers; significant personality changes, etc.

Threat: An expression of a direct (intent to take action) or indirect (what could happen or that something could happen) intention to inflict pain, injury, damage or punishment upon another person or property.

Threat Assessment Team (TAT): Group consisting of personnel from Human Resources (Director of Human Resources and Risk Management Division staff members); County Counsel; Sheriff; and Mental Health. The TAT investigates all Violence in the Workplace incidents and provides response and/or recommendations to departments.

Violence: Aggressive acts or initiation of physical force or intimidation exerted for the purpose of violating, injuring, damaging or abusing persons, or property.

Weapons: An instrument, article, or substance, which in the possession of an employee or visitor or under the circumstances of which it is used and or is threatened to be used, can cause physical injury or death.

Workplace: Any place County business is conducted, including County buildings and property, County vehicles, private vehicles while used on County business, other assigned work locations, and off-site training.



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III. PROCEDURE

- A. When a violent action or threat is brought to the attention of a department head, supervisor, manager, or departmental safety coordinator, an evaluation of the severity of the situation must be made immediately. If evacuation is necessary, proceed in accordance with the building emergency action plan. In the likelihood of imminent violence, employees must contact law enforcement immediately.

Emergency – 911

El Dorado County Sheriff – Emergency 530-626-4911, Non-emergency 530-621-5655

South Lake Tahoe Police Department – Emergency 530-541-4060, Non-emergency 530-542-6100

Placerville Police Department – Emergency 530-642-5280, Non-emergency 530-642-5298

California Highway Patrol – Emergency 911, Non-emergency 530-622-1110

- B. Early reporting of dangerous and potentially dangerous incidents will facilitate an effective investigation and response by the County in a timely manner. Towards this end, each employee must immediately report incidents of workplace violence through the Human Resources, Risk Management Division website. The employee who experiences the incident will submit the "Violence in the Workplace Employee Report" and the immediate supervisor will submit the "Violence in the Workplace Management Report". Employees are to provide as much information as possible to assist in the investigation and response. Supervisors and managers must prepare the report based on information from the reporting employee and/or personal observation. Once the forms are submitted, an immediate notification is sent to the TAT. The TAT then analyzes the information and either handles the threat directly through its members or submits recommended courses of actions for the department to take.
- C. In the event of an emergency situation that is not contained and/or actively threatens County employees, the County can communicate through several means to provide situational awareness and recommendations to all County employees. Active Directory Service (ADS) is the County's internal network that each employee becomes a member of upon logging into a County computer. A notification tool in ADS is capable of providing instant "pop-up" messages on all County computers that are members of the network. Additionally, County-wide notifications can be sent out through an EDC-ALL email address that broadcasts an email to all accounts ending in "@edcgov.us". Any County-wide broadcasts must be coordinated through County Information Technologies, and requests will originate from the department head, their designee, or any member of the TAT.
- D. The County considers all threats of violence or intimidation seriously. The County's TAT investigates all reports of actual or threatened violence, assesses the risks, and makes recommendations for action to the affected department.



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E. County law enforcement employees shall follow their agency's established protocols for reporting threats and acts of violence perpetrated against them by members of the public when the peace officer is acting within the course and scope of his or her job duties as a peace officer. It will not be necessary to contact nor file a separate report with Human Resources, Risk Management Division in regard to these matters unless assistance is requested or the conduct involves a risk of harm to other County employees.

IV. REFERENCES

California Occupational Safety & Health Act
Labor Code Section 6400 et al. Seq.

V. RESPONSIBLE DEPARTMENT

Human Resources - Risk Management

VI. DATES ISSUED AND REVISED; SUNSET DATES:

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| Issue Date: | 03/30/1999 | Sunset Review Date: | N/A |
| Revision Date: | 02/13/2018 | Sunset Review Date: | 02/08/2026 <u>04/30/2027</u> |