



# County Administrative Manual

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## 2500

Human Resources Services  
(2589.1 – 2589.17)

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### PURPOSE STATEMENT

TBD

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## **2589.1 Introduction**

- a. Violence in the workplace has received national attention through the media and reports published by the National Institute of Occupational Safety and Health (OSHA). Violence in the workplace is an escalating problem and is recognized as one of the leading causes of occupational fatalities. San Joaquin County is committed to providing a safe work environment that is free from fear of violence, aggression, intimidation, harassment, or offensive verbal or physical acts. For this reason, this Workplace Violence Prevention Policy has been developed.
- b. Title 8, Section 3203 of the California Code of Regulations mandates employers to maintain an effective Injury and Illness Prevention Program which stipulates that responsible persons perform worksite analyses, identify hazards, and establish controls and training programs to reduce or eliminate hazards to worker health and safety. Under OSHA's General Duty Clause, an employer is required to protect its employees against "recognized hazards likely to cause serious injuries or death". Accordingly, the County has proactively chosen to address the issue of workplace violence by developing a protocol for handling violent or potentially violent situations. Title 8, Section 3342 - Workplace Violence Prevention in Health Care is an amendment of Senate Bill 1299, which only applies to hospitals.
- c. It is San Joaquin County's commitment to provide quality service to the public without compromising the safety of the public and its employees. It is management's responsibility to provide a safe workplace by identifying hazards and correcting them. San Joaquin County Department Heads shall be responsible for implementing these guidelines for security and safety of County employees.

Workplace violence may happen to any employee, at any time. Although acts of workplace violence may not be precisely predicted, knowledge of how to respond to threats and acts of violence can help the County and its employees minimize the risk of violence and injury.

Any employee who engages in threatening, harassment, or abusive conduct may be subject to corrective or disciplinary action, up to and including termination ~~which~~ when such acts occur in or from the workplace or have a job nexus. Corrective or disciplinary action may also be taken against employees who are convicted or issued a permanent injunction as a result of domestic violence when such action has a direct connection to the employee's duties in the County.



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- d. This policy has been developed to assist County departments in preventing, preparing for, and responding appropriately to workplace violence issues.

## **2589.2 Overview**

Workplace violence includes violent acts or the threat of violence in the workplace, including harassment, intimidation or other threatening, disruptive behavior. It can occur at or outside the workplace. Ranges from threats and verbal abuse to physical assaults and homicide.

## **2589.3 Reporting of Violence or Potential Violence**

- a. Employees shall be encouraged to report workplace violence incidents to their immediate supervisor, without fear of retaliation. All reports or threats of workplace violence shall be documented using the “Workplace Violence Incident Report Form”. The report should include a summary of actions taken and/or status of investigations or incidents and forwarded to Human Resources/Risk Management at [SJCRISKMGMT@sjgov.org](mailto:SJCRISKMGMT@sjgov.org), or Faxed to 953-7330. (Forms must be received within 24 hours via fax or email). The report is to be completed by the supervisor/manager and should not be completed by the victim/reporter of the workplace violence. Departments shall develop procedures for employees to confidentially report actual or potential threats of violence in the workplace. Departments should develop their reporting procedures taking into account the immediacy of each event (i.e. dial 911 if there is an imminent threat of physical violence, such as someone brandishing a firearm). Reporting procedures are to include guidelines for employees that may be victims of domestic violence. The County will not tolerate domestic violence including harassment of any employee or client while in our facilities, vehicles, on our property or while conducting County business.
- b. All threats of violence must be taken seriously and reported by employees to their supervisors immediately. It is imperative that the threat level of the situation be assessed by the initial supervisor and immediate steps taken to deal with the threat effectively. Departments are responsible for promptly investigating all such threats or violent acts. Written findings of the investigation are to be shared with the County Safety Officer, alleged perpetrator, and victim (i.e., Violation or No Violation of Policy). Risk Management will maintain records of all incidents or workplace violence that occur within the County, records of investigations and/or



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actions taken, and current status of each workplace violence case.

1. Based upon the circumstances of the threat, the Department Head may contact the Director – Human Resources to initiate the involvement of the San Joaquin Threat Assessment Team to assist the Department Head in dealing with the threat. Whenever a Department Head or Assistant Department Head is unavailable to make a determination, the supervisor or person in charge, shall contact the Director of Human Resources.
2. **All** incidents involving workplace violence shall be reported to the Director of Human Resources within 24 hours, via fax or e-mail on a Workplace Violence Incident Report Form. This form is available on the Human Resources Website.
3. Reporting requirements include complaints of domestic violence. If an employee is not assaulted or threatened while at work, but has a restraining order that includes a “stay away” directive for worksite, the complaint is to be documented in a “Workplace Violence Incident Report Form”.

## 2589.4 Types of Perpetrators

- a. **Type I: Criminal Intent** - The perpetrator has no legitimate relationship to the County and is usually committing a crime in conjunction with the violence. These crimes can include robbery, shoplifting, trespassing and terrorism.
- b. **Type II: Customers/Client/Patients** - The perpetrator has a legitimate relationship with the County and becomes violent while being served by the County. This category includes customers, clients, patients, interns, inmates and any other group for which the County provides services.
- c. **Type III: Co-worker** - The perpetrator is an employee or past employee who attacks or threatens another employee(s) or past employee(s) in the workplace.
- d. **Type IV: Personal** - The perpetrator usually does not have a relationship with the County but has a personal relationship with the intended victim. This category includes victims of domestic violence assaulted or threatened while at work.



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## **2589.5 Immediate Threats**

- a. All immediate threats of violence, whether to employees or the public, must be reported to local law enforcement by calling 9-911. The circumstances for involving law enforcement may differ in most cases, but a short checklist is provided to ensure prompt and immediate action is taken in the event any of the following questions are answered yes:
  1. Was someone physically assaulted?
  2. Was someone threatened with a weapon or other object that could cause injury?
  3. Was someone threatened orally or in writing in a manner that demonstrates a reasonable likelihood of actual bodily harm?
- b. Domestic violence happens and may impact the workplace. Departments will do what they can to accommodate those experiencing it. All potential threats of domestic violence reported by staff are to be documented on a “Workplace Violence Incident Report Form”. California laws for victims of domestic violence include:
  1. All employers must provide victims of domestic violence, sexual assault or stalking with the right to take time off from work to appear in legal proceedings, such as obtaining a restraining order or other court order.
  2. All employers must provide reasonable accommodations for victims of domestic violence, sexual assault or stalking who request an accommodation for their safety while working.
  3. Provide these victims with the right to take time off to seek medical treatment for injuries, services from domestic violence shelters, programs or crisis centers, psychological counseling Employee Assistance Program (EAP) or safety planning.
  4. California’s mandatory paid sick leave law allows employees to use their accrued paid sick leave when they need time off to appear in legal proceedings or for medical treatment.
- c. When assisting victims of domestic violence, consider the following:
  1. Does the employee have a Restraining Order (RO) that addresses the workplace? If so, have employee provide a copy for file.
  2. Does employee have a photo of the alleged perpetrator? If so, have employee provide a copy for file.
  3. Ensure that both RO and photo are shared with law enforcement and on-site



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security. Take appropriate actions to notify affected employees, do not share information with staff that may identify the complainant.

## 2589.7 Warning Signs

- a. Potentially violent behavior on the part of an employee may be controlled if early warning signs are recognized and handled concurrently. No definite profile exists that can accurately determine whether an individual will be more prone to violence in the workplace than another. However, employees that turn violent generally exhibit a number of signs. The most commonly mentioned warning signals listed in the Appendix A are taken from The National Employer, Chapter 9: “Terror and Violence in the Workplace.” The following is an abstract of the more detailed list in Appendix A:
  1. **Ominous threats** – such as, “bad things are going to happen to so-and-so” or “that propane tank in the back could blow up easily...”
  2. **Threatening actions** – such as intimidation of others or attempts to instill fear in co-workers. Menacing gestures and flashing of concealed weapons in the workplace could be ways of testing reactions to their conduct.
  3. **Bizarre thoughts** – such as perceiving that the world is falling apart or expressing a highly overstated sense of entitlement to a promotion, which was denied.
  4. **Obsession** – which is likely to be expressed by holding a grudge against a co-worker or supervisor or, in some cases, a fascination with an unrequited romantic interest. County supervisory and managerial staff must be cognizant of these early warning signs and evaluate each situation on its own merits.
- b. Utilizing the “Workplace Violence Incident Report Form”, the Director of Human Resources shall be notified whenever employees exhibit the afore-mentioned warning signs and present a potential hazard. Should the situation rise to a level of imminent danger where safety is at immediate risk, the supervisor or Department Head must immediately act to notify 911 of the situation.



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## **2589.9 San Joaquin Threat Assessment Team (STAT)**

- a. The Director of Human Resources shall convene the San Joaquin Threat Assessment Team (STAT), as necessary in the judgment of the Director, in order to use their expertise to assess the seriousness of any situation reported by a department and to make recommendations to the Department Head concerning how to handle the situation.
- b. The STAT will consist of the following individuals:

Department directly affected by report of violence:	Department Head or designee
Administration:	County Administrator or designee
Law Enforcement:	District Attorney or designee Sheriff or designee
Legal:	County Counsel or designee
Psychological:	Behavioral Health Officer or designee
Human Resources:	Director of Human Resources and/or designee Safety Officer or designee Other Divisions as needed
- c. The STAT shall review the information available concerning the threat, and if needed, recommend that the appropriate department gather additional information in order to determine appropriate steps that should be taken to eliminate or mitigate the threat of violence in the workplace. The STAT may be required to review a variety of issues, including but not limited to:
  1. Responding to employee concerns about building security;
  2. Determining what actions to take against employees that threaten the safety of other employees or the public;
  3. Determining what actions to take against the public that threaten employees;
  4. Assisting departments to facilitate re-opening an office following a crisis that prompted its closure



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## 2589.10 Active Shooter

Departments are responsible for developing an “Active Shooter Emergency Action Plan”. In addition, County employees are required to attend Workplace Violence Prevention Training. The training provides guidelines of what to do in an active shooter situation.

### a. Action Guidelines

1. **EVACUATE – Run:** If there is an accessible escape path, attempt to evacuate the premises. Be sure to:
  - Have an escape route and plan in mind.
  - Evacuate regardless of whether others agree to follow.
  - Leave your belongings behind.
  - Keep hands free (do not run with cellphone in hand)
  - Help others evacuate, if possible.
  - Call 911 when you are safe.
  - Prevent individuals from entering an area where the active shooter may be.
  - Keep your hands visible and do not run toward police officers.
  - Follow the instructions of any law enforcement officers.
  - Do not attempt to move wounded people.
  
2. **SHELTER-IN-PLACE – Hide:** If evacuation is not possible, find a place to hide where the active shooter is less likely to find you. Your hiding place should:
  - Be out of the active shooter’s view.
  - Provide protection if shots are fired in your direction (i.e. an office with a closed and locked door).
  - Do not trap yourself or restrict your options for movement.
  - To prevent an active shooter from entering your hiding place:
    - Lock the door.





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- Blockade the door with heavy furniture.
  - If the active shooter is nearby:
    - Lock the door.
    - Silence your cell phone and/or pager.
    - Turn off any source of noise (i.e. radio, television)
    - Hide behind large items (i.e. cabinets, desks).
    - Remain quiet.
- 3. PROTECT YOURSELF – Fight:** As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by:
- Acting as aggressively as possible against him/her.
  - Throwing items and improvising weapons.
  - Yelling.
  - Committing to your actions.
- 4. WHEN POLICE ARRIVE**
- Put down any items in your hands.
  - Keep hands visible.
  - Follow all instructions.
  - Avoid making quick movements towards officers.
  - Do not stop to ask officers for help or direction when evacuating, just proceed in the direction from which officers are entering the premises.
- 5. POST INCIDENT RESPONSE**
- Comprehensive treatment: Victim and Witness(es)
    - Crisis Counseling
    - Psychological Counseling
    - Debriefing
    - Support Groups
  - EAP



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## **2589.11 Training**

- a. In coordination with the County Safety Officer, each Department shall ensure that all staff attend mandatory training for workplace violence prevention. In addition to training for general employees, supervisory personnel shall attend training for Managers and Supervisors with an emphasis on leadership skills to properly handle a workplace violence incident and to respond appropriately when confronted with a workplace violence situation. Each employee shall receive a copy of the policy and read and understand its contents. The training program shall include the following elements:
  1. Employees shall be trained to report violent or potentially violent incidents as described in these guidelines.
  2. Employees shall be informed about increasing violence in the workplace and the fact that homicide is one of the leading causes of occupational fatalities.
  3. Employees shall be trained in the identification of aggressive and violent predicting factors.
  4. Employees shall be trained to recognize signs general exhibited by employees and/or customers that turn violent.
  5. Employees shall be trained in effective methods and techniques to diffuse a potentially hostile situation that, if ignored or instigated, could escalate into violence against the affected employees.
  6. Employees shall be trained to activate any alarm systems employed to warn or notify employees about impending danger.
  7. Managers and Supervisors will receive additional training to include responding to complaints.
  8. Employees shall receive training for “Active Shooter” situations: Run, Hide, Fight. Employees are to be made aware of all available exits in the event a situation warrants immediate evacuation of a building.
  9. Employees shall be instructed to avoid physical contact with the public unless department policy dictates measures employees must take to restrain clients of patients.



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10. Employees shall be trained in the rudiments of documenting and reporting crimes, including, by way of example, not disturbing a crime scene.
11. Employees shall be informed of the counseling services provided for them through the EAP. All employees and eligible household members are encouraged to use these services to obtain professional assistance in coping with personal problems at home and at work.
12. Employees will be advised of the non-retaliation policy for employees who report conduct which they reasonably believe represents a threat of potential workplace violence.

## **2589.13 Employee Counseling**

- a. Violence or the threat of violence in the workplace can be damaging to the employee physically and mentally. Counseling for victims of violence or threats shall be made available for the employee at no cost to the employee. Counseling is currently available for employees through the Employee Assistance Program (EAP). The EAP is an assessment and referral-counseling program. San Joaquin County employees and eligible household members covered by the program are entitled and encouraged to use the confidential counseling services.

## **2589.15 Early Warning Signals of a Potential for Violence in the Workplace**

- a. Experts caution that there is no definite profile from which an employer can determine whether an individual will be more prone to violence in the workplace than another. However, there is a definite pattern of escalation leading to violent behavior and individuals give clues, which they use to test their boundaries. Having one or even several of these signs does not mean that the employee will be violent but should be used to heighten concern. The most commonly mentioned warning signals are the following:
  1. Any history of violent behavior before or after employment with the current employer.
  2. An extreme interest in or obsession with weapons, e.g., paramilitary training, weapons collections (often including semiautomatic weapons), and compulsive reading and collecting of gun magazines. If this behavior starts spontaneously or is out of character for the employee, it should be considered.



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3. Excessive discussion of weapons at work, carrying a concealed weapon, or flashing a weapon to test reactions.
4. Making either direct or veiled verbal threats of harm (i.e., predicting that bad things are going to happen to a co-employee or supervisor).
5. Intimidating others or instilling fear in co-employees or supervisors in either a physical or verbal manner. Harassing phone calls and stalking are obvious examples.
6. Having an obsessive involvement with the job often with no apparent outside interests (usually outside relationships fail or are strained). The workplace becomes the person's sole source of identity. Of course, this characteristic may apply to many of even the very best employees, including those who would never commit a violent act.
7. Being a loner with little involvement with co-employees, with the possible exception of a romantic interest in a co-employee. This interest will often be so intense that the co-employee will feel threaten and may report the unwanted attention under a sexual harassment policy.
8. Being paranoid, panicking easily, and often perceiving that the whole world is against the employee.
9. Does not take criticism well, holds a grudge, especially against a supervisor, and will often verbalize a hope for something to happen to the person against whom the employee has the grudge. A classic example is to hold a grudge over being denied a promotion.
10. Expressing extreme desperation over recent family financial or personal problems.
11. Fascination with other recent incidents of workplace violence and approval of the use of violence under similar circumstances.
12. An escalating propensity to push the limits of normal conduct, with a disregard for the safety of co-employees.



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13. Management's failure to take consistent disciplinary measures against threats of violence or minor incidents of violence (e.g., pushing or touching which may or may not be associated with a sexual harassment complaint).
14. Workplace events generating great stress such as layoffs, terminations, labor disputes, or plant closures.
15. Workplace locations and activities, which expose employees to the threat of violent behavior from non-employees entering the workplace.

**2589.17 Workplace Violence Incident Report Form**

San Joaquin County requires the completion of this form when a violent act or threat of violence occurs in the workplace as outlined in the Workplace Violence Prevention Policy. <b>Send completed form to Human Resources, Risk Mgmt Office 44 N. San Joaquin Street</b> <b>Please note: Form must be received within 24 hours via fax at 953-7330, or email at <a href="mailto:SJCRISKMGMT@sjgov.org">SJCRISKMGMT@sjgov.org</a></b>	
Date of Incident:	Time:
Date Reported:	
Location of Incident:	
Description of Incident or Threat: (Use additional paper if necessary)	
Name of Perpetrator (if known):	
Perpetrator's Relationship to County (if known):	
Weapons Involved: Yes <input type="checkbox"/> No <input type="checkbox"/>	If yes, Specify:
Name of Victim:	
Department:	Phone:
Injuries: Yes <input type="checkbox"/> No <input type="checkbox"/>	If Yes, specify:
Witness(es) (Include written statement):	Department:
Phone:	
Law Enforcement Notified: Yes <input type="checkbox"/> No <input type="checkbox"/>	
If Yes, Name of Agency and Report Number:	
Property Damage: Yes <input type="checkbox"/> No <input type="checkbox"/>	If Yes, Specify:
Corrective Action(s) Taken: (Use additional paper if necessary)	
Recommended Corrective Action(s): (Use additional paper if necessary)	
Provided Employee Assistance Program Information: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Dept. Rep. who completed this form:	Phone: