

ADMINISTRATIVE MANUAL  
TOWN OF LOS GATOS

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Subject: Workplace Violence Prevention

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Section Number:

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Approved:

*Dug Larson*

Effective Date:

May 1, 2010

Revised Date:

PURPOSE

The Town of Los Gatos recognizes the importance of providing a safe work environment and place to conduct Town business for our residents and visitors. For these reasons this policy has been adopted to establish guidelines for the education and training of employees, as well as procedures to be followed in the event of a workplace violence incident. The guidelines in this policy are in conformance with CAL-OSHA Guidelines and accepted law enforcement practice.

SCOPE

This policy applies to all Town of Los Gatos employees. Workplace safety and security is every employee's responsibility and it is essential that all employees understand and abide by this policy. This policy applies to workplace violence as defined by CAL-OSHA in three main categories:

- **Type I** – A violent act by an assailant with no legitimate relationship to the workplace who enters the workplace to commit a robbery or other criminal activity.
- **Type II** – A violent act or threat of violence by a recipient of a service provided by the Town of Los Gatos, such as a customer.
- **Type III** – A violent act or threat of violence by a current or former worker, supervisor or manager, or another person who has a personal relationship with the Town of Los Gatos employee or contract employee such as an abused spouse, domestic partner, etc.

**To call Los Gatos/Monte Sereno Police Dispatch**

- **Extension 6844 or 7844** from in internal phone line
- **(408) 354-8600** from an external phone line or cellular phone (this number should be programmed in all Town employees cell phones)

## POLICY

### 1. DEFINITIONS

A violent act -- is an aggressive physical behavior or force exerted for the apparent purpose of violating, damaging or abusing another or damaging property. Violent acts may include, but are not limited to the following:

- Threats or acts of physical harm directed toward an individual or his/her family/friends, associates or property.
- The destruction or threat of destruction to Town property or another employee's property.
- Harassing or threatening phone calls.
- Surveillance.
- Stalking or other harassment.
- Striking, punching, slapping or assaulting another person.
- Fighting or challenging another person to fight.
- Grabbing, pinching or touching another person in an unwanted way, whether sexually or otherwise.
- Engaging in dangerous, threatening or unwanted horseplay.
- Encouraging or inciting an employee to engage in prohibited activities.
- Possession, use, or threat of use of a weapon in violation of a law or this policy.

A threat of a violent act -- is a verbal expression or physical action that conveys intent to commit a violent act.

Weapons -- are defined as firearms, chemical sprays, clubs or batons, and knives and any other device, tool, chemical agent or implement that can cause bodily harm if used as a weapon or displayed in such a manner to cause harm or threaten a person with harm.

### 2. ZERO TOLERANCE FOR WORKPLACE VIOLENCE

The Town is committed to providing a safe and secure workplace for employees and the public. The Town will not tolerate acts or threats of violence in the workplace. The workplace includes any location where Town-related business is conducted, including vehicles, parking lots, and any facility hosting a Town-related function. Any violation of this policy will lead to criminal prosecution and/or disciplinary action up to and including termination.

### 3. ALL UNAUTHORIZED WEAPONS BANNED

Employees engaged in Town business are prohibited from carrying self-defense weapons, unless: they are an employee who is a certified law enforcement officer or have other legal authority to carry self-defense weapons. Any non-enforcement officer who has legal authority to carry self-defense weapons shall notify the Department Director in writing of what type of weapon is being carried. Employees who have legal authority to carry self-defense weapons violate this policy if they: accidentally discharge or lose their weapon; use, threaten to use, or display the weapon while engaging in Town business; or violate any law related to carrying a legal self-defense weapon while engaged in Town business.

#### 4. ACCESS CONTROL

The identity of all visitors to “employee only” areas, including contractors and vendors doing business with the Town must be verified by staff to assure authorization for access. Staff will ensure that visitors sign in and out of a guest log and wear an identifying badge. The Town’s Facility Manager will coordinate with department directors to ensure building security via the activation of locks, surveillance, intrusion alarms or other security hardware and procedures.

#### 5. EMPLOYEE TRAINING

All employees shall receive periodic training in workplace security. Training shall include the following:

- Review and explanation of the Workplace Violence Prevention Policy
- Recognition of workplace security hazards including indicators of violent behavior
- Procedures for reporting workplace hazards and/or violent behavior
- Methods to prevent or diffuse workplace violence
- Procedures and use of alarms to summon emergency assistance
- Evacuation procedures, should evacuation become necessary

#### PROCEDURES

##### RESPONDING TO VIOLENCE OR POTENTIAL VIOLENCE

1. All threats of violence must be taken seriously. It is the responsibility of each employee to notify a supervisor of any violent act or a threat of a violent act against themselves or any other Town or contract employee that occurs in the workplace or that is directly associated with their employment with the Town of Los Gatos. Employees shall inform a supervisor of these acts immediately or as soon as practical.
2. If a person recognized to have been a prior security concern enters a Town facility, employees who observe, based on previous events or training, behavior which could result in a threat or criminal action, should immediately convey this information to their immediate or acting supervisor. The supervisor shall evaluate the situation and take appropriate action including making an “advisory only” call to Los Gatos Police Dispatch. Police will be alerted to potential hazardous situations and be ready to respond immediately if the threat escalates. In the absence or inability of a supervisor to respond, any employee may alert dispatch.
3. In cases where there is an **immediate threat** to employee safety or the safety of the public, employees should call for immediate emergency assistance and remove themselves and others, if possible, from the area.
4. If it is possible to do so without drawing unsafe attention, employees may obtain emergency assistance by dialing x6844 on an internal Town line or 354-8600 from a local external or cellular phone. If this is not possible, activation of an available panic button alarm may be necessary. See Los Gatos Admin Policy, “Use of Panic Alarms and Security Cameras.” If possible, when the police arrive, a knowledgeable employee from the building should meet the officer outside the building and explain the current situation.

5. Once the immediate danger has passed and freedom of movement is restored, those evacuating the building must convene at their designated congregation location, as cited in the Los Gatos emergency response plan so that their safety may be confirmed and police can gather information about the incident. Police will obtain the contact information of non-employee witnesses.
6. For incidents of threats or acts of physical violence initiated by a Town employee which may result in disciplinary action, the Department Director shall report the incident to the Town of Los Gatos/Monte Sereno Police Department, which shall make a follow-up report to the Town's Human Resources Department. The Human Resources Department will ensure that appropriate investigation procedures are followed (see attachment A.)
7. The Los Gatos/Monte Sereno Police Department requires any employee who has an active restraining order which prohibits contact from another individual to provide a copy of the order to police dispatch. Any reported violation of the restraining order will be investigated as a criminal matter.

APPROVED AS TO FORM:

  
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Town Attorney

## ATTACHMENT A

### Investigations Procedures

1. Supervisors and employees shall fully cooperate in any administrative or criminal investigation into a violent act or a threat of a violent act occurring in the workplace.
2. Department Managers and supervisors are responsible for investigation of internal incidents involving Town employees. The investigation report must include detailed and concrete facts about the incident including a proposed action plan to prevent reoccurrence. The investigation should be documented using the Town's Injury/Incident investigation Report as required by the Town's Injury and Illness Prevention Program.
3. Retaliation or the threat of retaliation against a person who reports violence or the threat of violence will not be tolerated. If an employee feels there has been retaliation or the threat of retaliation for reporting violence, the employee is directed to report this retaliation to the Town's Human Resources Department. This shall also be reported to the Los Gatos/Monte Sereno Police Department within 24 hours for a possible criminal investigation if deemed appropriate by the Police Department.
4. The Los Gatos Health and Safety Committee (H&SC) shall review incident reports and determine if changes to policy, training, communication and security procedures are needed to prevent reoccurrence or improve the current procedures.

