

Workplace Violence Prevention Policy

Scope: CITYWIDE

Policy Contact:

Human Resources Department

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Regulatory References:

[California Labor Code § 6401.9](#)

Supersedes:

Workplace Violence Policy (API #44, API #3604) (4/1/2004)

Reviewed/Effective:

7/1/2024

I. Purpose

This document establishes the City of Sacramento Workplace Violence Prevention Plan, which will be referred to as the Workplace Violence Policy (policy) throughout the document. It describes and prohibits workplace violence, threats of violence, intimidation, and harassment. This policy establishes procedures and protocol to reduce the potential for violence. This policy also identifies security contacts and reporting procedures for employees to report violence, threats of violence, harassment, and intimidation that occur in the workplace.

II. Definitions

- A. **Harassment:** behavior that is not welcome, that is offensive, demoralizing, and/or interferes with work effectiveness.
- B. **Imitation weapon:** any object that is designed to look like or simulate a real weapon.
- C. **Intimidation:** inspiring fear in a person or inhibiting speech or action of a person by a show, promise, or threat of force.
- D. **Injury:** an injury to an employee that meets the recording criteria listed in [California Code of Regulation \(CCR\) Title 8, § 14300.7\(b\)\(1\)](#).
- E. **Restraining order:** a court order that prohibits specific behavior; a preliminary legal order issued to keep a situation unchanged pending decision upon an application for an injunction.
- F. **Retaliation:** any behavior that is intended to punish or discriminate against another person for reporting an incident or threat; revenge.
- G. **Stalking:** unwanted and/or repeated surveillance or contact by an individual or group toward another person. Stalking behaviors are interrelated to harassment and intimidation and may include following the victim in person or monitoring them.
- H. **Threat of violence:** a statement or conduct that causes a person to fear for their safety because there is a reasonable possibility the person might be injured, and that serves no legitimate purpose. It can be an expression of intent to inflict pain or injury on a person or damage to an object. Threats may be explicit (such as, "I'll get even with you later," or "I'll kill you if you report me,") or implied (such as, "bad things are going to happen to him," or "that propane tank on the back of his truck could sure blow up easily"). Threats also include intimidation and stalking, as they are defined by this policy. Conflicts and disagreements are not uncommon in the workplace and do not by themselves represent a threat of violence.
- I. **Threat Assessment Team (TAT):** group consisting of management personnel from Labor Relations, Risk Management, Workers' Compensation, City Attorney's Office, and the Police Department.

- J. Weapon:** an instrument, article, or substance which, under the circumstances in which it is used, or threatened to be used, that is capable of causing physical injury or death; any physical object which meets the criteria outlined in [California Penal Code § 12020](#) or [Sacramento City Code § 9.32.010](#).
- K. Workplace:** any place City business and/or training is conducted, including, but not limited to, City buildings and property, City vehicles, and private vehicles while on City property or used on City business.
- L. Workplace violence:** any act of violence or threat of violence that occurs in the *workplace*. Workplace violence includes the following:
1. The threat or actual use of physical force against an employee that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether the employee sustains an injury. This threat or actual use of force against an employee may be perpetrated by a person or an animal.
 2. An incident involving the threat or actual use of a firearm or other dangerous weapon, including the use of common objects as weapons, regardless of whether an employee sustains an injury.

Four workplace violence types:

- Type 1 violence – workplace violence committed by a person who has no legitimate business at the worksite; a violent act by anyone who enters the workplace with the intent to commit violence and/or a crime.
- Type 2 violence – workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors.
- Type 3 violence – workplace violence against an employee by a present or former employee, supervisor, manager, contractor, or volunteer.
- Type 4 violence – workplace violence committed in the workplace by someone who does not work there but has or is known to have had a personal relationship with an employee.

Exception: The term workplace violence does not include lawful acts of self-defense or defense of others. However, an employee's actions need not be determined to be unlawful for an employee to be subject to discipline, up to and including termination, for engaging in threats or acts of verbal and/or physical violence.

III. Policy

A. Statement of Commitment

The City of Sacramento is committed to providing a safe workplace free from violence and threats of violence.

The City will not tolerate violent behavior or threats in the workplace. Any violent behavior related to the employee's work or work relationships, whether an employee is on or off duty, or on or off City property or City workplaces, is prohibited. Violations of this policy will be investigated, and if substantiated, may lead to disciplinary action up to and including termination.

B. Violent Behavior

Employees should not be subjected to physical or verbal conduct that is violent in nature related to the employee's work or work relationships. In addition, no employee is permitted to engage in violence or threaten violence toward another employee, supervisor, manager, union representative, customer, resident, or any other person.

Examples of behavior prohibited by this policy include, but are not limited to:

- Violent physical actions.
- Direct or implied threats to do physical harm to a person or to property, including attempting to or actually intimidating with the use of one's body or physical objects.
- Verbally abusive or intimidating language or gestures.
- Threatening, abusive, or harassing communications.
- Possessing a dangerous or deadly weapon at the workplace, unless the weapon is required for the course and scope of the employee's employment and authorized by their department head.
- Possession of imitation weapons on City property or City workplace.
- Destructive or sabotaging actions against City property or employee property.
- Engaging in unwanted and/or intrusive behavior against another person such as stalking, spying, or harassment.

C. Reporting

Every employee must immediately report to their supervisor or department safety representative any violations of this policy. This includes employees who are aware of violence or threats of violence that may create a risk of harm to the employee or others in the workplace by a City employee, or any other person, whether occurring in or away from the workplace. All reports will be promptly and thoroughly investigated. Employees will be informed of the results following the investigation by their supervisor or designee who facilitated the investigation and formed corrective action(s) to identified workplace hazard(s). Confidential personnel matters will not be disclosed.

IV. Retaliation

The City will not tolerate any type of retaliation against an employee who reports workplace violence or the threat of violence.

V. Restraining Orders

If an employee obtains a restraining order against another employee and/or the restraining order includes a City workplace, the employee must report it to their supervisor as soon as possible, but no later than their next scheduled workday. Departments must provide Labor Relations with a copy of the restraining order within twenty-four (24) hours of receipt, but no later than the next business day. The department must also retain copies of the restraining order along with the proof of service on site to assist Police in the event a violation of the restraining order occurs.

VI. Departmental Responsibilities

A. Workplace Safety

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.

B. Training

Mandatory general awareness training will be completed and tracked through the City's Learning Management System (LMS).

Training will include:

- Information on this policy
- How to obtain a copy of the policy
- How employees may participate in the development and implementation of the policy by communicating with their REO and/or attending safety committee meetings
- The definitions and requirements outlined
- How to report workplace violence incidents or concerns without the fear of reprisal
- Preventing violence in the workplace

Department Heads in coordination with Risk Management will provide their staff with information about the prevention of workplace violence and violence management techniques on a periodic basis. Employees and REOs are encouraged to provide feedback on training to help identify opportunities to further develop and implement

the policy. Employees who find the training materials difficult to understand should seek clarification from their chain of command and/or department safety representative.

Additional training is required if there has been a workplace violence incident within the previous five years. The additional training will include workplace violence hazards specific to the employees' jobs, the corrective measures that were implemented, how to seek assistance to prevent or respond to violence, strategies to avoid physical harm, and the violent incident log and how to obtain copies of records. When the City identifies a new or previously unrecognized workplace violence hazard it shall provide updated training to employees. The training may be limited to addressing only the new workplace violence hazard.

Note: [California Labor Code § 6401.9](#) requirements within this section shall not apply to employees within the Sacramento Police Department who are actively engaged in sworn law enforcement activities and citywide for employees who are working remotely from a location of their choice, which is not under the control of the City, so long as such threat is not related to the course and scope of their employment.

C. Hazard Identification

Workplace violence hazards will be identified through periodic workplace inspections and reviews of procedures, employee concerns, and workplace violence incidents. When the City verifies a new or previously unrecognized workplace violence hazard, the City shall endeavor to take prompt corrective action. When determined to be appropriate, the City shall inform relevant City staff of new workplace violence hazards, corrective action(s) taken to address the hazard(s), and provide any training that may be necessary to affected personnel.

Employees and REOs are encouraged to report new or previously unidentified workplace violence hazards to a supervisor or department safety representative and/or participate in safety committee meetings for the purposes of evaluating and correcting workplace violence hazards.

If corrective action cannot be completed, information regarding the hazard will be shared with affected employees to increase their awareness while additional measures are identified to mitigate risk.

Note: [California Labor Code § 6401.9](#) requirements within this section shall not apply to employees within the Sacramento Police Department who are actively engaged in sworn law enforcement activities and citywide for employees who are working remotely from a location of their choice, which is not under the control of the City, so long as such threat is not related to the course and scope of their employment.

D. Departmental Response to Violence

When a violent action or threat is brought to the attention of a supervisor, manager, or departmental safety representative, an evaluation of the severity of the situation must be made immediately. If evacuation is necessary, proceed in accordance with the site-specific Emergency Action Plan. Employees will be alerted to in-progress workplace violence emergencies per procedures outlined in the site-specific Emergency Action Plan and/or through alerting systems available. Current site-specific Emergency Actions Plans can be located under the Environmental Health and Safety [Nexus page](#).

1. Contact 9-1-1 if there is a likelihood of immediate violence.
 - From a City phone 9-911 or 911
 - From a non-City landline or a cellular phone 911 or (916) 732-0100
2. Supervisors and managers will determine if further action is needed and take appropriate action. See Attachment A (Supervisor Plan of Action for Threat by Employee) and Attachment B (Supervisor Plan of Action Threat by Citizen).

Contact Labor Relations at (916) 808-5424 if additional assessment is needed beyond the departmental level. If appropriate, Labor Relations will activate the Threat Assessment Team.

VII. Threat Assessment Team

The City takes all threats of violence or intimidation seriously. The City's Threat Assessment Team investigates reports of actual or threatened violence, assesses the risks, and makes recommendations for action.

VIII. Violent Incident Log

A. Review

This policy and Violent Incident Log shall be reviewed annually and in the event of a workplace violence incident to revise the document as necessary.

B. Violent Incident Log

1. Each workplace violence incident must be recorded in the violent incident log maintained by Risk Management. The information in the log will be gathered from the employee(s) who experienced workplace violence. Any element of personal identifying information sufficient to allow identification of any person involved in a violent incident, such as the person's name, address, email address, telephone number, etc., will be omitted from the log.
2. The information recorded in the log includes:
 - Date, time, and location of the incident.
 - The workplace violence type(s) involved in the incident (Type 1, 2, 3, or

4).

- Description of the incident.
- Consequences of the incident, including:
 - Whether security or law enforcement was contacted and their response.
 - Actions taken to protect employees from a continuing threat or from any other hazards identified because of the incident.
- Information about the person completing the log, including their name, job title, and the date completed.

Exemption: A log is not required if there were no workplace violence incidents in the past five years.

3. Violent incident logs required to be completed must be maintained for a minimum of five years.
4. Records of workplace violence incident investigations conducted shall be maintained for a minimum of five years. These records shall not contain “medical information” as defined by [Civil Code § 56.05\(j\)](#).
5. All records required by this section shall be made available to Cal/OSHA on request, for examination and copying.
6. All records required by this section shall be made available to employees and their representatives, on request, for examination and copying with 15 calendar days of a request.

Note: [California Labor Code § 6401.9](#) requirements within this section shall not apply to employees within the Sacramento Police Department who are actively engaged in sworn law enforcement activities and citywide for employees who are working remotely from a location of their choice, which is not under the control of the City, so long as such threat is not related to the course and scope of their employment.

City of
SACRAMENTO


**Charter Officer Review and Acknowledgement
Workplace Violence Prevention Policy**

(Signature by all Charter Officers is not a requirement for policy adoption)



Howard Chan (Jul 8, 2024 18:06 PDT)

City Manager 07/08/2024




Susana Alcala Wood (Jul 24, 2024 17:23 PDT)

City Attorney 07/24/2024



City Clerk 07/10/2024



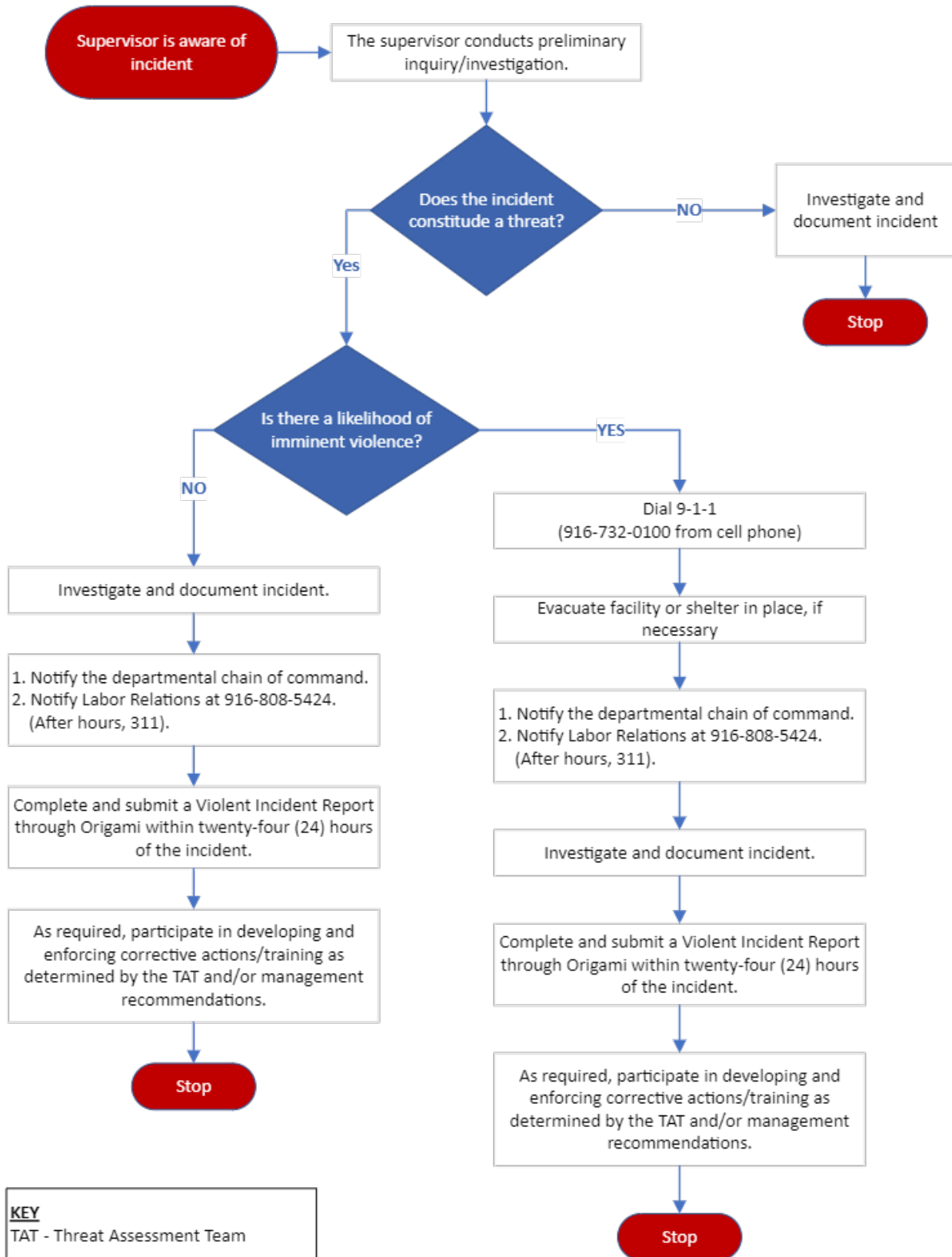
John Colville (Jul 5, 2024 15:14 PDT)

City Treasurer 07/05/2024



City Auditor 07/19/2024

Attachment A Supervisor Plan of Action for Threat by Employee



Attachment B

Supervisor Plan of Action for Threat by Citizen

