



City of Carmel-by-the-Sea

Workplace Violence Prevention Policy

I. GENERAL POLICY STATEMENT

The City of Carmel-by-the-Sea (further identified as the “City”) is committed to providing a safe, secure, and violence-free workplace for all employees. The organization promotes a businesslike environment that ensures courteous treatment for both employees and the public. This commitment is reflected in this Workplace Violence Policy, aligned with the organization’s core values and supported by the Council.

II. SCOPE

This policy applies to all City employees, contractors, and volunteers. It extends to all locations where employees work or represent the organization, including facilities, vehicles, customer/vendor premises, and sponsored events.

Outside Contractors and Vendors

Contractors will receive a copy of this plan as part of the contract process. Contractors working on-site or on an ongoing routine basis will be provided with a copy of this plan for their review. Contractors who do not attest to their training on workplace violence will be provided with options for obtaining the training including attending our training where appropriate.

- Wilmes, LLC Risk Control Services – Wilmes.co
- DollarTrainingClub.com
- State of California

III. WORKPLACE VIOLENCE POLICY

The City maintains a zero-tolerance policy against violent acts or threats by employees, clients, or the public. The organization is dedicated to providing a working environment free of violence.

Responsible Personnel

The following name and title are responsible for this plan.

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Definition of Workplace Violence

Workplace violence includes threats or acts of violence at any location where an employee may be conducting City business. Examples of prohibited conduct include but are not limited to:

- Hitting, shoving, or making contact in a threatening manner.
- Threatening harm to individuals or their families, friends, associates, or property.
- Harassing or threatening communications.
- Aggressive behavior causing a reasonable fear of injury or emotional distress.

Types of Violence

(I) "Type 1 violence," indicating workplace violence committed by a person with no legitimate business at the worksite, including violent acts by anyone entering the workplace or approaching workers with the intent to commit a crime.

(II) "Type 2 violence," denoting workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors.

(III) "Type 3 violence," referring to workplace violence against an employee by a present or former employee, supervisor, or manager.

(IV) "Type 4 violence," signifying workplace 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.

Employee Conduct

The City will not tolerate violence or threats by employees. Violations may result in disciplinary action, including termination, in accordance with City of Carmel Municipal Code Article IX. Disciplinary Actions.

If an employee observes a situation where someone exhibits behavior that could potentially be threatening, harmful, or violent, the employee is responsible for the following actions:

- Notify their Supervisor / HR / Risk Management
- Notify the Police Department and Fire Department for assistance and evacuation.

If a potential conflict begins and seems to escalate, employees should follow these measures:

- A. Remain calm.
- B. Protect themselves and the public.
- C. Notify their supervisor or department head if possible.
- D. Evacuate the premises if required, moving to a safe area.

Provide first aid (if trained) for any injured parties until the Fire Department arrives.

Additionally, any employee who independently obtains a restraining order or injunction against someone posing a credible risk of violating the order at the employee's worksite must inform the Human Resources Department. The Human Resources Department, in collaboration with the City Attorney and Police

Department, will then assess the provisions of the restraining order or injunction to determine whether the employee should provide a copy to their department for the purpose of enforcement at the work site.

Non-Employee Conduct

Violence or threats by the public against employees or at the workplace are not tolerated. Actions may include denial of access, controls on interactions with staff, and referral to law enforcement.

Enforcement and Action

All Department Heads are responsible for enforcing this policy. Managers must take appropriate action in response to policy violations, including workplace removal, evacuation, or lockdown.

Communication

Injuries and illnesses can have a lifelong impact on your healthy lifestyle. To ensure that all employees are well prepared to work for the City, all employees will receive safety orientation as part of your initial hiring. Safety orientation will include a discussion of the City's safety and health plans as well as a copy of this plan.

As part of the safety orientation, each employee will receive a copy of the City's Workplace Violence Prevention Policy, have time to read the policy, and ask any questions. All employees will sign that they have received the policy and that they have had time to read and ask questions.

All employees will receive safety training which applies to all employees regardless of projects they may be assigned to. Before starting a new assignment or project, employees will receive safety instructions relevant to the assignment/project. All employees are entitled to ask questions or request guidance at any time from their supervisor on any safe work practices that are unclear to them.

The City has implemented a system of signage, posters, and handouts distributed throughout our facilities occasionally. All employees are required to observe such postings.

In addition, any employee may report safety hazards or violations to their supervisor at any time. In the event the supervisor has not addressed the safety hazard or violation, you may report the issue directly to the Human Resources / Risk Management Office. If you would like to anonymously report safety hazards or violations, you may complete the Anonymous Safety Report form online by accessing the City's "Safety Portal" and filling out the form titled, "Anonymous Hazard Report" or mail it directly to the HR Management Office.

For those areas and employees identified as being covered by the Construction Safety Orders, the supervisor or designated employee shall conduct and document "toolbox" or "tailgate" safety meetings, or equivalent, with their crews at least once every 10 working days to emphasize safety to include workplace violence.

Below are some ways the City may communicate safety & health and workplace violence hazards to employees:

- New Employee Orientation, including a review of safety and health plans and procedures.
- Review of the City's Workplace Violence Prevention Policy.

- Department-specific safety training programs (per the safety training matrix) and procedures.
- Regularly scheduled department safety meetings.
- Posted or distributed safety information.
- System for employees to anonymously inform management about workplace hazards.
- On-the-job safety training.

Compliance

Safety is a core work ethic standard and as such all City employees, including managers and supervisors, are responsible for complying with our safety and health work practices.

All employees will be evaluated on safety by their supervisors as part of their daily activities. You can expect to receive immediate feedback on work practices that do not comply with our safety and health policies. As a City employee, you are entitled to ask questions or request guidance at any time from your supervisor on any safe work practices that are unclear to you.

In addition, City employees who commit serious safety violations, commit repeat violations or are unwilling to follow our safe work practices will be subject to the City's disciplinary procedures in accordance with Administrative Policies. Staff who jeopardize the safety and health of fellow employees will be subject to immediate dismissal as outlined in the City's disciplinary procedures in accordance with Administrative and Municipal Code Regulations.

Reporting

Employees shall report workplace violence or threats of unlawful violence to their manager/supervisor or Human Resources/risk management. Individuals aware of potential risks shall inform a manager.

Employees may also report directly to law enforcement by dialing 9-1-1

Investigation

The City will investigate allegations of workplace violence, maintaining confidentiality when anonymity is requested.

Retaliation

The City prohibits retaliation against those reporting workplace violence. Retaliatory actions by employees are also violations of this policy. Employees who report workplace violence or threats of unlawful violence in good faith will not be retaliated against nor fear reprisal.

Victims of Domestic Violence

Refer to National Domestic Violence Helpline <https://www.thehotline.org> .

Workplace violence emergencies

Employees may be alerted to workplace violence in a variety of ways including direct communication, email, phone calls, text messages, alarms, announcements of public address systems, or other methods.

Employees should activate our emergency response plan and be ready to shelter in place or evacuate. Employees should follow our protocols for run, hide, fight.

Information about the exact location, presence, and nature of the incident will be communicated as information is obtained through the various communication channels listed above. Understand that unannounced imminent threats may have no warning and information may be highly limited.

In the event that you need immediate assistance, you may contact security or law enforcement by dialing 9-1-1. For non-imminent assistance, you should contact your supervisor or human resources/risk management.

Training

Our mission is to improve the quality of life in the City through active community engagement and the efficient delivery of outstanding public services. Working safely is one of the core components in achieving our mission. Understanding safe work practices and being able to work in a safe manner helps employees contribute to the City's mission. The City provides safety training on a variety of workplace topics to help employees work in a safe and healthy manner. All employees are required to attend new employee orientation and periodic safety training. Employees are required to sign in on all sign-in sheets present at safety training.

When the City established this Workplace Violence Prevention Policy, we provided training to employees to familiarize them with the provisions of the policy as well as our philosophy on working safely. As a new City employee, you will receive similar training as part of your orientation.

Before beginning a new assignment, employees will receive specific safety training for the project. Supervisors may discuss the hazard analysis with you to ensure that you are aware of the safety requirements and hazards that they face on the project. In addition, if the project requires the use of tools or the performance of operations in which employees have not yet been trained, then you should complete the appropriate training before starting the project.

When the City obtains new equipment, and chemicals, adopts new processes/procedures, or identifies new or unrecognized hazards, employees will be expected to complete the appropriate safety training to work safely. All employees should report their training needs to their Supervisor if they encounter new equipment, chemicals, processes/procedures, or hazards and they have not received safety training.

Supervisors are responsible for the safety and health of their employees and should take the appropriate time required to educate and familiarize themselves with the hazards that their team may face daily. If you require additional assistance, training, or consultation, you should place your request with the Department Manager or Risk Manager.

Evaluating Hazards

Identifying hazards, safety violations, and other conditions that may cause injury or illness is vitally important to maintaining a healthy work environment. No matter how safe employees may work, working in an unsafe environment presents challenges to maintaining your personal safety. While employees may

be well educated in safety and health matters, the City may hire outside safety professionals from time to time to evaluate our program and conduct safety audits or inspections.

Some operations or equipment may require more frequent assessment to identify safety hazards. The following actions and timeframes should be followed:

- a. When Safety Orders of the California Code of Regulations that govern the operation or activity (e.g., General Industrial Safety Orders, Construction Safety Orders, etc.) are revised.
- b. During the accident investigation process.
- c. When revealed during a routine inspection.
- d. Whenever new substances, processes, procedures, or equipment are introduced to the workplace that represents a new safety hazard.
- e. Whenever the Department is made aware of a new or previously unrecognized hazard.
- f. When employee safety suggestions are made regarding a hazard.

Hazard Correction

Hazards can lead to injuries and illnesses. When hazards are identified on projects or in City facilities, they should be addressed immediately. Some hazards may be fixed by employees immediately with the tools available to you and if you are qualified or competent in the matter.

When hazards threaten the lives of employees and cannot be immediately fixed, employees should remove themselves from the area and inform fellow employees and their Supervisor. The hazards should be identified with appropriate signage, tape, or other means to warn fellow employees not to enter the area where the hazard exists. Only employees who have the appropriate training or ability and appropriate safety gear to correct the hazard may enter the area for the purpose of fixing the hazard. When serious hazards are fixed, a report of the hazard correction should be made to the Risk Manager for review. The Risk Manager may wish to inspect the corrected hazard to ensure that the hazard has been properly fixed so that employees may continue working in a safe environment.

If you are made aware of a new hazard or have identified a hazard that was not previously recognized, it should be brought to the attention of your Supervisor so they may conduct an inspection or assessment.

Employee concerns and follow-up

Employees who have concerns of workplace violence may report directly to their supervisor. The supervisor will ensure that those concerns are provided to HR/Risk Management. Following the assessment of those concerns, employees will be informed of the results of the investigation and corrective actions in a meeting with HR/Risk Management and their supervisor (if applicable). In addition, depending on the type of concern, specific or general, employees may be informed via policy updates, training, memos, toolbox talks, and the like. See our communication section for further information.

Post-incident response and investigation

Following any workplace violence incidents, the City may take a variety of measures to respond based on the severity of the incident and the breadth of the incident. This may include offering counseling, medical services, closing operations, offering work from home, offering increased security, and the like.

An investigation will follow the incident and may include law enforcement involvement and outside legal investigators. The City will follow its Injury Illness Prevention Plan (IIPP) and Harassment investigation protocols as well. Depending on who is involved in the investigation, HR/Risk Management may lead the investigation or assign it to an outside law firm or investigator team.

Review of This Policy

The policy and the incident log shall be reviewed annually and shall allow for the inclusion of employee input, and authorized employee representatives (union representatives). The policy shall also be reviewed following workplace violence incidents and when deficiencies are observed, reported, and the like.

Active Involvement

Employee involvement is appreciated and often better suited to correcting hazards in the workplace due to the intimate knowledge of the location and operation. Employee and authorized representatives may participate in plan development, hazard correction, and identifying, evaluating and implementing of the plan in a variety of methods including:

- Participating with the safety committee
- Submitting concerns
- Submitting feedback for the annual review
- Expressing interest in serving on the workplace violence annual review committee

Record Keeping

Records will be kept in accordance with the City record keeping policy and at a minimum of five (5) years.

Definitions

For the purpose of this section, the following definitions apply:

- (1) "Emergency" refers to unanticipated circumstances that can be life-threatening or pose a risk of significant injuries to employees or other individuals.
- (2) "Engineering controls" denote an aspect of the built space or a device designed to eliminate a hazard from the workplace or establish a barrier between the worker and the hazard.
- (3) "Log" signifies the violent incident log mandated by this section.
- (4) "Plan" signifies the workplace violence prevention plan required by this section.

(5) "Threat of violence" encompasses any verbal or written statement, including, but not limited to, texts, electronic messages, social media messages, or other online posts, or any behavioral or physical conduct that conveys an intent, or is reasonably perceived to convey an intent, to cause physical harm or instill fear of physical harm in someone, and that serves no legitimate purpose.

(6) (A) "Workplace violence" encompasses any act of violence or threat of violence occurring in a place of employment.

(B) "Workplace violence" includes, but is not limited to, the following:

(i) The threat or use of physical force against an employee resulting in, or having a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether the employee sustains an injury.

(ii) An incident involving a threat or use of a firearm or other dangerous weapon, including the use of common objects as weapons, regardless of whether the employee sustains an injury.

(iii) The following four workplace violence types:

(I) "Type 1 violence," indicating workplace violence committed by a person with no legitimate business at the worksite, including violent acts by anyone entering the workplace or approaching workers with the intent to commit a crime.

(II) "Type 2 violence," denoting workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors.

(III) "Type 3 violence," referring to workplace violence against an employee by a present or former employee, supervisor, or manager.

(IV) "Type 4 violence," signifying workplace 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.

(C) "Workplace violence" excludes lawful acts of self-defense or defense of others.

(7) "Work practice controls" encompass procedures and rules used to effectively reduce workplace violence hazards.