

## **Workplace Violence**

The San Mateo County Community College District (SMCCCD) recognizes that violence in the workplace is a growing nationwide problem necessitating a firm, considered response by employers. The costs of workplace violence are great, both in human and financial terms. Therefore, SMCCCD has adopted this policy regarding workplace violence.

The safety and security of SMCCCD employees is of vital importance. Acts or threats of physical violence, including intimidation, harassment and coercion, that involve or affect SMCCCD, or that occur on SMCCCD property, will not be tolerated.

This prohibition against threats and acts of violence applies to all persons involved in the operation of SMCCCD, including, but not limited to, SMCCCD personnel, contract and temporary workers and anyone else on SMCCCD property. Violations of this policy, by any individual, will lead to disciplinary action or legal action as appropriate.

This policy is intended to bring SMCCCD into compliance with existing legal provisions requiring employers to provide a safe workplace; it is not intended to create any obligations beyond those required by existing law.

### **Definitions**

Workplace violence is any intentional conduct that is sufficiently severe, offensive or intimidating to cause an individual to reasonably fear for his or her personal safety or the safety of his or her family, friends or property such that employment conditions are altered or a hostile, abusive or intimidating work environment is created for one or several SMCCCD employees. Examples of workplace violence include, but are not limited to, the following:

- Threats or acts of violence occurring on SMCCCD premises, regardless of the relationship between SMCCCD and the parties involved in the incident
- Threats or acts of violence occurring off SMCCCD premises involving someone who is acting in the capacity of a representative of SMCCCD
- Threats or acts of violence occurring off SMCCCD premises involving an employee of SMCCCD if the threats or acts affect the business interests of SMCCCD
- Threats or acts of violence occurring off SMCCCD premises of which an employee of SMCCCD is a victim if SMCCCD determines that the incident may lead to an incident of violence on SMCCCD premises
- Threats or acts resulting in the conviction of an employee or agent of SMCCCD, or of an individual performing services for SMCCCD on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence which adversely affect the legitimate business interests of SMCCCD

Specific examples of conduct that may be considered threats or acts of violence under this policy include, but are not limited to, the following:

- Threatening physical or aggressive contact directed toward another individual
- Threatening an individual or their family, friends, associates or property with physical harm
- The intentional destruction or threat of destruction of SMCCCD property or another's property
- Harassing or threatening phone calls, voice mail messages, or notes
- Surveillance
- Stalking
- Veiled threats of physical harm or like intimidation

Workplace violence does not refer to legitimate sporting activities, popular entertainment or current events. Rather, it refers to behavior that is personally offensive, threatening or intimidating.

### **Enforcement**

Any person who engages in a threat or violent action on SMCCCD property may be removed from the premises as quickly as safety permits and may be required, at SMCCCD's discretion, to remain off SMCCCD premises pending the outcome of an investigation into the incident.

When threats are made or acts of violence are committed by a SMCCCD employee, a judgment will be made by SMCCCD as to what actions are appropriate, including possible medical evaluation or disciplinary action.

Once a threat has been substantiated, it is SMCCCD's policy to put the threat-makers on notice that they will be held accountable for their actions and then follow through with the implementation of a decisive and appropriate response.

Under this policy, decisions may be needed to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing. No existing SMCCCD policy or procedure should be interpreted in a manner that prevents the above from occurring.

SMCCCD will make the sole determination of whether, and to what extent, threats or acts of violence will be acted upon by SMCCCD. In making this determination, SMCCCD may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that workplace violence has occurred. No provision of this policy shall alter the at-will nature of employment at SMCCCD.