UCLA Policy 132: Workplace Violence Prevention

Issuing Officer: Administrative Vice Chancellor Responsible Dept: Campus Human Resources

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I. PURPOSE & SCOPE

UCLA is committed to providing a safe work environment for faculty, staff, students, and visitors – one that is free from violent behavior and threats of harm. Violent behavior and threats of harm affecting the workplace are contrary to the law and University policy.

This Policy defines the scope of Workplace Violence, identifies unacceptable behavior that will be treated as a violation of this Policy, establishes the process to report these behaviors, and requires employee compliance with the UCLA Workplace Violence Prevention Plan ("WVPP"). UCLA's WVPP details the roles and responsibilities of campus departments and employees and is available at: https://chr.ucla.edu/behavioral-intervention-team/workplace-violence-prevention.

This Policy applies to all members of the University community, including faculty and other academic personnel, staff, students, volunteers, contractors, and visitors.

II. DEFINITIONS

For the purposes of this Policy:

<u>Abusive Conduct</u> is harassing or threatening behavior that is sufficiently severe, persistent, or pervasive conduct in the Workplace that denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment, or other programs or activities of the University (See, UC Policy on <u>Abusive Conduct in the Workplace</u>.)

<u>Threat of Violence</u> as defined in Labor Code (LC) section 6401.9, is 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 that is reasonably perceived to convey an intent, to cause physical harm or to place someone in fear of physical harm, and that serves no legitimate purpose.

<u>Workplace</u> is any space where University business is conducted or occurs, in connection with University employment and/or in the context of a University program or activity (for example, University-sponsored study abroad, research, health services, or internship programs, as well as the online workplace).

<u>Workplace Violence</u> is any act of violence or threat of violence that occurs in the Workplace. This includes, but is not limited to, the following:

- The threat or use of physical force in the Workplace that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether injury is sustained.
- 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 and others (such as students, volunteers, contractors, and visitors) sustains an injury.

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- The following four Workplace Violence types:
 - <u>Type 1 violence</u>: Workplace Violence committed by a person who has no legitimate business at the worksite, and includes violent acts by anyone who enters the Workplace or approaches employees and others (such as students, volunteers, contractors, and visitors) with the intent to commit a crime.
 - <u>Type 2 violence</u>: Workplace Violence directed at employees and others (such as students, volunteers, contractors, and visitors) by customers, clients, patients, students, inmates, visitors, volunteers, or contractors.
 - <u>Type 3 violence</u>: Workplace Violence against an employee and others (such as students volunteers, contractors, and visitors) by a present or former employee, supervisor, or manager.
 - <u>Type 4 violence</u>: 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 and others (such as students, volunteers, contractors, and visitors).

Workplace Violence behavior also includes:

<u>Disruptive Behavior</u> is conduct that prevents normal campus activities or Workplace functions, and may act as "warning signs" to possible violence, including but not limited to, verbal outbursts, excessive displays of anger, vandalizing University property, or any behavior that instills reasonable fear or generates sufficient concern that a person might act out violently.

<u>Domestic Violence</u> is abusive or Violent Behavior between individuals who have an ongoing or a prior intimate or family relationship that poses a threat to the Workplace, this includes dating violence.

<u>Stalking</u> is behavior in which a person repeatedly engages in a course of unwelcomed conduct directed at another specific person, who places that person in reasonable fear of their safety or the safety of others, and includes the use of technology to commit this behavior.

Workplace Violence does not include lawful acts of self-defense or defense of others.

III. POLICY STATEMENT

UCLA maintains zero tolerance for Workplace Violence. The University will respond promptly to all reports of Workplace Violence, and will take appropriate action to prevent, correct, and if necessary, discipline behavior that violates this Policy and as applicable the UCLA WVPP. Faculty, staff, student, volunteer, contractor, or visitor found to commit or threaten acts of Workplace Violence is in violation of this Policy and will be subject to disciplinary actions under University policies or as applicable, collective bargaining agreements, and may be subject to criminal prosecution.

Any member of the UCLA community who is subjected to, witnesses, or has knowledge of Workplace Violence or actions that could be perceived as violent or threatening, or has reason to believe that such actions may occur, is strongly encouraged to immediately report such actions to the appropriate campus offices as outlined in this Policy.

It is prohibited for any person to bring or possess a loaded or unloaded firearm, or other weapon, on UCLA campus or off-campus property owned or operated by the University; any area adjacent to such property; or to an official activity of or program conducted by the University, unless such use or possession is with the written permission of the UCLA Police Chief (See, <u>UCLA Policy 131</u>, Weapons on University Property). All criminal conduct should be reported immediately to the UCLA Police Department (UCPD).

Certain types of Workplace Violence, as defined in this Policy, are also prohibited by the University's Sexual Violence and Sexual Harassment Policy and Abusive Conduct in the Workplace Policy. Members of the community are encouraged to promptly report any conduct prohibited by these policies following procedures set forth in Section IV. below.

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Retaliation

This Policy prohibits retaliation against any person who reports Workplace Violence in good faith, assists someone with a report of Workplace Violence, or participates in any manner in an investigation or resolution of a Workplace Violence report. The University's Whistleblower Protection Policy, including provisions prohibiting retaliation, may apply in this context.

The University will defend and indemnify University employees, acting within the scope of their employment, in any civil action arising from a good faith report of Workplace Violence required or encouraged under this Policy.

Temporary Restraining Order (TRO) or Injunction

A University community member who has suffered unlawful violence (i.e., assault, battery, or stalking as prohibited in California Penal Code section 646.9) or a credible threat of violence reasonably likely to be carried out in the Workplace (See California Civil Procedure Code section 527.8) and is seeking to obtain or has obtained a TRO or injunction should notify UCPD.

If you need information about obtaining a Workplace Violence TRO or injunction, call UCPD and/or the UCLA Behavioral Intervention Team (BIT) at *1-855-299-9BIT*. For members of UCLA Health, contact your human resources representative. Students may also work with Student Legal Services by requesting an appointment online or by calling 310-825-9894.

UCLA understands the sensitivity of this information and will treat it with appropriate discretion and confidentiality.

IV. REPORTING PROCEDURES

All members of the UCLA community are strongly encouraged to promptly report Workplace Violence to the appropriate authorities as outlined in the table below and for incidents involving employees, within 24 hours of the incident, an online report must be completed on the <u>Incident Reporting Portal</u>.

| Incidents | Reporting Process | | | |
|---|--|--|--|--|
| Actual or Imminent Workplace Violence | Call 911 immediately. | | | |
| Serious Injuries to employees as a result of Workplace Violence | Call EH&S Hotline at (310) 825-9797 immediately. Serious Injuries are defined in the WVPP Reporting Requirements: Injured employee's name, a brief summary of the incident, a description of the injuries sustained by the employee, and a number where the reporting supervisor can be reached. EH&S must report the injury to Cal/OSHA within eight hours of occurrence. | | | |
| UCLA Campus – Threats of Workplace Violence / Disruptive Behavior Among Employees (including student employees) - not imminent or immediate danger | Promptly report to one of the following: Primary Contact UCLA Behavioral Intervention Team (BIT) at 855-299-9BIT (9248). Other Contacts UCPD at 310-825-1491 or 911. Non-Emergency Procedures & Reports: 310-825-1491 Anonymous Reporting: 310-794-5824 Manager or supervisor not involved with the incident, who in turn will report the matter promptly to BIT or UCPD; Campus Human Resources at 310-794-0860; or University Compliance Hotline at 800-403-4744 or www.universityofcalifornia.edu/hotline and may be made anonymously. | | | |

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| UCLA Health – Threats of Workplace Violence - not imminent or immediate danger | UCLA Health includes Ronald Reagan UCLA Medical Center, Mattel Children's Hospital UCLA, David Geffen School of Medicine, Santa Monica UCLA Medical Center & Orthopaedic Hospital, UCLA's Resnick Neuropsychiatric Hospital, the Licensed Clinics, and UCLA Faculty Practice Group. Promptly report to one of the following: Primary Contact Threat Assessment Team (TAT) at 310-267-7100. Other Contacts UCPD at 310-825-1491; Manager or Supervisor not involved with the incident, who in turn will report the matter promptly to the Threat Assessment Team or UCPD; David Geffen School of Medicine Employee Relations at 310-794-2626 or 310-794-6802; UCLA Health at 310-825-0500 (ask for Employee Relations) or 310-794-2626 or 310-794-6802; or | | |
|--|---|--|--|
| | www.universityofcalifornia.edu/hotline (may be made anonymously). | | |
| UCLA Health – Disruptive Behavior Among Employees - not imminent or immediate danger | Promptly report to one of the following: Primary Contact Manager or supervisor not involved with the incident, who in turn will report the matter promptly to UCLA Health Employee Relations or Threat Assessment Team. Other Contacts UCLA Health at 310-825-0500 (ask for Employee Relations) or 310-794-2626 or 310-794-6802; or Threat Assessment Team (TAT) at 310-267-7100. Reporting procedures for disruptive behavior of UCLA Health employees are governed by UCLA Hospital System Policy 7313, Disruptive Behavior Among Employees. | | |
| Students Involved with Workplace Violence - not imminent or immediate danger | Contact the Consultation & Response Team (CRT) at 310-825-7291. See www.studentincrisis.ucla.edu or the Red Folder. | | |
| Weapons on University Property | Whether a weapon is visible or not, community members alerted to criminal conduct and/or possession of a weapon on University property should immediately contact UCPD at 310-825-1491 for assistance. | | |
| Abusive Conduct in the Workplace | Complaints regarding abusive conduct in the workplace may be reported to the following offices: • Academic Personnel Office • Campus Human Resources • Health Human Resources • Office of Student Conduct • UC Whistleblower Hotline | | |
| Sexual Violence / Sexual Harassment | Under the UC Policy on Sexual Violence and Sexual Harassment, "responsible employees" are <i>obligated</i> to report sexual harassment and sexual violence to the Title IX Director. An Individual's request regarding the confidentiality of reports of sexual harassment or sexual violence will be considered by the Title IX Director in determining an appropriate response. Complaints regarding sexual violence / sexual harassment may be reported to the | | |
| | following offices: • Title IX Office at 310-206-3417 • Office of Equity, Diversity & Inclusion at 310-825-3935 • UCPD at 310-825-1491 | | |

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V. ROLES AND RESPONSIBILITIES

Safety and security in the University workplace environment are the responsibility of every member of the UCLA community. Specific responsibilities are assigned in order to implement and ensure compliance with this Policy.

A. All Members of the University Community

All members of the University community should be alert to any person displaying threatening behavior and are strongly encouraged to report incidents of Workplace Violence as outlined in this Policy. All members of the University community should take advantage of campus resources and training on preventing Workplace Violence (see <a href="https://www.wpp.nc.up/wp

B. Managers and Supervisors

Managers and supervisors are responsible for the following:

- Informing employees and other campus community members associated with the department of this Policy, the WVPP, and required compliance;
- Notifying employees of campus resources and training on preventing Workplace Violence; and
- Reporting incidents of Workplace Violence as outlined in this Policy.

C. UCLA Behavioral Intervention Team (BIT)

BIT was established to provide oversight, monitor trends, and develop programs to address and respond to Workplace Violence issues. Members of BIT include representatives from:

- UCLA Police Department
- Staff & Faculty Counseling Center
- Insurance & Risk Management
- Office of Emergency Management
- Campus Human Resources Employee Relations
- UCLA Health Threat Assessment Team
- Office of Legal Affairs
- Academic Personnel Office
- Strategic Communications
- Consultation & Response Team

BIT responsibilities include:

- Developing and implementing this Policy and the WVPP;
- Managing all reports of Workplace Violence;
- Assisting managers and supervisors in managing risks and interpreting warning signs;
- Developing an action plan for handling potentially violent situations;
- Providing resources to use in threatening situations; and
- Providing options for obtaining post-incident assistance.

VI. ADDITIONAL CAMPUS RESOURCES

| Department | Services | Contact | Website |
|--|---|--------------|---|
| UCPD | Provides safety and security workshops and similar programs for University employees. | 310-825-1491 | Crime Prevention Brochures and Safety Tips |
| Staff & Faculty Counseling Center (SFCC) | UCLA's employee assistance program, providing consultation, training, crisis intervention, counseling, and referral services to UCLA departments, staff, and faculty. | 310-794-0245 | https://ucla.app.box.com/s/yid pdur1pq9og6hskjz1j725m7g5 7z6p |

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| Case Management Services (CMS) | Case Managers receive reports about students of concern and present them with options and resources to address their needs. Case Managers may also support those who are impacted by students' actions. | 310-825-7291 | https://studentincrisis.ucla.edu/ who-can-help |
|--|---|--------------|---|
| Counseling and Psychological Services (CAPS) | A multidisciplinary student mental health center for the UCLA campus. | 310-825-0768 | https://counseling.ucla.edu/ |
| Office of Ombuds Services | Aids in resolving conflicts, disputes, or complaints on an informal basis for students, faculty, staff, and administrators. | 310-825-7627 | http://www.ombuds.ucla.edu_ |
| Employee Disability Management Services | Evaluates and implements job accommodations for staff and faculty with physical or mental disabilities. | 310-794-6948 | https://irm.ucla.edu/disability- mgt |
| Student Legal Services | Provides legal assistance to currently enrolled UCLA students, including preparation of documentation for protective orders. | 310-825-9894 | www.studentlegal.ucla.edu_ |
| Title IX Office – Sexual Harassment Prevention | Provides consultation and advice to anyone in the UCLA community regarding rights and responsibilities under Title IX. The Title IX office takes complaints of sexual harassment and sexual violence. | 310-206-3417 | https://sexualharassment.ucla.e du/ |

VII. REFERENCES

- 1. UCLA Policy 131: Weapons on University Property;
- 2. UCLA Workplace Violence Prevention Plan;
- 3. UC Policy on Abusive Conduct in the Workplace;
- 4. UC Sexual Violence and Sexual Harassment Policy;
- 5. UC Whistleblower Protection Policy;
- 6. California Code of Civil Procedure Section 527.8;
- 7. California Penal Code Section 646.9;
- 8. California Senate Bill 553;
- 9. Hospital System Policy 7313, Disruptive Behavior Among Employees.

Issuing Officer

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Michael J. Beck Administrative Vice Chancellor

Questions concerning this policy or procedure should be referred to the Responsible Department listed at the top of this document.