



COUNTY OF LOS ANGELES DEPARTMENT OF HUMAN RESOURCES

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MICHAEL J. HENRY
DIRECTOR OF PERSONNEL

February 24, 2006

To: Each Department Head

From: Michael J. Henry
Director of Personnel

Subject: **WORKPLACE VIOLENCE/THREAT MANAGEMENT**

The attached policy, "*Workplace Violence/Threat Management*, PPG #620" is being reissued for inclusion in the Human Resources Management System Policies, Procedures, and Guidelines (PPG) manual under Tab 6. This policy, as well as all future policies, has been streamlined in a new format that provides a policy statement on a particular subject and also sets forth relevant guidelines and procedures. Additionally, any supporting material related to the policy (e.g., definition of terms, applicable rules and regulations, sample forms, etc.) will be provided in a resource guide. Substantive changes to the policy are as follows:

- The Office of Security Management (OSM) will conduct training on workplace violence for departments. If a department chooses to do its own training, the program selected must be reviewed and approved by OSM.
- Department Heads shall ensure by written documentation that their employees are aware of the contents of this policy.
- Certain reporting guidelines and forms for reporting threats and acts of violence have been modified.

Copies are being sent to each Personnel Officer for inclusion in your department's master copy of the PPG Manual and for distribution to those with copies of the Manual.

Each Department Head
February 24, 2006
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Questions regarding this policy should be directed to me or your staff may direct questions to Sandra K. Taylor, Human Resources Manager, at (213) 974-2616.

MJH:STS
SKT:SC

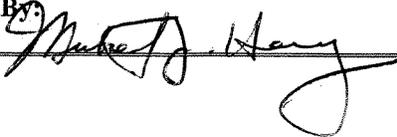
Attachment

c: Each Supervisor
Administrative Deputies
Personnel Officers

i: Chp. 6 Supporting Documents PPG 620 MJH to DH's



County of Los Angeles
Department of Human Resources
POLICIES, GUIDELINES, AND PROCEDURES

Subject: WORKPLACE VIOLENCE/THREAT MANAGEMENT	Policy Number: 620	Page(s): 5
	Effective Date: February 24, 2006	
	Approved By: 	

POLICY

ZERO TOLERANCE POLICY - The policy of the County of Los Angeles is that it will tolerate no workplace acts of violence or threats in any form.

- Any reported threat will initiate necessary security measures and a departmental investigation. Any violation of this policy must be reported to the Office of Security Management (OSM) at (213) 893-2069 and/or sent via FAX to (213) 613-0848. OSM shall make timely notification of the incident and circumstances to the Chief Administrative Officer.

GUIDELINES

The Office of Security Management was created by the Board of Supervisors as the central security management authority for all County facilities and the employees who work in those facilities. It is staffed by sworn Sheriff's Department personnel assigned to the Chief Administrative Office. The Office of Security Management has direct responsibility for the County's Threat Management Program. OSM will provide consultation to, and if requested, meet with County departments regarding acts of violence, threats or other security incidents. OSM will assist the department/victim in obtaining a police response and/or report. OSM will not assume responsibility for the investigation of an incident when another police agency has jurisdiction unless that police agency is unable to or unwilling to pursue a reasonable course of action.

Every employee is entitled to a safe and healthful work environment. This premise, grounded in the authority of the Federal Occupational Safety and Health Act and the California Labor Code, underlies the commitment of the County of Los Angeles to do everything that is reasonably necessary to protect the life, safety and health of its employees. In keeping with this commitment, the County prohibits any workplace violence, threats, intimidation or harassment against or by any of its employees.

Provisions of the policies, procedures, and resources described herein are to serve the County's managers, supervisors and employees in meeting their responsibility to

maintain workplace safety and security. Consequences of violating these provisions may include any or all of the following:

- Arrest and prosecution for violation of pertinent laws (Threats of harm are illegal. See Appendix I in Resource Guide for relevant Penal Code sections)
- Removal of the threatening individual from the premises pending investigation
- Departmental discipline up to and including discharge

PROCEDURES

Safety of personnel should be foremost in determining the initial response to an act of violence or threat. Each threat, alleged threat, or act of violence must be assessed and managed according to the particular circumstances presented. Based on the clarity, severity, and imminence of the threat or act of violence, the situation may warrant the immediate summoning of emergency resources, or may allow sufficient time to investigate the facts of the incident to determine the most appropriate course of action.

Immediate Danger or Imminent Threat of Violence

Any employee who is a witness or victim to an act of violence or an imminent threat in the workplace, or who is advised of an imminent threat directed at or expressed by other personnel and believed by the victim or witness to constitute an immediate danger requiring an emergency response, shall take the following actions:

- Immediately notify on-site security personnel
- Obtain emergency assistance from local law enforcement by calling 911
- Warn potential victim(s)
- Seek personal safety
- Post event, the victim or supervisor/manager shall contact OSM within 24 hours

Non-Imminent Threats

If a non-imminent threat is directed at someone within a County facility by an identifiable party currently or not currently at that facility, the following timely notifications shall be made by the reporting employee, supervisor, and/or manager:

- On-site facility security personnel
- Local law enforcement agency
- A Department Supervisor or Manager

- The Office of Security Management
- The potential victim(s)

Department Head

Department Heads shall ensure by written documentation that their employees are aware of the contents of this policy and schedule OSM approved workplace violence training for management and supervisors. In addition, Department Heads shall hold managers and supervisors accountable for their roles in reporting threats or acts of violence and fulfilling the responsibilities described in this policy.

Department Managers/Supervisors

Supervisors and managers shall ensure that employees understand their responsibility to report acts of violence, threats and suspicious activity to their supervisor, regardless of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who was threatened. Supervisors must act immediately upon all employee reports of threats or acts of violence. Managers, supervisors and employees must take all reasonable steps to ensure the workplace is free from violent incidents.

- Managers/supervisors shall take necessary measures to ensure employees and other appropriate personnel are aware of the threat and the identity of the threatening party, including picture ID if available, and are advised of proper security measures, including prioritized notification procedures if the identified party appears at the facility.
- Facility management shall make timely notification to the heads of departments represented at the facility.
- Management shall notify appropriate personnel at any other facilities when persons at those facilities are considered to be at risk.
- In addition to telephonic notification to the Office of Security Management, departmental management shall ensure that a Security Incident Report is completed and faxed to OSM. At the final disposition of the Department's administrative action, a copy of the event log and a synopsis of the action taken shall be faxed to OSM.
- Managers and supervisors shall formulate a Security Plan for the affected employee and facility, while also making Employee Assistance Program (EAP) information available. Staff at EAP may be reached at (213) 738-4200. These actions shall be documented by the facility manager in the department log.

Security Incident Report

A threat or act of workplace violence constitutes a security incident. The incident shall be reported to OSM via telephonic notification and by completing and delivering the Security Incident Report (S.I.R.) to OSM, 500 W. Temple Street, Room 754, Los Angeles, California 90012 or by sending the S.I.R. via FAX to (213) 613-0848 (See Resource Guide for sample reporting form). The S.I.R. shall be sent or delivered no later than the end of the business day following the threat or incident. It is the responsibility of the department head, manager, or supervisor informed of the incident to deliver or send the completed and approved S.I.R. The report shall be completed by the person reporting or involved in the incident, any supervisor, manager, or the building manager of the affected department. Inquiries regarding this S.I.R. requirement may be directed to OSM.

For reporting purposes, a Security Incident is defined as meeting any of the following criteria:

- An incident placing a person or property at risk that requires action by local law enforcement authorities or security guards at a County facility, whether they were summoned or not.
- An incident placing a person at risk involving an on-duty (including lunch periods) County employee while on County property. This includes parking facilities, or while walking to or from an off-site parking facility to start or end a workday.
- An incident of a suspicious or unusual nature on County property that places people or property at risk.

Developing and Maintaining a Log

- A log of events, notifications and contacts shall be initiated and maintained by the facility manager or other designated person whenever an incident occurs that causes the provisions of this policy to be implemented.
- If the perpetrator of the threat or incident is an employee, upon disposition of the incident, the log and a letter of explanation of the disposition shall be maintained by the senior manager at the affected facility for a period of at least three years if the employee is not terminated, or a period of at least two years if the employee is terminated.
- Copies of disciplinary letters pursuant to the disposition of the incident shall be placed in the employee's personnel folder. Medical or other information prohibited from inclusion in the personnel folder, which may have been gathered in the course of the investigation and disposition, shall be excluded from the folder and maintained in accordance with County policy on Employment Files.

Training

OSM is the lead department responsible for County training and instruction regarding the Workplace Violence/Threat Management Policy and shall conduct or approve all training, materials or instructors prior to implementation.

Cooperation with Law Enforcement Personnel

Law enforcement personnel may be required to enter County facilities to conduct official business, such as serving Court orders on County employees or investigating a crime that involves an employee. Law enforcement agencies shall be given access to employees while they are at work.

Any questions regarding this policy should be directed to the Office of Security Management at (213) 893-2069. The staff of the Office of Security Management is available to consult with departments regarding this and related security policies. Additional guidance and assistance can be located in the Resource Guide.

AUTHORITY

Refer to Resource Guide, Appendix 1
Federal Occupational Safety and Health Act, Title 29, Chapter 15
California Labor Code

DATE ISSUED/REVIEW DATE

Original Issue Date:
April 15, 1999

Review Date:
February 24, 2011

RESOURCE GUIDE – THREAT MANAGEMENT

OFFICE OF SECURITY MANAGEMENT/CAO

The Office of Security Management was created by the Board of Supervisors as the central security management authority for all County facilities and the employees who work in those facilities. Sworn Sheriff's Department personnel assigned to the Chief Administrative Office staff it. OSM has responsibility for the County's Threat Management Program and is available to departments and their employees regarding the reporting and managing of threats or other security incidents. OSM's 24-hour contact telephone number is (213) 893-2069 and FAX is (213) 613-0848.

- The Office of Security Management will provide consultation to, and if requested, meet with County departments regarding threats or acts of violence or other security incidents.
- OSM will assist County departments by making recommendations regarding appropriate responses to the incidents and liaison with the law enforcement agency that has jurisdiction. OSM will not assume responsibility for the investigation of an incident when another agency has jurisdiction unless that law enforcement agency is unable to or unwilling to pursue a reasonable course of action.
- OSM shall document its response to the reported incident. The documentation shall include but not be limited to a description of the circumstances, parties involved in the threat, safety precautions taken by the involved County departments, and additional OSM actions.
- OSM will inform the County Department and/or the victim of the proper procedures to obtain a restraining order.
- OSM may contact suspects when the local law enforcement agency cannot act expeditiously, and there is reason to believe the suspect may act on the threat.
- OSM shall track all Security Incident Reports submitted by County departments.

LEVELS OF THREAT AND SUGGESTED RESOURCES

Following are situational descriptions representing a generally descending order of urgency, together with resources for intervention or consultation that should be given primary consideration in such circumstances. Recognizing the complexity and uniqueness of the situations that actually arise, and the importance of exercising discretion in the management of each case, these suggestions are offered as guidelines only. Refer to Appendix for relevant criminal and civil codes.

- If the threat is overt and poses risk of imminent harm:

If an assault is in progress or a threat is imminent, contact the local law enforcement agency (dial 911) and on-site security.

Notification of the Office of Security Management, as described in the previous reporting procedures, shall follow the summoning of any additionally needed emergency personnel.

- If the threat is overt but risk of harm is not imminent:

Some threats, while clear in their aggressive implications, are linked conditionally by the perpetrator to some future circumstance.

Examples: "Some day I'm going to..." or "I don't know how much more I can take before I..."

When a threat is clear in expressing the perpetrator's ideas about carrying out a violent act, the department shall promptly consult with the Office of Security Management regarding a course of action.

If a law enforcement officer responds to the location but does not appear to take appropriate action for the circumstances, immediately call the police station (preferably while the officer is still at the scene) and ask for the Watch Commander. After contacting the Watch Commander and a satisfactory resolution to the situation is still not achieved, contact the Office of Security Management at (213) 893-2069. The Office of Security Management will review the incident and attempt to resolve the situation with the law enforcement agency.

- If the threat is ambiguous or "veiled:"

Some statements, acts, or gestures may be reasonably construed to have threatening overtones without expressing a clear threat of harm. OSM shall be notified.

Examples: "If this harassment continues, I don't know what I might do!" "She won't get away with it, you'll see!" or "This is what causes people to go off!"

- The Psychological Evaluation Section (213) 738-2213 of Occupational Health Programs, Chief Administrative Office, is available for consultation to help assess the potential risks in such cases, and to suggest approaches to the department's management of the situation.

- If no threat is expressed but a troubled employee arouses safety concerns:

Consult with OSM regarding potential options for resolutions.

A small minority of distressed or troubled employees may pose a significant risk of becoming violent, but workplace apprehension and concern about such employees is common. Departments are encouraged to offer the confidential and free services of the Employee Assistance Program (213) 738-4200 to employees who show signs of disturbance or distress. Early identification and referral of such employees can avert the development of more serious problems.

Consultation regarding troubled employees who create workplace concerns is available to departments from the Employee Assistance Program (213) 738-4200 or the CAO Psychological Evaluation Section (213) 738-2213.

A request for a Medical/Psychological Reevaluation, conducted in accordance with Civil Service Rule 9.07 (B), may be directed to CAO Occupational Health Programs (213) 738-2212 to determine if an employee may be expected to perform his/her duties satisfactorily and without undue hazard to self or others. Such re-evaluation, conducted under the authority of the Director of Personnel, may be warranted in cases in which job functioning appears to be affected by emotional or mental factors, and the employee has either declined or failed to benefit from other measures and suggestions.

Threats Associated with Domestic Conflict

Threats, intimidation, or harassment on the part of someone who has a personal relationship with an employee may spill over to the workplace. For example, an angry former boyfriend or girlfriend may make threatening calls to the employee at the workplace, or may attempt to confront the employee directly at the work site. The County has an interest in such cases in protecting the safety and welfare of its employee, as well as the safety of any others potentially at risk in the workplace, because of proximity to the employee who is victim of the threat.

Restraining Orders

Any employee who experiences domestic harassment or is threatened by violence, or a County department whose employee has suffered a credible threat of violence, may have grounds to seek a temporary restraining order and injunction against the individual making the threat (refer to Appendix I for excerpts of Sections 527.6 and 527.8 of the Code of Civil Procedure).

Any employee or department seeking a temporary restraining order in accordance with the above sections may obtain procedural guidance from the Office of County Counsel, Labor and Employment Division at (213) 974-8394.

Any employee who independently obtains a restraining order or injunction against someone who poses a credible risk of violating the order at the employee's work site must advise the department of the restraining order or injunction. The employee must provide a copy to the local law enforcement agency of jurisdiction of the employees'

work place (refer to Domestic Violence Policy, 622). OSM shall be notified of these incidences.

Dangerousness Due to Mental Disorder

On occasion, an employee at the work site may show such severe signs of an emotional or mental disturbance as to pose a safety hazard to him/herself or others. An example would be an employee who becomes so overwhelmed by a distressing personal crisis as to express immediate suicidal intentions. Another example would be an employee who becomes very erratic, agitated, and disruptive, and makes grossly irrational accusations.

Section 5150 of the Welfare and Institutions Code pertains to persons who pose an imminent danger to themselves or others, or are gravely disabled, as a result of a mental disorder. This provision makes it possible to have such persons psychiatrically evaluated, and if necessary, hospitalized to prevent harm.

The County's Department of Mental Health operates Psychiatric Mobile Response Teams (PMRT) to make on-site evaluations of individuals in such cases when it is not feasible or safe to arrange other transportation for the needed medical or psychiatric care. The Centralized Screening/Dispatching telephone number to request assistance of a PMRT is (800) 854-7771.

Peace officers are also authorized to respond to calls for on-site assistance in such cases, to make an initial assessment, and to transport to designated facilities for further evaluation and possible hospitalization.

OSM shall be notified of these incidences.

Post-incident Stress Debriefing and Trauma Counseling

Violent incidents occurring at the work site, particularly those resulting in serious injuries, subject witnesses and others associated with the work locations and/or its personnel to atypical and often severe emotional reactions. It is important to address the reactions aroused by such incidents promptly and fully, both to alleviate the acute emotional shock or distress that may have been triggered by the incident, and to prevent the development of avoidable longer-range unhealthful effects.

When professional on-site counseling or debriefing is needed quickly, help is available through arrangements by the Department of Mental Health's Critical Incident Response Team (CIRT). The CIRT Coordinator's pager number is (562) 807-8875, although it is advisable to first call the office voice mail number at (213) 738-4431 to ensure that someone is available and has not referred callers to a back-up resource.

The Employee Assistance Program (213) 738-4200 is also available to provide services associated with the emotional consequences of trauma and injury.

APPENDIX I

Excerpts

- **Penal Code Section 422. Criminal Threats.** “Any person who willfully threatens to commit a crime which will result in death or great bodily injury to another person, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety, shall be punished by imprisonment in the county jail not to exceed one year, or by imprisonment in the state prison.”
- **Penal Code Section 646.9. Stalking.** “(a) Any person who willfully, maliciously, and repeatedly follows or harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family, is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year or by a fine of not more than one thousand dollars (\$1000), or by both that fine and imprisonment, or by imprisonment in the state prison.” “(b) Any person who violates subdivision (a) when there is a temporary restraining order, injunction, or any other court order in effect prohibiting the behavior described in subdivision (a) against the same party, shall be punished by imprisonment in the state prison for two, three, or four years.
- **Penal Code Section 601 (a)** “Any person is guilty of trespass who makes a credible threat to cause serious bodily injury, as defined in subdivision (a) of Section 417.6, to another person with the intent to place that other person in reasonable fear for his or her safety, or the safety of his or her immediate family, as defined in subdivision (i) of Section 646.9, and who does any of the following:
#(1) Within 30 days of the threat, unlawfully enters into the residence or real property contiguous to the residence of the person threatened without lawful purpose, and with the intent to execute the threat against the target of the threat.
#(2) Within 30 days of the threat, knowing that the place is the threatened person's workplace, unlawfully enters into the workplace of the person threatened and carries out an act or acts to locate the threatened person within the workplace premises without lawful purpose, and with the intent to execute the threat against the target of the threat. “
- **Penal Code Section 602 (m).** “Every person who willfully commits a trespass by any of the following acts is guilty of a misdemeanor: Entering and occupying real property or structures of any kind without the consent of the owner, the owner's agent, or the person in lawful possession.”

- **Penal Code Section 602.1 (b)** “Any person who intentionally interferes with any lawful business carried on by the employees of a public agency open to the public, by obstructing or intimidating those attempting to carry on business, or those persons there to transact business with the public agency, and who refuses to leave the premises of the public agency after being requested to leave by the office manager or a supervisor of the public agency, or by a peace officer acting at the request of the office manager or a supervisor of the public agency, is guilty of a misdemeanor.”
- **Penal Code Section 653 (m)** “(a) Every person who, with intent to annoy, telephones or makes contact by means of an electronic communication device with another and addresses to or about the other person any obscene language or addresses to the other person any threat to inflict injury to the person or property of the person addressed or any member of his or her family, is guilty of a misdemeanor. (c) Every person who makes repeated telephone calls or makes repeated contact by means of an electronic communication device with the intent to annoy another person at his or her place of work is guilty of a misdemeanor.”
- **Code of Civil Procedure Section 527.6. Harassment, temporary restraining order and injunction; domestic violence.** “a) A person who has suffered harassment as defined in subdivision (b) may seek a temporary restraining order and an injunction prohibiting harassment as provided in this section. (b) For the purposes of this section, ‘harassment’ is a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses the person, and which serves no legitimate purpose. This course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the plaintiff. ‘Course of conduct’ is a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of ‘course of conduct.’”
- **Code of Civil Procedure Section 527.8. Workplace violence and threats; temporary restraining order and injunction.** “Any employer, whose employee has suffered unlawful violence or a credible threat of violence from any individual, which can reasonably be construed to be carried out or to have been carried out at the workplace, may seek a temporary restraining order and an injunction on behalf of the employee prohibiting further unlawful violence or threats of violence by that individual.” Violation of such a restraining order is punishable by imprisonment and/or fine.

SECURITY INCIDENT REPORT

This form is to be completed if the incident involved an act of violence or threat.

Synopsis of Incident:

Check the box(es) next to the actions taken by department managers to enhance the safety of affected employee(s). All of the below actions should be considered when dealing with an act of violence or threat although some actions may not be required due to the nature of the incident.

Law Enforcement:

- Law enforcement called
- Law enforcement responded to facility
- Arrest made
- Emergency Protection Ordered obtained by law enforcement
- Police report taken
- Request patrol check of work site and/or residence of affected employee(s)

Safety Plan:

- Separation of involved parties
- Offer employee reassignment from case where act of violence of threat originated from.
- Request assistance from County Counsel in obtaining a restraining order
- Offer employee(s) escort to their vehicle by security personnel
- Modify parking arrangement for closer access to building entrance
- Offer the services of the Employee Assistance Program to affected employee(s)
- Offer and/or obtain medical treatment for affected employee(s)
- Incident event log initiated and maintained by _____
(Refer to Workplace Violence / Threat Management Policy – DHR 620)
- Other actions taken _____

- Office of Security Management contacted via telephone (213) 893-2069 or (213) 893-2060 or (213) 893-9739 or (213) 974-2613 or (213) 974-2628

Department Manager _____ Day Phone _____
(Please Print)