**541 California Polytechnic State University San Luis Obispo (Cal Poly): Workplace Violence Prevention Plan (WVPP):**

**_541.1 Purpose_:** Cal Poly is committed to cultivating a civil, non-violent learning, working, and social environment devoid of any forms of conduct, including discrimination, which could be considered harassing, coercive, or disruptive. The principles of civility and mutual respect underpin our pursuit of excellence in teaching and learning. These principles not only contribute to a safe and productive workplace but also foster a healthy campus climate for all. Our Workplace Violence Prevention Plan ("WVPP") addresses and implements corrective measures for workplace violence hazards specific to Cal Poly's work areas and operations.

**_541.2 Workplace Violence Prevention Requirements:_** California Senate Bill 553 (SB 553) amended California Labor Code Section 6401.7 and created Section 6401.9, and the new requirements (Workplace Violence Prevention Plan) found in those Labor Code sections will be in effect and enforceable on July 1, 2024.

**_541.3 Scope_:** The WVPP is applicable to the entire Cal Poly community, including employees, volunteers, contractors, and vendors, when engaged in Cal Poly academic, business, or co-curricular programs and activities.

**_541.4 Definitions_:**

A. **Act of Violence:** The use or exercise of physical force or mental stress against another person.
B. **Bullying:** Offensive or malicious behavior through persistent actions typically meant to undermine, intimidate, or demean the recipient.
C. **Emergency:** An emergency is an unanticipated circumstance that can be life-threatening or pose a risk of significant injuries or harm to an individual. An emergency refers to unforeseen circumstances that require immediate action or an urgent need for assistance or relief.
D. **Employees:** This term includes Cal Poly full-time, part-time, permanent, tenured, probationary, temporary, intermittent, casual, and per-diem positions.
E. **Engineering Controls:** These refer to the physical modifications made to the workplace or the implementation of certain tools and technologies to mitigate the risk of violence. These controls aim to either eliminate the hazard from the workplace or create a barrier between the worker and the hazard.
F. **Intimidation:** An act towards another person, the purpose of which is to coerce, and the result of which could reasonably cause the other person to fear for their safety or the safety of others.
G. **Log:** The incident log required by Labor Code Section 6401.9.
H. **Members:** The Cal Poly community, including employees, volunteers, contractors, and vendors, when engaged in Cal Poly academic, business, or co-curricular programs and activities
I. **Procedural Controls:** These refer to the policies, procedures, and protocols established to prevent or manage violent incidents in the workplace. The following controls are part of the violence prevention plan:
    1. **Reporting and Documentation System:** A system for reporting and documenting acts of violence. This includes procedures for Members to follow when reporting an incident to Cal Poly, including how and when to report.
    2. **Response Procedures:** Procedures for responding to instances of violence. This includes steps for immediate response, investigation, and follow-up.
    3. **Training and Education:** Procedures for ensuring employees are trained in workplace violence prevention. This includes training in recognizing potential risks, understanding violence prevention policy, and knowing what to do in the event of a violent incident.
    4. **Risk Assessment and Control Measures:** Procedures for identifying contributing factors to workplace violence, assessing those factors, and selecting controls and prevention measures.
J. **Threat of Violence:** 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.

K. **Workplace Violence:** This refers to any act of violence or threat of violence that occurs in a place of employment. "Workplace violence" includes, but is not limited to, the following:

1. The threat or 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.

2. An incident involving the 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.

3. Labor Code section 6401.9 outlines four types of workplace violence:

   a) Type 1 violence means 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 workers with the intent to commit a crime.

   b) Type 2 violence means workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors.

   c) Type 3 violence means workplace violence against an employee by a present or former employee, supervisor, or manager.

   d) Type 4 violence means 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.

4. The term "Workplace Violence" does not include lawful acts of self-defense or defense of others. In the event of a conflict between a definition in the WVPP and a definition in Labor Code 6401.9, the definition in Labor Code 6401.9 prevails.

### _541.5 Workplace Violence Incidents:_

#### 541.5.1 Reporting Acts or Threats of Violence:

1. Members who witness or perceive an act of violence or a threat of violence on campus are urged to report such incidents of workplace violence through one or more of the following channels: a) Dial 9-1-1 or University Police at 805-756-2281 (when safe to do so) or connect with Cal Poly Police Department through the Guardian App; b) Use the emergency blue light phones; or c) Report to a supervisor or Human Resources.

2. For non-emergency reporting, Members who witness or perceive an act of violence or a threat of violence on campus can also report such incidents to Cal Poly EHS using the form available at this link.

3. Responsible employees under CSU Nondiscrimination Policy have a duty to promptly report all incidents that may violate CSU Nondiscrimination Policy to Cal Poly's Civil Rights & Compliance Office (CRCO) at (805) 756-6770 or crco@calpoly.edu.

4. The WVPP strictly prohibits retaliation against anyone for reporting an incident of Workplace Violence. Any individual found responsible for retaliating against an individual for such a report may be subject to appropriate disciplinary action, up to and including termination, in the case of employees.

5. To prepare for a workplace violence emergency and enhance the likelihood that an individual will report an incident, Cal Poly will undertake the following actions:

   a) Train employees in WVPP.
   b) Post and distribute Workplace Violence prevention information.

c) Provide written email communication annually to the Cal Poly employees about how individuals can report a violent incident, threat, or other Workplace Violence concern without fear of retaliation.

**541.5.2 Emergency Communication:**

1. In the event of a Workplace Violence emergency, Cal Poly will communicate and send emergency notifications per the Cal Poly Emergency Operations Plan (EOP). A copy of the EOP can be found [here](#).
   a) Alerts will be sent to individuals who have signed up for Cal Poly's emergency notification system through the PolyAlert system.
2. When information is available and appropriate, these alerts will:
   a) Provide information about the presence, location, and nature of the Workplace Violence emergency in specific terms.
   b) Provide direction as to what actions the receiver of the message should take to ensure their own safety.
   c) Inform recipients about how to obtain assistance from the CPPD or other law enforcement agencies.
   d) State where or when additional information may be obtained.

**541.5.3 Restraining Order Process:** Cal Poly recognizes the importance of safety in the workplace and supports the use of restraining orders to protect employees from threats or acts of violence. Cal Poly's process for restraining orders is as follows:

1. Employees who become aware of violence or threats of violence should immediately report them to the Cal Poly Police Department (CPPD), Human Resources, or a supervisor.
2. Supervisors and Human Resources personnel receiving reports of Workplace Violence or threats will promptly inform CPPD. CPPD, in consultation with other leaders, will assess workplace threats to determine if a restraining order is necessary and determine the course of action.
3. If the union chooses, the collective bargaining representative can apply for a temporary restraining order on behalf of the employee and coworkers.

**362.4.5.4 Violent Incident Log:** The Cal Poly Policy Department (CPPD) is primarily responsible for maintaining the log, which will be used to record reported Workplace Violence incidents. The log will include information based on the example shown in Appendix A.

**362.4.5.5 Post-Incident Response and Investigation:** After a Workplace Violence incident, a committee of Cal Poly leaders, under the purview of the Vice President for University Personnel & Chief Human Resources Officer, will carry out the post-incident procedures. These procedures include assessing the incident scene, interviewing all parties involved, obtaining reports from law enforcement, examining the location for factors associated with the incident, reviewing security footage, assessing all previous incidents, determining the cause of the incident, taking corrective action to prevent a recurrence, recording findings, and documenting the incident in the violent incident log.

### *541.6 Workplace Violence Prevention and Mitigation*

**541.6.1 The WVPP Management Team:** A committee of Cal Poly leaders, under the purview of the Vice President for University Personnel & Chief Human Resources Officer, provides collaborative oversight and

support for the Cal Poly WVPP program. This joint group performs assessments, reviews the frequency and severity of threatening or hostile situations, and develops annual plans.

**541.6.2 Training:**

1. Cal Poly will provide training to employees as part of its Workplace Violence Prevention Program (WVPP). This training occurs when the WVPP is initially established, or when a new employee joins, and annually thereafter (see Appendix D for the training link).
2. All employees must complete mandatory Workplace Violence prevention training, as assigned by University Personnel. This training ensures that everyone knows how to maintain a safe environment and minimize potential risks.

**541.6.3 Workplace Violence Physical Hazard Identification and Evaluation**

1. The Office of Environmental Health & Safety (EHS), in coordination with CPPD and Risk Management (RM), will oversee the identification of Workplace Violence physical hazards.
2. Members will report workplace violence hazards or concerns through the following channels:

   a) Report a hazardous or unsafe condition using the form given here.
   b) Use Cal Poly's EHS Incident Reporting Form, available at this link.
   c) The Cal Poly Police Department, Human Resources, or a supervisor.

3. EHS administrators and staff will review and document the outcomes of all such reports.
4. EHS, CPPD, and Facilities Management conduct an annual review using a checklist like the one provided by OSHA (see website link in Appendix C) for assessing workplace safety measures.

**541.6.4 Workplace Violence Physical Hazard Correction:** The Office of Facilities Management and Development will supervise the timely remediation of any workplace violence related to physical hazards that are identified.

**541.6.5 Workplace Violence Procedural Update focused on Hazard Identification, Evaluation, and Correction**

1. University Personnel, in partnership with CPPD, EHS, and Risk, will oversee the identification, evaluation, and correction of Workplace Violence procedural hazards. Procedural hazards refer to potential risks or dangers that can occur due to the procedures followed in a workplace or during a process.
2. Members can report workplace violence hazards or concerns through the following channels: Report a hazardous or unsafe condition using the form given here, or alternatively, use Cal Poly's EHS Incident Reporting Form, available at this link.
3. HR administrators and staff will review and document the outcomes of all such reports.
4. HR administrators and staff will also review and assess new or previously unrecognized hazards.

*541.7 Responsibilities:* The following administrative positions have the authority and responsibility for implementing all or specific portions of the WVPP.

**541.7.1 University Personnel**: This office is responsible for the implementation and overall coordination of Cal Poly's WVPP. Other duties include:

1. Vice President for University Personnel & Chief Human Resources Officer: This role is responsible for assessing the effectiveness of the WVPP.
2. University Personnel have primary responsibility for ensuring the functionality of procedures established to identify and receive reports related to procedural Workplace Violence hazards.
3. Implementing procedures to prevent retaliation against individuals who have submitted reports.
4. Developing, interpreting, and enforcing organizational policies related to Workplace Violence.
5. Investigating reported acts or threats of violence, in partnership with CPPD, EHS, CRCO, and Risk Management.
6. Develop, interpret, and enforce organizational policies related to workplace violence. Responsible for recommending appropriate disciplinary action for employees, up to and including termination of employment, as it relates to Workplace Violence incidents or retaliation for reporting Workplace Violence incidents or concerns.
7. Responsible for facilitating training programs, which may include the signs of potential violence, how to avoid violent situations, and what to do if they find themselves in a potentially violent situation.
8. Play an important role by asking questions and being involved with the goal of early intervention and prevention of workplace incidents.
9. Support risk assessment by identifying individuals or groups who may be more vulnerable to Workplace Violence, on account of protected status, identity, and/or lived experience.
10. Provides support to employees who have been affected by workplace violence. This can include arranging for counseling services, facilitating communication between the employee and management, and assisting with any necessary paperwork.
11. Chairing the WVPP Working Group.

**541.7.2 The Cal Poly Police Department (CPPD):** Primary responsibility is to implement measures to ensure Cal Poly is prepared to respond to, investigate, and potentially mitigate Workplace Violence incidents. Other responsibilities include:

1. Receiving and investigating all reports of acts or threats of violence, recording the results thereof, and consulting on corrective action.
2. Issuing timely emergency notices, including instructions for how members of the Cal Poly community should respond to such emergencies, using the Emergency Operations Plan (EOP): https://afd.calpoly.edu/emergency/docs/emergency-operations-plan.pdf.

**541.7.3 Civil Rights and Compliance Office (CRCO**): CRCO is responsible for the university's compliance with federal and state laws and regulations and CSU system policies and procedures related to discrimination, harassment, sexual misconduct, sexual exploitation, dating violence, domestic violence, stalking, and retaliation. CRCO provides an impartial and neutral avenue for employees of the university to address concerns regarding potential violations of CSU policies, and federal and state laws and regulations. CRCO also serves as the Clery Director.

**541.7.4 The Office of Emergency Management (OEM):** OEM has primary responsibility for developing and implementing procedures on how to respond to violent emergencies, including evacuation and/or sheltering plans. Other duties include issuing emergency notifications related to Workplace Violence incidents.

**541.7.5 Risk Management (RM):** RM has primary responsibility for ensuring that all training associated with the WVPP meets all applicable federal, state, and CSU laws and regulations. Other responsibilities include:

1. Participate in Cal Poly efforts regarding post-incident response and review.

2. Coordinating all necessary plan reviews, including annual reviews, reviews following a Workplace Violence incident, and reviews triggered by the identification of new hazards.

**541.7.6 Environmental Health and Safety (EHS):** The Director of Environmental Health & Safety has primary responsibility for ensuring the functionality of procedures established to identify and receive reports related to physical Workplace Violence hazards. Other duties include:

1. Maintaining records of Workplace Violence inspections.
2. Conducting required assessments, which include assessments of when the WVPP is initially implemented, when a new hazard becomes known, and after an act of Workplace Violence.
3. Working with CPPD and RM, develop preventive measures to include a review of access control systems, surveillance cameras, physical barriers, emergency communication systems, secure entrances and exits, physical and environmental surroundings, and alarms and alerts.
4. The office of EHS has primary responsibility for maintaining Cal Poly's OSHA 300 log. Ensuring reporting of serious injury or fatality per Title 8 CCR Sections 330(a) and 342.

**541.7.7 Facilities Management and Development:** The Director of Facilities Management is responsible for ensuring the implementation of corrective actions in response to confirmed workplace violence hazards.

**5417.8 Strategic Business Services (SBS):** Cal Poly, through its Office of SBS, will communicate the WVPP requirements (SB553) to other employers on campus (including Auxiliary Organizations) to ensure that those employers and their employees understand their respective roles as provided in SB553, which includes the reporting and investigation of any potential Workplace Violence incident.

**541.7.9 Management Plan Personnel:** All MPPs and supervisors are responsible for implementing and maintaining the WVPP in their administrative areas, ensuring that employees have access to Workplace Violence prevention training and written materials. Additional responsibilities include:

1. Informing Cal Poly Police Department of all threats or acts of violence.
2. Encouraging employees to participate in campus Workplace Violence training seminars.
3. Discussing regularly with all personnel issues related to workplace security.
4. Training and/or counseling employees whose performance is deficient in complying with work practices designed to increase workplace security.
5. Bringing forward input from the Cal Poly community for the improvement of WVPP.

**541.7.10 Members of the Cal Poly Community:** All members of the Cal Poly community are responsible for using safe work practices, following all Cal Poly directives, policies, and procedures concerning campus security, and assisting in maintaining a safe and secure work and learning environment. All are strongly encouraged to review and become familiar with materials concerning campus security and participate in campus Workplace Violence prevention training. To encourage employees to comply with work practices designed to make the workplace more secure and to not engage in threats or physical actions that create a workplace violence hazard for others on campus, Cal Poly will:

1. Communicate and provide training concerning the WVPP to employees.
2. Recognize members of the community who perform practices that promote safety and/or mitigate the risks of Workplace Violence.
3. Provide training and/or counseling to members of the community whose performance is deficient in complying with work practices designed to enhance workplace security.

*541.8 General Provisions:*

**541.8.1 Employee Involvement:** Cal Poly will take the following measures to obtain the active involvement of employees, and authorized employee representatives in improving and implementing the WVPP:

1. Ensure employees and authorized employee representatives have opportunities to provide input by a) identifying, evaluating, and determining corrective measures to prevent Workplace Violence; b) bringing forward improvements to training; and c) reporting Workplace Violence incidents.
2. Communicate all policies and procedures within the WVPP to all employees.
3. Require all employees to follow the WVPP and assist in maintaining a safe work and learning environment.
4. Ensure the WVPP addresses the hazards and corrective measures for all work areas, operations, and learning environments.

**541.8.2 Access to the Written WVPP**: The WVPP will be in writing, available and easily accessible to the Cal Poly community, authorized employee representatives, and representatives of Cal/OSHA, and available on Cal Poly's website.

**541.8.3 Recordkeeping:** WVPP records will be maintained consistently with other occupational safety, law enforcement, and document retention requirements of state and federal law.

1. EHS will create and maintain records of Workplace Violence hazard identification and evaluation for a minimum of three (3) years.
2. HR will create and maintain training records for a minimum of three (3) years.
3. FMD will create and maintain records of Workplace Violence hazard correction for a minimum of five (5) years.
4. CPPD will maintain violent incident logs and Workplace Violence incident investigations for a minimum of five (5) years. These records shall not contain medical information per subdivision (j) of Section 56.05 of the Civil Code.
5. Cal Poly will make all records of WVPP, as required by Section 6401.9(f), available to Cal/OSHA upon request for examination and copying.
6. Cal Poly will make the records available to employees and employee representatives upon request and without cost for examination and copying within fifteen calendar days of a request. These records include Workplace Violence hazard identification, evaluation, correction, training records, and violent incident logs.

**541.8.4 WVPP Review**: A committee of Cal Poly leaders under the purview of the Vice President for University Personnel & Chief Human Resources Officer provides collaborative oversight and support to the Cal Poly WVPP program and will ensure that the WVPP is reviewed for effectiveness at least annually, or when a deficiency is observed or becomes apparent.

*541.9 Accountability:* Any employee or volunteer who engages in an act or threat of violence or who retaliates against another individual for reporting a Workplace Violence incident or concern is subject to disciplinary action under California law and regulations, CSU/Cal Poly policies, and/or applicable collective bargaining agreements, up to and including termination for employees. If a contractor, vendor, or visitor engages in an act or threat of violence or retaliates against another individual for reporting a Workplace Violence incident or concern, they may be barred from Cal Poly-owned or leased property and have their business relationship with Cal Poly suspended or terminated.

**Appendix A: Example of Violent Incident Log from CA.Gov:** Workplace Violent Incident Log (ca.gov)

**Appendix B: Cal Poly Emergency Operations Plan:**



emergency-operation
s-plan.pdf

**Appendix C:  Example of the Workplace Violence Prevention Checklist from OSHA**: Preventing Violence in the Workplace (osha.gov)

**Appendix D: Appendix D:  Draft of the WVPP Training that is being developed by CO:**
Draft of WVPP Training