



Workplace Violence Prevention Plan

San José State University

One Washington Square

San José, California

Environmental Health and Safety

July 1, 2024

1. Purpose

Vital to achieving the mission and goals of California State University, San Jose State University (University or SJSU) has an unwavering commitment to providing its faculty and staff a safe environment in which to work. Working together will help prevent workplace violence and promote the well-being of all members of the University community.

Workplace violence incidents severely impact not only the safety of campus community members, but also the open dialogue and free exchange of ideas intrinsic to higher education. Therefore, the [University has established a policy](#) of zero tolerance for violence against members of the University community.

This Workplace Violence Prevention Program (WVPP) seeks to identify, address and provide corrective measures associated with the workplace violence hazards unique to the work areas and operations of the University. Members of the University community are encouraged to immediately report workplace violence incidents, each of which will be taken seriously and investigated.

2. Authority

California Labor Code Sections [6401.7](#) and [6401.9](#).

3. Scope

The WVPP applies to all members of the University community--including faculty, staff, students, volunteers, contractors, vendors, guests, visitors and any other constituents--when engaged in University academic, business or co-curricular activities/programs, whether on or off-campus. The WVPP does not apply to University employees when telecommuting from a location of the employee's choice, not under the control of the University. University auxiliary organizations are responsible for applying similar practices to their respective programs and activities.

4. Accountability

Any University employee who engages in an act or threat of workplace violence or who retaliates against another member of the University community for reporting a workplace violence incident or concern is subject to disciplinary action under University policies and/or applicable collective bargaining agreements, up to and including non-retention or expulsion. If a contractor, vendor, volunteer, or visitor engages in an act or threat of workplace violence or retaliates against another member of the University community for reporting a workplace violence incident or concern, they may be barred from University-owned or leased property and have their business relationship with the University suspended or terminated.

5. Definitions

- a. *Emergency*. Unanticipated circumstances that can be life threatening or pose a risk of significant injuries/harm to an individual.

- b. *Engineering controls*. An aspect of the built space or a device that removes a hazard from the workplace or creates a barrier between an individual and the hazard.
- c. *Log*. The violent incident log required by Labor Code Section 6401.9.
- d. *Work practice controls*. Procedures and rules which are used to effectively reduce the frequency or severity of an incident of workplace violence.
- e. *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, and that serves no legitimate purpose.
- f. *Workplace violence*. Any act of violence or threat of violence that occurs in a place of employment. This includes animal attacks. This term includes but is not limited to the following:
 - i. The threat or use of physical force against an individual that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether an individual 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 an individual sustains an injury.
 - iii. The following four workplace violence types:
 - 1. Type 1 violence - 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 individuals with the intent to commit a crime.
 - 2. Type 2 violence - Workplace violence directed at employees by students or visitors.
 - 3. Type 3 violence - Workplace violence against an employee by a present or former employee, supervisor, or manager.
 - 4. Type 4 violence - 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.
- g. The term “workplace violence” does not include lawful acts of self-defense or defense of others.

If there is a conflict between a definition in the WVPP and a definition in Labor Code 6401.9, the definition in Labor Code 6401.9 prevails.

6. Workplace Violence Incidents

- a. Reporting Workplace Violence
 - i. Members of the University community can report a violent incident, threat or other workplace violence concern using one or more of the following means.

1. **9-1-1 (when safe to do so) from any campus phone or 408-924-2222 from a cell phone**
 2. **Emergency Blue Light Phones**
 3. **To their supervisor or appropriate administrator.**
- ii. In addition to the reporting methods listed above, members of the University community who witness or perceive an act of violence or a threat of violence on campus may also report that incident via:
1. **The University's Concerning Behavior Referral Form**
 2. **Anonymously on the University's Workplace Violence Hotline at 408-924-8477 (TIPS) or updtips-group@sjsu.edu**
 3. **University Personnel: 408-924-3163 /408-924-3214 or laborrelations-group@sjsu.edu**
 4. **Student Conduct and Ethical Development: 408-924-5985 or Title IX Office: 408-924-7289**
 5. **Title IX Office: 408-924-7289**
 6. **Environmental Health & Safety inbox: ehs@sjsu.edu**
- b. Individuals can report incidents verbally or in writing; however, a written report containing details about the incident is recommended. Individuals may also report incidents anonymously, and SJSU will investigate anonymous reports to the extent possible given the level of detail contained or not contained in the report.
- c. Retaliation for reporting an instance of workplace violence is strictly prohibited. Any member of the University community who retaliates against someone for reporting a workplace violence incident is subject to discipline, including and up to non-retention, expulsion and/or removal from campus.
- d. To prepare for a workplace violence emergency and enhance the likelihood that a member of the University community will report an incident, the University will take the following actions:
- i. Ensure that workplace violence prevention policies and procedures are discussed during new employee, student, and volunteer orientations.
 - ii. Require employees to complete workplace violence prevention training.
 - iii. Require all departments and administrative units to at least annually discuss, review and communicate to their employees security protocols and workplace violence hazards and mitigation measures in their work areas.
 - iv. Post and distribute workplace violence prevention information.
 - v. Communicate at the beginning of the semester to all members of the University community how individuals can report a violent incident, threat, or other workplace violence concern without fear of reprisal or adverse action.

7. Emergency Communication

- a. In the event of a workplace violence emergency, the University will distribute communication(s) to members of the university community as quickly as possible. A variety of alert types and delivery methods may be used based on the nature and duration of the emergency.
- b. The procedural and content requirements for these communications will be fulfilled in accordance with Appendices A and B of the systemwide Clery compliance policy.
 - i. [Appendix A: Timely Warning](#)
 - ii. [Appendix B: Emergency Notification](#)

8. Violent Incident Log:

- a. The University Policy Department (UPD) is primarily responsible for maintaining the Log, which will be used to record every workplace violence incident. The Log will include the following information:
 - i. The date, time, and location of the incident.
 - ii. The workplace violence type or types involved in the incident, as defined above (i.e., Type 1, 2, 3 or 4).
 - iii. A detailed description of the incident.
 - iv. A classification of who committed the violence, including whether the perpetrator was a client or customer, family or friend of a client or customer, stranger with criminal intent, coworker, supervisor or manager, partner or spouse, parent or relative, or other perpetrator.
 - v. A classification of circumstances at the time of the incident, including, but not limited to, whether the employee was completing usual job duties, working in poorly lit areas, rushed, working during a low staffing level, isolated or alone, unable to get help or assistance, working in a community setting, or working in an unfamiliar or new location.
 - vi. A classification of where the incident occurred, such as in the workplace, parking lot or other area outside the workplace, or other area.
 - vii. The type of incident, including, but not limited to, whether it involved any of the following:
 - 1. Physical attack without a weapon, including, but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting.
 - 2. Attack with a weapon or object, including, but not limited to, a firearm, knife, or other object.
 - 3. Threat of physical force or threat of the use of a weapon or other object.
 - 4. Sexual assault or threat, including, but not limited to, rape, attempted rape, physical display, or unwanted verbal or physical sexual contact.
 - 5. Animal attack.

6. Other.
- viii. Consequences of the incident, including, but not limited to:
 1. Whether security or law enforcement was contacted and their response.
 2. Actions taken to protect employees from a continuing threat or from any other hazards identified as a result of the incident.
 3. Whether there were any injuries as a result of the incident, and if so, a description of the injuries.
 4. Whether emergency responders other than law enforcement were contacted, such as Fire Department, Paramedics, or on-site first-aid certified personnel, and if so, a brief explanation of their involvement. Whether there were any injuries as a result of the incident, and if so, a description of the injuries.
- ix. Information about the person completing the Log, including their name, job title, and the date completed.

9. Post-Incident Response and Investigation

After a workplace violence incident, the Workplace Violence Working Group, will implement the following post-incident procedures:

- a. Visit the scene of an incident as soon as safe and practicable.
- b. Interview involved parties, such as employees, witnesses, law enforcement, and/or security personnel.
- c. Review security footage of existing security cameras if applicable.
- d. Examine the workplace for security risk factors associated with the incident, including any previous reports of inappropriate behavior by the perpetrator.
- e. Determine the cause of the incident.
- f. Take corrective action to prevent similar incidents from occurring.
- g. Record the findings and ensuring corrective actions are taken.
- h. Obtain any reports completed by law enforcement.
- i. Review all previous incidents.
- j. Ensure that no personal identifying information is recorded or documented in the written investigation report. This includes information which would reveal identification of any person involved in a violent incident, such as the person's name, address, electronic mail address, telephone number, social security number, or other information that, alone or in combination with other publicly available information, reveals the person's identity.

10. Workplace Violence Prevention and Mitigation

- a. Training
 - i. The University will provide training to members of the University community:
 - ii. When the WVPP is first established.
 - iii. Annually.

- iv. Whenever a new or previously unrecognized workplace violence hazard has been identified and when changes are made to the plan. The additional training may be limited to addressing the new workplace violence hazard or changes to the plan.
 - v. To new employees within 30 days of hire.
- b. The training will review the definitions set forth in Section IV above and the requirements listed below:
 - i. How to obtain a copy of the WVPP and participate in development and implementation of the WVPP.
 - ii. How to report workplace violence incidents or concerns to the University or law enforcement without fear of reprisal.
 - iii. The warning signs of potential workplace violence.
 - iv. Workplace violence hazards specific to employees' jobs based on the type of workplace and mitigation measures to prevent physical harm.
 - v. The Log and how to obtain copies of records pertaining to hazard identification, evaluation and correction, training records, and violent incidents.
 - vi. Strategies to avoid/prevent workplace violence and physical harm, such as:
 - 1. How to recognize workplace violence hazards including the risk factors associated with the four types of workplace violence.
 - 2. Ways to defuse hostile or threatening situations.
 - vii. How to recognize alerts, alarms, or other warnings about emergency conditions and how to use identified escape routes or locations for sheltering.
 - viii. Post-event trauma counseling for employees desiring such assistance.
 - ix. Contact information for persons knowledgeable about the WVPP.
- c. Workplace Violence Physical Hazard Identification and Evaluation
 - i. The Office of Environmental Health & Safety (EHS), in coordination with UPD, will oversee the identification of workplace violence physical hazards.
 - ii. EHS administrators and staff will review and document outcomes of all such reports.
 - iii. EHS will coordinate and conduct semi-annual campus walks with the purpose of identifying and documenting unsafe physical conditions, including those that may make a crime more likely to occur. As part of the inspection, areas reviewed and administrators and staff who conducted the review will be documented.
 - iv. EHS administrators and staff will also review and assess new or previously unrecognized hazards.
- d. UPD will be responsible for reviewing the following:
 - i. The need for violence surveillance measures, such as mirrors and cameras.
 - ii. Procedures for employee response during a robbery or other criminal act.
 - iii. Procedures for reporting suspicious persons or activities.
 - iv. Effective location and functioning of emergency buttons and alarms.

- v. Posting of emergency telephone numbers for law enforcement, fire, and medical services.
- vi. Inspections after any workplace violence incident.
- vii. Adequacy of workplace security systems, such as door locks, entry codes or badge readers, security windows, physical barriers, and restraint systems.
- viii. Effectiveness of systems and procedures that warn others of actual or potential workplace violence danger or that summon assistance, e.g., alarms or panic buttons.
- ix. The availability of employee escape routes.
- x. Access to and freedom of movement within the workplace by non-employees, including recently discharged employees or persons with whom one of our employees is having a dispute.
- xi. Frequency and severity of employees' reports of threats of physical or verbal abuse by managers, supervisors, or other employees.
- xii. Any prior violent acts, threats of physical violence, verbal abuse, property damage or other signs of strain or pressure in the workplace.
- e. Workplace Violence Physical Hazard Correction: EHS, in coordination with UPD and FD&O, will direct the evaluation and timely correction of identified workplace violence physical hazards.
 - i. All corrective actions taken will be documented, dated and recorded.
 - ii. Corrective measures for workplace violence hazards will be specific to a given work area, for example:
 - 1. Improve lighting around and at the workplace.
 - 2. Install and utilize surveillance measures, such as cameras and mirrors, to provide information as to what is going on outside and inside the workplace and to dissuade criminal activity.
 - 3. Provide workplace violence systems, such as door locks, violence windows, physical barriers, emergency alarms and restraint systems.
 - 4. Post emergency telephone numbers for law enforcement, fire, and medical services.
 - 5. Install effective systems to warn others of a violence danger or to summon assistance, e.g., alarms or panic buttons.
- f. Workplace Violence Procedural Hazard Identification, Evaluation and Correction
 - i. University Personnel will oversee the identification, evaluation and correction of workplace violence procedural hazards.
 - ii. Administrators and staff will review and document outcomes of all such reports.
 - iii. Administrators and staff will also review and assess new or previously unrecognized hazards.
- g. Behavioral Intervention Team
 - i. The Behavioral Intervention Team operates as an intervention unit to prevent further escalation of a student or employee issue.

- h. Threat Consultation Team
 - i. The Threat Consultation Team (TCT) provides collaborative oversight and support to the University in the identification, assessment and management of threats and/or threatening behavior that may lead to acts of targeted violence against the campus and community. The TCT will review the frequency and severity of threatening or hostile situations that may lead to violent acts by persons who are service recipients of our establishment.

11. Responsibilities

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

- a. The Vice President for Administration & Finance/CFO is responsible for implementation and overall coordination of the University's WVPP, which includes assessing the effectiveness of the WVPP as well as its compliance with all applicable federal, state and CSU laws and regulations. The CFO has delegated authority to the Director of Environmental Health and Safety and the office of Risk Management to oversee the execution of this plan.
- b. Chief of the SJSU Police Department (UPD): The primary responsibility of the Chief is to implement measures to ensure the University is prepared to respond to, investigate and potentially mitigate workplace violence incidents. Other responsibilities include:
 - i. Develop procedures on how workplace violence investigations will be conducted, recorded and the results thereof widely disseminated.
 - ii. Receive and investigate all reports of acts or threats of violence.
 - iii. Record and report acts or threats of violence in the Log and maintain the Log.
 - iv. Issue timely notices of workplace violence of emergencies, including instructions for how members of the University community should respond to such emergencies.
- c. Environmental Health and Safety and Risk Management 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:
 - i. Ensure the implementation of corrective actions to confirmed workplace violence hazards, whether physical or procedural.
 - ii. Ensure opportunities exist for the active engagement of members of the University community in:
 - 1. The development and ongoing review of the WVPP.
 - 2. The development and functionality of reporting mechanisms.
 - iii. Lead University efforts regarding post-incident response and review.
 - iv. Chair the WVPP Working Group.
 - v. Coordinate all required Plan reviews, which include:
 - 1. Annually.

2. After a workplace violence incident.
 3. When a new hazard becomes known.
- d. Director of Environmental Health and 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:
- i. Maintain records of workplace violence inspections and training.
 - ii. Ensure the successful implementation of the WVPP.
 - iii. Reporting of serious injury or fatality to Cal/OSHA per Title 8 CCR Sections 330(a) and 342.
 - iv. Conduct all required assessments, which include:
 1. When the WVPP is initially implemented.
 2. After an act of workplace violence.
 3. When a new hazard becomes known.
- e. Senior Associate Vice President, University Personnel has primary responsibility for ensuring the functionality of procedures established to identify and receive reports related to procedural workplace violence hazards. Other duties include:
- i. Maintain records of procedural workplace violence hazards assessment and review.
 - ii. Investigate reported acts or threats of violence received from UPD.
 - iii. Ensure reporting of serious injury or fatality is communicated to the EHS Director so that proper regulatory agency notification can be made
 - iv. Ensure qualifying incidents are recorded on the OSHA 300 log
 - v. Ensure that support and resources, such as counseling services, are provided to affected employees and students.
- f. Emergency Manager has primary responsibility for developing and implementing procedures on how to respond to violent emergencies, including evacuation and/or sheltering in place plans. Other duties include:
- i. Assisting the Clery Director in issuing emergency warnings related to workplace violence incidents.
 - ii. Respond to requests for associated workplace violence records, except for incident investigations, within required timeframes.
- g. The Director, Contracts & Procurement, has primary responsibility for coordinating the implementation of the WVPP with other employers who have employees on the campus of the University.
- h. The Clery Director has primary responsibility for coordinating the issuance of emergency notifications related to workplace violence incidents, which include evacuation and/or sheltering in place instructions.
- i. WVPP Working Group: The primary responsibility of the WVPP Working Group, once the WVPP has been developed and implemented, is to participate in the annual and other reviews/audits of the following:
- i. WVPP

- ii. Workplace violence incidents
 - iii. Hazard detection procedures
 - iv. Hazard notification procedures
 - v. Timely notices
- j. Management Plan Personnel: All MPPs and appropriate administrators have primary responsibility for implementing and maintaining the WVPP in their administrative areas, ensuring that faculty and staff have access to training and written materials concerning University safety policies, procedures and practices; assault prevention; and guidelines for resolving violent confrontation. Additional responsibilities include:
 - i. Informing University Police of all threats or acts of violence, even if the situation has been resolved;
 - ii. Encouraging faculty and staff to participate in campus workplace violence training seminars;
 - iii. Discussing regularly with all personnel issues related to workplace security; and
 - iv. Training and/or counseling faculty and staff whose performance is deficient in complying with work practices designed to increase workplace security.
- k. Members of the University Community: All members of the University community are responsible for using safe work practices, following all University 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 training. To encourage faculty, administrators, and staff to comply with work practices designed to make the workplace more secure and to not engage in threats or physical actions which create a workplace violence hazard for others on campus, the University will:
 - i. Communicate and provide training concerning the WVPP;
 - ii. Recognize members of the community who perform practices that promote safety and/or mitigate the risks of workplace violence;
 - iii. Provide training and/or counseling to members of the community whose performance is deficient in complying with work practices designed to enhance workplace security; and
 - iv. Discipline workers for failure to comply with workplace violence practices.

12. General Provisions

- a. Employee and Student Involvement: The University will take the following measures to obtain the active involvement of employees, authorized employee representatives and students in developing and implementing the WVPP
 - i. Ensure employees, authorized employee representatives and students have opportunities to participate in:
 - 1. Identifying, evaluating, and determining corrective measures to prevent workplace violence.
 - 2. Designing training.

3. Reporting workplace violence incidents.

- b. Communicate all policies and procedures within the WVPP to all employees and students.
- c. Require all employees and students to follow the WVPP and assist in maintaining a safe work and learning environment.
- d. Ensure the WVPP addresses the hazards and corrective measures for all work areas/operations and learning environments.
- e. Employee and Student Compliance: To ensure that employees and students comply with the WVPP and do not engage in threats or physical actions that create a workplace violence hazard for others in the workplace, the University will:
 - i. Train employees and students regarding the elements of the WVPP.
 - ii. Develop and implement measures to promote compliance with the WVPP.
 - iii. Retrain employees and students whose safety performance is deficient with the WVPP.
 - iv. Recognize employees and students who demonstrate safe work practices that promote the WVPP in the workplace.
 - v. Counsel and/or discipline employees or students for failure to comply with the WVPP.
- f. Access to the Written WVPP and Requested Records
 - i. The WVPP will be in writing and available and easily accessible to members of the University community, authorized employee representatives, and representatives of Cal/OSHA at all times on the [University's website](#)
 - ii. The University will make records available to employees, employee representatives and students through the [public records request coordinator](#)
- g. Recordkeeping
 - i. EHS will create and maintain records of workplace violence hazard identification, evaluation, and correction, for a minimum of five (5) years. EHS will also create and maintain training records for a minimum of one (1) year and include the following:
 - 1. Training dates.
 - 2. Contents or a summary of the training sessions.
 - 3. Names and qualifications of persons conducting the training.
 - 4. Names and job titles of all persons attending the training sessions.
 - ii. UPD will maintain violent incident logs and workplace violence incident investigations for minimum of five (5) years. These records shall not contain medical information per subdivision (j) of section 56.05 of the Civil Code.
 - iii. The University will make all records of workplace violence hazard identification, evaluation, and correction; training, incident logs and workplace violence incident investigations required by LC section 6401.9(f), to Cal/OSHA upon request for examination and copying.
- h. WVPP Review

- i. The EHS office will ensure that the WVPP will be reviewed for effectiveness:
 1. At least annually.
 2. When a deficiency is observed or becomes apparent.
 3. After a workplace violence incident.
- ii. Review and revision of the WVPP will include review by the Workplace Violence Prevention Plan Working Group, as well as the following:
 1. Review of incident investigations and the Log.
 2. Assessment of the effectiveness of security systems, including alarms, emergency response, and security personnel availability (if applicable).
 3. Review that violence risks are being properly identified, evaluated, and corrected. Any necessary revisions are made promptly and communicated to all employees.
- iii. Coordination with other Employers: The University through its Office of Contracts & Procurement will communicate the WVPP to other employers on campus to ensure that those employers and their employees understand their respective roles as provided in the WVPP, which includes the reporting and investigation of any potential workplace violence incident.

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