



HARBOR REGIONAL CENTER Workplace Violence Prevention Policy

Harbor Developmental Disabilities Foundation doing business as Harbor Regional Center (Harbor) believes that the safety and security of the employees, contractors and visitors and protection of physical property are of the utmost priority.

1. Statements

In accordance with 6401.7 of the California Labor Code, this policy establishes the authority to provide for safety and security from threatening and violent behavior irrespective of direct, indirect, implied or actual from any person and directed toward any person, occurring at any Harbor facility or in connection with the conduct of Harbor business without regard to location.

Harbor expressly prohibits acts of threats of violence by members of the workforce or the visiting public against any person in or about Harbor facilities or elsewhere at any time.

Harbor evaluates and responds to all external and internal threatening acts, direct or indirect threatening statements or actions or acts of physical violence to Harbor's employees, contractors, visitors and physical property.

This policy excludes Harbor employees and contractors teleworking from a location of their choice.

2. Objective

In addition to the Illness and Injury Prevention Program, which defines measures necessary to protect the health and safety of Harbor employees and contractors, it is the policy of Harbor to implement a Zero Tolerance Standard with regards to threats and violent behavior in the workplace including:

- To assure that all workplace violence threats and violent behavior are addressed promptly.
- To assure the level of physical and facility security in Harbor workplaces is sufficient to protect the health and safety of the Harbor employees, contractors, visitors, guests and Harbor property.
- To ensure that Harbor is in complete conformance with all Title 8, California Code of Regulations, General Industry Safety Orders, mandates relative to violence in the workplace.

3. Definition

Under the law, "workplace violence" is any act of violence or threat that occurs in a place of employment, including:

- The threat or use of physical force directed at an employee with a high likelihood of causing injury or caused an injury, psychological trauma or stress.

- An incident involving the threat or use of a firearm or a dangerous weapon.

A “threat of violence” is an oral or written statement or any behavioral or physical conduct that conveys or is reasonably perceived to convey, an intent to cause harm or fear of physical harm with no legitimate purpose. “Legitimate purpose” refers to lawful acts of self-defense or defense of others are not considered workplace violence and are not applicable to the law in these circumstances. “Unlawful violence” is any assault or battery or stalking as prohibited in Section 646.9 of the California Penal Code.

A Harbor employee or contractor need not suffer an actual injury for the act or threat to constitute workplace violence. California law differentiates four different types of workplace violence. They are:

- “Type 1 violence” which is 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;
- “Type 2 violence” which is directed at employees by clients, family members of clients, members, visitors;
- “Type 3 violence” which is committed against an employee or contractor by a present or former employee or contractor; and
- “Type 4 violence” which is 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. Duty to Report

Harbor employees and contractors must immediately report all direct or indirect threatening acts, implied or actual threatening statements or acts of violence directed at employees, contractors, visitors or property.

a. Imminent Danger Threat

Imminent Danger means that you must believe that death or serious physical harm could occur at the time of the threat. Unless the danger is imminent and action must be taken immediately, no individual or group of individuals may make a unilateral decision as to whether to report a threat. Imminent danger threats should be reported to the appropriate law enforcement agency or by calling 9-1-1.

b. Restraining Orders and Protective Orders

All restraining orders or protective orders that are being sought or have been issued by a court for the protection of any member of Harbor’s workforce are considered threats and must be reported to the Director of Human Resources.

Under existing law, Harbor may seek a temporary restraining order for an employee who has suffered unlawful violence or a credible threat of violence that was or could be carried out at the workplace against the individual responsible for the violence or threat of violence on behalf of the employee.

Effective January 1, 2025, SB 553 expands this authority to include the employee’s collective bargaining representative.

c. Domestic Violence Threats

Any member of Harbor’s workforce shall immediately report to the Director of Human Resources any threats of domestic violence against any member of Harbor’s workforce. The Director of Human Resources will coordinate precautionary security measures for the protection of personnel in the workplace.

d. Reporting Threats

For threats of imminent danger, call 9-1-1. If an employee calls 9-1-1, at the first opportunity the employee or someone else shall call the Chief Financial Officer or Emergency Services Manager. For allegations or potential threats related to employees, reports should be made to the employee’s immediate supervisor and to the Director of Human Resources. If the incident relates to property destruction or damages, reports should be made to the Chief Financial Officer or Emergency Services Manager. Incident reporting may be by telephone or via electronic report.

If an employee or contractor is uncomfortable speaking with their supervisor or unsatisfied with their supervisor’s response, they are encouraged to speak with the Director of Human Resources, Chief Financial Officer or Emergency Services Manager.

e. Duty to Evaluate and Respond

Authority to evaluate and respond to all threats or acts of violence on behalf of Harbor is assigned to the Director of Human Resources, Chief Financial Officer or Emergency Services Manager. As authorized representatives, they will evaluate and respond to all threats.

5. Investigation Process

The Director of Human Resources, Chief Financial Officer, Emergency Services Manager or designee will notify the sender of the report of a threat or suspected threat within five (5) business days. All reports will be promptly investigated and appropriate corrective action will be taken, if warranted by the investigation.

6. Authorized Representatives

Workplace threats or acts of violence may be reported to the following contacts at any time as follows:

- Human Resources Director, Tammy Carter, (310) 543-0602, tammy.carter@harborrc.org
- Chief Financial Officer, Judy Wada, (310) 543-0625, judy.wada@harborrc.org
- Emergency Services Manger, Vincente Miles, (310) 792-4786, Vincente.miles@harborrc.org

7. No Retaliation

Harbor Regional Center shall not retaliate against any person who reports an alleged threat or suspected violation of this policy.

8. Zero Tolerance

Harbor enforces a Zero Tolerance policy with regard to any employee, contractor, individual served and family member or caregiver who engages in threats or violence, direct or indirect, implied or actual, against another employee, contractor or any other person in connection with Harbor business. All individuals may be subject to legal action by law enforcement authorities and Harbor staff may be subject to disciplinary action up to and including termination of employment.

9. Confidentiality

Workplace threats or acts of violence may be reported on a confidential basis by the complainant or may be reported anonymously. Insofar as possible, the confidentiality of the reporter will be maintained. However, the identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to ensure security and precautionary measures for the protection of personnel in the workplace.

10. Acting in Good Faith

Anyone filing a complaint of a workplace threat or act of violence should be acting in good faith and have reasonable grounds for believing the threat to be credible. Any allegations made by an employee that prove not to be substantiated and which prove to have been made maliciously or knowingly false will be viewed as a serious disciplinary offense.

11. Notification Process

Harbor Regional Center Board Members, employees, contractors, service providers, persons-served and families shall be notified annually, via posting on the Harbor website and through other means of the Workplace Violence Prevention Policy. Harbor Board Members and employees shall be required to acknowledge receipt of this Policy in writing annually and such acknowledgement shall be maintained in the Center's Board and personnel files.

Approved by the Harbor Developmental Disabilities Foundation Board of Trustees, September 17, 2024