

PPM 493: Prohibition on Workplace Violence

Responsible Officer:	Human Resources Executive Director
Responsible Office:	Office of Human Resources
Issuance Date:	04/30/2021
Effective Date:	04/30/2021
Last Review Date:	Not applicable (initial issuance of policy)
Scope:	UC Agriculture and Natural Resources (UC ANR)

Contact:	Tina Jordan
Title:	Affirmative Action Compliance Officer
Email:	tjordan@ucanr.edu
Phone:	(530) 750-1280
Contact:	Brian Oatman
Title:	Risk & Safety Services Director
Email:	baotman@ucanr.edu
Phone:	(530) 750-1264

TABLE OF CONTENTS

I. POLICY SUMMARY.....2

II. DEFINITIONS.....2

III. POLICY TEXT3

IV. COMPLIANCE / RESPONSIBILITIES4

V. PROCEDURES5

VI. RELATED INFORMATION6

VII. FREQUENTLY ASKED QUESTIONS.....6

VIII. REVISION HISTORY7

**Note: For links to referenced documents see
Section VI, *Related Information*, below.**

I. POLICY SUMMARY

- A. This section of the Policy and Procedure Manual (PPM) for the University of California (UC) Agriculture and Natural Resources (UC ANR) describes UC ANR's policy prohibiting violence and bullying in the UC ANR environment, in accordance with the UC President's *Guidance on Abusive Conduct and Bullying in the Workplace*, dated July 26, 2016. As well, it describes the resources and processes available to address disruptive, threatening, or violent behavior in the workplace, including definitions and procedures for reporting and responding to reports. This section supplements the UC guidance and should be read in concert with that guidance. Nothing contained in these implementing procedures should be read or interpreted to contradict the UC guidance. If any provision should contradict the UC guidance, the UC guidance will prevail.
- B. Complaints of sexual harassment will be handled under PPM Section 470, *Sexual Violence and Sexual Harassment*, and complaints of discrimination and harassment will be handled under PPM Section 471, *Complaints of Discrimination and Harassment*. See item VI, *Related Information*, below for links to these sections.
- C. The purpose of the policy is to provide a means to quickly address workplace behavior that threatens the safety, or is disruptive, of the workplace. Any member of the UC ANR 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, are strongly encouraged to immediately report such actions to the appropriate authorities as outlined in this policy. Administrators, supervisors and managers that receive a report of alleged threatening or violent behavior are required to make a report, as described in below item V, *Procedures*.

II. DEFINITIONS

The definitions provided here are intended to assist individuals in identifying disruptive behavior that should be reported so that it can be promptly and effectively addressed.

- A. **Disruptive behavior:** Aggressive behavior or conduct that may adversely affect the workplace, may generate reasonable concern for personal safety, or may result in physical injury, including but not limited to the following.
1. Bullying — offensive or malicious behavior through persistent actions typically meant to undermine, intimidate, or demean the recipient.
 2. Domestic violence — abusive or violent behavior between individuals who have an ongoing or prior intimate or familial relationship that is disruptive to the workplace.
 3. Intimidation — behavior that is intended to frighten, coerce, or induce duress.
 4. Property damage — intentional damage to property owned by the University, its employees, students, visitors, or vendors.
 5. Threat — expression of intent to cause physical or mental harm, which may be direct, indirect, conditional, or veiled.

6. Violent behavior — unwanted physical contact such as hitting, kicking, pushing, shoving, throwing objects, or the use of a weapon.

B. Non-affiliates: All vendors, contractors, subcontractors, consultants, visitors and invitees.

C. Retaliation: Threats, intimidation, reprisals, or adverse actions taken against a person who reports workplace violence, helps someone with a report of workplace violence, or takes part in an investigation or resolution of a complaint.

D. Workplace: All UC ANR facilities and locations where UC ANR employees, volunteers and/or non-affiliates are engaged in UC ANR business.

E. Workplace Violence: A spectrum of behaviors that generates a reasonable concern for safety from violence, where a link exists between the behavior and the physical safety of employees and non-affiliates, whether the behavior occurs on- or off-site.

III. POLICY TEXT

A. General Conditions

UC ANR is committed to providing and maintaining a safe and secure environment free from all forms of violence or disruptive behavior. UC ANR shall respond promptly and effectively to address reported disruptive behavior. Further, UC ANR shall develop programs to prevent disruptive behavior from occurring and provide resources to individuals affected by disruptive behavior.

Individuals who engage in workplace violence may be subject to disciplinary/corrective action, up to and including dismissal, consistent with University Personnel Policies and collective bargaining agreements. As well, certain threats or acts of workplace violence may violate the law and could result in criminal prosecution by the public authorities.

B. Applicability

Every member of the UC ANR community shares responsibility for creating and maintaining a civil and respectful workplace, free from all forms of workplace violence. Accordingly, this policy applies to all UC ANR employees, volunteers and non-affiliates. As well, it applies to all areas of UC ANR operations and programs and to all UC ANR facilities, including non-ANR-owned locations where UC ANR programs and business are conducted.

C. Reporting

Any UC ANR employee who is the subject of, or a witness to, a suspected violation of this policy is strongly urged to report the incident to one of the parties identified in below item V, *Procedures*. Administrators, supervisors and managers that receive a report of alleged threatening or violent behavior are required to make a report, as described in below item V, *Procedures*.

Allegations of abusive conduct are serious and have the potential for causing great harm if made without justification. Therefore, it is a violation of this policy for an individual to file a report of workplace violence without sufficient evidence or in bad

faith. An individual found to have filed a report without sufficient evidence or in bad faith has violated this policy and will be subject to disciplinary action.

D. Harassment, Discrimination and/or Retaliation; Sexual Violence and Sexual Harassment

Harassment, discrimination and/or retaliation, as well as sexual violence and sexual harassment, are also prohibited in accordance with University policy. Complaints of such behaviors should be reported immediately in accordance with below item V, *Procedures*.

E. Confidentiality

UC ANR will act to the extent possible on the basis of anonymous complaints where it has a reasonable belief, based on sufficient evidence, that there has been a violation of this policy. UC ANR will maintain the confidentiality of reports to the extent possible, but may need to make disclosures to complete a fair review of the reported behavior and to undertake corrective action to ensure the safety of the UC ANR community.

F. Retaliation

This policy prohibits retaliation against any person who reports policy violations in good faith; who assists someone else with such a report; or who participates in an investigation or the resolution of a report. The University's Whistleblower Protection Policy, including provisions regarding retaliation may apply in this context. Those found responsible for retaliatory action may be subject to discipline up to and including dismissal or termination.

IV. COMPLIANCE / RESPONSIBILITIES

A. UC ANR Vice President (Vice President)

The Vice President is responsible to identify the position within UC ANR responsible for the oversight and enforcement of this policy.

B. UC ANR Human Resources (HR) Executive Director

The HR Executive Director has been identified as the UC ANR authority responsible for the oversight and enforcement of this policy. The HR Executive Director develops, implements and oversees procedures for prompt and effective response to reports of workplace violence.

C. UC ANR Affirmative Action Compliance Officer and UC ANR Risk & Safety Services Director

1. Responsible to receive reports of workplace violence and to relay them to the UC ANR Behavioral Intervention Team (BIT) as appropriate.
2. Maintain records of reports of workplace violence and actions taken in response to reports, including reports of investigations, voluntary resolutions, and disciplinary actions, in accordance with the UC Records Retention Schedule

D. UC ANR Administrators, Supervisors and Managers

Administrators, Supervisors and Managers are responsible for the following:

1. Maintain an environment free from all forms of workplace violence.
2. Administrators, supervisors and managers that receive a report of alleged threatening or violent behavior are required to make a report, as described in below item V, *Procedures*.
3. Consult with the agency to whom the report is made to implement appropriate interim actions.

E. All UC ANR Employees, Volunteers, and Non-Affiliates

All UC ANR employees, volunteers and non-affiliates are expected to:

1. Respect the rights and welfare of others in the UC ANR workplace and on UC ANR properties, and
2. Comply with this policy and participate fully in investigations by supplying information to investigating staff or officers, and
3. Report abusive conduct and threats of violence that they experience or witness.

V. PROCEDURES

A. Reporting

1. Disruptive behavior that is violent or criminal in nature that requires immediate intervention shall be reported to the local Police Department by calling 911.
2. Disruptive behavior that is not an emergency or urgent in nature shall be reported to any of the following:
 - a. The UC ANR Affirmative Action Compliance Officer (see below section VI, *Related Information* for contact information)
 - b. The UC ANR Risk & Safety Services Director (see below section VI, *Related Information* for contact information)
 - c. Any UC ANR manager, supervisor, or human resource coordinator
 - e. The UC Whistleblower Hotline (1-800-403-4744)
3. Reports should include as much information as possible. If insufficient information is provided, UC ANR may be limited in its ability to address the concerns presented in the report.
4. So that UC ANR can take prompt remedial action, reports should be made as soon as possible.
5. UC ANR will protect the identity of individuals reporting disruptive behavior to the extent permitted or required by law and University policy, but may need to make disclosures to complete a fair review of the matter.
6. Upon receipt of a report of workplace violence, when necessary, individuals engaging in such behavior may be suspended, put on investigatory leave, or excluded from UC ANR properties as appropriate until the UC ANR response

process can be completed.

B. UC ANR Response

1. Disruptive Behavior That Is Non-Threatening or Non-Violent
 - a. The supervisor, manager, or other appropriate official shall take appropriate action to stop reported disruptive behavior in the workplace that is non-threatening or non-violent.
 - b. If further assistance is required, the supervisor shall contact the appropriate office identified in item V.A.2, above, to request advice or report the behavior.
2. Disruptive Behavior That Is Threatening or Violent
 - a. As stated in item V.A.1. above, any supervisor, manager, or other official that receives a report of disruptive behavior that is violent or criminal in nature that requires immediate intervention shall report it to the local Police Department by calling 911. Reports of violent or criminal behavior that do not present an immediate threat shall be reported to the UC ANR Affirmative Action Compliance Officer or the UC ANR Risk & Safety Services Director (contact information in below section VI, *Related Information*). The Compliance Officer or the Director will consult with the UC ANR Behavioral Intervention Team (BIT) which shall review the complaint to determine appropriate response to address the behavior.
3. When necessary, individuals engaging in disruptive behavior may be suspended, put on investigatory leave, or excluded from University properties as appropriate.

VI. RELATED INFORMATION

- [UC ANR Affirmative Action Compliance](#)
- [UC ANR Risk & Safety Services](#)
- [UC Whistleblower Hotline](#) or (1-800-403-4744) (independently operated by EthicsPoint)
- [UC Office of the President *Guidance on Abusive Conduct and Bullying in the Workplace*](#)
- [UC ANR PPM Section 470, *Sexual Violence and Sexual Harassment*](#)
- [UC ANR Policy and Procedure Manual \(PPM\) Section 491, *Complaints of Discrimination and Harassment*](#)

VII. FREQUENTLY ASKED QUESTIONS

A. What are some examples of prohibited behavior under this policy?

This list is not exhaustive, but is provided as an aid for understanding the types of behavior that harm individuals, our community, and UC ANR's ability to achieve its mission.

- Physically injuring another person intentionally, such as offensively hitting/punching someone

- Brandishing a weapon or firearm
- Committing injurious or threatening acts, such as sexual assault, stalking, dating violence or domestic violence. Engaging in conduct, the result of which reasonably causes an identifiable individual to fear physical injury
- Engaging in threatening or violent behavior based on race, ethnicity, gender, or sexual orientation
- Threatening to physically injure an individual or to damage property
- Repeated (a pattern of) yelling at another individual
- Repeated (a pattern of) pounding on desks or walls or purposefully slamming doors in the presence of another
- Blocking or cornering an individual, making it difficult for an individual to leave without physical contact
- Sending threatening voice-mails, e-mails, or other written or expressed threats
- Defacing or intentionally damaging property, including data, research, or product destruction
- Retaliating against an individual who, in good faith, reports a violation of this policy

VIII. REVISION HISTORY

Not applicable (initial issuance of policy).