

2024

Workplace Violence Prevention Program

IN ALIGNMENT WITH SENATE BILL (SB) 553

THIS PLAN WAS CREATED IN COLLABORATION WITH UNIVERSITY POLICE, EMPLOYEE LABOR RELATIONS, RISK MANAGEMENT, AND ENVIRONMENTAL HEALTH AND SAFETY.

Approved By:

Michael DeSalvio, M.Bt.

Director of Environmental Health and Safety



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I. Purpose

The purpose of this Workplace Violence Prevention Plan (WVPP or Plan) is to: identify the names and job titles of the persons responsible for the implementation and maintenance of the WVPP, highlight how employees can report violent workplace incidents, threats, or other workplace violence concerns, and how to respond to reports, reinforce against unlawful retaliation for reporting violent incidents, threats, or other workplace violence concerns, and participating in any related investigations of such reports, outline procedures to respond to actual or potential workplace violence emergencies, detail training requirements about this Plan, including the frequency of training, outline procedures to identify and evaluate workplace violence hazards, and communicate post-incident response and investigation processes.

This WVPP addresses and provides corrective measures associated with the workplace violence hazards unique to the work areas and operations of the University. Employees and other members of the University community are encouraged to immediately report workplace violence incidents.

II. Authority

This plan will be implemented and enforced, per the following authority.

- A. California Labor Code, Sections 6401.7 and 6401.9
- B. California Code of Regulations, Title 8, Section 3203
- C. CSU Executive Order 1039, Environmental Health, and Safety Policy

III. Scope

The Workplace Violence Prevention Plan (WVPP) was established under California Senate Bill (SB) 553 to amend California Labor Code, Section 6401.7 and created section 6501.9 with new workplace safety requirements, which go into effect on July 1, 2024.

The WVPP is applicable to all University employees including faculty, staff, and volunteers when engaged in employment activities, as well as other persons present in university worksites. This 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 auxiliaries are responsible for applying similar practices to their respective programs and activities.

IV. 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.

V. Definitions

The following definitions apply to the workplace violence program. Definitions in Labor Code 6401.9 will take precedence over any conflicts within the definitions in this plan.

A. Emergency:

Unanticipated circumstances that can be life-threatening or pose a risk of significant injuries/harm to an individual. An emergency refers to unforeseen circumstances that require immediate action or an urgent need for assistance or relief.

B. 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.

C. Log:

The violent incident log required by Labor Code Section 6401.9.

D. Procedural controls:

These refer to the policies, procedures, and protocols established to prevent or manage violent incidents in the workplace. These controls are typically part of a comprehensive violence prevention program and include:

- i. **Reporting and Documentation System:** A system for reporting and documenting acts of violence. This includes procedures for workers to follow when lodging a complaint with the employer, including how and when to report.
- ii. **Response Procedures:** Procedures for responding to instances of violence. This can include steps for immediate response, investigation, and follow-up.
- iii. **Training and Education:** Procedures for ensuring employee education and training on 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.
- iv. **Risk Assessment and Control Measures:** Procedures for identifying contributing factors to workplace violence, assessing those factors, and selecting controls and prevention measures.

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:

This refers to any act or threat of violence that occurs in a place of employment, including animal attacks. This term encompasses, 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, irrespective of whether an individual sustains an injury.
- ii. 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 an individual is injured.

G. Workplace Violence Types:

- i. **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 workers with the intent to commit a crime.
- ii. **Type 2 Violence:** Workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors.
- iii. **Type 3 Violence:** Workplace violence against an employee by a present or former employee, supervisor, or manager.
- iv. **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.
- v. The term “workplace violence” does not include lawful acts of self-defense or defense of others.

VI. Workplace Violence Incidents

The following section outlines CSUSB’s specific workplace violence procedures including communication methods, reporting procedures, methods of intervention, records management, and investigation procedures.

A. Reporting Acts or Threats of Violence

1. University employees who witness or perceive an act of workplace violence or threat of workplace violence are encouraged to report such incident of workplace violence using one of the following methods.
 - i. Call **9-1-1** when safe to do so.
 - ii. Use the [Emergency Blue Phones](#)
 - iii. Report to their appropriate administrator, resident advisor, or faculty instructor.
2. University employees who witness or perceive an act of workplace violence or a threat of workplace violence on campus may also report that incident of workplace violence to the University Police Department or the local Cal/OSHA enforcement district office listed below.

University Police
9-1-1 (Emergency)
 (909) 537-7777 (non-emergency)

5500 Campus Pkwy
 San Bernardino, CA 92407

Cal/OSHA San Bernardino Office
 (909) 383-4321
 (909) 383-6789

Attn: Michael Loupe, District Manager
 464 W. 4th Street, Ste. 332
 San Bernardino, CA 92401
 email: DOSHSB@dir.ca.gov

3. For situations that do not involve an actual or imminent act of workplace violence or threat of workplace violence, the incident should be reported promptly by submitting a report to EHS <https://www.csusb.edu/ehs>. Employees may also report non-imminent acts to their departmental manager, Employee/Labor Relations and Compliance at <https://www.csusb.edu/human-resources/current-employees/employee-relations> or the Faculty Affairs & Development Website at <https://www.csusb.edu/faculty-affairs-development>.
4. 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 CSUSB will investigate anonymous reports to the extent possible given the level of detail contained or not contained in the report.
5. The WVPP prohibits any retaliation for reporting an instance of workplace violence. Any member of the University community who retaliates against someone for reporting workplace violence or a threat of workplace violence is subject to disciplinary procedures commensurate with existing policies and procedures, including and up to non-retention, expulsion and/or removal from campus.
6. 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. Encourage all other members of the University community to complete this training.
 - iii. Require all departments and administrative units to discuss, review, and communicate with their employees about 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 about how individuals can report a violent incident, threat, or other workplace violence concern without fear of reprisal or adverse action.

B. Emergency Communication

- i. In the event of a workplace violence emergency, the University will communicate through the following means in a manner that is readily understandable by all members of the University community.
 - a) Send alerts to the members of the University community who have subscribed to CSUSB's emergency notification system through the Timely Warning/Emergency Notification process.
 - a. E-mail communications are automatically sent to active campus email addresses.
 - b. Campus desktop phones
 - c. Campus desktop and laptop computers
 - d. Mobile phones (*if opted in*)
 - i. SMS and Text messages are on an opt-in basis for those who wish to register a mobile phone number and will receive notifications in this manner.

- ii. Employees may opt-out at their discretion.
 - iii. Employees may update their preferred emergency contact information through the MyCoyote Portal.
- b) Broadcast alerts through the emergency indoor/outdoor broadcast systems.
 - a. Campus Display Monitors in common areas
- ii. When information is available and appropriate, these alerts will:
 - a) Provide the presence, location, and nature of the workplace violence emergency.
 - b) Note evacuation or sheltering plans appropriate for the situation.
 - c) Inform recipients how to obtain assistance from the UPD or other law enforcement agencies.

C. Restraining Order Process

- i. The University recognizes the importance of safety in the workplace and supports the use of restraining orders to protect employees from threats or acts of violence. The process for obtaining a restraining order is as follows:
 - a. **Threat Identification:**

If an employee or their collective bargaining representative identifies a threat of violence that may warrant a restraining order, they should report it to the University Police Department (UPD) or their immediate supervisor.
 - b. **Threat Evaluation:**

UPD will evaluate the threat in consultation with the University's legal counsel to determine if a restraining order is appropriate.
 - c. **Application Process:**

Should the order be necessary, the University or the employee's representative will apply for the temporary restraining order on the employee's behalf, with the employee's consent.
 - d. **Communication:**

The University will communicate the status of the restraining order application to affected employees and other relevant parties while maintaining confidentiality as required by law.
 - e. **Implementation:**

If the order is granted, the University will work with UPD and local law enforcement to ensure the order is properly implemented and enforced.
 - f. **Review:**

The University will regularly review the status of the restraining order and adjust its response as necessary to ensure the continued safety of the campus community.

- ii. While an employee may decline to be named in the temporary restraining order, this would not preclude the University or representative from seeking a temporary order on behalf of other employees in the workplace, where allowed under labor code.

D. Violence Incident Log:

The University Police 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. Workplace violence type or types related to the incident.
- 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 another perpetrator.
- v. A classification of the 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:
 - a. Physical attack without a weapon, including but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting.
 - b. Attack with a weapon or object, including but not limited to a firearm, knife, or other object.
 - c. Threat of physical force or threat of the use of a weapon or other object.
 - d. Sexual assault or threat, including, but not limited to, rape, attempted rape, physical display, or unwanted verbal or physical sexual contact.
 - e. Animal attack
 - f. Other
- viii. Consequences of the incident, including, but not limited to:
 - a. Whether security or law enforcement was contacted and their response.
 - b. Actions taken to protect employees from a continuing threat or from any other hazards identified because of the incident.
 - c. Whether there were any injuries as a result of the incident, and if so, a description of the injuries.
 - d. 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.
- ix. Information about the person completing the log, including their name, job title, and date completed.

E. Post-Incident Response and Investigation

After an incident of workplace violence, the Executive Director of Risk Management in collaboration with the Chief of Police will implement the following post-incident procedures:

- i. Visit the scene of an incident as soon as safe and practical.
- ii. Interview involved parties, such as employees, witnesses, law enforcement, and/or security personnel.
- iii. Review security footage of existing security cameras if applicable.
- iv. Examine the workplace for security risk factors associated with the incident, including any previous reports of inappropriate behavior by the perpetrator.
- v. Determine the root cause of the incident.
- vi. Identify and take corrective actions to prevent similar incidents from occurring.
- vii. Record the findings and ensure corrective actions are taken.
- viii. Obtain any reports completed by law enforcement.
- ix. Review all previous incidents.
- x. Ensure that no personal identifying information is recorded or documented in the written report. This includes information which would reveal the identification of any person involved in a violent accident, 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 a person's identity.

VII. Workplace Violence Prevention and Mitigation

A. Threat Assessment Team

The Threat Assessment Team (TAT) 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 workplace violence. The TAT team 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.

The TAT's core members include representatives from Employee Labor Relations, Risk Management, University Police, Dean of Students, CARE Team Services, CAPS, and University Counsel.

B. Training

- i. The University will provide training to members of the campus community per the following schedule:
 - a) When the WVPP is first established.
 - b) Annually
 - c) Whenever a new or previously unrecognized workplace violence prevention 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.

- ii. The training will review the definitions set forth in Section IV above and the requirements listed below:
 - a) How to obtain a copy of the WVPP and participate in development and implementation of the WVPP.
 - b) How to report workplace violence incidents or concerns to the University or law enforcement without fear of reprisal.
 - c) The warning signs of potential workplace violence.
 - d) Workplace violence hazards specific to employees' jobs based on the type of workplace and mitigation measures to prevent physical harm.
 - e) The Log and how to obtain copies of records pertaining to hazard identification, evaluation, and correction, training records, and violent incidents.
 - f) 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.
 - g) How to recognize alerts, alarms, or other warnings about emergency conditions and how to use identified escape routes or locations for sheltering.
 - h) Post-event trauma counseling for employees desiring such assistance.
 - i) Contact information for people knowledgeable about the WVPP.

C. Physical Hazard Identification and Evaluation

- i. The Office of Environmental Health and Safety (EH&S), in coordination with UPD, will oversee the identification of physical hazards related to workplace violence.
- ii. Employees may report workplace violence hazards or concerns using the following means.
 - a) Environmental Health and Safety Website: Safety hazards may be reported directly or anonymously.
 - b) University Police Department crime report
 - c) Anonymously on the CSUSB Workplace Violence Hotline
 - d) Employees may also elevate concerns to their authorized representative for representation on the appropriate safety committee.
- iii. Under the direction of the EH&S Director, EH&S will document the outcomes of all such reports.
- iv. EH&S will coordinate and conduct semi-annual campus walks with the aim of identifying and documenting unsafe physical conditions, including those that may increase the likelihood of a crime. As part of the inspection, the areas reviewed and the administrators and staff who conducted the review will be documented.
- v. EH&S administrators and staff will also review and assess new or previously unrecognized hazards.
- vi. EH&S along with UPD will be responsible to review for the following:
 - a) The need for additional surveillance measures.
 - b) Procedures for employee response during a robbery or other criminal act.

- c) Procedures for reporting suspicious persons or activities.
- d) Effective location and functioning of emergency buttons and alarms.
- e) Posting of emergency telephone numbers for law enforcement, fire, and medical services.
- f) Inspections after any workplace violence incident which may include:
 1. Adequacy of security systems, door locks, physical barriers and restraints.
 2. Effectiveness of systems and procedures to warn others of workplace violence, e.g. alarms or panic buttons.
 3. The availability of escape routes.
 4. 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.
 5. Frequency and severity of employees' reports of threats of physical or verbal abuse by managers, supervisors, or other employees.
 6. Any prior violent acts, threats of physical violence, verbal abuse, property damage or other signs of strain or pressure in the workplace.

D. Physical Hazard Correction

The Office of Risk Management and Environmental Health and Safety in coordination with Facilities Management 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. These may include the following examples:
 - a. Improving lighting around and within the workplace.
 - b. Installing and utilizing surveillance measures, such as cameras and mirrors, to provide information about activities inside and outside the workplace and to deter criminal activity.
 - c. Providing workplace violence systems, such as door locks, secure windows, physical barriers, emergency alarms, and restraint systems.
 - d. Posting emergency telephone numbers for law enforcement, fire, and medical services.
 - e. Installing effective systems to warn others of a potential violence danger or to summon assistance, e.g., alarms or panic buttons.

E. Procedural Hazard Identification, Evaluation and Correction

- i. The Office of Employee and Labor Relations (ELR) will oversee the identification, evaluation, and correction of workplace violence procedural hazards. A procedural hazard is defined as a hazard originating from an established work practice or procedure which may affect working conditions.
- ii. Employees may report workplace violence procedural hazards or concerns using the following means.
 - a. The University's Workplace Violence Hazard Reporting Form.
 - b. To the University Police Department.
 - c. Anonymously on the University's Workplace Violence Hotline.

- iii. Employee, Labor, and Relations (ELR) administrators and staff will review and document outcomes of all such reports.
- iv. Employee, Labor, and Relations administrator(s) and staff will also review and assess new or previously unrecognized hazards.

VIII. Responsibilities

The following administrative positions have authority and responsibility for implementing the specific components of the Workplace Violence Prevention Plan (WVPP)

A. Vice President for Finance, Technology, and Operations (FTO)

Responsible for the 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 requirements. This is done through the organizational oversight of University Police, Environmental Health and Safety, and Risk Management.

B. CSUSB Chief of Police

The primary responsibility of the Chief of Police is to implement measures to ensure the University is prepared to respond to, investigate, and potentially mitigate workplace violence incidents, including but not limited to:

- 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 of threats of violence.
- iii. Record and reports any acts or threats of violence in the Log and maintains 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.
- v. Chair the Threat Assessment Team (TAT)

C. Executive Director, Risk Management

The Executive Director of Risk Management has the primary responsibility for ensuring that all training associated with the WVPP meets all applicable federal, state and CSU requirements. Other responsibilities include:

- i. Ensure the implementation of corrective actions to a confirmed workplace violence hazard.
- ii. Ensure opportunities exist for active engagement of employees in:
 - a. Development and ongoing review of the WVPP
 - b. Development and functionality of reporting mechanisms.
 - c. Lead post-incident response efforts and review.

D. Director, Environmental Health and Safety

Serves as the delegated authority over CSU Executive Order 1039 as it pertains to workplace safety and compliance oversight of applicable federal, state, and local requirements and laws. Other duties include:

- i. Maintaining records of workplace violence physical inspections and violent incident Log.
- ii. Conducting all required assessments, which include assessments of when the WVPP is initially implemented, after an act of workplace violence, and when a new hazard becomes known.
- iii. Co-chairing the WVPP working group.
- iv. Ensuring that training meets all compliance requirements.
- v. Maintaining the University's OSHA 300 log and ensuring reporting of serious injury or fatality per Title 8 CCR Sections 330(a) and 342.

E. Employees

All campus employees must follow the requirements of the workplace violence prevention plan and report any hazardous conditions or safety concerns once they become known. Employees have a right to participate in the development of procedures as well as the hazard assessment process, without fear of reprisal.

IX. Recordkeeping

- A. EH&S will maintain hazard identification, evaluation, and mitigation records for a minimum of five (5) years.
- B. Training records will be maintained for a minimum of one (1) year.
- C. UPD will maintain records pertaining to hazard correction measures 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.
- D. All records where required by law as outlined in Labor Code section 6401.9(f) shall be available to Cal/OSHA, Department of Industrial Relations upon request to the Director of Environmental Health and Safety.
- E. The Workplace Violence Prevention Plan will be reviewed at least annually and preserved on the CSUSB Violence Prevention website. Changes will be logged in Section XI.
 - a. The plan shall be accessible to all employees on the Workplace Violence Prevention website below.
 - b. The plan shall be provided in electronic form via direct link to all vendors, contractors, consultants, etc. where work will be performed on-site at the San Bernardino or Palm Desert campuses or other affiliated worksite.
- F. Records requests must be made to Risk Management. Records will be provided where required by law in a manner that protects against sharing any personally identifiable information.

X. Appendix

A. Resources

- i. [CSUSB Workplace Violence Website](#)
- ii. [CSUSB Employee Assistance Program](#)
- iii. [CSU Workplace Violence Website](#)
- iv. [Ca/OSHA Workplace Violence Resources](#)
- v. [Senate Bill 553 Text](#)

B. Incorporated Workplace Violence Prevention Plans

- i. Student Health Center
- ii. Santos Manuel Student Union (SMSU)

XI. Revision Log

The following log will be used to track plan revisions in accordance with Section VIII(E).

| Date | Reviewed By | Approved By | Summary of Changes |
|-----------|--------------|---------------|--|
| 6/18/2024 | Project Team | EH&S Director | Initial plan released |
| 7/2/2024 | Project Team | EH&S Director | Edits for efficiency and ease of reading |
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Sample Violent Incident Log

| DATE | TIME | LOCATION | DETAILED DESCRIPTION OF THE INCIDENT | WORKPLACE VIOLENCE TYPE | | | | WHERE INCIDENT OCCURRED? |
|---------------------------------------|---|--|--|-------------------------|---|------------------------|---|--|
| | | | | 1 | 2 | 3 | 4 | |
| CLASSIFICATION OF PERPETRATOR: | <input type="checkbox"/> Client <input type="checkbox"/> Customer <input type="checkbox"/> Family of client <input type="checkbox"/> Friend of client <input type="checkbox"/> Family of customer <input type="checkbox"/> Friend of customer <input type="checkbox"/> Stranger | | <input type="checkbox"/> Co-worker <input type="checkbox"/> Supervisor/manager <input type="checkbox"/> Partner/spouse <input type="checkbox"/> Parent <input type="checkbox"/> Relative <input type="checkbox"/> Other: _____ | | CLASSIFICATION OF CIRCUMSTANCES AT TIME OF INCIDENT: | | | <input type="checkbox"/> Performing usual job duties <input type="checkbox"/> Poorly lit areas <input type="checkbox"/> Rushed <input type="checkbox"/> Isolate/alone <input type="checkbox"/> Unable to get help/assistance. <input type="checkbox"/> Working in unfamiliar/new loc. <input type="checkbox"/> Rushed <input type="checkbox"/> Low staffing level <input type="checkbox"/> Working in community setting <input type="checkbox"/> Other: _____ |
| | TYPE OF INCIDENT: | | <input type="checkbox"/> Physical attack without a weapon <input type="checkbox"/> Animal attack <input type="checkbox"/> Sexual assault or threat (including rape, attempted rape, physical display, or unwanted verbal or physical sexual contact) <input type="checkbox"/> Other | | | | | |
| CONSEQUENCES OF INCIDENT: | | Was security contacted? | <input type="checkbox"/> Yes <input type="checkbox"/> No | RESPONSE: | | | | |
| | | Was law enforcement contacted? | <input type="checkbox"/> Yes <input type="checkbox"/> No | RESPONSE: | | | | |
| | | Action taken to protect employees from a continuing threat or other hazards as a result of the incident: | | | | | | |
| COMPLETED BY: | | | JOB TITLE: | | | DATE COMPLETED: | | |

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