Workplace Violence is any of the following that occurs on any District property or arises from or is related to the reporting party’s employment:

- Any unlawful use of force or violence by or upon an employee; or

- Any unlawful attempt, coupled with a present ability, to commit a violent injury by or on an employee; or

- Any act of intimidation or harassment with physical force or violence, or the threat of physical force or violence by or on an employee; or

- Stalking of an employee; or

- Any violation of a protective or restraining order issued by a court that protects or restrains an employee; or

- Possessing, storing or bringing onto District property any item intended as an offensive weapon, such as a firearm, pellet gun or similar device, dagger, ice pick, or knife having a fixed blade longer than 2 ½ inches; or

- Entry into or onto any District property by a former employee who has been dismissed from employment for any form of disruption in the workplace and ordered not to return to District property for a period of up to one year, if that period is still in effect.

“Stalking” is a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including following or stalking an employee to or from the place of work; entering the workplace; following an employee during hours of employment; making telephone calls to an employee; or sending correspondence to an employee by any means, including, but not limited to, the use of the public or private mails, interoffice mail, facsimile, email or electronic messaging.

“Credible threat of violence” is a knowing and willful statement or course of conduct that would place a reasonable person in fear for his or her safety, or the safety of his or her immediate family, or the safety of coworkers, and that serves no legitimate purpose, whether or not the person making the threat actually intends or intended to carry out the threat.

“District property” is all facilities of the Cabrillo Community College District, including, but not limited to classroom, administration, athletic and maintenance or operations buildings, leased facilities, parking lots, District vehicles or equipment, and any privately owned personal property located on District property.
Any act of workplace violence or credible threat to commit any such act by any person is prohibited. Any employee who commits any act of workplace violence or threatens to commit any such act may be disciplined and can be subject to arrest.

Any student who commits or threatens to commit such acts or threats on an employee may be disciplined and subject to arrest.

Any act of workplace violence or credible threat to commit any such act by a person not employed or enrolled as a student is prohibited. Any person committing such acts or threats will be removed from District facilities and may be arrested.

Any employee who is subjected to workplace violence, or who has been threatened or reasonably feels subjected to a credible threat of violence, or who witnesses any act or threat of workplace violence may immediately report the conduct or threat to law enforcement and shall report the conduct or threat to his or her supervisor. If the subject of the report is the reporting employee’s supervisor, then, in addition to the option to immediately contact law enforcement, the report shall be made to the Human Resources Department.

Any District employee receiving a report of workplace violence from the victim or a witness shall (1) determine if law enforcement has been or should be immediately called, and (2) immediately submit a written report to the Human Resources Department.

The Director of Human Resources may authorize a petition to the appropriate local superior court seeking a temporary restraining order and an injunction on behalf of an employee and any number of other employees if appropriate under the circumstances when there is reason to believe that a pattern of conduct demonstrates a continuing credible threat of workplace violence.

No employee who in good faith reports workplace violence as defined in this Regulation, or who in good faith provides information as a witness to such workplace violence may be subjected to disciplinary action.

Authority: Code Civ. Proc., § 527.8; Ed. Code, § 67380; Penal Code, § 646.9, § 242; Pen. Code, § 240; §243.6; §422; § 626.2; § 626.10.

Approved: March 18, 2015