

**County of Kern  
Workplace Violence Prevention Program**

**BACKGROUND**

The County of Kern's Workplace Violence Prevention Plan (WVPP) addresses the hazards known to be associated with the four types of workplace violence as defined by [Labor Code \(LC\) section 6401.9](#). Pursuant to SB553, all employers are required to establish, implement, and maintain an effective Workplace Violence Prevention Program effective January 1, 2025.

**IMPLEMENTED:** July 1, 2024

**Date of Last Revision(s):** July 08, 2024

**DEFINITIONS:**

***Emergency*** - Unanticipated circumstances that can be life threatening or pose a risk of significant injuries to employees or other persons.

***Engineering controls*** - An aspect of the built space or a device that removes a hazard from the workplace or creates a barrier between the employee and the hazard.

***Log*** - The violent incident log required by LC section 6401.9.

***Plan*** - The workplace violence prevention plan required by LC section 6401.9.

***Serious injury or illness*** - Any injury or illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement, but does not include any injury or illness or death caused by an accident on a public street or highway, unless the accident occurred in a construction zone.

***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.

***Workplace violence*** - Any act of violence or threat of violence that occurs in a place of employment.

**Workplace violence** includes, but is not limited to, the following:

- The threat or use of physical force against an employee that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether the employee sustains an injury.
- 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 the employee sustains an injury.
- The following four workplace violence types:

**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 employees with the intent to commit a crime.

**Type 2 violence** - Workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors.

**Type 3 violence** - Workplace violence against an employee by a present or former employee, supervisor, or manager.

**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.

**Workplace Violence**- Does not include lawful acts of self-defense or defense of others.

**Workplace practice controls**- Procedures and rules which are used to effectively reduce workplace violence hazards.

**RESPONSIBILITY:**

The WVPP administrator, the Chief Human Resources Officer, has the authority and responsibility for implementing the provisions of this plan for Kern County. Below is a chart that identifies each person and their responsibilities as it relates to Workplace Violence. This chart is updated periodically if changes in responsibilities have changed.

<b>Responsible Persons</b>	<b>Job Title/Position</b>	<b>WVPP Responsibility(ies)</b>	<b>Phone #</b>	<b>Email</b>
Tracey A. Eldridge	Chief Human Resources Officer	Approves changes to Workplace Violence Policy as necessary.	(661) 868-3163	eldridget@kerncounty.com

Sarah Guterrez	Director of Diversity, Equity, and Inclusion	Handles any reports, or investigation related to workplace violence.  Coordinates emergency response procedures.	(661) 868-3919	gutierrezsa@kerncounty.com
Mercedes Perez	Sr. Human Resources Specialist	Handles any reports, or investigation related to workplace violence. Ensures that trainings related to Workplace Violence are kept up to date and relevant.  Assists in coordinating emergency response procedures.	(661) 868-3915	perezmer@kerncounty.com
Brad Aragon	Loss Prevention Specialist	Ensures that Safety Officers are up to date on any changes in policy.  Ensures that identified hazards are addressed, and that quarterly safety inspections are being completed.	(661) 868-3880	baragon@kerncounty.com
Bryan Alba	Chief Deputy County Counsel	Counsel for Workplace Prevention Program Team	(661) 868-3842	balba@kerncounty.com
Kate Zimmermann	Deputy County Counsel	Counsel for Workplace Prevention Program Team	(661) 868-3841	kzimmermann1@kerncounty.com
David Kessler	Chief Deputy Sheriff	Responsible for emergency response (Sheriff)	(661) 391-7535	KESSLERD@kernsheriff.org
Robin Taylor		Responsible for emergency response (Behavioral Health)	(661) 868-7362	rctaylor@kernbhrs.org

All managers, supervisors and safety officers/safety representative are responsible for implementing and maintaining the WVPP in their work areas and for answering employee questions regarding the WVPP or directing them to Kern County Human Resources for more information.

**EMPLOYEE ACTIVE INVOLVMENT:**

Kern County ensures the following policies and procedures obtain the active involvement of employees and authorized employee representatives in developing and implementing the plan:

- Management will work with and allow employees, along with authorized employee representatives to participate in identifying and evaluating preventative measures to prevent Workplace Violence.

Example: County Departments will have quarterly safety meetings with employees to discuss identification of workplace violence concerns/hazards, evaluate those hazards and/or concerns, and how to correct them.

- Designing and implementing trainings:
  - Employees are encouraged to complete the annual Workplace Violence Prevention Program survey to suggest new ideas to the WVPP team to incorporate feedback in future trainings if applicable.
- Reporting and investigating in the workplace:
  - Employees will complete the [Workplace Violence Report Form](#) and submit it to their supervisor. The supervisor is responsible for emailing the completed form to the departmental human resources team (or designee) and Kern County Human Resources at [DEI@Kerncounty.com](mailto:DEI@Kerncounty.com). If the employee would like to submit the form to Kern County Human Resources at [DEI@Kerncounty.com](mailto:DEI@Kerncounty.com) on their own behalf, they are permitted to do so.
  - After the report has been received by Kern County Human Resources, assigned Kern County Human Resources staff will complete an investigation of the incident. In collaboration with the Loss Prevention Specialist assigned to Kern County Risk Management, assigned Kern County Human Resources staff will inspect the reported area identified on the Workplace Violence Report Form and interview witnesses as necessary.
- Departments will ensure that all workplace violence policies and procedures within this written plan are clearly communicated and understood by all employees. Managers and supervisors will enforce this policy fairly and uniformly.
- All employees will follow all workplace violence prevention plan directives, policies and procedures, and assist in maintaining a safe work environment by:
  - Prohibiting employee retaliation.
  - Accepting and responding to reports of workplace violence.
  - Employee workplace violence training communication.
  - Emergency response.
  - Workplace violence hazard assessments.

- The plan shall be in effect at all times and in all work areas. The plan must be specific to the hazards and corrective measures for each work area and operation.

### **EMPLOYEE COMPLIANCE:**

In order to ensure that all employees comply with these rules and work practices, which are designed to make the workplace more secure, and do not engage in threats or physical actions which create a security hazard for others in the workplace, all employees will receive training regarding the County's expectations and the consequences for failure to comply. At a minimum, Kern County's system will include:

- Training and retraining employees, supervisors, and managers on the provisions of Kern County WVPP.
- Effective procedures to ensure that supervisory and nonsupervisory employees comply with the WVPP will include:
  - Tracking training attendance.
  - Having an open line of communication to answer any questions from employees. Employees can submit questions to [DEI@kerncounty.com](mailto:DEI@kerncounty.com).
- Taking disciplinary action against employees who fail to comply with safe and healthful work practices, following Kern County's existing discipline process; and, taking other applicable action against third parties who do not adhere to safe workplace practices.

### **COMMUNICATION WITH EMPLOYEES:**

It is recognized that open, interactive communication about workplace violence issues between our management team, staff, and other employers is essential to a safe and productive workplace. The following communication system is designed to facilitate a continuous flow of workplace violence prevention information between management and staff in a form that is readily understandable by all employees, and consists of one or more of the following:

- New employee orientation introduces workplace prevention policies and procedures.
- Ongoing workplace violence prevention training programs.
- Regularly scheduled meetings that address potential workplace violence and security issues.
- Effective communication between employees and supervisors about workplace violence prevention and violence concerns. Supervisor preparation for this interactive

communication will be accomplished through Supervisor Academy training. Areas to be addressed during Supervisor training include:

- Raising sensitivity regarding the need for employees to participate in their primary language to ensure effective communication.
- The importance of posted or distributed workplace violence prevention information.
- The mechanisms for employee reporting of a violent incident, threat, or other workplace violence concern to the employer or law enforcement.
- Communicating the policy of non-retaliation when an employee reports a violent incident, threat, or other workplace violence concern to the employer or law enforcement.
  - o Employees can report a violent incident, threat, or other violence concerns themselves through the [DEI@Kerncounty.com](mailto:DEI@Kerncounty.com) email.
  - o Employees are protected from retaliation by California state laws and by Kern County policies.
- Kern County will ensure effective communication with employees by:
  - Updating employees on the status of their investigation.
  - Answering any questions or concerns sent to the [DEI@kerncounty.com](mailto:DEI@kerncounty.com) email.
  - Providing employees a direct contact option by calling (661) 868-3480 and choosing option three (3).

### **COORDINATION WITH OTHER EMPLOYERS:**

Kern County will implement the following effective procedures to coordinate implementation of its plan with other employers to ensure that those employers and employees understand their respective roles, as provided in the plan.

- All employees will be trained on workplace violence prevention initially and annually thereafter.
- A Workplace violence incident involving any employee is reported, investigated, and recorded.
- At a multiemployer worksite, Kern County will ensure that if its employees experience any workplace violence incident, Kern County will record the information in a Violent Incident Log and shall also provide a copy of that log to the controlling employer.

### **WORKPLACE VIOLENCE INCIDENT REPORTING PROCEDURE:**

Kern County will implement appropriate procedures to ensure that:

- All threats or acts of workplace violence are reported to an employee's supervisor or manager, who will inform the WVPP administrator. This will be accomplished by the Workplace Violence Report form being filled out and then sent to the

[DEI@Kerncounty.com](mailto:DEI@Kerncounty.com) email address. If that is not possible, employees will report incidents directly to the WVPP administrator, Sarah Gutierrez, Director of Diversity, Equity, and Inclusion.

- An employee can also report hazards, threats, incidents, and workplace violence concerns to their supervisor or manager.
  - An employee can also report an incident directly to Kern County Human Resources by calling (661) 868-3480 and choosing option three (3), or by emailing the [DEI@Kerncounty.com](mailto:DEI@Kerncounty.com) email directly.
  - The reporting form can be found at [Workplace Violence Prevention | Kern County, CA](#) , [Workplace Violence Prevention | Kern County, CA, Home: CountyNet \(kern.ca.us\)](#), or by scanning this QR code:



The County has a policy forbidding retaliation. Acts of retaliation may result in disciplinary action, up to, and including termination.

### **EMERGENCY RESPONSE PROCEDURES:**

Kern County has in place the following specific measures to manage actual or potential workplace violence emergencies:

- Effective means to alert employees of the presence, location, and nature of potential workplace violence emergencies by the following:
  - Fire alarm systems.
  - PA systems throughout the building or via phone speaker.
- Kern County will distribute evacuation or sheltering plans to each Department. Each worksite has an identified safety representative who is equipped to provide the evacuation routes, locations of emergency exit, and instructions for sheltering in place in the event of a workplace violence incident.
- How to obtain help from staff, security personnel, or law enforcement.

In the event of an emergency, including a Workplace Violence Emergency, contact the following:

- Immediate emergency dial 9 and then 911.
- Non-Emergency dial (661) 327-7111

### **WORKPLACE VIOLENCE HAZARD IDENTIFICATION AND EVALUATION:**

The following policies and procedures are established and required to be conducted by Kern County to ensure that workplace violence hazards are identified and evaluated.

- Inspections shall be conducted when the plan is first established, after each worksite violence incident, and whenever the employer is made aware of a new or previously unrecognized hazard.
- Daily review of all submitted/reported concerns of potential hazards, online form for reporting workplace violence hazards, and voicemail/email inboxes shall be conducted.

#### **Periodic Inspections:**

Periodic inspections of workplace violence hazards will identify unsafe conditions and work practices. This may require assessment for more than one type of workplace violence. Periodic Inspections shall be conducted on a monthly basis by the worksite's safety representative.

Inspections for workplace violence mitigation includes:

- The need for violence surveillance measures, such as mirrors and cameras.
- Procedures for reporting suspicious persons or activities.
- Effective location and functioning of emergency buttons and alarms.
- Posting of emergency telephone numbers for law enforcement, fire, and medical services.
- Whether employees have access to a telephone with an outside line.
- Whether employees have effective and accessible escape routes from the workplace.
- Whether employees have a designated safe area where they can go to in an emergency. Specifically, evacuation meeting points and shelter in place locations that are posted at the employees' worksite.
- Adequacy of workplace security systems, such as door locks, entry codes or badge readers, security windows, physical barriers, and restraint systems.
- Frequency and severity of threatening or hostile situations that may lead to violent acts by persons who receive services at County of Kern worksites.
- The use of work practices such as the "buddy" system for specified emergency events.



- How well our establishment's management and employees communicate with each other.
- Any prior violent acts, threats of physical violence, verbal abuse, property damage or other signs of strain or pressure in the workplace.
- Always require employees to wear visible identification while on site. Such as county issued employee badge with colored photo.

### **WORKPLACE VIOLENCE HAZARD CORRECTION:**

Kern County will correct workplace violence hazards in a timely manner when they are observed or discovered, and according to the following procedures:

- When an imminent workplace hazard exists that cannot be immediately abated without endangering employee(s) and/or property, Kern County will remove all employees from the area, except those necessary to correct the existing condition.
- All corrective actions taken will be documented and dated on the appropriate forms, including Workplace Violent Incident Log and Workplace Violent Incident Investigation Report forms.
- Corrective measures for workplace violence hazards will be specific to a given work area.

### **PROCEDURES FOR POST INCIDENT RESPONSE AND INVESTIGATION:**

After a workplace incident, the WVPP administrator or their designee will implement the following post-incident procedures:

- Visit the scene of an incident as soon as safe and practicable.
- Interview involved parties, such as employees, witnesses, law enforcement, and/or security personnel.
- Review security footage of existing security cameras, if applicable.
- Examine the workplace for security risk factors associated with the incident, including any previous reports of inappropriate behavior by the perpetrator.
- Determine the cause of the incident.
- Take corrective action to prevent similar incidents from occurring.
- Record the findings and ensure corrective actions are taken.
- Obtain any reports completed by law enforcement.

- All incidences of workplace violence will be recorded in the violent incident log and will include information, such as:
  - The date, time, and location of the incident.
  - The workplace violence type or types involved in the incident.
  - A detailed description of the incident.
  - The classification of perpetrator(s) who committed the act(s) of violence, including whether the perpetrator(s) was/were 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 had another relationship to the affected employee(s) or worksite.
  - The classification related to 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 period of low staffing, isolated or alone, unable to get help or assistance, working in a community setting, or working in an unfamiliar or new location.
  - The classification of the location of the incident, such as in the workplace, parking lot, or other area outside the workplace, or other area.
  - The type of incident, including, but not limited to, whether it involved any of the following:
    - Physical attack without a weapon, including, but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting.
    - Attack with a weapon or object, including, but not limited to, a firearm, knife, or other object.
    - Threat of physical force or threat of the use of a weapon or other object.
    - Sexual assault or threat, including, but not limited to, rape, attempted rape, physical display, or unwanted verbal or physical sexual contact.
    - Animal attack.
    - Other.
  - Information related to the consequences and aftermath of the incident, including, but not limited to: Whether security or law enforcement was contacted and their response.
  - Actions taken to protect employees from a continuing threat or from any other hazards identified as a result of the incident.

- Information about the person completing the log, including their name, job title, and the date completed.
- Reviewing all previous incidents.

In documenting the incident, no personal identifying information is to be 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.

### **TRAINING AND INSTRUCTION:**

All employees, including managers and supervisors, will have training and instruction on general and job-specific workplace violence practices. These sessions could involve presentations, discussions, and practical exercises. Training and instruction will be provided as follows:

- When the WVPP is first established.
- Annually to ensure all employees understand and comply with the plan.
- Whenever a new or previously unrecognized workplace violence hazard has been identified or when changes are made to the plan. The additional training may be limited in scope or confined to designated department personnel. Kern County will provide its employees with training and instruction on the definitions found on page 1 of this plan and the requirements listed below:
  - The employer's WVPP, how to obtain a copy of the employer's plan at no cost, and how to participate in the development and implementation of the employer's plan.
  - How to report workplace violence incidents or concerns to the employer or law enforcement without fear of reprisal.
  - Workplace violence hazards specific to the employees' jobs, the corrective measures Kern County has implemented, how to seek assistance to prevent or respond to violence, and strategies to avoid physical harm.
  - The violent incident log and how to obtain copies of records pertaining to hazard identification, evaluation and correction, training records, and violent incident logs.
  - Opportunities Kern County has for interactive questions and answers with a person knowledgeable about the Kern County WVPP.

### **EMPLOYEE ACCESS TO THE WRITTEN WVPP:**

Kern County ensures that the WVPP plan shall be in writing and shall be readily available and accessible to employees, authorized employee representatives, and representatives of Cal/OSHA

at all times. This will be accomplished by:

- Providing written copies of the WVPP upon request of any employee or designated representative. Electronic copies will be furnished upon specific request of the employee or their designated representative.
- Providing unobstructed access through a company server or website, which allows an employee to review, print, and email the current version of the written WVPP. Unobstructed access means that the employee, as part of their regular work duties, predictably and routinely uses the electronic means to communicate with management or co-employees.

### **RECORDKEEPING:**

Kern County will:

- Create and maintain records of workplace violence hazard identification, evaluation, and correction, for a minimum of five (5) years.
- Create and maintain training records for a minimum of one (1) year which include the following:
  - Training dates.
  - Contents or a summary of the training sessions.
  - Names and qualifications of persons conducting the training.
  - Names and job titles of all persons attending the training sessions.
- Maintain violent incident logs for minimum of five (5) years.

### **EMPLOYER REPORTING RESPONSIBILITIES:**

As required by [California Code of Regulations \(CCR\), Title 8, Section 342\(a\), Reporting Work-Connected Fatalities and Serious Injuries](#), Kern County will immediately report to Cal/OSHA any serious injury or illness (as defined by [CCR, Title 8, Section 330\(h\)](#)), or death (including any due to Workplace Violence) of an employee occurring in a place of employment or in connection with any employment.



Chairman Board of Supervisors



Tracey A. Eldridge  
Chief Human Resources Officer