
Workplace Violence

1026.1 PURPOSE AND SCOPE

The purpose of this policy is to make clear that the District does not tolerate any direct or implied threats of violence or violent behavior in the workplace or any act or behavior which is or can be perceived as threatening, hostile and/or violent.

1026.2 POLICY

It is the policy of the Fresno County Fire Protection District to provide and maintain a safe work environment for its employees, volunteers and members of the public.

In responding to any violent behavior in the workplace, the District is committed to providing protection to all involved parties, including protection from future physical and/or mental harm and the protection of the legal rights of victims, witnesses and those instigating the harm.

1026.3 PROHIBITED BEHAVIOR

No member shall engage in, encourage or promote violent behavior toward any person while conducting District business or on District property.

District management is prohibited from authorizing members to carry weapons while engaged in District business, unless carrying a weapon is required by the assigned duty and there are policies and procedures in place that govern the approval, use and/or display of the weapon.

No member engaged in District business shall carry weapons in violation of applicable state or local laws or this policy.

Also see the Carrying Weapons On-Duty Policy.

1026.3 REPORTING AND INVESTIGATING

1026.3.1 MEMBER RESPONSIBILITY

District members who experience, observe or have knowledge of prohibited behaviors and actions in the workplace, have a responsibility to report the situation as soon as practicable to a supervisor, a manager or a human resources representative and to the local police department, if a threat has been made or a crime has occurred.

Members should render aid to anyone who may be in need and be prepared to assist emergency responders, as requested, following any incident of violence in the workplace.

1026.3.2 SUPERVISOR, MANAGER, DUTY OFFICER, DIVISION CHIEF RESPONSIBILITIES

Upon receipt of a report of potential or actual workplace violence, supervisors shall gather as much information as possible to assess and determine the severity and potential of the situation. If the report is found to be credible, the next immediate supervisor shall be notified as soon as practicable and appropriate action taken.

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Local law enforcement personnel shall be notified immediately of all threatening or violent behavior.

1026.3.3 INVESTIGATION

The Administration Division will promptly, impartially and with as much confidentiality as practicable, coordinate the investigation of all reports of violent behavior.

District members are required to cooperate in any investigation. A timely resolution of each report should be reached and communicated to all parties involved as quickly as possible.

1026.3.4 REPORTING NON-WORK RELATED THREATENING OR VIOLENT BEHAVIOR

District members who are victims of domestic violence or other threatening behavior outside of the workplace or who believe they are potential victims of such behavior and fear it may enter the workplace, are encouraged to report the situation as soon as possible to their supervisor.

Supervisors receiving any such report shall contact the Administration Division as soon as practicable so that any appropriate safety measures or plans may be developed.

1026.4 RETALIATION PROHIBITED

Any form of retaliation against a member for making a report concerning violent behavior in the workplace is prohibited.

Any member who becomes aware of any retaliation or threatened retaliation shall immediately notify his/her supervisor.

1026.5 RESTRAINING ORDERS

Members who obtain a restraining order listing their workplace, person or the District as a protected area must provide a copy of the restraining order to their immediate supervisor or the Administrative Chief. The District needs this information in order to provide a safe workplace.

1026.6 FOLLOW-UP ACTION

Any employee reported to have exhibited violent or potentially violent behavior will be afforded all rights provided by law, the applicable memorandum of understanding and/or the Firefighter Bill of Rights provisions before the District takes any disciplinary action.

Actions that may be taken when an employee has been found to have violated this policy include, but are not limited to, the following:

- Mandatory participation in counseling
- Placing the employee on paid administrative leave pending investigation into an alleged threat or act
- Corrective/disciplinary action up to and including termination
- Criminal arrest and prosecution
- Special procedures, such as job relocation or initiation of a court order

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If, upon investigation, it is determined that an allegation is false or was made maliciously, the employee who provided the false information will be subject to disciplinary action, up to and including termination, as well as possible criminal arrest and prosecution.

1026.7 LEGAL ACTION

The Administration Division, in consultation with the District's legal counsel, will determine if the District will seek a temporary restraining order or injunction to reduce future or threatened violent behavior in the workplace (Code of Civil Procedure § 527.8).

1026.8 CORRECTIVE ACTIONS

At the completion of the investigation and a review of the incident, or in the case of a threat of violence, non-disciplinary corrective actions should be implemented or requested to ensure overall workplace safety. These actions may include, but are not limited to:

- Placing the involved member on administrative leave pending further review and determination of permanent action.
- Reassigning the member to a different work location.
- Referring the member to conflict resolution training sessions.
- Referring the member to the Employee Assistance Program (EAP).
- Modifying workstation designs and office traffic flow patterns.
- Requiring the employee to attend a fitness-for-duty evaluation.
- Developing specific workplace violence procedures for incident response, prevention and corrective actions.

1026.9 WORKPLACE VIOLENCE PREVENTION

All District members are responsible for assisting in the prevention of violence in the workplace.

The District will provide appropriate training to members regarding workplace violence.

In the event a violent incident occurs in the workplace, the Fire Chief is responsible for ensuring that all responsibilities have been met and actions carried out, as detailed in this policy, and shall review the results of any investigation and ensure appropriate action is taken. Information gathered during an investigation should be used for the continuous improvement of policies and procedures to prevent workplace violence.