

LEWIS CENTER FOR EDUCATIONAL RESEARCH

Workplace Violence Prevention Plan

This document shall outline the Lewis Center For Educational Research's ("LCER") Workplace Violence Prevention Plan ("Plan") as required by Labor Code § 6401.9. It shall be the policy of LCER to provide its employees with a safe and healthy work environment. To that end, LCER shall take appropriate actions to prevent acts of violence, threats, intimidation, and harassment from occurring on campus and during the performance of employees' job duties.

I. DEFINITIONS

For purposes of this Plan, the following definitions apply:

"Emergency" means unanticipated circumstances that can be life threatening or pose a risk of significant injuries to employees or other persons.

"Engineering controls" mean an aspect of the built space or a device that removes a hazard from the workplace or creates a barrier between the worker and the hazard.

"Log" means the violent incident log, required in Part III of this Plan.

"Plan" means this Workplace Violence Prevention Plan.

"Threat of violence" means 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.

"Serious injury or illness" means 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.

"Workplace violence" includes but is not limited to the following: (i) 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; (ii) 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; (iii) the following four workplace violence types:

- **Type 1:** violence committed by a person with no legitimate business at the worksite;
- **Type 2:** violence directed at employees by students, parents, contractors, volunteers, or visitors;
- **Type 3:** violence against an employee by a present or former employee, supervisor, or manager;
- **Type 4:** 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.

"Work practice controls" means procedures and rules which are used to effectively reduce workplace violence hazards.

II. WORKPLACE VIOLENCE PLAN PROCEDURES

a. Responsible Parties

The Plan administrator has the authority and responsibility for implementing the provisions of this plan for LCER. If there are multiple persons responsible for the plan, their roles will be clearly described. All administrators and managers are responsible for implementing and maintaining the Plan at their assigned school site/worksites and for answering employee questions about the Plan.

Program Administrator

The LCER's Plan Administrator is:

Stacy Newman

Director of Human Resources

17500 Mana Road

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(760) 946-5414 Ext. 220

(760) 946-9193 Fax

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Program Co-Administrator(s)

The LCER's lead Plan Co-Administrator(s) are:

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b. Employee Involvement in Plan Creation and Updates

LCER ensures the active involvement of employees in developing and implementing the Plan. Every year, the Program Administrator or designee will circulate the Plan to employees to request suggestions on improvement. Employees will be encouraged to provide input on ways they believe this Plan can be improved, streamlined, or better enforced. Employees will be encouraged to provide input on adequacy of training received, any perceived workplace violence hazards not adequately addressed by the Plan, and any perceived barriers to reporting and investigating instances of workplace violence incidents that they believe may stand in the way of optimal execution of this Plan.

These suggestions and input may be submitted confidentially to the Program Administrator or designee. No retaliation to any such input or suggestion shall be permitted. LCER commits to reviewing each employees' suggestion and making any changes to this Plan that are found to be necessary and appropriate.

c. Reporting of Workplace Violence

Employees must report any incident of workplace violence that they witness. LCER will not retaliate against any employee for reporting an incident of workplace violence in good faith.

Reports of workplace violence that has already occurred can be made by filling out the "Workplace Violence Report" form that is attached at the end of this Plan and sending it to the Program Administrator in writing via email or hand delivery. The Program Administrator and/or designee will review every Workplace Violence Report at their earliest reasonable convenience and shall take the steps outlined in this

Plan in response. Copies of the Workplace Violence Report form shall be made available to all employees on the HUB for each campus and at the front office of each campus.

If an incident of workplace violence is occurring or imminent, any employee witness should ensure that Program Administrator is informed as soon as possible by calling the Program Administrator at (760)946-5414 ext. 220 or by using whatever alternative means of communication would be fastest. The Program Administrator will respond to the ongoing or imminent workplace violence as set forth in section II.G., below.

d. Employee Compliance

All employees are responsible for using safe work practices and for following all directives, policies, and procedures for maintaining a safe, healthy, and secure work environment. This Plan seeks to ensure that employees, including administrators, comply with work practices designed to make the workplace more secure, and to ensure that employees do not engage in threats or physical actions which create a security hazard for others in the workplace.

All employees will be trained to understand this Plan when hired and periodically afterward. Employees will be evaluated to ensure compliance with this Plan. Employees who participate in the implementation of this Plan and carrying out its provisions in practice will be recognized for their efforts to help ensure a safe and violence-free workplace.

Repeated or willful failure to report incidents of workplace violence, failure to attend and participate in workplace violence training, and to otherwise comply with the requirements of this Plan will result in additional training and may result in disciplinary action up to and including release from at-will employment.

e. Communication to Employees Regarding Workplace Violence

As part of the annual workplace violence training session required by this Plan, the Program Administrator shall ensure that each employee understands how to report a violence incident, a threat, or any other incidence of workplace violence and knows that they can do so without fear of reprisal by LCER or retaliation from the individual against whom the report is made.

These points will be communicated to new employees when hired and periodically as set forth in this Plan. The Program Administrator shall also ensure that each employee understands how their concerns will be investigated by LCER and how LCER will communicate the results of a workplace violence hazard investigation and any corrective measures taken in response.

Depending on the frequency and severity of workplace violence incidents in the workplace, the Program Administrator may implement increasingly more frequent communication sessions with employees as necessary, including quarterly, monthly, or weekly reviews of this Plan and employee compliance with it.

f. Response to Actual or Potential Workplace Violence Emergencies

A workplace violence emergency is any incidence of workplace violence that entails the potential loss of life or significant injury to any person at the workplace.

In any case of workplace violence where there is immediate danger, employees shall call for emergency assistance by dialing 9-1-1. If a workplace violence emergency is so severe as to trigger a lockdown or evacuation of the workplace according to the School's safety plan, such as when firearms are involved or a when an intruder has entered the campus with violent or criminal intent, LCER will initiate and follow the emergency procedures set forth in its school safety plan.

If a workplace violence emergency does not rise to the level of a school-wide response but is ongoing and entails potential or threatened loss of life or significant injury to any person at the workplace, any other employees witnessing or experiencing the workplace violence incident must report the incident

as soon as possible to Program Administrator and/or any school administrator or campus safety personnel by calling them on the phone, radio or by whichever alternative means would reach them fastest.

g. Training Procedures

LCER will provide annual workplace violence prevention training in accordance with the requirements of California Labor Code section 6401.9, subdivision (e), including but not limited to the following:

1. The Plan, how to obtain a copy of the Plan at no cost, and how to participate in development and implementation of the Plan.
2. The Plan's definitions and the General Workplace Violence Plan Procedures.
3. How employees can search for and recognize workplace violence hazards and risk factors associated with the three types of workplace violence.
4. How to report workplace violence incidents, threats, or concerns to the school or to law enforcement without fear of reprisal from the school or the individual against whom the report is filed.
5. Ways to defuse hostile or threatening situations.
6. Routes and methods of escaping from workplace violence incidents.
7. How this Plan integrates with the school's safety plan.
8. How and when to notify law enforcement authorities when a criminal act may have occurred or is potentially about to occur.
9. Emergency medical care to be provided to a victim of any violent act.
10. Any workplace violence hazards specific to the school environment, the corrective measures the school has implemented, and how to seek assistance to prevent or respond to violence and to avoid physical harm.
11. The workplace violence incident log, and how to obtain records the school is required to keep pursuant to the Recordkeeping part of this Plan, below.
12. An opportunity for live questions and answers on the Plan with the Program Administrator.

In addition to an annual training session on these topics, the school will conduct training every time a new or previously unrecognized workplace violence hazard is identified and whenever changes are made to the Plan. This additional training may be limited only to the new workplace violence hazards identified or to the new changes to the Plan.

The Program Administrator will ensure that this training is completed and that records of employee participation are kept and filed in accordance with Part V of this Plan ("Recordkeeping").

h. Identification and Evaluation of Workplace Violence Hazards

Workplace violence hazards are working conditions or environmental factors that increase employee exposure to workplace violence. Workplace violence hazards may arise from, for example, a school's failure to consistently require campus visitors to check in at the front desk, failure to monitor entry and exit points for unauthorized entry, failure to consistently enforce employee behavioral conduct rules, failure to consistently enforce student disciplinary rules that could expose employees to violence, and other similar policy or environmental factors that would tend to increase the incidence of workplace violence.

The Program Administrator shall ensure that a review of potential workplace violence hazards is conducted at least annually. The Program Administrator shall also conduct a review of any workplace violence hazards reported by any employee. In addition, the Program Administrator shall also conduct a workplace violence hazard review (1) when this Plan is first established, (2) after each workplace violence incident has occurred, and (3) whenever the employer otherwise is made aware of a new or previously unrecognized workplace violence hazard.

Each time a workplace violence hazard review is undertaken, the Program Administrator shall prepare a report describing the review process, stating date the review was completed, stating the determination of whether a workplace hazard was found to exist, and describing whether any corrective

actions are recommended. All workplace hazard evaluation reports shall be kept as records pursuant to Part V of this Plan.

i. Correction of Workplace Violence Hazards

Each time a workplace violence hazard review is conducted and results in a recommendation that corrective action should be implemented to mitigate an existing workplace violence hazard, the Program Administrator shall prepare a recommendation for corrective action and present it to the President/Chief Executive Officer (“CEO”) who shall approve, deny, or approve with modification, the recommendation for corrective action and provide a justification for any denial or modification. The recommendation for corrective action and CEO response shall be kept as a record pursuant to Part V of this Plan.

Following the CEO taking action on a recommendation for corrective action, the CEO or designee shall be responsible for ensuring that the corrective action is implemented as workplace policy and, if relevant, that all employees are alerted to and trained on any necessary changes in workplace policies necessary to implement the approved corrective action. If any corrective actions require revisions to an employee handbook, those changes shall be implemented within a reasonable time.

j. Post-Incident Response and Investigation

After every reported or otherwise known incident of workplace violence, the Program Administrator shall conduct a workplace violence evaluation of any and all workplace conditions, policies, or practices that may have contributed to the occurrence of the incidence of workplace violence and shall record a record of the evaluation, as required by Section II.i., above.

Post-incident reviews shall include, at minimum, an interview with the victim of workplace violence, any witnesses, and the impressions of the Program Administrator and/or designees assisting in the post-incident response. The interview and investigation shall seek to establish all facts required to be included in a Violent Incident Log, as set forth in Part III of this Plan.

Employees will be encouraged to provide feedback and information as part of the post-incident response. Employees who refuse to participate may be subject to discipline. Employees should be alerted that they are not subject to retaliation or reprisal from LCER as a consequence of their participation in any post-incident response.

k. Review of Plan Effectiveness

The Program Administrator shall review the general effectiveness of this Plan annually at the time the Plan is circulated to employees for suggestions, whenever a deficiency in the Plan is noted, and after any workplace violence incident occurs.

III. VIOLENT INCIDENT LOG

LCER will maintain a Violent Incident Log. The Program Administrator shall ensure that the details of every violent incident reported or otherwise known to have occurred at the school are recorded into the Violent Incident Log. The log shall contain information solicited from the person experiencing the workplace violence incident, any witnesses, and investigation findings. All personal identifying information shall be omitted from the log, with the exception of the details of the person making the entry. The log shall be reviewed during any periodic reviews of this Plan for effectiveness.

The Violent Incident Log, for every incident, shall include the following:

1. The **date, time, and location** of the incident.
2. The **type or types of workplace violence** involved.
3. A **detailed description** of the incident.
4. **Who committed the violence**, including whether the perpetrator was a School stakeholder, family or friend of a School stakeholder, stranger with criminal intent, coworker, supervisor or manager, partner or spouse, parent or relative, or another perpetrator.
5. The **general 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.
6. **Where the incident occurred**, such as in the workplace, parking lot, or other area outside the workplace, or other area.
 7. The **type of attack**: physical attack without a weapon; attack with a weapon or object; a threat of physical force or threat of use of a weapon or other object; sexual assault or threat of sexual assault; animal attack; other.
 8. The consequences of the incident, including whether security or law enforcement was contacted; actions taken to protect employees from continuing threat, etc.
 9. **Information on the person entering the log entry**, including their name, job title, and date entered.

IV. **RECORDKEEPING**

This Plan requires that various records pertaining to workplace violence be maintained, as follows:

1. Records of workplace violence hazard identification, evaluation, and correction shall be created and maintained for a minimum of five (5) years.
2. Training records shall be created and maintained for a minimum of one (1) year, and shall include dates training was conducted, the contents or a summary of the training sessions conducted, the names and qualifications of persons conducting the training, and the names and job titles of all persons attending the training sessions.
3. Violent Incident Logs shall be maintained for a minimum of five (5) years.
4. Records of workplace violence incident investigations shall be maintained for a minimum of five (5) years.
5. All records required to be maintained per this Part of the Plan are to be made available to the Department of Industrial Relations upon request for examination and copying.
6. All records required pursuant to items (1) through (3) of this Part shall be made available to employees and their representatives, upon request and without cost, for examination and copying within 15 calendar days of a request.

**LEWIS CENTER FOR EDUCATIONAL RESEARCH
WORKPLACE VIOLENCE REPORTING FORM**

This form should be used to report any incidence of workplace violence that any employee of LCER witnesses at the workplace or any work-related event. Employees are required to report any workplace violence they witness and will not be subject to any retaliation for reporting workplace violence.

“Workplace Violence” includes but is not limited to the following: (i) 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; (ii) 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; (iii) the following four workplace violence types:

- *Type 1: violence committed by a person with no legitimate business at the worksite;*
- *Type 2: violence directed at employees by students, parents, contractors, volunteers, or visitors;*
- *Type 3: violence against an employee by a present or former employee, supervisor, or manager;*
- *Type 4: 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.

If you have witnessed a workplace violence incident, please enter as much of the following information as you can:

Date of Report: _____ **Date(s) of Incident:** _____

Reporter’s Name: _____

Reporter’s Job Title: _____

Reporter’s email address or telephone number: _____

Victim Name(s) (if other than Reporter): _____

Victim’s Job Title (If other than Reporter): _____

Victim’s email address or telephone number: _____

Approximate Place of Incident: _____

Approximate Time of Incident: _____

Narrative Description of Workplace Violence Incident: _____

Type of Workplace Violence (see definitions above): _____

Name, Description, or other information about Perpetrator(s): _____

Thank you for submitting this information. You may be contacted by administration to provide further information. Please sign below to verify the accuracy of the information provided on this form.

Reporter’s Signature