



ADMINISTRATIVE REGULATION

OFFICE OF THE CITY MANAGER

Number	923
Responsible Department	Police/Human Resources
Established/Effective Date	10/09/2002
Latest Revision Date	10/30/2023
Next Review & Reauthorization Date	10/30/2025

SUBJECT: Violence in the Workplace Policy

1. **Purpose:** The City of Huntington Beach is committed to providing City employees and officials with a safe working environment free from violence or the threat of violence.
 - 1.1. To establish a City policy regarding the prohibition of violence in the workplace and/or while engaged in any activity on behalf of the City of Huntington Beach.
 - 1.2. To fully inform all City employees and officials, that any form of violence in the workplace will not be tolerated or condoned.
 - 1.3. To inform employees and officials of their rights and responsibilities pertaining to violence in the workplace.
 - 1.4. To provide a means for prompt reporting and a full and effective investigation of all complaints.
 - 1.5. To provide for remedial action against those who engage in acts prohibited by this regulation.
2. **Authority:** Sections 401 and 403 of Charter of the City of Huntington Beach. [Huntington Beach Personnel Rules](#) 7 and 8. A violation of this policy may also be a violation of State and/or Federal law.
3. **Application:**
 - 3.1. This regulation applies to all Employees and Non-Employees as defined below.

Note: Employment Harassment is an act which in some cases involves violence. Harassment in Employment is addressed under a separate policy (AR 922). When an act constitutes sexual harassment or other discrimination issues, AR 922 shall be used.
4. **Definitions:**
 - 4.1. **Workplace Violence** is defined as any act of aggression that causes physical, verbal, or emotional harm, or causes damage to property. This includes physical assaults and threats of assault, both overt and implied, that are directed toward persons at work or on duty.



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- 4.2. **Weapons** include firearms, chemical agent, club or baton, knife, or any other device, tool, or object that may either cause or threaten bodily harm.
- 4.3. **Employee(s)** applies to all elected and appointed officials, any individual, regardless of classification, employed by the City of Huntington Beach or volunteers working under the supervision of the City.
- 4.4. **Non-Employee(s)** applies to all job applicants, vendors, contractors, business associates, and members of the public who are on any City property or premises, and/or performing services on behalf of or for the City pursuant to contracts or other arrangements.
- 4.5. **Violence** refers to any physical assault or attempted assault, or destruction or attempted destruction of property (City or personal).

5. Policy:

- 5.1. Any acts, threats or implied threats of physical violence, harassment, coercion and/or malicious destruction of personal or City property which involve or affect the City of Huntington Beach, any City Employee or City official, or which occur on City property are prohibited and will not be tolerated.
- 5.2. Possession or storage by an Employee of any Weapons is prohibited. This applies to Weapons which are carried upon the person (concealed or visible) or within a City vehicle while on any City property or when acting as a representative of the City of Huntington Beach.

California Consumer Affairs or Concealed Carry Weapon permits issued by any federal, state or local agency are not honored by the City unless accompanied by the written authorization of the City Manager, Chief of Police and the individual employee's Department Head.

- 5.2.1. Employees may carry a pocket knife with a blade 3" or less.
- 5.2.2. Pepper spray carried for personal protection is also permitted.
- 5.2.3. Sworn peace officers who fall under California Penal Code section 830 and its subsections are exempt from this regulation.
- 5.3. Employees and non-employees are strongly discouraged from storing any legally owned Weapons in their personal vehicles when such vehicles are parked on City property. Employees and non-employees who choose to store legally owned Weapons in privately owned vehicles must follow all California Penal Code regulations regarding such Weapon storage.
- 5.4. Employees who engage in actions or threats of violent behavior toward other employees, City officials, or the public while working in any official capacity for the City may lead to discipline, up to and including dismissal and/or arrest and prosecution.
 - 5.4.1. Disciplinary issues stemming from violations of the Violence in the Workplace Policy shall be addressed through [Personnel Rules 7 and/or 8](#).



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- 5.5. It is the intention of this policy to deal with Workplace Violence proactively, through training, education, mediation, and/or consultation, before it escalates to the formal level of disciplinary action. Workplace Violence incidents that reach the level of formal discipline will be dealt with by relevant rules, regulation, and policies.
 - 5.6. Appropriate measures will be employed to secure the workplace from violent acts and to reasonably protect Employees and Non-Employees from its effects, including removal of threatening persons from the premises.
 - 5.7. Retaliation against and/or harassment of Employees and Non-Employees who, acting in good faith, report real or implied violent behavior or violations of this policy, is prohibited.
 - 5.8. Knowingly and intentionally making false accusations of violent behavior is expressly and specifically prohibited.
 - 5.9. If an employee obtains a protective or restraining order, which lists the City properties or Employee work areas as protected areas, the following shall be provided to the Huntington Beach Police Department (HBPD):
 - a) A copy of the petition and declarations.
 - b) A copy of any Temporary Restraining Order (TRO).
 - c) A copy of any final permanent protective or restraining order.
 - d) A copy of any court order which modifies any of the above documents.
 - 5.10. All reports of threats or acts of violence will be taken seriously and will be investigated promptly and thoroughly per the City policy.
 - 5.11. Any Employee or Non-Employee who makes substantial and verifiable threats, exhibits disruptive behavior, or engages in violent acts on any City property and is not immediately placed under arrest, shall be ordered by their supervisor, the HBPD, or the City management to leave the premises and be prohibited from returning to any City property until otherwise notified.
 - 5.12. Any member of the public who is present on any City property and engages in the aforementioned conduct, and is not immediately arrested, shall be ordered by City employees to leave the premises and be prohibited from returning to any City property until otherwise approved by the City.
- 6. Responsibilities:**
- 6.1. The City Manager, Department Heads and their designated representatives shall be responsible for implementation of this policy against violence in the workplace and all employees shall cooperate with any investigation of any alleged act of workplace violence.



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- 6.2. Any Employee or Non-Employee who becomes aware of a threatened or actual act of workplace violence should obtain immediate emergency assistance (See 7. Reporting and Response Procedure).
- 6.3. All Employees should be aware of this policy, receive proper training and follow appropriate procedures to defuse potential or actual violent situations (See 8. Training Procedure).
- 6.4. Employees and Non-Employees have the responsibility to follow the Violence in the Workplace Policy by practicing courtesy, respect and civility at all times (also refer to [AR 924 A Respectful Workplace Policy](#)).
- 6.5. Department Heads, Supervisors and Managers are responsible for:
 - 6.5.1. Ensuring that all personnel they supervise are familiar with and understand this policy;
 - 6.5.2. Making sure that reports of workplace violence are accurately and timely documented and addressed;
 - 6.5.3. Notifying the HR Director and/or HBPD of any incidents;
 - 6.5.4. Maintaining records and related follow up actions; and
 - 6.5.5. Making all reasonable efforts to maintain a safe and violence-free workplace.
- 6.6. The Human Resources (HR) Department shall be responsible for conducting a timely and appropriate investigation when the *Incident Report* is received and maintaining records and follow up actions as to reports of workplace violence.
- 6.7. The HR Department shall be responsible for making recommendations for workplace violence training and education for all Employees in consultation with the HBPD. Such training programs will be reviewed at least annually.

7. Reporting and Response Procedure:

- 7.1. All Employees
 - 7.1.1. Employees shall immediately call 911 for any situation that constitutes an emergency.
 - 7.1.2. Employees who believe that they have been or are currently subjected to aggressive or potential Workplace Violence shall report the occurrence(s) promptly to a supervisor or HR.
 - 7.1.3. An employee who receives information of a potential occurrence involving aggressive or potential Workplace Violence toward themselves or another employee should promptly contact a supervisor or HR.
- 7.2. Supervisors and Managers shall:
 - 7.2.1. Immediately assess whether or not the situation constitutes an emergency. All emergencies shall immediately be reported via 911. In the event of risk to the safety of the victim or the safety of others, or if the situation warrants immediate attention, call the HBPD Watch Commander at 714-536-8800 for assistance.



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- 7.2.2. Take steps appropriate for the situation immediately to prevent harm to person or property.
 - 7.2.3. Take reasonable steps to prevent escalation of threats and/or acts of violence.
 - 7.2.4. Do not humiliate or make counter threats to the Employee or Non-employee accused of threats and/or acts of violence.
 - 7.2.5. Inform employees of this policy and that an investigation will take place, when appropriate and ensure that the workplace is free from any threats and/or acts of violence (e.g. temporary removal of the alleged perpetrator from the workplace).
 - 7.2.6. Complete the "Workplace Violence Incident Report" (See **Attachment 1**) within 24 hours after an incident (or on their next regular workday) and forward to the Human Resources Director via interoffice mail or e-mail. If the HR Director is alleged, then immediately notify the City Manager or designee.
- 7.3. The HR Department shall conduct an investigation or authorize an investigation, as appropriate. A written report covering the investigation of the reported incident and a description of the resolution shall be issued and filed with the HR Director and/or the City Manager or designee.

If needed, the HR Department develops and implements an action plan working closely with the HYPD, the City Manager's Office and affected departments.

8. Training

- 8.1. The City shall provide the opportunity for all Employees to be trained in the risk factors associated with workplace violence, and the proper handling of emergency situations in order to minimize the risks of violent incidents occurring in the workplace.
 - 8.1.1. During the New Employee Onboarding process, the HR Department is responsible for providing such basic training along with this AR and obtaining a signed *City Policy Acknowledgement of Receipt Form* (See Attachment 2).
 - 8.1.2. This AR shall be also provided to all elected and appointed officials including members of Boards, Commissions and Committees. Each staff liaison shall be responsible for obtaining and filing their signed *City Policy Acknowledgement of Receipt Form* (See Attachment 2).
- 8.2. Training in workplace violence issues shall be mandatory for all first line supervisors and managers.

9. Requesting Additional Assistance

- 9.1. Employees who desire additional assistance with the aftermath of a Workplace Violence incident can contact the City's [Employee Assistance Program \(EAP\)](#) and/or the HR Director or designee.

Attachments:

1. [Workplace Violence Incident Report](#)
2. [City Policy Acknowledgement of Receipt Form](#)



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Distribution:

All employees may access the Administrative Regulations via the SurfNet or City website: www.huntingtonbeachca.gov/AR

Handwritten signature of Eric Parra in blue ink.

Eric Parra, Police Chief
Initiating Department

Handwritten signature of Michael Gates in blue ink.

Approved as to Form
Michael Gates, City Attorney

Handwritten signature of Theresa St. Peter in blue ink.

Theresa St. Peter, Interim HR Director

Handwritten signature of Eric G. Parra in blue ink.

Eric G. Parra
Interim City Manager

Review Schedule

REVIEW DATE	DEPT. HEAD INITIAL	CITY MANAGER SIGNATURE