
Alameda-Contra Costa Transit District

Administrative Regulation No. 218A: Threat Assessment Process

Issuing Officer: General Manager
Date of Adoption: 5/11/22
Most Recent Amendment: N/A
See Also: 218

Subject Category: Human Resources
Subsection: General
Control Department(s): Operations

I. PURPOSE

The Alameda-Contra Costa Transit District (“The District”) is committed to providing a safe workplace free from acts and/or Threats of Violence. This Administrative Regulation sets guidelines and procedures for responding to and preventing violent/potentially violent situations in the workplace. Furthermore, this Administrative Regulation establishes the responsibilities and procedures for the Threat Assessment Team (“TAT”) to promptly investigate and respond to threats and incidents of Violence.

II. PERSONS AFFECTED

All elected officials, Board Officers, employees, temporary employees, volunteers, paid and unpaid interns, consultants, vendors, contractors, job applicants and anyone on District property. This Administrative Regulation applies to all District locations, as well as to all employer-sponsored activities, such as training, social, or other events, whether held on District property or at other locations.

III. DEFINITIONS

“Violence” means intentional physical force or unwanted contact used to cause physical, mental or emotional harm, such as hitting, fighting, pushing, slapping, punching, physical restraint, confinement, or throwing objects.

“Threat of Violence” means an act, communication, or any other expression made directly or indirectly that a reasonable person would perceive as intimidating, abusive, threatening, bullying, coercive, or fear inducing, and/or as a suggestion or threat of violence.

“Stalking” means willfully, maliciously, and repeatedly following or harassing another person in a way that would place a reasonable person in fear for his or her safety, or the safety of others.

“Weapon” means a gun, knife, or other instrument/material designed or used to inflict bodily harm or destroy property.

“Member of the Public” means anyone who is not a District employee (i.e. visitors, vendors, residents, contractors, suppliers, merchants, inspectors, volunteers, etc.).

“Threat Assessment Team (TAT)” means the team of District employees who are assigned the responsibility of evaluating and managing individual incidents involving Violence or Threats of Violence.

“TAT Leader” means the single point of contact or his/her designee responsible for receiving initial reports of Violence or Threats of Violence, performing and/or overseeing the preliminary investigation, and assembling the TAT to triage individual incidents.

IV. REGULATION

A. Procedure for Reporting Threats or Incidents of Violence

Anyone who observes a threat or act of Violence of a criminal or emergency nature should report such observations to the local law enforcement by calling 911. Reports of a non-emergency nature must be made to the employee’s supervisor, manager or Department Executive. If none of those individuals are available/appropriate, then the report must be made directly to the Operations Control Center (OCC).

A Supervisor or Manager who receives a report of a Threat of Violence or incident of Violence shall notify their Department Executive. If their Department Executive is not available/appropriate, the Supervisor or Manager shall notify the OCC.

A Department Executive who receives a report of violence shall notify the OCC.

- Reports to OCC may be made to 510-891-4901

Anonymous reports of violence or threats of violence may be made to the following:

- reportathreat@actransit.org

B. Investigation of Threats or Incidents of Violence

The TAT Leader in conjunction with the Claims and Liability Administrator and the Safety Manager shall conduct an initial evaluation as soon as possible, but no later than 24 hours after receiving a report of a threat or incident of Violence and shall determine whether to:

- Return the incident to the original Department for further investigation; or
- Forward the incident to another Department for further investigation/handling; or
- Conduct an independent investigation; and/or
- Where appropriate, convene a TAT meeting, with outside professional experts as needed, to determine what additional investigation is needed and formulate a response action plan.

If the incident is returned to the original Department for investigation, the TAT Leader shall oversee the investigation including but not limited to the implementation of a response action

plan. The TAT Leader, in conjunction with Human Resource and the Legal Department, shall determine whether an employee(s) needs to be placed on paid administrative leave pending the investigation into the incident.

If the incident is forwarded to another Department for further investigation/handling, the TAT Leader shall oversee the investigation/further handling, including but not limited to the implementation of a response action plan. The TAT Leader, in conjunction with Human Resources and the Legal Department, shall determine whether an employee(s) needs to be placed on paid administrative leave pending the investigation into the incident.

If the TAT Leader convenes a TAT meeting, the meeting shall occur as soon as possible, but not more than 24 hours after receiving a report of a threat or incident of Violence. The TAT shall develop a response action plan that may include consultation with experts as needed. The TAT Leader shall be responsible for implementing the response action plan developed by the TAT. The TAT shall determine whether an employee(s) needs to be placed on paid administrative leave pending the investigation into the incident.

The TAT Leader shall provide an update to the General Manager or designee following the preliminary investigation into a report of a threat or act of Violence and following the development of a response action plan.

C. Training

The TAT Leader in conjunction with the TAT Team will be responsible for overseeing Active Shooter training program for all employees.

V. RESPONSIBILITIES

A. Employee Responsibilities

Employees shall refrain from acts or Threats of Violence. Employees must treat co-workers and Members of the Public with respect and dignity. Employees are encouraged to communicate openly with co-workers and to tolerate different opinions. Employees with personal or family problems are encouraged to seek assistance through confidential counseling resources, such as the District's Employee Assistance Program.

In addition to reporting threats or acts of Violence, employees are required to cooperate with an investigation and participate in good faith in any response action plan recommended by the TAT or TAT Leader. A response action plan may include conflict resolution or mediation processes designed to assist in addressing normal, work-related interpersonal tensions and conflicts that might arise between coworkers. Employees who fail to cooperate and/or participate in good faith with an investigation, inquiry, or response action plan may be subject to disciplinary action, up to and including termination in accordance with applicable board policies, regulations and collective bargaining agreements .

Employees who wish to receive emergency notifications may voluntarily enroll in the District's mass notification system. Employees who wish to enroll in the notification system may do so through Peoplesoft. Employees who need assistance in enrolling may call 510-891-7155 or email Everbridge@actransit.org.

B. Management Responsibilities

Department Executives, Managers and Supervisors shall take all threats and/or acts of violence seriously and shall quickly assess the immediacy of the situation. Department Executives, Managers and Supervisors shall take reasonable actions to safeguard employees, including calling 911 when appropriate. Department Executives, Managers and Supervisors who neglect these responsibilities may be subject to disciplinary action, up to and including termination in accordance with applicable board policies, regulations, and collective bargaining agreements.

Department Executives, Managers, and Supervisors are responsible for implementing response action plans directed by the TAT or TAT Leader.

C. TAT Leader Responsibilities

The TAT Leader is the Protective Services Manager. In the event the Protective Services Manager is unavailable, the Claims and Liability Administrator and/or the Safety Manager shall act as the TAT Leader.

The TAT Leader or designee in conjunction with the Claims and Liability Administrator and the Safety Manager is responsible for the initial investigation and evaluation of reports of threats or acts of violence. An assessment and determination will be made on a case-by-case basis as to the credibility/severity of the reported incident and whether the reported incident falls under this Administrative Regulation.

During the assessment period, the TAT Leader or designee may authorize paid administrative leave in the interest of employee safety or to support a cooldown period in conjunction with Human Resources and the Legal Department. If such leave is utilized, the TAT Leader will ensure that both the associated Department and Union are notified.

The TAT Leader or designee is responsible for convening the TAT when the TAT Leader, Claims and Liability Administrator and Safety Manager have determined there has been an act of Violence or credible Threat of Violence.

The TAT Leader is responsible for developing response action plans in conjunction with the TAT and ensuring the response action plans are implemented. The TAT Leader shall report any response action plan to the General Manager or designee.

D. TAT Responsibilities

The TAT shall be composed of the following positions or their designee:

1. Protective Services Manager (TAT Leader)
2. Executive Director of Human Resources
3. Assistant General Counsel
4. Director of Civil Rights and Compliance
5. Labor Relations Manager
6. Safety Manager
7. Claims and Liability Manager
8. Any other position(s) as needed

TAT meetings will include designated District employees and, if needed, outside professional experts. The composition of a TAT may vary depending on the incident.

Once convened, the TAT will complete an assessment, which may include collecting additional data and further screening of available information for risk potential. The TAT may utilize external resources to determine next steps in the development of an action plan. Examples of outcomes include, but are not limited to, determining appropriate security/target hardening, law enforcement involvement, additional background investigation, professional risk assessment, defusing/treatment interventions, legal guidance and actions, employment status actions and/or workplace mediation.

The TAT will develop a response action plan for mitigating or minimizing the potential for violence, which may include the following:

1. Damage and impact assessment;
2. Development and implementation of a comprehensive communication plan;
3. Inspection, repair, cleaning and protection of affected facilities;
4. Possible removal of employees and placement on paid administrative leave pending investigation;
5. Actions required to resume operations which includes addressing the emotional needs of employees with appropriate consideration being given to the violent incident that occurred, and the steps that will be taken to sensitively restore the workplace to full productivity; and/or
6. Ongoing monitoring of the well-being of all personnel affected by the incident, including but not limited to referrals to the District's Employee Assistance Program.

All actions recommended by the TAT Leader or the TAT will take into consideration existing policies and procedures, past practice, severity/credibility of threat, and available industry best practices guidelines.

VI. ATTACHMENTS

None.

Approved by:



Michael A. Hursh, General Manager
Alameda-Contra Costa Transit District