



Board Policy No. 218

Zero Tolerance for Workplace Violence

ADOPTED: 04/24/1996

RECENT AMENDMENT: 5/11/22

SEE ALSO: 218A

SUBJECT CATEGORY: SECTION 200 - HUMAN RESOURCES

SUBSECTION: GENERAL

CONTROL DEPARTMENT: OPERATIONS

I. PURPOSE

The Alameda-Contra Costa Transit District (“District”) is committed to providing a safe workplace free from acts and/or threats of violence. This policy sets guidelines for preventing and responding to Violence or Threats of Violence in the workplace. Furthermore, this policy establishes a Threat Assessment Team (“TAT”) to promptly investigate and respond appropriately to threats and incidents of violence when they occur.

II. PERSONS AFFECTED

This policy applies to all persons involved in District operations, including but not limited to, all elected officials, Board Officers, employees, temporary employees, volunteers, paid and unpaid interns, consultants, vendors, contractors, job applicants, and anyone on District property.

III. DEFINITIONS

“**Workplace Violence**” means a physical assault, threatening behavior, or verbal abuse, occurring in the workplace which is sufficiently severe, offensive or intimidating to cause an individual to reasonably fear for his or her personal safety, the safety of others, and/or property.

“**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, spitting or throwing objects.

“**Threat of Violence**” means an act, communication, or any other expression made directly or indirectly, including electronic communication, 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 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.).

“Horseplay” means rough or rowdy play or pranks that occur in the workplace. It can involve joking that includes physical contact, playing around, racing, grabbing, foolish vehicle operation, or social pressure to participate in unsafe acts.

“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. POLICY

A. No Tolerance for Violence

1. The safety and security of AC Transit’s employees are of vital importance. Acts or Threats of Violence involving District employees or occurring on AC Transit property will not be tolerated. All reasonable attempts shall be made to avoid and deter violent behavior among District employees and to protect District employees from acts and/or Threats of Violence by other District employees or the public.
2. Prohibited behavior includes, but is not limited to the following:
 - Violence;
 - Threats of Violence;
 - Stalking;
 - Horseplay;
 - Possessing, transporting, wearing, displaying, or storing firearms, or other Weapons of any kind unless such possession or use is a requirement of the job;
 - Willfully destroying District property or the property of others engaged in District business; and/or
 - Any other act or expression that a reasonable person would perceive as violent or as a Threat of Violence.

B. Reporting Requirements

1. It is the responsibility of every person in the workplace to assist in the prevention of Workplace Violence. Early reporting of Violence and Threats of Violence will facilitate an effective investigation and response by AC Transit. The District requires all employees to report threats or acts of Violence in accordance with this Policy and Administrative Regulation 218A. No adverse action will be taken against anyone who, in good faith and with

reasonable belief, makes such a report, even if the District is unable to substantiate the allegation. Furthermore, every effort will be made to maintain confidentiality when possible.

2. If an investigation determines that an employee, regardless of seniority or position, had actual knowledge of a threat or act of Violence, and failed to timely report that knowledge or otherwise obstructed the investigation or reasonable resolution of the situation, that employee may be subject to discipline up to and including termination.
3. 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) pursuant to Administrative Regulation 218A.
4. Nothing in this policy alters any other reporting obligation established in other AC Transit polices or by state or federal law.

C. Implementation

1. Any person who engages in threatening or violent behavior on AC Transit property will be removed from District property as quickly as safety permits, and may be required, at AC Transit's discretion, to remain off AC Transit premises pending the outcome of an investigation into the incident.
2. To assist in the implementation of this Policy, this Policy further establishes a Threat Assessment Team (TAT) to receive reports of Violence or Threats of Violence, investigate, and establish an action plan for responding to these incidents. TAT procedures are established in Administrative Regulation 218A.
3. This Policy shall be implemented in a manner consistent with applicable collective bargaining agreements.

D. Compliance

1. Failure to comply with this Policy shall result in disciplinary action up to and including termination.
2. Any conduct that is in violation of any federal, state, or local statute or ordinance may be reported to the appropriate law enforcement agency. The District may impose discipline and/or require a fitness for duty examination of an employee whether or not a criminal charge has been filed when there is sufficient cause for concern regarding the safety of employees, Board members, Board officers, temporary employees, volunteers, paid and unpaid interns, consultants, vendors, contractors, job applicants, and anyone on District

property.

V. AUTHORITY

A. Board Authority

The Board of Directors shall periodically review this Policy and approve any amendments as necessary.

B. General Manager's Authority

The General Manager has authority to enforce this Policy and establish internal procedures necessary to carry out the directives of this Policy.

The General Manager shall develop a training program to implement this policy.

VI. ATTACHMENTS

None.