



Cal/OSHA Publications Unit

2024

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## **WORKPLACE VIOLENCE PREVENTION PROGRAM for Fusion Media**

**Our establishment's Workplace Violence Prevention Plan (WVPP) addresses the hazards known to be associated with the four types of workplace violence as defined by [Labor Code \(LC\) section 6401.9](#).**

**Date of Last Review:** Not applicable

**Date of Last Revision(s):** October 1, 2024

### **DEFINITIONS**

**Emergency** - Unanticipated circumstances that can be life threatening or pose a risk of significant injuries to employees or other persons.

**Engineering controls** - An aspect of the built space or a device that removes a hazard from the workplace or creates a barrier between the employee and the hazard.

**Log** - The violent incident log required by LC section 6401.9.

**Plan** - The workplace violence prevention plan required by LC section 6401.9.

**Serious injury or illness** - 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.

**Threat of violence** - 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.

**Workplace violence** - Any act of violence or threat of violence that occurs in a place of employment.

**Workplace violence** includes, but is not limited to, the following:

- 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.
- 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.
- The following four workplace violence types:

**Type 1 violence** - Workplace violence committed by a person who has no legitimate business at the worksite, and includes violent acts by anyone who enters the workplace or approaches employees with the intent to commit a crime.

**Type 2 violence** - Workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors.

**Type 3 violence** - Workplace violence against an employee by a present or former employee, supervisor, or manager.

**Type 4 violence** - Workplace 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** - Procedures and rules which are used to effectively reduce workplace violence hazards.

## RESPONSIBILITY

The WVPP administrator, Mark Freedman, company president, has the authority and responsibility for implementing the provisions of this plan for Fusion Media.

<b>Responsible Persons</b>	<b>Job Title/Position</b>	<b>WVPP Responsibility(ies)</b>	<b>Phone #</b>	<b>Email</b>
Mark Freedman	President	Approves the final plan and any major changes	858-354-5182	mark@fusionmedia.com
Susan Turney	Operations Manager	<b>Employee involvement and training;</b> disseminates training materials based on updates from HR consultant/Paychex HR. Facilitates reporting of workplace violence.	858-382-3705	susan@fusionmedia.com
Sam Grogan	Partner	Conducts safety inspections, coordinates emergency response procedures, and communicates with other employees about the plan.	619-840-1974	sam@fusionmedia.com

All managers and supervisors are responsible for implementing and maintaining the WVPP in their work areas and for answering employee questions about the WVPP.

## EMPLOYEE ACTIVE INVOLVEMENT

Fusion Media ensures the following policies and procedures to obtain the active involvement of employees and authorized employee representatives in developing and implementing the plan:

- Management will work with and allow employees and authorized employee representatives to participate in:

- Identifying, evaluating, and determining corrective measures to prevent workplace violence.

Fusion Media's workforce is almost 100% remote. Management will communicate with employees via email/Slack/phone relating to identification of workplace violence related concerns/hazards, evaluate any identified hazards and/or concerns, and address how Fusion Media will correct them.

- Designing and implementing training. Identify/purchase compliant training, sign up employees.

- Reporting and investigating workplace violence incidents. Any employee experiencing a possible workplace violence incident should report immediately to Mark/Sam. A workplace violence incident is defined as any violence incident occurring during working hours that involves one or more employees. This could include threats made verbally or in writing, or in person. Use reporting template (tbd) to track incidents.
- Management will ensure that all workplace violence policies and procedures within this written plan are clearly communicated and understood by all employees. Managers and supervisors will enforce the rules fairly and uniformly.
- All employees will follow all workplace violence prevention plan directives, policies, and procedures, and assist in maintaining a safe work environment.
- The plan shall be in effect at all times and in all work areas and be specific to the hazards and corrective measures for each work area and operation.

## **EMPLOYEE COMPLIANCE**

Our system to ensure that employees comply with the rules and work practices that are designed to make the workplace more secure, and do not engage in threats or physical actions which create a security hazard for others in the workplace, include at a minimum:

- Training employees, supervisors, and managers in the provisions of Fusion Media Workplace Violence Prevention Plan (WVPP)
- Effective procedures to ensure that supervisory and nonsupervisory employees comply with the WVPP.
- Provide retraining to employees whose safety performance is deficient with the WVPP.
- Recognizing employees who demonstrate safe work practices that promote the WVPP in the workplace by verbal commendation at a staff meeting.
- Discipline employees for failure to comply with the WVPP. Fusion Media outlines the existing discipline process or outline specific steps for the WVPP in the employee handbook.

## **COMMUNICATION WITH EMPLOYEES**

We recognize that open, two-way communication between our management team and staff about workplace violence issues is essential to a safe and productive workplace. The following communication system is designed to facilitate a continuous flow of workplace violence prevention information between management and staff in a form that is readily understandable by all employees, and consists of one or more of the following:

- New employee orientation includes workplace violence prevention policies and procedures.
- Workplace violence prevention training programs.
- Regularly scheduled meetings that address security issues and potential workplace violence hazards
- Effective communication between employees and supervisors about workplace violence prevention and violence concerns.
  - Fusion Media communicates immediate concerns and issues via a dedicated all-

company Slack channel. In addition, the policy will be emailed to every employee and made available on the company intranet.

- Posted or distributed workplace violence prevention information.
- How employees can report a violent incident, threat, or other workplace violence concern to employer or law enforcement without fear of reprisal or adverse action.
  - Employees can report a violent incident, threat, or other violence concerns through Slack, email, or phone.
  - Contact Mark Freedman, WVPP administrator.
- Employees will not be prevented from accessing their mobile or other communication devices to seek emergency assistance, assess the safety of a situation, or communicate with a person to verify their safety. Employees' concerns will be investigated in a timely manner and they will be informed of the results of the investigation and any corrective actions to be taken.
- Updates on the status of investigations and corrective actions may be provided to employees through email and via Slack.

## **COORDINATION WITH OTHER EMPLOYERS**

Fusion Media will implement the following effective procedures to coordinate implementation of its plan with other employers to ensure that those employers and employees understand their respective roles, as provided in the plan.

- All employees will be trained on workplace violence prevention.
- Workplace violence incidents involving any employee are reported, investigated, and recorded.

## **WORKPLACE VIOLENCE INCIDENT REPORTING PROCEDURE**

Fusion Media will implement the following effective procedures to ensure that:

- All threats or acts of workplace violence are reported to an employee's supervisor or manager, who will inform the WVPP administrator. This will be accomplished by Slack, email, or phone. If that's not possible, employees will report incidents directly to the WVPP administrator, Mark Freedman.

A strict non-retaliation policy is in place, and any instances of retaliation are dealt with swiftly and decisively. Any employee who engages in retaliation will be disciplined or terminated.

## **EMERGENCY RESPONSE PROCEDURES**

Fusion Media has in place the following specific measures to handle actual or potential workplace violence emergencies:

- Effective means to alert employees of the presence, location, and nature of workplace violence emergencies by the following: Slack, email, or phone.

- Fusion Media will have evacuation or sheltering plans. These may be found in the hallway outside the office suite, including maps of evacuation routes, locations of emergency exit, and instructions for sheltering in place.
- How to obtain help from staff, security personnel, or law enforcement. If there is immediate danger, call for emergency assistance by dialing 9-1-1, and then notify the WVPP Administrator, Mark Freedman.

In the event of an emergency, including a Workplace Violence Emergency, contact the following:

<b>Responsible Persons</b>	<b>Job Title/Position</b>	<b>WVPP Responsibility(ies)</b>	<b>Phone #</b>	<b>Email</b>
Mark Freedman	President	Conducts safety inspections, coordinates emergency response procedures, and communicates with other employers about the plan.	858-354-5182	mark@fusionmedia.com

## **WORKPLACE VIOLENCE HAZARD IDENTIFICATION AND EVALUATION**

The following policies and procedures are established and required to be conducted by Fusion Media to ensure that workplace violence hazards are identified and evaluated:

- Inspections shall be conducted when the plan is first established, after each workplace violence incident, and whenever the employer is made aware of a new or previously unrecognized hazard.

Review all submitted/reported concerns of potential hazards:

- Weekly review of all submitted and reported concerns, if any
- Workplace Violence Hazards suggestion box - use Slack General channel
- Form for reporting workplace violence hazards to email to WVPP administrator responsible for plan oversight
- Voicemail/email/text messages

### **Periodic Inspections**

Periodic inspections of workplace violence hazards will identify unsafe conditions and work practices. This may require assessment for more than one type of workplace violence. Periodic Inspections shall be conducted quarterly.

Periodic inspections to identify and evaluate workplace violence and hazards will be performed by the following designated personnel in the following areas of the workplace:

<b>Specific Person Name/Job Title</b>	<b>Area/Department/Specific location</b>
Mark Freedman	Regular office inspection
Susan Turney	Annual office inspection

Inspections for workplace violence hazards include assessing:

- Procedures for employee response during a robbery or other criminal act, including our policy prohibiting employees from confronting violent persons or persons committing a criminal act.
- Suspicious persons or activities would be reported to the onsite manager and/or La Jolla Property Management, Suite 308 in same building.
- Posting of emergency telephone numbers for law enforcement, fire, and medical services.
- Escape routes available are stairs and elevator with posted evacuation routes.
- Office building open during regular business hours 7:30 am - 6:30 pm, office suite is locked if no one is in the office. Every employee has a key to the building and the suite.
- Access is not granted to former employees with whom the company has had issues. Office keys are returned at termination.
- To date there have been no reports of physical threats by managers, supervisors, or other employees.

## **WORKPLACE VIOLENCE HAZARD CORRECTION**

Workplace violence hazards will be evaluated and corrected in a timely manner. Fusion Media will implement the following effective procedures to correct workplace violence hazards that are identified:

- Fusion Media will have workers trained or equipped to respond to workplace violence hazards.
- All corrective actions taken will be documented and dated on the incident report form.
- Corrective measures for workplace violence hazards will be specific to a given work area.
  - Provide door locks
  - Post emergency telephone numbers for law enforcement, fire, and medical services in kitchen.
  - No freedom of movement in office by non employees.
  - Ensure employees have access to a telephone with an outside line. Provide employee training/re-training(refreshers) on the WVPP, which could include but not limited to the following:
    - Recognizing and handling threatening or hostile situations that may lead to violent acts by persons who are service recipients of our establishment.
    - Ensure that all reports of violent acts, threats of physical violence, verbal abuse,

property damage or other signs of strain or pressure in the workplace are handled effectively by management and that the person making the report is not subject to retaliation by the person making the threat.

- Improve how well our establishment's management and employees communicate with each other.
- Procedures for reporting suspicious persons, activities, and packages.
- Provide/review employee, supervisor, and management training on emergency action procedures.
- Regular evacuation routes available: elevator and stairs.
- Increase awareness by employees, supervisors, and managers of the warning signs of potential workplace violence.
- Ensure that employee disciplinary and discharge procedures address the potential for workplace violence.

## **Handbook policy**

### Zero Tolerance Policy

The Company has a zero tolerance policy regarding workplace violence and will not tolerate acts or threats of violence, harassment, intimidation, and other disruptive behavior, either physical or verbal, that occurs in the workplace or other areas. This applies to management, co-workers, employees, and non-employees such as contractors, customers, and visitors. Workplace violence can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm, damage to property, or any intentional behavior that may cause a person to feel threatened.

## **PROCEDURES FOR POST INCIDENT RESPONSE AND INVESTIGATION**

After a workplace incident, the WVPP administrator or their designee will implement the following post-incident procedures:

- Visit the scene of an incident as soon as safe and practicable.
- Interview involved parties, such as employees, witnesses, law enforcement, and/or security personnel.
- Review security footage of existing security cameras if applicable.
- Examine the workplace for security risk factors associated with the incident, including any previous reports of inappropriate behavior by the perpetrator.
- Determine the cause of the incident.
- Take corrective action to prevent similar incidents from occurring.

- Record the findings and ensuring corrective actions are taken.
- Obtain any reports completed by law enforcement.
- The violent incident log will be used for every workplace violence incident and will include information, such as:
  - The date, time, and location of the incident.
  - The workplace violence type or types involved in the incident.
  - A detailed description of the incident.
  - A classification of who committed the violence, including whether the perpetrator was a client or customer, family or friend of a client or customer, stranger with criminal intent, coworker, supervisor or manager, partner or spouse, parent or relative, or other perpetrator.
  - A classification of 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.
  - A classification of where the incident occurred, such as in the workplace, parking lot or other area outside the workplace, or other area.
  - The type of incident, including, but not limited to, whether it involved any of the following:
    - Physical attack without a weapon, including, but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting.
    - Attack with a weapon or object, including, but not limited to, a firearm, knife, or other object.
    - Threat of physical force or threat of the use of a weapon or other object.
    - Sexual assault or threat, including, but not limited to, rape, attempted rape, physical display, or unwanted verbal or physical sexual contact.
    - Animal attack.
    - Other.
  - Consequences of the incident, including, but not limited to:
    - Whether security or law enforcement was contacted and their response.
    - Actions taken to protect employees from a continuing threat or from any other hazards identified as a result of the incident.
    - Information about the person completing the log, including their name, job title, and the date completed.

- Reviewing all previous incidents.
- Post-incident procedures

Offer counseling services to affected employees. See employee assistance program (EAP) for more details.

Ensure that no personal identifying information is recorded or documented in the written investigation report. This includes information which would reveal identification of any person involved in a violent incident, such as the person's name, address, electronic mail address, telephone number, social security number, or other information that, alone or in combination with other publicly available information, reveals the person's identity.

## **TRAINING AND INSTRUCTION**

All employees, including managers and supervisors, will have training and instruction on general and job-specific workplace violence practices. These sessions could involve presentations, discussions, and practical exercises. Training and instruction will be provided as follows:

- When the WVPP is first established.
- Annually to ensure all employees understand and comply with the plan.
- Whenever a new or previously unrecognized workplace violence hazard has been identified and when changes are made to the plan. The additional training may be limited to addressing the new workplace violence hazard or changes to the plan.

Fusion Media will provide its employees with training and instruction on the definitions found on page 1 of this plan and the requirements listed below:

- The employer's WVPP, how to obtain a copy of the employer's plan at no cost, and how to participate in development and implementation of the employer's plan.
- How to report workplace violence incidents or concerns to the employer or law enforcement without fear of reprisal.
- Workplace violence hazards specific to the employees' jobs, the corrective measures Fusion Media has implemented, how to seek assistance to prevent or respond to violence, and strategies to avoid physical harm.
- The violent incident log and how to obtain copies of records pertaining to hazard identification, evaluation and correction, training records, and violent incident logs.
- Opportunities Fusion Media has for interactive questions and answers with a person knowledgeable about the Fusion Media plan.
- **Note:** *Employers must use training material appropriate in content and vocabulary to the educational level, literacy, and language of employees.*

## **EMPLOYEE ACCESS TO THE WRITTEN WVPP**

Fusion Media ensures that the WVPP plan shall be in writing and shall be available and easily accessible to employees, authorized employee representatives, and representatives of Cal/OSHA at

all times on the company intranet.

## **RECORDKEEPING**

Fusion Media will:

- Create and maintain records of workplace violence hazard identification, evaluation, and correction, for a minimum of five (5) years.
- Create and maintain training records for a minimum of one (1) year and include the following:
  - Training dates.
  - Contents or a summary of the training sessions.
  - Names and qualifications of persons conducting the training.
  - Names and job titles of all persons attending the training sessions.
- Maintain violent incident logs for minimum of five (5) years.
- Maintain records of workplace violence incident investigations for a minimum of five (5) years.
  - The records shall not contain medical information per subdivision (j) of section 56.05 of the Civil Code.
- All records of workplace violence hazard identification, evaluation, and correction; training, incident logs and workplace violence incident investigations required by [LC section 6401.9\(f\)](#), shall be made available to Cal/OSHA upon request for examination and copying.

## **EMPLOYEE ACCESS TO RECORDS**

The following records 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**:

- Records of workplace violence hazard identification, evaluation, and correction.
- Training records.
- Violent incident logs.

## **REVIEW AND REVISION OF THE WVPP**

The Fusion Media WVPP will be reviewed for effectiveness:

- At least annually.
- When a deficiency is observed or becomes apparent.
- After a workplace violence incident.
- As needed.

Review and revision of the WVPP will include the procedures listed in the EMPLOYEE ACTIVE INVOLVEMENT section of this WVPP, as well as the following procedures to obtain the active involvement of employees and authorized employee representatives in reviewing the plan's effectiveness:

- Review of Fusion Media's WVPP should include, but is not limited to:
  - Review of incident investigations and the violent incident log.
  - Assessment of the effectiveness of security systems, including alarms, emergency

response, and security personnel availability (if applicable).

- Review that violence risks are being properly identified, evaluated, and corrected. Any necessary revisions are made promptly and communicated to all employees. [These revisions could involve changes to procedures, updates to contact information, and additions to training materials.]

## **EMPLOYER REPORTING RESPONSIBILITIES**

As required by [California Code of Regulations \(CCR\), Title 8, Section 342\(a\). Reporting Work-Connected Fatalities and Serious Injuries](#), Fusion Media will immediately report to Cal/OSHA any serious injury or illness (as defined by [CCR, Title 8, Section 330\(h\)](#)), or death (including any due to Workplace Violence) of an employee occurring in a place of employment or in connection with any employment.

"I, Mark Freedman, President of Fusion Media, hereby authorize and ensure, the establishment, implementation, and maintenance of this written workplace violence prevention plan and the documents/forms within this written plan. I am committed to ensuring the safety and well-being of our employees and believe that these policies and procedures will help us achieve that goal."

Mark Freedman, President

  
\_\_\_\_\_  
Signed

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September 25, 2024

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Dated

## Violent Incident Log

This log must be used for every workplace violence incident that occurs in our workplace. At a minimum, it will include the information required by LC section 6401.9(d).

The information that is recorded will be based on:

- Information provided by the employees who experienced the incident of violence.
- Witness statements.
- All other investigation findings.

All information that personally identifies the individual(s) involved will be omitted from this log, such as:

- Names
- Addresses - physical and electronic
- Telephone numbers
- Social security number

[Enter the date the incident occurred (Day, Month, Year)]

[Enter the time (or approximate time) that the incident occurred] a.m./p.m.

Location(s) of Incident	Workplace Violence Type (Indicate which type(s) (Type 1, 2,3,4)
[Enter location(s) where the incident occurred]	[Enter the workplace violence type(s)]

Check which of the following describes the type(s) of incident, and explain in detail:

**Note:** It's important to understand that "Workplace Violence Type" and "Type of Incident" have separate requirements. **For this part of the log, "Type of Incident" specifically refers to the nature or characteristics of the incident being logged.** It does not refer to the type of workplace violence.

- Physical attack without a weapon, including, but not limited to, biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting.
- Attack with a weapon or object, including, but not limited to, a firearm, knife, or other object.
- Threat of physical force or threat of the use of a weapon or other object.
- Sexual assault or threat, including, but not limited to, rape, attempted rape, physical display, or unwanted verbal or physical sexual contact.
- Animal attack.
- Other.

Explain: [Provide a detailed description of the incident and any additional information on the violence incident type and what it included. Continue on separate sheet of paper if necessary.]

Workplace violence committed by: [For confidentiality, only include the classification of who committed the violence, including whether the perpetrator was a client or customer, family or friend of a client or customer, stranger with criminal intent, coworker, supervisor or manager, partner or spouse, parent or relative, or other perpetrator.]

Circumstances at the time of the incident: [write/type what was happening 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.]

Where the incident occurred: [Where the incident occurred, such as in the workplace, parking lot or other area outside the workplace, or other area.]

Consequences of the incident, including, but not limited to:

- Whether security or law enforcement was contacted and their response.
- Actions taken to protect employees from a continuing threat or from any other hazards identified as a result of the incident.

[Include information on what the consequences of the incident were.]

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- Were there any injuries? Yes or No. Please explain:

[Indicate here if there were any injuries, if so, provide description of the injuries]

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- Were emergency medical responders other than law enforcement contacted, such as a Fire Department, Paramedics, On-site First-aid certified personnel? Yes or No. If yes, explain below:

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Did the severity of the injuries require reporting to Cal/OSHA? If yes, document the date and time this was done, along with the name of the Cal/OSHA representative contacted.

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A copy of this violent incident log needs to be provided to the employer. Indicate when it was provided and to whom.

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This violent incident log was completed by:

[Name of person completing this log], [Job Title of person completing this log], [Date this log was completed]

[Signature of person completing this log]  
[Date of completion]