

WORKPLACE VIOLENCE PREVENTION PROGRAM

for Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems

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: _____

Date of Last Revision(s): 6/14/2024

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, **Sheryl Bell**, has the authority and responsibility for implementing the provisions of this plan Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems. If there are multiple people responsible for the plan, their roles will be clearly described.

Responsible Persons	Job Title/Position	WVPP Responsibility(ies)	Phone #	Email
Sheryl Bell	Director of Operations (California)	Overall responsibility for the plan	(949) 264-7022	sbell@diligentusa.com
Priscilla Garcia	Operations Manager	Responsible for employee involvement and training and for emergency response, hazard identification, and coordination with other employers	(714) 462-4080	pgarcia@diligentusa.com
Alan Geraldi	Legal Counsel	Responsible for all legal requirements regarding the plan.	(832) 920-9677	ageraldi@diligentusa.com
Dawn Vesey	HR	Responsible for answering all questions regarding the plan.	(615) 719-0481	dvesey@diligentusa.com
Carlos Navarro	COO	Responsible for approving training and overall oversight of the plan.	(713) 275-2555	cnavarro@diligentusa.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

Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems 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.
 - Designing and implementing training and reporting and investigating workplace violence 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 always be in effect 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 Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems 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:
 - Discipline employees for failure to comply with the WVPP. Refer to Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems existing discipline process.

COMMUNICATION WITH EMPLOYEES

We recognize that open, two-way communication between our management team, staff, and other employees 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.
 - Ensure that supervisors and employees can communicate effectively and in the employees' first language.
- 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.
 - Provide contact information for who to call for emergency response (911)
- 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.

COORDINATION WITH OTHER EMPLOYERS

Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems 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 in workplace violence prevention.
- Workplace violence incidents involving any employee are reported, investigated, and recorded.

- At a multi-employer worksite, Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems will ensure that if employees experience a workplace violence incident, FKC Founders Courts LLC., will record the information in a violent incident log and shall also provide a copy of that log to the controlling employer.

WORKPLACE VIOLENCE INCIDENT REPORTING PROCEDURE

Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems 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 Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems. If that's not possible, employees will report incidents directly to the WVPP administrator, **Sheryl Bell**

Employees can report incidents to their supervisor or to HR.

A strict non-retaliation policy is in place, and any instances of retaliation are dealt with swiftly and decisively.

- An employee who retaliates against a coworker for reporting an incident could be disciplined or terminated.

EMERGENCY RESPONSE PROCEDURES

Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems 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
 - Alarm systems will be used to alert employees to emergencies.
- Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems will have evacuation or sheltering plans.
 - The plans include maps of evacuation routes and locations of emergency exits.
- How to obtain help from staff, security personnel, or law enforcement.

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

Responsible Persons	Job Title/Position	WVPP Responsibility(ies)	Phone #	Email
Sheryl Bell	Director of Operations (California)	Responsible for emergency response, hazard identification, and coordination with other employers	(949) 254-2336	sbell@diligentusa.com
UCI Health	Hospital	Provide emergency care to wounded employees	(714) 524-4827	

- Dial 911 outside of the building and away from the threat.

WORKPLACE VIOLENCE HAZARD IDENTIFICATION AND EVALUATION

The following policies and procedures are established and required to be conducted by Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems 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:
 - Daily or weekly review of all submitted and reported concerns.

Periodic Inspections

Periodic inspections of workplace violence hazards will identify unsafe conditions and 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:

Specific Person Name/Job Title	Area/Department/Specific location
Sheryl Bell/ Dir of Operations (California)	Operations
Priscilla Garcia/Operations Manager	Operations

Inspections for workplace violence hazards include assessing:

- The exterior and interior of the workplace for its attractiveness to robbers.
- Improve lighting around and at the workplace.
- The need for violence surveillance measures, such as mirrors and cameras.
- Procedures for employee response during a robbery or other criminal act, including our policy prohibiting employees, who are not security guards, from confronting violent persons or persons committing a criminal act.
- Procedures for reporting suspicious persons or activities.
- Effective location and functioning of emergency buttons and alarms.
- Posting of emergency telephone numbers for law enforcement, fire, and medical services.
- Whether employees have access to a telephone with an outside line.
- Whether employees have effective escape routes from the workplace.
- Whether employees have a designated safe area where they can go to in an emergency.
- Adequacy of workplace security systems, such as door locks, entry codes or badge readers, security windows, physical barriers, and restraint systems and the availability of employee escape routes.
- Frequency and severity of threatening or hostile situations that may lead to violent acts by persons who are service recipients of our establishment.
- Effectiveness of systems and procedures that warn others of actual or potential workplace violence danger or that summon assistance, e.g., alarms or panic buttons.
- The use of work practices such as the "buddy" system for specified emergency events.
- Frequency and severity of employees' reports of threats of physical or verbal abuse by managers, supervisors, or other employees.

WORKPLACE VIOLENCE HAZARD CORRECTION

Workplace violence hazards will be evaluated and corrected in a timely manner. Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems will implement the following effective procedures to correct workplace violence hazards that are identified:

- If an imminent workplace violence hazard exists that cannot be immediately abated without endangering employee(s), all exposed employee(s) will be removed from the situation except those necessary to correct the existing condition. Employees who need to correct the hazardous condition will be provided with the necessary protection.
- The workers this applies to are Sheryl Bell and Priscilla Garcia and are necessary for building safety.
- All corrective actions taken will be documented and dated on the appropriate forms.
- Corrective measures for workplace violence hazards will be specific to a given work area and are the same as inspections minus:
 - 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.
 - Procedures for reporting suspicious persons, activities, and packages.
 - Provide/review employee, supervisor, and management training on emergency action procedures.
 - Increase awareness by employees, supervisors, and managers of the warning signs of potential workplace violence.
 - Establish a policy for prohibited practices
 - Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems has a strict no weapons on premises policy.

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 ensure 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 another 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.
 - 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.
- Other post-incident procedures such as:

Support and resources, such as counseling services, are provided to affected employees (These resources could include referrals to counseling services, information about employee assistance programs, and time off work if necessary.)

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 initially 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.

Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems 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 Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems 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 Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems has for interactive questions and answers with a person knowledgeable about the Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems plan including:
- Strategies to avoid/prevent workplace violence and physical harm, such as:
 - How to recognize workplace violence hazards including the risk factors associated with the four types of workplace violence.
 - Ways to defuse hostile or threatening situations.
- How to recognize alerts, alarms, or other warnings about emergency conditions and how to use identified escape routes or locations for sheltering.
- Employee routes of escape.
- Emergency medical care provided in the event of any violent act upon an employee
- Post-event trauma counseling for employees desiring such assistance.

EMPLOYEE ACCESS TO THE WRITTEN WVPP

Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems 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. This will be accomplished by sharing it via SharePoint and website www.diligentusa.com.

RECORDKEEPING

Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems 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 people conducting the training.
 - Names and job titles of all people 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 Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems WVPP will be reviewed for effectiveness:

- At least annually OR after a workplace violence incident.
- When a deficiency is observed or becomes apparent.

EMPLOYER REPORTING RESPONSIBILITIES

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

I, Sheryl Bell, Director of Operations (California) of Western Delivery & Logistics, L.L.C. dba Diligent Delivery Systems, 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 promoting a culture of safety and violence prevention and will bring positive changes to the workflow, business operations, and overall health and safety in our workplace and believe that these policies and procedures will help us achieve that goal as it relates to workplace violence prevention.

Print Name Sheryl Bell

Signature of person authorizing *Sheryl Bell* Date of Signature 06/27/24

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

Location(s) of Incident	Workplace Violence Type (Indicate which type(s) (Type 1, 2,3,4)

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

- 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:

Workplace violence committed by:

Circumstances at the time of the incident:

Where the incident occurred:

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.]

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

- 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:

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.

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

This violent incident log was completed by:

Name_____ **Title**_____

Signature_____ **Date of completion**_____