

# California Department of Corrections and Rehabilitation

## In-Service Training



## Communicable Disease Prevention

*Instructor Guide Version 1.1*

BET ID 11053308



California  
Department  
of  
Corrections  
and  
Rehabilitation

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# Communicable Disease Prevention

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BET11053308  
01/2015  
v1.1

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# IST Communicable Disease Prevention

## Version 1.1

### Signature Sheet

Revision (*Delete if original LP*)

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Date Approved

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Learning Systems Support Unit

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Date Approved

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**OFFICE OF TRAINING AND PROFESSIONAL DEVELOPMENT  
LESSON COVER SHEET**



# LESSON COVER SHEET

## OFFICE OF TRAINING AND PROFESSIONAL DEVELOPMENT

<b>Title of Course Curricula:</b>		<b>IN-SERVICE TRAINING (IST)</b>	
<b>Title of Lesson:</b>		<b>COMMUNICABLE DISEASE PREVENTION</b>	
<b>Author:</b> Barbara McPhail		<b>Last updated by:</b> Nathan Delgado	
<b>Course Code:</b>	<b>11053308</b>	<b>Modification Date:</b>	<b>01/2019</b>
<b>Length of Presentation:</b>	<b>1 Hour</b>	<b>Date OTPD Approved:</b>	<b>01/2015</b>
<b>Recommended Maximum Number of Participants:</b>	<b>40</b>	<b>Recommended Number of Instructors:</b>	<b>2</b>
<b>Classroom/Facility Equipment Requirements:</b> Make sure all details for the lesson are arranged; i.e., classroom, multi-media equipment, etc. <input checked="" type="checkbox"/> Classroom/Facility equipped with Computer, Projector/Projector Screen, Speakers <input type="checkbox"/> Television <input type="checkbox"/> White Board, Tear Sheets <input type="checkbox"/> Other		<b>Instructional Materials/Resources:</b> <input checked="" type="checkbox"/> Instructor Text and Notes <input type="checkbox"/> Participant Guide <input checked="" type="checkbox"/> Presentation Slides/Videos <input type="checkbox"/> Appendix Materials <input type="checkbox"/> Miscellaneous:	

### NEED FOR LESSON

The California Code of Regulations (CCR), Title 8, Chapter 4, Subchapter 7, Article 109, Section 5193(a), requires employers to train all employees with or on occupational exposure to bloodborne pathogens. Failure to provide this course may place employees at greater risk of occupational exposure, infection, serious illness and possible death, and could subject the Department to possible fines for non-compliance or potential litigation.

**OFFICE OF TRAINING AND PROFESSIONAL DEVELOPMENT  
LESSON COVER SHEET**

<b>Target Population</b> All Staff	
<b>Instructor Qualifications</b> Assigned instructors must have completed a basic training course in the techniques of training, or must be T4T certified trainers.	
<b>Lesson Prerequisites</b> N/A	<b>Lesson Evaluation Procedures</b> On File
<b>Sequence of all Lessons</b> IST Training Coordinator determines sequence of classes.	
<b>INSTRUCTIONAL GOAL</b> Participants will understand their roles and responsibilities in the Communicable Disease Prevention plan.	
<b>CORE TASKS</b> <ul style="list-style-type: none"><li>• Demonstrate how to protect yourself and others from contamination.</li><li>• Know the 3 primary methods of exposure.</li></ul>	

**OFFICE OF TRAINING AND PROFESSIONAL DEVELOPMENT  
LESSON COVER SHEET**

**SUBJECT MATTER EXPERTS**

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**OFFICE OF TRAINING AND PROFESSIONAL DEVELOPMENT  
LESSON COVER SHEET**

<b>LEARNING OBJECTIVES</b>	<b>Page</b>	<b>Performance Measure</b>
1. You will identify the primary methods of exposure and types of diseases transmitted by those exposures.	3	Classroom Discussion and Review
2. You will identify the primary areas of the body most vulnerable to disease invasion.	5	Classroom Discussion and Review
3. You will identify the primary methods of prevention of occupational exposure to bloodborne, airborne, and contact diseases.	5	Classroom Discussion and Review



**OFFICE OF TRAINING AND PROFESSIONAL DEVELOPMENT  
LESSON COVER SHEET**

**HISTORY**

<b>LESSON TITLE      COMMUNICABLE DISEASE PREVENTION</b>						
<b>Date</b>	<b>Version No.</b>	<b>Designated Changes</b>	<b>Authority Requesting Change</b>	<b>IG</b>	<b>WB</b>	<b>PPT</b>
1/2019 (N. Delgado)	1.1	<p>Reduced <b>Section II</b> time from 30 to 20 minutes.</p> <p>Added <b>Section IV Gassing</b> to IG</p> <p>Added "<b>Gassing</b>", "<b>DNA</b>", and "<b>IR#</b>" to Glossary</p> <p>Added <b>Slides 4.0-4.3</b> for new information</p> <p>Lesson converted to only an IST lesson from IST/NEO</p>	Office of the Inspector General (OIG)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6/23/14 (D. Bean)	1.0	This version was extracted from the IST A8164 Communicable Disease Prevention v1.0 lesson plan approved 1/2013.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

# OFFICE OF TRAINING AND PROFESSIONAL DEVELOPMENT

## LESSON COVER SHEET

### **STANDARD SAFETY PROVISIONS**

The following standard safety guidelines are intended to promote optimum protection for participants during instructor-led training in a classroom.

#### **Instructor Modeling**

It is the instructor's responsibility to model, initiate, and follow through on safety procedures and emergency protocol.

#### **Safety Information**

The instructor will provide participants with information on safety procedures and emergency protocol prior to the beginning of the lesson. This will include:

1. Location of emergency exits, fire extinguishers, first aid supplies, and communication devices (which will be clearly labeled and posted).
2. Person (supervisor and phone number/extension) to contact in the event of an emergency.

#### **Report Injuries Immediately**

Participants should report any injuries or illnesses to the instructor immediately. The instructor will have a formal process detailing actions to be taken if a participant is injured and/or loses consciousness. Injuries may be reviewed in order to determine cause. Injured/ill participants may be required to have a medical release prior to their return to training.

#### **Emergency Response Procedures**

In the event of an injury occurring during this training, the following emergency response procedures will be followed by staff or participants as appropriate:

1. Respond to the injured staff.
2. Determine the initial type and extent of injury.
3. Call the watch desk for assistance and to inform nature of the injury.
4. Take appropriate first aid action.
5. Notify supervisor(s).
6. Complete required documentation.

#### **Clothing**

Participants' clothing and footwear shall conform to departmental policy guidelines.

#### **Restrooms and Drinking Water**

Participants will be made aware of the location of restrooms and drinking water.

#### **Conduct**

Participants are expected to follow instructions and conduct themselves in a professional manner at all times. If in doubt as to what to do, participants are encouraged to ask the instructor for further instructions, information, or clarification.

**In-Service Training  
Communicable Disease Prevention**

**Instructor Notes/Text**

## INSTRUCTOR NOTES

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### Overview



The Communicable Disease Prevention lesson gives participants basic information on prevention of occupational exposure to bloodborne pathogens (BBP), related laws, and basic procedures related to exposure of infectious diseases and specifically BBP, Methicillin-Resistant Staphylococcus Aureus (MRSA), and Aerosol Transmissible Diseases (ATD).

- This class requires two instructors.
- Review the learning objectives during the summary, prior to the practice activity.

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### Before the Lesson

#### Instructor Note

Write your name, title, and workplace on the whiteboard or tear sheet.

Prior to presenting this lesson, it is strongly recommended that you do a dry run with the slides to ensure that the embedded videos are functioning. Be aware that some video clips have no sound so you will need to facilitate discussion pertaining to the videos.

- Review the Instructor Guide to become familiar with the lesson content.
- Review the Slides.
- Make sure all details for the lesson are arranged, i.e., classroom, multi-media equipment, etc.

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### Note

Pace the presentation time according to the timing allotment of each section noted in the instructor text.

The instructor text contains the proper sequence in which the slides should be displayed or emphasized so that they align with the lecture portion.

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## I. INTRODUCTION

### Section Time

15 minutes

### Instructor Note

Briefly introduce yourself.

Establish yourself as a credible trainer for this lesson.

Training on Communicable Disease Prevention, Bloodborne Pathogens (BBP), Aerosol Transmissible Diseases (ATD) and Methicillin–Resistant Staphylococcus Aureus (MRSA) is required at the time of initial assignment to tasks where occupational exposure may take place, and at least annually thereafter by the California Code of Regulations (CCR), Title 8, Section 5193, BBP, and as enforced by the California Program for the Federal Occupational Safety and Health Administrations (Cal/OSHA).

### Slides

1.0-1.3

### A. Overview of Lesson

In accordance with these regulations, we are providing this training. In addition, because any staff may have possible exposure to diseases other than bloodborne diseases, we are providing training on preventing contact with other forms of occupational exposure.



The diseases discussed in this lesson can infect you for life. They can permanently damage your liver, lungs, brain, or other body parts and even cause death. They can spread to your spouse or partner, children, friends, and others.

- Infectious disease prevention and control is a vital part of your health and safety, both on the job and off.

- By practicing the safety precautions and procedures described in this class, you can significantly reduce the risk of exposure to BBPs and other diseases.
- At any time, you may be in constant contact with persons who potentially have infectious diseases.
- You must constantly take steps to protect yourself from exposure to disease.



Slide  
1.4

## B. Importance

It is extremely important for your health, and the health of your family, that you learn basic lessons in disease prevention and protection, and practice universal precautions every day.



## II. EXPOSURE PROTECTION

**Section Time**

20 minutes

**Slide**

2.0

All human beings have the potential to infect you with disease. Often, prisoner populations have a higher than average incident of these infectious diseases. You may be in constant contact with persons who potentially have infectious diseases. You must consider that anyone you have contact with may be possibly infectious. You must constantly take steps to protect yourself from exposure to disease. If you are working around inmates, you will have a greater risk of exposure.

### A. Methods of Exposure and Possible Diseases

**Slide**

2.1

**Learning Objective 1: You will identify the primary methods of exposure and types of diseases transmitted by those exposures.**

**Slide**

2.2

#### 1. Body Fluids

Although classified as “bloodborne,” these diseases can be transmitted from other body fluids such as: semen, vaginal secretions, breast milk, spinal cord fluid, brain fluid, other organs, and joint fluids. BBPs are present in human blood and can cause disease.



- **HIV** - Human Immunodeficiency Virus, a virus that can lead to Acquired Immune Deficiency Syndrome (AIDS).
- **HBV** - Hepatitis “B” Virus, a virus that attacks the liver, 100 times more contagious, more concentrated in the blood than HIV. The prevention is vaccine.
- **HCV** - Hepatitis “C” Virus, a virus that attacks the liver, 80% may become chronically ill.



## 2. Skin Contact

- **MRSA** - (Methicillin-Resistant Staphylococcus Aureus) Staph infections resistant to treatment
- **Colds/Flu** - Virus
- **Lice/Scabies** - Insects that carry diseases found in inmate living areas



## 3. Airborne

- **TB** - Tuberculosis
- **Colds/Flu** - Virus



## B. C.A.M.P.

**Slides**  
2.3-2.4

**Instructor Note**

Give an example of infection via a cut/abrasion.

**Learning Objective 2: You will identify the primary areas of the body most vulnerable to disease invasion.**

The most vulnerable areas of the body to disease invasion are:

- Cuts (e.g., skin, tears)
- Abrasions (e.g., sores, bruises)
- Mucous membrane (e.g., eyes, mouth, nose)
- Punctures (e.g., finger pricks)

**CAMP** is an easy way to remember these areas.

## C. Personal Protective Practices/Prevention

**Slide**  
2.5

**Instructor Note**

Explain CDCR vaccinations for HBV.

**Learning Objective 3: You will identify the primary methods of prevention of occupational exposure to bloodborne, airborne, and contact diseases.**

The primary methods of prevention of occupational exposure to bloodborne, airborne, and contact diseases are:

1. Awareness
  - Awareness of your surroundings
  - Consistent daily safety practices
2. Vaccination

**Hepatitis B (HBV)** may be prevented by pre-exposure vaccination. The vaccine can produce antibody levels in most individuals who received the three-dose regimen.

3. Frequent hand washing
  - Hot water and soap
  - Anti-bacterial wipes
  - Anti-bacterial cleanser

### III. TOXIC SPILL CLEAN-UP AND LAUNDRY

**Section Time**

10 minutes

A clean and sanitary work site is essential to reducing health and safety hazards. A toxic spill is a safety hazard and must be removed immediately to prevent accidents. Employees who become aware of a toxic spill should ensure it is cleaned up immediately by either doing the clean-up or arranging to have it done, as appropriate.

**Slides**

3.0-3.1

#### A. Laundry

Laundry (sheets, towels, and clothing) that has been soiled with blood or urine should be handled as little as possible, due to possible exposure to bloodborne pathogens and only with the proper Personal Protective Equipment (PPE). Soiled laundry should be placed in a labeled, yellow, waterproof laundry bag for transport.

## IV. Gassing

### Section Time

10 minutes

### Instructor Note

DOM Chapter 5  
Article 54,  
Investigation of  
Gassing  
Incidents

### Slides

4.0-4.2

Gassing, as defined by PC 4501.1(b), means “...intentionally placing or throwing, or causing to be placed or thrown, upon the person of another, any human excrement or other bodily fluids or bodily substances or any mixture containing human excrement or other bodily fluids or bodily substances that result in actual contact with the person’s skin or membranes (DOM Section 54110.3).” These attacks are considered a type of aggravated battery and the medical evaluation of the employee should take precedence over collection of evidence, report writing, or other non-emergency issues or duties.

If you are gassed:

- Collect evidence as soon as possible.
- Use a sterile cotton swab to collect the gassing substance (swirl swab to cover).
  - Place the swab in a paper envelope (if the swab has a stick, remove the stick before placing the swab in the envelope).
- Do not place wet items in a plastic bag.
- Do not use gauze pads.
- Do not cross contaminate evidentiary items.
- When drying, all items should be kept separate.
- Photograph each item front and back.
- Do not mix and match transferable evidence.
- Items with no blood or other evidence on them can be placed in the same paper bag.
- Write incident report number (IR#), date, inmate’s name, and CDCR# on the outside of the bag.

### Instructor Note

Why is it important to photograph front and back of each item?

Slide

4.3

## First Responders Crime Scene Guide- What to Look for and How to Preserve it (Gassing)

Evidence Type	Possible Location	Collection Method	Contamination Method
Container	Near suspect in cell	<ul style="list-style-type: none"> <li>• Cardboard box or manila envelope</li> </ul>	<ul style="list-style-type: none"> <li>• Smearing fingerprints</li> <li>• Adding additional fingerprints</li> </ul>
Substance	In container	<ul style="list-style-type: none"> <li>• Glass vial or plastic container</li> </ul>	<ul style="list-style-type: none"> <li>• Cross contamination</li> </ul>
Clothing	On or near victim	<ul style="list-style-type: none"> <li>• Outline are of station</li> <li>• Paper bag or cardboard box</li> </ul>	<ul style="list-style-type: none"> <li>• Cross contaminating with blood or deoxyribonucleic acid (DNA) evidence from other objects or collection tools</li> </ul>
Stains	On victim's clothing	<ul style="list-style-type: none"> <li>• Photograph or sketch so lab technical will know where to look on item once stain dries</li> </ul>	<ul style="list-style-type: none"> <li>• Cross contaminating blood or DNA evidence with other objects</li> <li>• Dilution by cleaning</li> </ul>

## V. CONCLUSION

**Section Time**

5 minutes

We have studied the 3 BBPs covered by Cal/OSHA and identified the body fluids capable of transmitting them.

**Slides**

5.0-5.1

### A. Summary

We discussed implementing standard precautions.

*Remember*, always use standard precautions no matter where you are. Staph infections are becoming more and more common, even among people that are not members of high-risk groups.

**Slide**

5.2

It is essential that you practice universal precautions at all times to avoid infectious diseases. Treat all contact as potentially contagious and take precautions accordingly.

Washing your hands consistently and improving personal hygiene is essential in preventing and spreading infectious diseases in our work site.

## GLOSSARY

<b>Word</b>	<b>Definition</b>
<b>AIDS</b>	Acquired Immune Deficiency Syndrome
<b>ATD</b>	Aerosol Transmissible Diseases
<b>Bloodborne Pathogens (BBP)</b>	Microorganisms that may be present in blood or other body fluids and can cause specific diseases.
<b>Body fluids capable of transmitting BBPs</b>	Bodily liquids or solids being thrown at an officer by an offender.
<b>DNA</b>	Deoxyribonucleic Acid
<b>Gassing</b>	Bodily liquids or solids being thrown at an officer by an offender.
<b>Hepatitis</b>	Hepatitis is characterized by inflammation of the liver. It may return to normal without treatment, or cause chronic liver disease and liver cancer.
<b>HBV</b>	Hepatitis B virus. A virus that causes a particular form of hepatitis. There is a vaccine for prevention.
<b>HCV</b>	Hepatitis C virus. A virus that causes a particular form of hepatitis. There is no vaccine for prevention.
<b>HIV</b>	Human Immunodeficiency Virus. HIV is the virus that leads to Acquired Immune Deficiency Syndrome.
<b>IR#</b>	Incident Report Number
<b>MRSA</b>	Methicillin Resistant Staphylococcus Aureus – Staph Infections resistant to treatment.



## **REFERENCES**

- 1) Bloodborne Pathogens and Exposure Control Plan 2001, CDCR
- 2) California Code of Regulations, Title 2; Title 8, Sections 3202, 3204(e), 3340, 3341, 3342, 3383, 5144, 5147, Title 8
- 3) California Department of Corrections and Rehabilitation Department Operations Manual (DOM), Chapter 5-Adult Custody and Security Operations, Article 54-Investigation of Gassing Incidents, Section 541101-54110.11
- 4) California Department of Public Health, "Methicillin-Resistant Staphylococcus Aureus for Athletes: What You Need to Know", February 2007
- 5) Code of Federal Regulations, Section 1910.1030, Bloodborne Pathogens
- 6) Health and Safety Code, Chapter 3.5, Sections 121130-121140
- 7) Health and Safety Code, Section 120775. Human Immunodeficiency Virus (HIV) Infection
- 8) National HIV Testing Resources; A service of the Centers For Disease Control and Prevention (CDC), Frequently Asked Questions
- 9) Occupational Exposures to Blood: What Health Care Workers Need to Know, Department of Health and Human Services, Centers for Disease Control and Prevention
- 10) Penal Code, Section 7500, et seq., and Penal Code, Section 4501.1
- 11) Personal Protective Equipment Fact Sheet, U.S. Department of Labor, Occupational Safety and Health Administration, 2002

# **In-Service Training Communicable Disease Prevention**

**Instructional Aids**

**PowerPoint Presentation**



CALIFORNIA CORRECTIONAL  
HEALTH CARE SERVICES



# CERTIFICATE OF COMPLETION

This certificate acknowledges that

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has successfully completed

**Communicable Disease Prevention - NEO**

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Employee PERNR

.50

Credits/Hours



Date of Completion

One year from the date of completion

Certificate Expiration Date



In-Service Training


## Inmate/Staff Interaction



OTPD Approved 12/2021

## Section I

# Inmate Staff Interaction



## Introduction

1.0

## Overview of Lesson

This lesson covers:

- How to interact with inmates and staff members in a positive and professional manner
- Proper communication techniques
- How to identify and react to overly familiar and inappropriate behavior
- Inmate rights and the consequences that arise when these rights are violated
- How to identify and respond to inmates who may attempt to manipulate staff

1.1


## Importance

The way you interact and communicate with staff and inmates is a reflection on you as a professional and of the Department.


The knowledge and skills provided in this lesson are the foundation for success and are some of the most important skills you will learn.

1.2

## Section II



# WHAT IS PROFESSIONALISM



## Correctional Professionalism

2.0

## Employee Conduct

Good communication skills are the foundation for successful professional interactions. You will make decisions based on the application of departmental policies and procedures.

Positive and professional conduct:

- Fosters a better understanding of the roles of staff and inmates inside the institution
- Leads to mutual respect of both staff and inmates

2.1

## Professionalism

Adhering to the rules, regulations, and ethical standards of CDCR and being a competent, reasonable, dependable, and well-trained employee.

CDCR staff shall exhibit a courteous, objective, conscientious, and business-like demeanor.



2.2

Professional traits:

- Neat and well-groomed appearance
- Demonstrated expertise in their field
- Practiced excellent communication skills
- Displayed ethical behaviors
- Demonstrated politeness and courtesy
- Remained calm, even when facing a difficult situation
- Provided their professional opinion

2.3

Professionals that possess these traits can weave in and out of a “position of authority” and “personal power.”

Unprofessional traits:

- Appeared poorly groomed
- Was impolite or rude
- Made others feel uncomfortable or unwelcome



2.4

The first impression can set the tone for an inmate's behavior.

Inmates often have expectations of our:

- Performance
- Conduct
- Appearance



2.5

Professionalism should be adhered to at all times.

- If an imminent danger or emergency arises (i.e., alarm response, assaults, and medical emergencies)
  - Maintaining professionalism is instrumental because your actions will be scrutinized and, in many instances, called into question by both inmates and the public
- When inmates do not respect authority

2.6

### Learning Objective 1:

You will identify habits staff should follow to promote positive and professional interactions with other staff and inmates.

2.7



When speaking with an inmate:

- Do not lose your temper or make idle threats
- Remain professional in your conduct
- Avoid profanity or abusive language
- Try to slow the conversation down
- Always treat inmates respectfully



3.4

## Developing Rapport

The following methods will assist you in developing rapport with inmates:

- If you recognize a change in behavior, attempt to find out what is causing the change
- Assist the inmate in resolving any problems by referring them to the chaplain, counselor, or medical department
- When appropriate, resolve the problem at the lowest level (informal, verbal counseling)
- Be fair, firm, consistent, and objective

3.5

- Complete appropriate documentation
- Be consistent in the treatment of all inmates, but take into consideration inmates are individuals who act and react differently
- Clearly state expectations, repeat expectations if necessary, and always follow up
- Try to follow through with what you say; if you cannot, take the time and advise the inmate why you could not
- Do not make a promise that you cannot deliver

3.6

- If you do not know something, admit it and make an effort to find the answer
- Lead by example, be aware of your role as an authority figure
- Do not make small issues into large ones or large issues into small ones
- Keeping the lines of communication open to build a good rapport does not mean you become a member of, or are associated with, a specific group of inmates

3.7

- Always maintain your professional demeanor
- Inmates will respect you when you are professional and fair in the performance of your duties
- Communicate your approval of a job well done, but do so in a professional manner
- Do not become a product of the institutional subculture (i.e., using inmate jargon)



3.8

### Learning Objective 3:

You will identify possible communication barriers with inmates.

3.9

## Communication Barriers

Possible communication barriers include:

- Mental health issues
- Developmental disabilities
- Physical disabilities (hearing, vision, and speech)
- Language barriers
- Learning disabilities
- Low Test for Adult Basic Education (TABE) scores (4.0 and below)

3.10

- Cultural diversity issues—differences in race, gender, and sexual orientation
- Religion, customs, and values
- Profanity, slang, or name-calling
- Not accepting responsibility for your actions
- Not listening to what is being said
- Being closed-minded
- Body language
- Personal prejudices and discrimination
- Difference in personalities
- Misconceptions due to past experiences

3.11

## Section IV



## Inmates' Rights

4.0

## Rights of the Confined

Federal and state laws govern the establishment and administration of institutions and the rights of the inmates.

Denial of basic human rights has resulted in serious consequences. Basic human rights for inmates include food, clothes, shower, a toilet, exercise, etc.

Inmates have rights and privileges that cannot be denied without due process.

4.1

Caselaw and legislation such as the Prison Litigation Reform Act (PLRA) of 1996 have expanded and refined inmate rights.

In addition to requirements for a minimum standard of living, inmates are protected from discriminatory treatment.



4.2

### Learning Objective 4:

You will identify consequences that may arise if inmate rights are violated.

4.3



## Consequences of Violating Inmate Rights

Consequences of violating inmate rights include:

- Compromising institutional security
- An unsafe and unstable work environment
- Increased tension between staff and inmates
- Inmate unrest and the potential for violence
- Loss of life and property

4.4

- Discrediting the Department
- Negative media attention
- Exposure of the Department to inmate appeals and lawsuits
- Fines and possible termination of staff who violate inmate rights

4.5

## Section V

**Be**  **AWARE**

**think**



## Inmate Manipulation

5.0

### Learning Objective 5:

You will identify staff actions which inmates observe and use to manipulate staff.

5.1

## Staff Actions

Below are examples of staff actions inmates may observe and use to manipulate staff:

- Appearing nervous or easily intimidated
- Acting immature
- Unwilling to ask their peers for assistance
- Interacting negatively with other staff or appearing to be a loner
- Gossiping about other staff or inmates
- Talking with inmates and not making eye contact

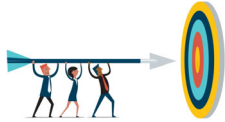
5.2

- Wearing inappropriate work attire (wrinkled or not clean clothes)
- Maintaining poor grooming standards and not looking professional
- Neglecting to follow the rules
- Bending the rules for certain inmates
- Failing to conduct security checks or performing inconsistent security checks
- Being overly familiar with inmates

5.3

Complimenting is another tactic inmates use to manipulate staff.

It is important to set boundaries with inmates who use excessive or inappropriate compliments by telling the inmate when their comments are inappropriate.



6.4

## Empathy vs. Sympathy

**Empathy** is the ability to put yourself in someone else's shoes and understand the situation from their perspective.

Empathy does not necessarily require you to care, but you can understand where they are coming from without being emotionally invested.

6.5

**Sympathy** is caring or feeling sorry for someone else's situation. Sympathy usually involves having an emotional attachment.

When an inmate can get you to feel sympathy, this is a perfect setup to then attempt to manipulate you.

You can understand an inmate's problem without allowing the inmate to pull you into their feelings and possibly set you up for later manipulation.

6.6

## Section VI



### Overly Familiar Behavior



6.0

## Inappropriate Relationships or Sexual Misconduct

The following clarifies the difference between an inappropriate relationship and sexual misconduct.

- **Inappropriate relationship:** A person in a position of trust or authority engaging in behavior of a personal nature, beyond the scope of the professional role, with an inmate/parolee or family and friends of the inmate/parolee
- **Sexual misconduct:** Any sexual behavior by an employee that involves or is directed toward an inmate (the legal concept of 'consent' does not exist between employees and inmates)

6.1

## Video: Inmate Staff Relations



6.2

### **Learning Objective 6:**

You will identify strategies that protect you from inmate manipulation.

6.3

## **Manipulation Prevention Strategies**

There are strategies that you can use to maintain appropriate interactions with inmates.

Specific things you can do to protect yourself from manipulation are:

- Be professional
- Make your expectations of conduct clear
- Remain firm, fair, and consistent

6.4

- Immediately confront conduct that is inappropriate and is considered overly familiar
- Know the Department rules and regulations regarding staff professional conduct
- Maintain professional interactions with inmates, not personal relationships
- Be aware that inmates will try to manipulate you
- Know your surroundings and observe inmates

6.5

- Keep your personal life at home
- Confront rule violations, even minor ones
- If you believe you are being manipulated, contact your supervisor
- If you make a mistake, admit it



6.6

## **Staff-to-Staff Assistance**

If you notice staff becoming overly familiar with an inmate(s), it is important to discuss the issue with the person in a non-threatening manner.

The following steps or methods should be used:

### **1. Observe**

- For your safety, as well as that of others, we are obligated to be aware of the actions of those around us

6.7

- Be aware of your coworkers' whereabouts and inmate(s) who tend to be near staff frequently
- ### **2. Confirm**
- Check out your observations carefully
  - Do not engage in gossip, but discreetly discuss your observations with other coworkers who may be affected by the situation to confirm; do not involve inmates in staff conflicts

6.8

### 3. Confront

- The seriousness of the situation
- The culture of the work-site
- The relationship between the two employees will dictate how a staff member would confront another staff member
- Assuming that it is safe and appropriate to confront the coworker, bring your observations to the coworker's attention privately in a non-accusatory manner

6.9

- Let the person know how their actions and those of the inmate are being perceived

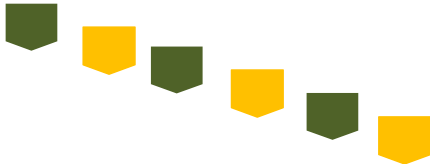
### 4. Document

- Document all observations and any conversations concerning the situation
- Documentation helps clarify facts if an investigation follows

6.10

### 5. Report

- Report all observations to a supervisor
- In the case of an actual security violation or breach, report the matter to a security supervisor



6.11

## Learning Objective 7:

You will identify the process to follow when a relative or friend is committed or transferred to the jurisdiction of the Department.

6.12

## Relative or Friend Committed to the Department

"If an employee becomes aware that any relative or person with whom the employee has or has had either a personal or business relationship, has been committed to or transferred to the jurisdiction of the Department, the employee shall notify in writing, the employee's institution head or appropriate Director/Assistant Secretary of that fact."

CCR, Title 15 Section 3406

6.13

The employee must complete CDCR Form 2189, Incarcerated Relative/Associate Notification, and submit the form to their institution head or appropriate Director/Assistant Secretary.

CONFIDENTIAL

INCARCERATED RELATIVE/ASSOCIATE NOTIFICATION

TO BE COMPLETED BY EMPLOYEE

EMPLOYEE INFORMATION: NAME, LAST FIRST MIDDLE, CLASSIFICATION, INSTITUTION PROGRAM/AREA, WORKER NUMBER (OPTIONAL), PHONE NUMBER

NOTIFY SUPERVISOR: DATE OF BIRTH, INSTITUTION NUMBER

NOTIFY SUPERVISOR: YES/NO

Signature line for Institution Head, Superintendent or Designated Person

DATE

Small print at the bottom regarding confidentiality and distribution.

6.14

## Section VII



## Conclusion

7.0

## Conclusion

This lesson provided:

- Awareness of Department policies surrounding the issues of inappropriate conduct with inmates or parolees
- The legal, ethical, and professional implications of violations involving inappropriate behavior
- Warning signs that can lead to inappropriate relations, prevention strategies, and the rights and reporting responsibilities of all employees

7.1

## Section VIII



## Knowledge Review

8.0

## Knowledge Review

1. Disciplining inmates in public will promote a positive working relationship.

True

False

**Discipline in private and praise in public without overdoing; promotes a positive working relationship.**

8.1

2. Each of the following is a technique to effectively communicate with an inmate EXCEPT:

Keep your word

Speak clearly

Portray a sympathetic attitude

Project an attitude of self-confidence

8.2

3. Decreased inmate appeals is a consequence that arises if an inmate's rights are violated.

True

False

**Increased inmate appeals is a consequence that arises if an inmate's rights are violated.**

8.3

4. The following are staff actions that inmates observe and use to manipulate staff EXCEPT:

- Bending the rules for certain inmates
- Performing inconsistent security checks
- Easily intimidated
- Maintaining professional interactions

8.4

5. Differences in religion, customs, values, and personalities can all be potential barriers to communicating with inmates.

- True
- False

8.5

6. If you believe you are being manipulated, try and resolve it prior to contacting your supervisor.

- True
- False

**If you believe you are being manipulated, contact your supervisor.**

8.6

7. You do not need to notify anyone when you have a relative or friend that is committed to the jurisdiction of the Department.

- True
- False

**Per CCR, Title 15 Section 3406, you shall notify in writing your institution head or appropriate Director/Assistant Secretary when you become aware a relative or friend is committed to the jurisdiction of the Department.**

8.7



CALIFORNIA CORRECTIONAL  
HEALTH CARE SERVICES

**CALPIA**  
Quality Products ★ Changed Lives ★ A Safer California

# CERTIFICATE OF COMPLETION

This certificate acknowledges that

---

has successfully completed

**Inmate/Staff Relations - NEO**

---

Employee PERNR

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Credits/Hours



Date of Completion

One year from the date of completion

Certificate Expiration Date




In-Service Training  
**EMERGENCY OPERATIONS**




OTPD Approved 12/2020

## Section I



## Introduction



1.0

## Overview

This lesson provides staff with an awareness level overview of the CDCR Emergency Management Program including:

- The use of Incident Command System (ICS)
- Integration of state and local response
- Compliance with National Incident Management System (NIMS)
- Legal mandates

1.1


## Importance of Lesson

You are continually faced with potentially violent situations.


In order for you to carry out your responsibilities, you must understand the concepts of NIMS and ICS and how they are integrated into your institutions Emergency Operations Plan (EOP).

1.2

## Section II




## Emergency Operations



2.0

## The Office Video



2.1



## Introduction

As staff at a prison facility, you will face emergencies including fights, riots, escapes and natural disasters, such as earthquakes, floods, or fires.

Any action taken should minimize and contain the impact of the emergency while still complying with federal and state law, regulations and Department policies and procedures.

This lesson provides you with the purpose, content, access to and confidentiality of the EOP.

2.2

## Learning Objective 1:

You will identify the purpose of the Emergency Operations Plan.

2.3

According to the Department All-Hazards EOP, the Facility EOP is submitted annually to the Office of Correctional Safety, Emergency Planning and Management Unit for review and approval.

The EOP defines institution emergency operations and provides guidelines for the content of the EOP across all CDCR.

The purpose of the EOP is to enhance the facility's ability to mitigate, prepare, respond, and recover from all emergencies and declared disasters involving CDCR sites.

This is accomplished by providing the necessary planning, coordination, training and response activities required for the preservation of life and the protection of the public.

2.4

## Access to the Emergency Operations Plan

The EOP is not available to the general public, unauthorized persons, especially inmates. It contains sensitive and confidential information about:

Staff	Local Businesses	Law Enforcement Agencies
Emergency repair personnel	Maps and diagrams of the prison and surrounding area	Control access codes to locks, gates and other areas of the prison

2.5

## Implementation

- Not all disturbances require the activation of the EOP
- Using routine procedures such as the alarm response procedures and the emergency response activities which trigger the implementation of the EOP
- The EOP is implemented when the situation exceeds routine and "more than routine" resources are necessary to restore order or safety

2.6

## Section III



## Roles in Emergency Response



3.0

## Job Functions

During an emergency or disturbance you may be assigned to a job function not necessarily related to the scope of your normal duties. For instance, you may be a:

- Correctional Counselor → assigned to an armed post
- Vocational Instructor → assigned to prepare meals
- Sent to another prison → for support to resolve a disturbance or emergency
- Sent to assist a local government agency or statewide emergency effort

3.1

You may be appointed to an assignment that differs from normal and asked to:

Work additional hours	Gather intelligence	Takes notes for Command or General staff	Assist housing unit officers with counts
Prepare meals and provide food	Assist in community	Clean housing units	Staff positions in the ICP

3.2

## Section IV



### Overview of National Incident Management System



4.0

## National Incident Management System



4.1

## Background

The CDCR all-hazards EOP is based on best practices of the NIMS.

Lesson learned from previous large-scale disasters demonstrated a need for NIMS.

NIMS would provide a consistent, nationwide framework to enable all government, private-sector, and nongovernmental organizations to work together during domestic incidents.

4.2

## Learning Objective 2:

You will identify the National Incident Management System.

4.3

## What is NIMS?

A comprehensive, national approach to incident management which:

- Is applicable at all jurisdictional levels and across functional disciplines
- Is applicable across a full spectrum of potential incidents and hazard scenarios
- Improves coordination and cooperation between public and private entities
- NIMS provides the standards for domestic incident response

4.4

## Concepts and Principles

NIMS provides the framework for interoperability and compatibility. This allows flexibility and standardization.

Flexibility so government and private entities at all levels work together while providing a set of standardized organization structures.

4.5

## Section IV



### Incident Command Post



5.0

## Features

An ICP is the entity which directly responds to the emergency by providing field-level tactical command and control of resources.

The ICP provides efficient management of personnel by keeping them together and providing central points of contact for planning, mission control and resource management.

An ICP can be a fixed location or ad-hoc such as the hood of a vehicle.

5.1

An ICP should be established when:

- A multi-agency incident occurs
- Is long of duration
- Requires heavy use of resources
- Involves Crisis Response Team (CRT)
- Evacuation of personnel

An ICS location must be strategic, but safe; accessible, defensible and with reasonable proximity of the incident.

5.2

Ideally, it should provide for growth, adequate resources and relatively quiet. Each institution has a fixed primary and secondary location for their ICP. However, situations will dictate the final location.

Keys to successfully setting up an ICP are:

- Establish early
- Select a good site
- Announce the location
- Staff it adequately

5.3

## Section VI

### Incident Command System



### Incident Command System



6.0

## History of Incident Command System



6.1

## History

An incident is an occurrence, either caused by human or natural phenomena, which requires response actions to prevent or minimize loss of life, or damage to property or the environment.

The ICS was developed in the 1970's following a series of catastrophic fires in California.

Numerous problems with communication and coordination hampered their effectiveness.

6.2

## Failures

These are rarely attributed to a lack of resources or tactics; it is likely due to inadequate management, including but not limited to:

- Overloaded incident commanders (IC)
- Unclear chain of command
- Poor communication
- Incompatible communication systems

6.3

- Terminology
- Lack of systematic planning process
- No common, flexible pre-designed management structure
- No pre-defined methods to integrate multiple agencies into the management structure

6.4

## Why Use ICS?

It is a proven management system based on successful business practices. It is standardized, on-scene, all-hazard incident management concept.

By using management best practices, ICS helps to ensure:

- Safety of responders and others
- Achievement of tactical objectives
- Efficient use of resources

ICS is designed to be interdisciplinary and organizationally flexible.

6.5

The benefits of the ICS are:

By using management best practices, ICS helps to ensure:

- Meets needs of incidents of any kind or size
- Allows personnel from a variety of agencies to meld rapidly
- Provides logistical and administrative support to operational staff
- Cost effective
- Standardized management tool for meeting the demands of small or large emergency or non-emergency situations
- May be used for planned events, natural disasters, and acts of terrorism

6.6

## ICS Basic Features

### 1. Common, Standardized Terminology

- Whether working with the police or fire department, a institution, or the military, everyone uses the same terms
- Organizational functions, incident facilities, position titles, and resource descriptions are standardized and universal
- We communicate in plain English or clear text, which means no radio codes, agency-specific codes, or jargon

6.7

### 2. Guidelines for Command and Command Relationships

- Command is the act of directing, ordering or controlling by virtue of explicit statutory, regulatory, or delegated authority.
  - Unity of Command
  - Unified Command
  - Transfer of Command

6.8

### 3. Planning and Organizational Structures

Organization is modular and expands or contracts based on size and complexity:

- IC is responsible for establishment and expansions

As the organization grows, the number of management and supervisory positions expand:

- Maintaining an adequate span of control is critical
- Span of control may vary from three to seven; meaning no one person should be overseeing more than seven functions
- Recommended ratio is one to five

6.9

### 4. Guide for Managing Resources

Management by objectives communicated throughout the entire ICS organization includes:

- Establishing overarching incident objectives
- Developing strategies
- Developing and issuing assignments, plans, procedures and protocols
- Establishing specific, measurable tactics or tasks for incident functional activities and directing the efforts to accomplish the tasks
- Documenting results to measure performance and facilitate corrective actions

6.10

### 5. Communications/Information Management

- Incident Facilities and Resources
- Incident Action Plan
- Verbal or written
- Provides incident supervisor with direction for actions implemented during the operation
- Includes measurable tactical operations to be achieved
- Prepared around a timeframe called Operational Period

6.11

➤ **Incident Facilities and Resources**

- Established in the vicinity of the incident
- IC directs the identification and location of facilities
- Typical designated facilities include ICP, bases, camps, staging areas, mass casualty triage areas, point-of-distribution sites, etc.

➤ **Comprehensive Resource Management**

- Maintains accurate and up-to-date picture of resource utilization
- Includes personnel, equipment and facilities available or potentially available
- IC monitors incident costs by maintaining accountability of resources being used and releasing resources no longer needed

6.12

➤ **Accountability and Dispatch**

- Requires all resources check-in and out
- Everyone must report in and receive an assignment
- Personnel and equipment should respond only when requested or dispatched by authority

➤ **Interoperable Communications**

- Ensures everyone can communicate to one another
- Links together the ICP with various agencies involved and enables common situational awareness
- Preparedness planning should address the equipment, systems and protocols necessary to achieve integrated voice and data communications

6.13

## Section VII



### Incident Command System Organization



7.0

### Learning Objective 3:

You will identify the basic functions associated with the Incident Command System organization.

7.1

## ICS Organization

There are major management functions for every incident or event which requires certain management functions to be performed.

Problems must be identified and assessed; plans must be developed and implemented; necessary resources must be procured and paid.

Even if an incident is very small with only one or two people involved, these management functions still apply.

7.2

## Command

Upon arriving at an incident the higher-ranking person will either:

1. Assume command
2. Maintain command
3. Transfer command to a third party

On small incidents and events, one person, the IC, may accomplish all five management functions. **The IC is the only position that is always staffed.**

7.3

## Incident Commander (IC)

- Responsible for all activities and functions
- Assesses the need for staff
- Establishes incident objectives
- Directs staff to develop the Incident Action Plan
- Ensures incident safety
- Provides information to stakeholders
- Establishes and maintains liaison with other agencies participating in the incident

7.4

## Command Staff

It may be necessary for the IC to designate a command staff that provides information, liaison, and safety services for the entire organization, and report directly to the IC.

- Public Information Officer (PIO)
- Liaison Officer (LO)
- Safety Officer (staff from Fire or from Plant Operations)

7.5

## General Staff

Includes operations, planning, logistics, and finance or administrative responsibilities.

These responsibilities remain with the IC until they are assigned to another individual.

When these responsibilities are established as separate functions under the IC, they are managed by a section chief and can be support by other functional units.

7.6

The ICS command and general staff positions have distinct titles. Only the IC is called the commander and only the heads of sections in the general staff are called chiefs.

Using the standard terminology helps reduce confusion between the day-to-day position occupied by an individual and your position at the incident.

As incidents expand, there may be need to add supervisory layers to the structure.

7.7

## Section VIII



### ICS Organizational Structure



8.0

## Operations Section

Directs and coordinates all incident tactical operations and is where the tactical fieldwork is done.

Most incident resources are assigned to the operations section. It is one of the first organizations to be assigned to the incident. The most hazardous activities are carried out here so it is necessary to carefully monitor the number of resources that report to any one supervisor.

8.1

The chief of operations, will develop and manage the section to accomplish the incident objectives set by the IC and is the person with the greatest technical and tactical expertise in dealing with the situation.

The following are supervisor levels which could be added:

- Divisions
- Groups
- Branches
- Task Forces (CRT, medical, hazmat and fire)
- Strike Team
- Single Resources

8.2

## Planning Section

The IC determines if there is a need for this section and designate a chief. The planning chief gathers and analyzes information to prepare for tomorrow and the next day and is responsible for intelligence and information gathering, analysis and dissemination.

This section managing the planning process and complies the Incident Action Plan (IAP) using input from the rest of the organization.

8.3

The planning chief oversees activities of technical specialists who may be useful in responding to the incident. They are responsible for activating any additional staffing.

The roles and responsibilities for the planning section include:

• Maintain resource status	• Maintain and display situation status	• Prepare the Incident Action Plan	• Develop alternate strategies
• Provide documentation services	• Prepare the demobilization plan	• Provide a primary location for technical specialists assigned to an incident	

8.4

## Logistics Section

The IC determines if there is a need for this section, based on the size of the incident, complexity of the support needs, and length.

If needed, then the IC designates an individual to fill the position of logistics section chief.

If no logistics section is established, the IC will perform all logistical functions. Additional staffing is the responsibility of the logistics section chief.

8.5

This section is responsible for all services and support needs including:

• Obtain and maintain essential personnel equipment and supplies	• Provide communication	• Set up food services
• Set up and maintain incident facilities	• Provide transportation	• Provide medical services to incident personnel

8.6

## Service Branch

- Communication unit
- Medical unit
- Food unit

INCIDENT RADIO COMMUNICATIONS PLAN (ICS 286)

1. Incident Name: \_\_\_\_\_ 2. Dispatching Agency: \_\_\_\_\_ 3. Incident Location: \_\_\_\_\_

4. Resource Name (Optional): \_\_\_\_\_ 5. Reporting Period: \_\_\_\_\_

ID	Priority	Resource Name (Optional)	Assigned	On Call	On Scene	Off Scene	On Site	Off Site	Remarks

6. Special Instructions: \_\_\_\_\_

7. Prepared by (Communication Unit Leader): Name \_\_\_\_\_ Signature \_\_\_\_\_

8. Date: \_\_\_\_\_

8.7



## Support Branch

- Supply unit
- Facilities unit
- Ground Support Unit



8.8

## Finance and Administration Section

- Pays for the response efforts
- Responsible for incident financial and cost analysis
- Document and process claims
- Keep running tally of costs
- Coordinate all members of command and general staff; responsible for:
  - Contract negotiation
  - Timekeeping
  - Cost analysis
  - Compensation for injury or damage to property

8.9

## Section IX



### Conclusion



8.0

## Summary

You must know your individual responsibilities as specified in your institution's plan. Talk with your supervisor and other experienced staff. No matter what your position, in case of an emergency, you need to know three things:

1. Your assignment during the emergency
2. The mission to be accomplished
3. Who you report to for the duration of the emergency

8.1

ICS provides a standard, on-scene, all hazard incident management system.

It represents organizational "best practices" and has become the standard for incident response across the country.

Its flexibility enables interdisciplinary and organizational responses to meet the needs of all types of incidents.

8.2



CALIFORNIA CORRECTIONAL  
HEALTH CARE SERVICES



# CERTIFICATE OF COMPLETION

This certificate acknowledges that

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has successfully completed

**Emergency Operations Plan for Institutions - NEO**

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Employee PERNR

1.00

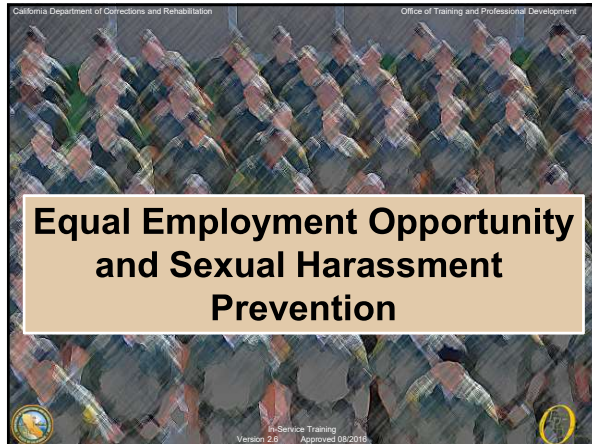
Credits/Hours



Date of Completion

One year from the date of completion

Certificate Expiration Date



# Section I Introduction

1.0

This lesson provides participants with information regarding the Department's EEO policy, procedures, and processes. It also offers discussion and strategies for working in a culturally diverse environment.

1.1

- ### Overview of Lesson
- Today's lesson will:
- Illustrate an understanding of the EEO policy.
  - Provide information regarding the EEO complaint process.
- 1.2

### Importance

CDCR is committed to protecting the civil rights of applicants, employees, contractors, unpaid interns, and volunteers. This lesson provides information and training so that those individuals can identify EEO situations as they are faced with them on the job.

1.3

# Section II Policies and the Law

2.0

## Learning Objective 1

You will identify behaviors that violate CDCR's Equal Employment Opportunity (EEO) policy.



2.1

## Department Operations Manual Chapter 3, Article 1, Equal Employment Opportunity Policy

CDCR's zero-tolerance EEO policy is derived from federal and state laws.

CDCR is required by law to provide a workplace free from harassment, discrimination, and retaliation.

2.2

## Department Operations Manual Chapter 3, Article 1, Equal Employment Opportunity Policy

June 15, 2020, U.S. Federal Supreme Court said Title VII of the Civil Rights Act of 1964, which makes it illegal for employers to discriminate because of a person's sex, among other factors, also covers sexual orientation and transgender status. It further upheld rulings by lower courts, stating sexual orientation discrimination is a form of sex discrimination.

2.3

## Department Operations Manual Chapter 3, Article 1, Equal Employment Opportunity Policy (cont.)

Information regarding CDCR's zero tolerance EEO policy and the EEO complaint process can be obtained from:

- Local EEO coordinators
- Local EEO counselors
- OIA, CRO
- CDCR intranet and internet websites

2.4

## Department Operations Manual Chapter 3, Article 1, Equal Employment Opportunity Policy (cont.)

All employees are responsible for maintaining standards that promote a work environment free from discrimination, harassment, retaliation, and unprofessional or disrespectful conduct.

2.5

## Department Operations Manual Chapter 3, Article 1, Equal Employment Opportunity Policy (cont.)

The EEO policy applies to:

- Conduct that occurs in any location operated by CDCR or is considered a workplace by CDCR.
- Any location that can reasonably be regarded as an extension of the workplace.
- Any other non CDCR facility where CDCR business is being conducted.
- Conduct that occurs off duty and is brought back to the workplace.

2.6

## Learning Objective 2

You will identify the definitions of protected groups as a basis for filing a discrimination complaint.



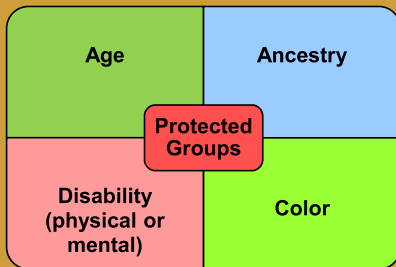
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## Protected Groups

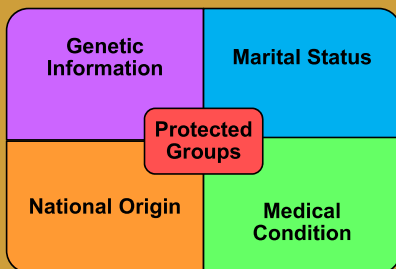
Legally identified groups which are specifically protected by statute against employment discrimination.

Protected group status is automatically conferred upon recognized group members by virtue of laws and court decisions.

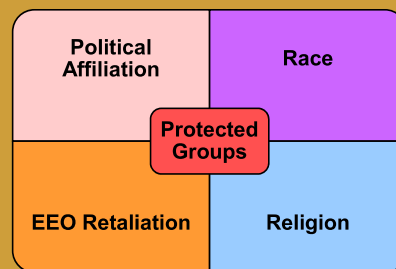
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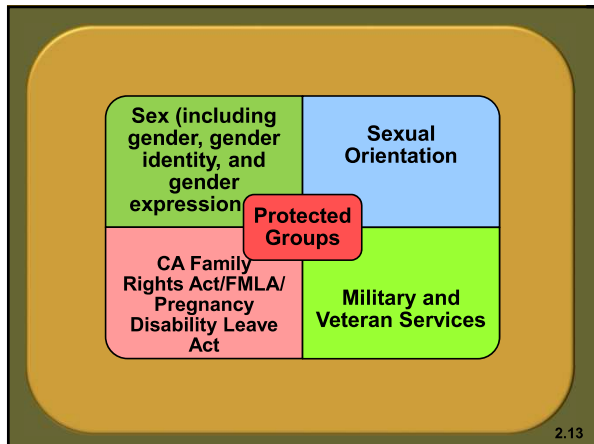
2.9



2.11



2.12



### Protected Groups (cont.)

**Gender expression**

A person's gender-related appearance or behavior, or the perception of such appearance or behavior, whether or not stereotypically associated with the person's sex assigned at birth.

2.14

### Protected Groups (cont.)

**Gender identity**

Each person's internal understanding of their gender, or the perception of a person's gender identity, which may include male, female, a combination of male and female, neither male nor female, a gender different from the person's sex assigned at birth, or transgender.

2.15

### Protected Groups (cont.)

**Transgender**

A general term that refers to a person whose gender identity differs from the person's sex assigned at birth. A transgender person may or may not have a gender expression that is different from the social expectations of the sex assigned at birth.

2.16

### Protected Groups (cont.)

**Transsexual**  
**Transitioning**  
**LGBTQ**  
**LGBTQIA**  
**Queer**

**Sexual orientation**  
 Heterosexuality, homosexuality, and bisexuality.

2.17





## Harm (Adverse Employment Action)

An employment action that has an adverse impact on a complainant's job situation.



2.20

## Harm (Adverse Employment Action) (cont.)

Examples of harm:

- Failure to appoint
- Failure to promote
- Job duty change/transfer
- Failure to accommodate based upon disability, pregnancy, religious beliefs, practices, or observances without an undue hardship

2.21

## Harm (Adverse Employment Action) (cont.)

Examples of harm:

- Denial of leave
- Change in working conditions
- Demotion
- Termination
- Failure to report
- Hostile work environment
- Sexual harassment
- Retaliation

2.22

## Equal Employment Opportunity Elements

When determining if a violation of the EEO policy has occurred, the following EEO elements must first be established.

2.23

## Equal Employment Opportunity Elements (cont.)

All three elements of the following factors must be asserted:

1. The complainant asserts a protected basis (identified under statute).
2. The complainant asserts harm has occurred.
3. The complainant asserts a causal connection or nexus between the protected status and the harm that was done to them.

2.24

## Nexus (Causal Connection)

To establish a causal connection for an act of discrimination, the complainant must demonstrate that harm occurred because of their protected status.

In order to establish a violation of EEO policy, there must be a protected basis/group, a harm such as a change in the work environment, loss of pay, etc., and there must be a causal connection between the protected group and the harm suffered.

2.25

## Pronouns and Current State of Affairs for LGBTQA+

It is important to use the correct pronouns a person prefers, out of respect, consideration, and support. Ask, "What pronouns do you use?"

- 53% of LGBTQ employees report experiencing or witnessing anti-LGBTQ comments by co-workers.
- 47% of LGBTQ employees believe being "out" at work could hurt their career.
- 80% of transgender employees report experiencing workplace harassment.

2.26

## Learning Objective 3

You will identify the theories of discrimination.



2.27

## Discrimination

The failure to treat an individual in the same way as others because of a protected basis.

2.28

## Discrimination (cont.)

Theories of discrimination include:

- Disparate treatment
- Disparate impact
- Harassment
- EEO retaliation
- Denial of Reasonable accommodation
- Denial of Religious accommodation

2.29

## Disparate Treatment

Defined as an allegation by a complainant that they were treated differently because of their membership in, perception of, or association with a protected class. This occurs when a protected class of persons is treated differently from other employees or when they are evaluated by different standards.

2.30





## Disparate Impact

Results when rules applied to all employees have a different and more inhibiting effect on a protected class than on the majority of people.

2.32

## Disparate Impact (cont.)

Under the U.S. EEOC guidelines, an adverse impact is a substantially different rate of selection in hiring, promotion or other employment decision which works to the disadvantage of members of a race, sex or ethnic group.

2.33

## Harassment

An act committed by a person that makes another person feel uncomfortable, offended, intimidated, or oppressed based on their protected class.

It consists of exposure to behavior(s) or conduct that creates an intimidating, hostile, or offensive working environment, or unreasonably interferes with the individual's work performance.

2.34

## Harassment (cont.)

- **Employer Liability**

All employers are prohibited from harassing employees in the workplace. If harassment occurs, an employer may be liable even if management was not aware of the harassment.

2.35

## Harassment (cont.)

- **Employer Obligations**

All employers have a legal obligation to prevent sexual harassment.

- Must take all reasonable steps to prevent discrimination and harassment from occurring.
- Must help ensure a workplace is free from sexual harassment by posting in the workplace posters by DFEH and EEOC.

2.36

## Harassment (cont.)

### *Sexual Harassment*

Defined under state and federal as unsolicited and unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or visual conduct of a sexual nature that interferes with work performances by creating an intimidating, hostile, or offensive work environment.

2.37



## Harassment (cont.)

Two types of sexual harassment are:

- Quid pro quo
- Hostile work environment

2.39

## Harassment (cont.)

*Quid pro quo* (Latin term meaning “this for that”)

The act of offering employment benefits in exchange for sexual favors.

This situation may also involve third parties who are treated less favorably because others have agreed to sexual advances.

2.40



## Harassment (cont.)

### *Hostile Work Environment*

Occurs when there is discriminatory conduct or behavior in the workplace that is unwelcome and offensive to an employee or a group of employees based on a protected class.

2.42

## Examples of Gender Harassment

- Making offensive comments to a female employee because she is wearing a suit and a tie.
- Treating an employee differently or making disparaging remarks to an employee after the finding out about the employee's gender identity or planned transition.
- Insulting, making disparaging remarks, threatening, or subjecting an employee to offensive gestures due to his/her sexual orientation.

2.43

## Non-Employee and/or Offender Sexual Harassment

Per GC 12940(j)(1), employers are liable for sexual harassment by non-employees, if the employer knows or should have known of the incident and fails to take corrective action.

2.44

## Equal Employment Opportunity Retaliation

An adverse employment action taken against an individual due to their protected activity, opposition to a discriminatory practice, request for reasonable accommodation, or participation in the discrimination complaint process or other EEO-related proceedings.

2.45

## Equal Employment Opportunity Retaliation (cont.)

Examples of EEO retaliation include, but are not limited to:

- An employee files a sexual harassment complaint against a supervisor and receives a job change as a result of filing the complaint.
- An employee is called a "snitch" and "tattletale" and is ostracized after filing a complaint against a co-worker.
- An employee is ostracized, criticized, and bullied after they participated as a witness in a discrimination investigation.

2.46

## Abusive Conduct

AB 2053 requires the prevention of abusive conduct in the workplace. It defines abusive conduct as conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests.

2.47

## Reasonable Accommodation



Any modification or adjustment to a job or the work environment or in the way things are customarily done, that enable an individual with a disability or pregnancy related conditions to enjoy equal employment opportunity.

2.48

## Reasonable Accommodation (cont.)

### *Interactive Process*

Participation in the interactive process is the mutual responsibility of each employee requesting an accommodation and the Department.

The interactive process related to RA for a disability or pregnancy is administered by EHW via the RTWC.

The interactive process related to religious accommodations is administered at the local level through the EEO coordinator.

2.49

## Reasonable Accommodation (cont.)

EHW, RTWC oversees all MPA taken by the Department statewide to include all institutions, parole offices, and juvenile facilities. EHW encourages employees, supervisors, and managers to contact them for assistance in working through MPA.

2.50

## Reasonable Accommodation (cont.)

### **Limited Examination and Appointment Program (LEAP)**

A special SPB program specifically directed to accelerate hiring of disabled workers into State service.

Candidates must meet the essential functions of the job. This will not be waived.

2.51

## Religious Discrimination

Occurs when employment benefits have been denied, in whole or in part, because of an applicant's or an employee's religious beliefs, observances and/or practice; or the employer fails to reasonably accommodate the applicant's or the employee's religious beliefs, observances and/or practices despite being aware of the need for reasonable accommodation.

2.52

## Learning Objective 4

You will identify the internal and external options available for filing a discrimination complaint.



2.53

## Discrimination Complaint Process

CDCR provides two methods for filing a complaint:

- LIP
- OIA, CRO

2.54

## Discrimination Complaint Process (cont.)

- *LIP*

To resolve a complaint of discrimination, harassment, or retaliation at the lowest level.

2.55

## Discrimination Complaint Process (cont.)

### *OIA, CRO*

If an employee is not satisfied with the results of LIP or wishes to bypass LIP, a discrimination complaint may be filed directly with OIA, CRO via a CDCR Form 693, email, or a memorandum.

2.56

## FORM 693

### Discrimination Complaint

2.57

## Confidentiality

All EEO complaints are confidential and should not be discussed with anyone unless that person has a legitimate business need-to-know.

The Department will maintain confidentiality, to the extent possible. Ultimately, confidentiality is not guaranteed.

2.58

## Failure to Report Discrimination

Per policy, every allegation of employee misconduct within CDCR shall be promptly reported, objectively reviewed, and investigated when appropriate.

2.59

## Failure to Report Discrimination (cont.)

Each employee, regardless of classification or rank, shall report misconduct or any unethical or illegal activity in a timely manner.

Failure to report employee misconduct or any unethical or illegal activity in an investigation or allegation inquiry shall be grounds for corrective action, disciplinary action, or both (per DOM Chapter 3, Article 14).

2.60

## Failure to Report Discrimination (cont.)

Employees shall make full, complete, and truthful statements. Failure or refusal to make statements or making false statements during internal affairs investigations may result in disciplinary action.

2.61

## Filing a Complaint

An employee may choose to bypass LIP and file a discrimination complaint directly with CRO via a CDCR Form 693, email, telephone, or a memorandum.

When CRO receives a complaint, each allegation is evaluated to determine if the allegation warrants an investigation or other action to be taken.

2.62

## External Complaints

All employees, volunteers, unpaid interns, retired annuitants, vendors, contractors, and applicants may elect to file a discrimination complaint with the following external compliance agencies:

- U.S. EEOC
- DFEH

2.63

## External Complaints (cont.)

Under no circumstances will institutional staff attempt to respond to an external compliance agency.

2.64

## External Complaints (cont.)

Employees are not required to exhaust the internal administrative procedure (EEO coordinator, LIP or OIA, CRO) before filing a formal discrimination complaint with EEOC and/or DFEH.

2.65

## External Complaints (cont.)

Filing Time Frames	
DFEH	EEOC
Three years from the date of the discriminatory action. In rare circumstances, if the complainant becomes aware of the discriminatory act after three years, DFEH may allow an additional 90 days.	300 days from the date of the discriminatory action.

2.66

## Remedies for Employees

A complainant is entitled to “make whole” remedies if a preponderance of the evidence establishes that the complainant was subjected to unlawful discrimination or sexual harassment which caused them to suffer harm.

They are entitled to recuperate damages for emotional distress and physical harm suffered as a result of the respondent's conduct, in addition to any compensation for employment opportunities lost, out of pocket expenses incurred, etc.

2.67

## Remedies for Employees

Best practices in moving towards preventing discrimination because of a person's sex, among other factors, also covers sexual orientation and transgender status.

- Understand and use correct terminology
- Don't ask for non-required gender (or orientation) information on employment applications and other forms
- Meet your training requirements for staff and management messaging

2.68

## Remedies for Employees

- Honor employees' requests as to preferred names and pronouns
- Don't restrict employees from sharing their preferred pronoun with others
- Consider whether the volunteering of pronouns should be part of your workplace culture
- Be very clear in your policies and actions that homophobic and transphobic conduct from staff and clients will never be tolerated
- Respect privacy and maintain confidentiality –do not “out” employees

2.69

## Remedies for Employees

Consider developing workplace transition plans build around the following principles:

- The transitioning employee is always in charge of what information, if any, they want co-workers to know
- The employee should be consulted as to the best method for conveying the information, such as a team meeting or memo

2.70

## Remedies for Employees

- The employee should be protected from invasive questions
- The employee should always know to whom to report concerns about the process
- Consider ways to be an ally by planning events, creating and fostering networks, and supporting gender and orientation equality

2.71

## Local Resolution

The following are available remedies:

- Corrective action
- Disciplinary action
- Reinstatement a lost benefit
- Hiring
- Promotion
- Reinstatement
- Provide lost compensation to the victim to make the victim “whole” (meaning to put the victim in the condition they would have been in before for the discrimination or harassment)

2.72

### Local Resolution (cont.)

Complaints involving EEO policy violations that do not meet the criteria for referral on a CDCR Form 989 to OIA, should be resolved at the local level.

LIP can provide a quick resolution for minor complaints, which will immediately stop any harm done to a complainant, and maintain morale.

2.73

### Departmental Remedies

Department has the right to use corrective and/or adverse action, such as:

- Written warnings
- Ineligibility for raises or promotions
- Removing non-essential duties
- Transfers
- Suspension
- Demotions
- Termination of employment

2.74

### Other Options Available

Other options employees may take are as followed:

- File a grievance
- Examination appeal
- Request to file charges
- Reasonable accommodation
- Merit issue complaint

2.75

### Other Options Available (cont.)

- *Immediate and Appropriate Action*

Managers and supervisors must take immediate and appropriate action to stop conduct that violates the CDCR EEO policy.

2.76

## Section III

# Roles and Responsibilities

3.0

### Learning Objective 5

You will identify the employees' roles and responsibilities pertaining to equal employment opportunity (EEO).



3.1



## Responsibilities of Managers and Supervisors (cont.)

### Strict Liability

An employer is "strictly liable" for the unlawful harassment of its employees by its supervisors.

This means the employer is liable when the harassment involves the use of supervisory power to commit the harassment, even if the employer did not know and could not have known about the harassment, or even if the employer took reasonable steps to prevent the harassment (for example, training).

3.2

## Responsibilities of Employees

All CDCR employees shall:

- Adhere to CDCR's EEO policy and procedures.
- Not engage in, condone, tolerate, or leave uncorrected conduct that violates the EEO policy.
- Report any EEO policy violations.
- Cooperate with any investigation conducted by OIA.
- Attend EEO/SH training.

3.3

## Responsibilities of Employees (cont.)

Failure by an employee to adhere to the above responsibilities may result in corrective and/or disciplinary action, up to and including dismissal from the Department, regardless of rank, level, or classification.

3.4

## Responsibilities of Employees (cont.)

Examples of behaviors that violate the policy include, but are not limited to:

- A co-worker tries to force another co-worker into a personal, sexual relationship even after that co-worker has refused. If the individual does not take "no" for an answer and continually asks them out, the behavior becomes unwelcome and violates CDCR policy.
- You request weekends off due to childcare problems. Your supervisor requests sexual favors in exchange for approving the time off.

3.5

## Responsibilities of Employees (cont.)

- An employee makes a comment of a sexual nature about a co-worker's body.
- Employee #1 has rejected Employee #2's advances. Employee #2 contacts Employee #1 via the telephone numerous times throughout the day in order to harass Employee #1 into submission.
- You are at the copy machine and a co-worker comes up behind you and intentionally rubs their body against you in a sexual nature.
- A co-worker displays a calendar showing strippers or any object of a sexual nature.

3.6

## Responsibilities of Employees (cont.)

- A co-worker sends you an email showing a sexually-explicit cartoon or joke.
- A supervisor does not hire married individuals because "they usually need a lot of time off and cannot work overtime."
- A male employee makes comments such as, "Women don't belong in law enforcement."
- Immediately after an employee files a complaint of discrimination, the employee's limited term position is terminated.

3.7

# Section IV

## Conclusion

4.0

### Conclusion

The most serious consequence for violating CDCR's policy is termination from state service.

Awareness of the CDCR policy, state and federal laws, as well as prevention and resolution of complaints is vital to eliminating discrimination, harassment and retaliation in the workplace.

4.1

Questions regarding the training can be sent to:

AB1825.Training@cdcr.ca.gov

4.1

# Section V

## Knowledge Review

5.0

### Knowledge Review

For each of the following scenarios, write, "yes" if the behavior constitutes a violation of CDCR EEO policy and "no" if it is not a violation. Use DOM Chapter 3, Article 1, Section 31010.5 for reference.

5.1

### Knowledge Review (cont.)

YES	1	Denying or failing to provide reasonable accommodation for a disability, pregnancy, and/or religious purpose.
NO	2	Making job-related telephone calls for a disability, pregnancy and/or religious purpose.
NO	3	Displaying objects, cartoons, pictures, or posters of landscapes or wilderness.
YES	4	Telling discriminatory jokes.
YES	5	Subjecting an employee to any adverse employment action based on retaliation.

5.2

**6. The purpose of the Local Intervention Process (LIP) is to resolve an EEO complaint at the lowest level.**

- A. True
- B. False

5.3

**7. If an employee wishes to file an EEO complaint, they may use the \_\_\_\_\_ or file directly with the OIA and/or CRO.**

Local Intervention Process

5.4

**8. The hiring authority selects the \_\_\_\_\_ and insures discrimination complaints received are processed by the EEO coordinator regardless of the nature of the complaint.**

EEO coordinator

5.5

**9. Managers and supervisors shall take immediate and appropriate action to stop the conduct that violated policy regardless of the employee's desire to keep the issue \_\_\_\_\_.**

Confidential

5.6

**Thank you**

5.7



CALIFORNIA CORRECTIONAL  
HEALTH CARE SERVICES



# CERTIFICATE OF COMPLETION

This certificate acknowledges that

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has successfully completed

**EEO Sexual Harassment Prevention Non-Supervisory - NEO**

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Employee PERNR

1.00

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Credits/Hours



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Date of Completion

One year from the date of completion

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Certificate Expiration Date