WORKPLACE VIOLENCE PREVENTION
For
Public Employers

Training

➤ This training program will go over the NYS Law, County Policy and the department's Program on Violence in the Workplace and address ways to prevent it

➤ Please make sure you have a copy of the County Policy. It should be posted in your Department.

Regulatory Requirements

➢ NYS Public Employer Workplace Violence Prevention Law

  - Department of Labor, 12 NYCRR Part 800.6

    • Board of Supervisors resolution 100 of 2010 established the policy

State Law

New York State Workplace Violence Prevention Act

On June 7, 2006 New York State passed legislation, Article 27-b of the Labor Law, that requires public employers to perform a workplace evaluation or risk assessment at each worksite and to develop and implement programs to prevent and minimize workplace violence.

__Definition__

Workplace violence is any physical assault, threatening behavior, or verbal abuse occurring in the work setting

A workplace may be any location either permanent or temporary where an employee performs any work-related duty

Definition Cont'd

➢ This includes, but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations and traveling to and from work assignments

Workplace Violence Includes:

- Beatings
- Stabbings
- Suicides
- Shootings
- Rapes
- Near-suicides
- Psychological traumas

- Threats or obscene phone calls
- Intimidation
- Harassment of any nature
- Being followed, sworn or shouted at
- Social Media

Types of Workplace Violence

- Violence by strangers
- Violence by motorists
- Violence by co-workers
- Violence by personal relations

What Is Required By The Law?

Every public employer should perform a risk assessment and evaluate their workplace to determine the presence of risk factors or situations that might place employees at risk of occupational assaults and homicides.

What is a Risk Assessment?

A Risk Assessment is an inspection or examination of the workplace to find existing or potential hazards (Risk Factors) for workplace violence; this can include:

- Look at the history of past incidents; try to identify patterns or trends which occurred in your workplace.

- Review your occupational injury and illness logs (SH 900 & 300A) and incident reports to identify injuries resulting from violence.

- Survey your workers at all levels regarding violent incidents reported or unreported

Example Risk Factors

➢ Contact with the public

➢ Working late night or early morning

➢ Exchanging money with the public

➢ Working alone or in small numbers

➢ Uncontrolled access to the workplace

➢ Having a mobile workplace such as patrol vehicles or work zones and having maintenance operations that are scattered around the county
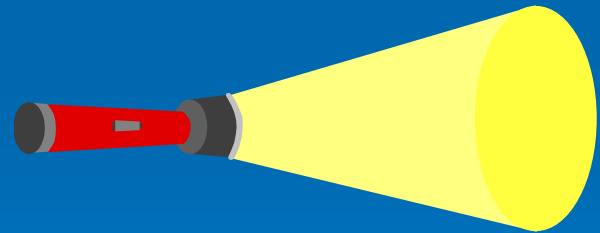
Risk Factors

➢ Prevalence of handguns and other weapons among the public, employees, or clients

➢ Solo work, often in remote locations, high crime settings with no back-up or means of obtaining assistance such as communication devices or alarm systems

Risk Factors (cont'd)

- Lack of training in recognizing and managing escalating hostile and aggressive behavior
- Poorly-lighted parking areas

Workplace Violence Prevention Program Requirements

➢ List of Risk Factors found during analysis

➢ Methods used for Hazard Prevention and Control

➢ Written plan required if you have 20 or more full time employees

➢ Management Commitment and Employee Involvement

Methods Used For Hazard Prevention and Control

Could Include:

➢ Make high risk areas more visible

➢ Install more lighting

➢ Use drop safes, decrease cash on hand

➢ Post signs – stating limited cash

➢ Train employees on conflict resolution

➢ Need a system to respond to violent incidents

Engineering Controls

- Visibility and lighting
- Drop safes
- Video surveillance
- Height markers
- Radio Communications

- Door detectors, buzzers
- Alarms
- Bullet resistant barriers
- I.D. Badges
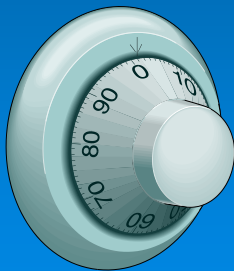
Administrative and Work Practice Controls

➢ Policies that can be implemented that protect the safety of employees

➢ Lock delivery doors

➢ Establish rules for workers leaving facility

➢ Lock doors when not open, procedures for opening and closing

➢ Limit access

➢ Adopt safety procedures for off-site work

➢ Police protection at busy work zones

Administrative and Work Practice Controls

➢ State clearly to employees that violence will not be tolerated or permitted

➢ Establish liaison with local police and state prosecutors

➢ Require employees to report all assaults and threats

Management Commitment and Employee Involvement

➢ Complementary and essential

➢ Management commitment provides the motivating force to deal effectively with workplace violence

➢ Employee involvement and feedback-enable workers to develop and express their commitment to safety and health

Employee Involvement

➤ **Understand and comply with the workplace violence prevention program and other safety and security measures**

➤ **Participate in employee discussions for improving workplace security**

➤ **Prompt and accurate reporting of violent incidents**
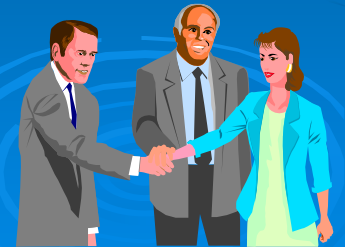
Training and Education

➢ **Employees should understand concept of "Universal Precautions for Violence" - i.e., that violence should be expected but can be avoided or mitigated through preparation**

➢ **Employees should be instructed to limit physical interventions in workplace altercations unless designated emergency response team or security personnel are available**

Training and Education

- Workplace violence prevention policy
- Risk factors that cause or contribute to assaults
- Early recognition of escalating behavior or warning signs

- Ways to prevent volatile situations
- Standard response action plan for violent situations
- Location and operation of safety devices

Recordkeeping

- ➢ The law requires record keeping for all violent incidents

- ➢ Reports of work injuries from assaults

- ➢ Incidents of abuse, verbal attacks or aggressive behavior

- ➢ Minutes of safety meetings, records of hazard analyses and corrective actions

- ➢ Records of all training programs

Recordkeeping and Evaluation

➤ Recordkeeping and evaluation of the violence prevention program are necessary to determine overall effectiveness and Identify deficiencies or changes that should be made

Evaluation

➢ Establish uniform violence reporting system and regular review of reports

➢ Review reports of minutes from staff meetings on safety issues

➢ Analyze trends and rates in illness/injury or fatalities caused by violence

➢ Measure improvement based on lowering frequency and severity of workplace violence

Delaware County Policy

Policy

➢ The County Policy is part of the Employee Handbook and distributed to all employees when they sign up in the Personnel Office.

➢ The County Policy is available on the Personnel Webpage under the Employee Tab or in the Personnel Office.

➢ The Policy provides the framework for each department's program

Policy Cont.

- ➢ Prohibited Conduct
  - Zero tolerance for any act or threat of violence
  - Any physical contact with the intent to injure will result in the County seeking termination
  - No weapons on county property
  - Report all forms of aggression and any of the early warning signs that are outlined in this presentation.

Policy Cont.

- Indicators of increased risk from fellow employee
  - Threats
  - Intimidation
  - Hostility
  - Signs of abuse of drugs/alcohol
  - Extreme or uncharacteristic changes in behavior
  - Employees with on-going domestic difficulties
  - Employees with a temporary order of protection against any respondent

Policy Cont.

- ➢ Early identification
  - Any employee who witnesses a sudden change in a fellow employee that might include
    - Withdraw from friends, coworkers, normal social circle
    - Reduced productivity
    - Unexplained absence from work or other inconsistency
    - Noticeable deterioration in hygiene or appearance
  - Report it to the department head, immediate supervisor or Personnel Officer Immediately (Verbal reporting is acceptable)

Policy Cont.

➤ Prevention of violent incidents
- Recognizing the early warning signs
- Recognizing issues or events that may trigger violence
- Report the warning signs to your department head, immediate supervisor or Personnel Officer
- Early intervention to prevent an incident

Policy Cont.

- ➤ Response Procedures (non Emergency)
  - If someone is threatened verbally, report it at once to immediate supervisor or department head
  - Investigations will be performed
  - Appropriate actions will be taken including disciplinary action
  - <u>Retaliation will not be tolerated</u>
  - An incident report will be kept

Policy Cont.

- Response Procedure (Emergency)
  - If someone has been injured or there is immanent danger of being injured
  - Call 911 immediately and summon help
  - Notify department head or immediate supervisor
  - Keep bystanders to a minimum
  - Do not risk personal injury by trying to intercede
  - When appropriate, make a loud noise to distract them and break tension

Department Program

➢ The program takes the general rules established in the policy and uses them to develop a program specific to the Department

The Delaware County Workplace Violence Prevention Program

- Developed in accordance with the law
- Specific to department activities
- Developed by committee
- Identification of risks
- Copy of the Program available from upon request at the Main Office
- Program will be reviewed annually

Program Cont.

- Identification of Risks
  - Department conducts Risk Assessment
  - DOSH 900 reports indicating all on the job injuries
  - Knowledge of work

Program Cont.

➢ Risks Identified
- Contact with the public
- Interacting with clients in their homes
- Working late at night and early in morning
- Uncontrolled access to workplaces
- Working alone or in small numbers
- Exchanging money with the public
- Having money on site
- Employee interaction
- Supervisor/Employee relationships

Protect Yourself

➢ How employees can protect themselves
  - Understand and comply with the policy and program
  - Prompt and accurate reporting of all violent incidents or threats in writing
  - Report changes in fellow employee behavior
  - Communicate with your immediate supervisor or department head on issues that you feel are important to preventing violence in the workplace
  - If your complaint is not addressed by the department head in a timely manner or to your satisfaction, report it to the County Personnel Officer and President of your Union
  - If the Personnel Officer does not resolve the issue in a timely manner to your satisfaction, report it to the NYS Department of Labor

Protect Yourself

- Administrative controls
  - Do not work alone, call for help
  - Treat irate clients/visitors with respect
    - Don't let discussions escalate to uncontrolled violence
    - Remain calm and do not yell even though the client/visitor might be loosing their temper, you remaining calm has a tendency to keep them calm
    - If available and necessary, use your panic button or phone intercom to seek assistance as soon as possible, don't try to be a hero
    - Remain calm, be aware of identifying information (appearance, voice characteristics, etc.) for reporting to the Sheriff's or other law enforcement office.
    - Your supervisor or department head is responsible for making sure the information gets reported to law enforcement quickly.

Supervisor/Employee Relationships

- Not all Supervisors manage the same
  - Some lead by example
  - Some are good communicators, some aren't
  - Some are more blunt than others
- Not all employees are the same
  - Some are more sensitive than others
- All need to work with mutual respect
- Supervisors shall direct fairly
- Employees shall perform the work that they are assigned

Supervisor/Employee relationships

➤ If an employee believes that someone is bullying or using excessive force, the incident shall be reported to the immediate supervisor, the department head or the Personnel Officer

➤ If the supervisor is respectfully holding the employee accountable, the direction is not a violation of the county policy.

Program Updates

➤ The program will be reviewed by the committee annually to ensure it is adequate

➤ Updates will be done in February after the DOSH 900 & 300A reports are available

➤ Inform committee members of any concerns you might have through the year

➤ Intermediate committee meetings will be held as necessary

Record Keeping

➢ Copies of the Policy and Program are posted in your department

➢ All incident reports will become part of the program documentation and will be available for review.

Violence Report Form

- *APPENDIX 1*
- **Workplace Violence Incident Report**

- Date_____   Case Number_____ (For official use)
- Date of Incident_____
- Time of Incident_____
- Employee Name_____
- Title_____
- Workplace Location_____
- What was the employee doing just prior to the incident?

_____
_____
_____
_____
_____
_____

- Incident Description (Minimally include names of involved employees, extent of injuries and names of witnesses):
- _____
_____
_____
_____
_____

- _____
- Signature

- Provide information on preventative actions that the public employer has taken or is considering as a result of the incident to prevent against further like occurrences:
- _____
_____
_____
_____
_____
_____
_____

NYS Department of Labor

QUESTIONS