

# Town of East Greenbush



## Workplace Violence Prevention Program Policy

## Workplace Violence Prevention Fact Sheet

### Background

In 2006, New York State enacted legislation requiring public employers to develop and implement programs to prevent and minimize workplace violence and help ensure the safety of public employees. Workplace violence is defined as:

- Any attempt or threat, verbal or physical, to inflict physical injury upon an employee.
- Any intentional display of force which would give an employee reason to fear or expect bodily harm.
- Intentional and wrongful physical contact with a person without his or her consent that entails some injury.
- Stalking an employee with the intention to cause fear or harm to the physical safety and health of such employee during the course of employment.

### High Risk Work Scenarios

- Duties that involve the exchange of money.
- Delivery of passengers, goods, or services.
- Duties that involve mobile workplace assignments.
- Working with unstable or volatile persons in health care, social service, or criminal justice settings.
- Working alone or in small numbers.
- Working late at night or during early morning hours.
- Working in high-crime areas.
- Duties that involve guarding valuable property or possessions.
- Working in community-based settings.
- Working in a location with uncontrolled public access to the workplace.

### What Do Public Employers Have to Do?

- Develop and post a written policy statement about the employer's workplace violence prevention program goals and objectives.
- Conduct a risk evaluation by examining the workplace for potential hazards related to workplace violence.
- Develop a workplace violence prevention program that:
  - Highlights the risks specific to your workplace and how the employer will address those risks.
  - Includes a system for reporting incidents of workplace violence.
- Provide training and information for employees about the workplace violence prevention program that addresses:
  - Any risk factors identified
  - What employees can do to protect themselves.
- Document workplace violence incidents and maintain those records.

### How Can I Protect Myself and Others?

- Notify a supervisor, in written format, of a serious violation of the workplace violence prevention program.
- Allow a reasonable period of time for correction.
- If there is a possibility of imminent danger, contact the local authorities immediately.
- File a complaint.

# Overview

## Workplace Violence Prevention Program

### Introduction

Workplace violence presents a serious occupational safety hazard for workers. On June 7, 2006, New York State enacted legislation that requires public employers (other than schools covered under the school safety plan requirements of the education law) to perform a risk evaluation of its workplaces and develop and implement programs to prevent and minimize workplace assaults and homicides. The Town of East Greenbush (Town) along with the authorized union representatives, were given the opportunity and assisted in the development of this program, the evaluation of the physical and environmental threats which they face, and the annual review of the workplace violence program.

### Purpose

The purpose of the *Workplace Violence Prevention Program* is to provide information to managers, supervisors, and employees about preventing and responding to incidents of workplace violence or threats of violence and the “New York State Public Employer Workplace Violence Prevention Law.”

The goals of the program are:

1. To reduce the probability of threats or acts of violence in the workplace, and
2. To ensure that any incident, complaint, or report of violence is taken seriously and dealt with in a timely manner.

The Town will not tolerate violence in the workplace. All incidents, complaints, and or reports of violence and threats of violence, will be taken seriously because the Town is committed to providing its employees with a reasonably safe and secure work environment. The Town’s Policy Statement on Workplace Violence Prevention Program will be conspicuously posted in each location as to advise all employees where they may report violations.

## **Purpose of Program**

The purpose of this program is to address the issue of potential workplace violence, prevent workplace violence from occurring to the fullest extent possible, and set forth procedures to be followed when such violence has occurred.

## **Statement of Program**

Violence and threats of violence in the workplace will not be tolerated by the Town. Examples of workplace violence can include oral or written statements, gestures, or expressions that communicate a direct or indirect physical threat of harm. Such behavior will be taken seriously and will be dealt with appropriately.

## **Scope of Program**

All the Town employees are required to comply with this program. In addition, since visitors of the Town owned property and facilities are required to conduct themselves in a non-violent manner in conformity with existing law, employees who observe or experience visitors of the Town property engaging in violent behavior should follow the procedures in our policy for the reporting such behavior.

## **Application of Program**

Violence and other physical disruptive behavior by or against an employee of the Town are unacceptable. Individuals who commit such acts may be removed from the premises and may be subject to appropriate disciplinary action, including, where legally appropriate, termination of employment and or criminal penalties.

## **Training**

All employees will be informed of the requirements of the law, the risk factors in their workplace, and the location of the written workplace violence prevention program. Training is also required for employees on the measures they can take to protect themselves from the risks identified in the assessment and the details of the written workplace violence prevention program. Employee workplace violence training is to be provided annually.

## Reporting of Violence

An effective reporting system: (1) protects the Town's employees from harm in the workplace; (2) assists management in its effort to maintain a safe and productive work environment; and (3) ensures management the opportunity to investigate and determine the cause(s) and make recommendations to minimize recurrence. All workplace violence incident reports must be in writing.

Any employee who witnesses or encounters any act of violence should:

- Immediately notify his/her supervisor and/or HR, as appropriate;
- As appropriate, notify building security;
- As appropriate, call 911;
- Complete and submit the "Workplace Violence Incident Report" available in the Building Department. Employer will take necessary action. Any employee who believes that an imminent danger exists should bring the matter to employer's immediate attention.

Supervisors/managers should approach such situations with caution, balancing the need to maintain an orderly workplace with personal safety. Following notification, if the Town's management has been given reasonable time to take corrective action and no such action has been taken, the employee or his or her representative may inform the Commissioner of Labor of the danger and request that an inspection be conducted. Such request must be in writing and include with a reasonable level of specificity the grounds of the notice.

The Town is prohibited by law from taking any retaliatory action against any employee who: (1) has made the Town's management aware of what the employee deems to be an imminent danger; (2) has requested that the Commissioner of Labor conduct an inspection; or (3) accompanies the Commissioner during an inspection of the Town, pursuant to §27-b.6 of Article 2 of the State Labor Law.

**12 NYCRR Part 800.6(g)(2)(viii) Note:** Nothing in this part shall require the disclosure of information otherwise kept confidential for security reasons. Such information may include information which, if disclosed:

- Would interfere with law enforcement investigations or judicial proceedings;
- Would deprive a person of a right to a fair trial or impartial adjudication;
- Would identify a confidential source or disclose confidential information relating to a criminal investigation;
- Would reveal criminal investigative techniques or procedures, (except routine techniques and procedures); or
- Would endanger the life or safety of any person.

# Workplace Risk Evaluation

## Introduction

Certain factors or situations may place employees at a greater risk of workplace violence. This workplace evaluation is based upon surveys of all the Town's facilities conducted by the Town.

## Risk Evaluation and Methods to Prevent Incidents

Workplace violence can occur in any workplace setting. However, some settings or factors may pose a greater degree of workplace violence risk. Employment situations or factors that may pose higher risks for the Town's employees include, but are not limited to:

- Working in public settings;
- Working alone in small numbers;
- Having a mobile workplace assignment, and
- Employer on employer workplace violence.

All of the Town sites were surveyed by authorized employee representatives and hazards were identified, **Appendix 4**. The Records Examination and Risk Evaluations conducted and the methods and means by which the hazards are being addressed are listed on **Appendix 2**.

## Hierarchy of Controls

A hierarchy of controls to which the program shall adhere are as follows: engineering controls, work practice controls, and finally personal protective equipment.

## Program Review Plan

The employer has a plan for program review and update on at least an annual basis. Such review and update shall set forth any mitigating steps taken in response to any incident of workplace violence.

**Appendix 1 Part 800.6(e)(1)**

**The Town of East Greenbush’s Workplace Violence Prevention Policy Statement**

The Town of East Greenbush (Town) is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients. Threats, threatening behavior, or acts of violence against the Town’s employees where any work related duty is performed will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect, as well as respect for clients, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that was designed to identify the workplace violence hazards our employees could be exposed to. Authorized Employee Representative(s) will, at a minimum, be involved in:

- The evaluation of the physical environment;
- The development of the Workplace Violence Prevention Program and;
- The review of workplace violence incident reports at least annually to identify trends in the types of incidents in the workplace and review of the effectiveness of the mitigating actions taken.

All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification.

All Town personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Designated Contact Person:

Name: Joe Cherubino or Ron Stark  
Title: Town Safety Officers  
Department: Safety Inspection/Building Department

**APPENDIX 2 Part 800.6(f)(1),(f)(2)**

**Records Examination 800.6(f)(1)**

**Location:** Town Hall

**Date of Assessment:** January 29, 2016

Instructions: Examine records below from the previous year. Examine to identify patterns of injuries in particular areas of the workplace or incidents which involve specific operations or specific individuals. Record the results in the column to the right.

<b>1. Record Examination</b>	<b>Results of the examination</b>
<ul style="list-style-type: none"> <li>• <b>Log of Work Related Injuries and Illnesses (Form SH900)</b></li> <li>• <b>Summary of Work Related Injuries and Illnesses (Form 900.1)</b></li> <li>• <b>Injury and Illness Incident Report (SH900.2)</b></li> </ul>	-Need to conduct annual safety training with Police Department and Department of Public Works to try to minimize some of the claims. Should highlight best practices to keep employees safe
<b>Workplace Violence Incident Reports</b>	-Program starting in 2016
<b>Personnel Disciplinary Reports</b>	-Kept in employee's personnel file. Most disciplinary issues are handled with instruction of Attorney for the Town or Labor Counsel to ensure compliance of contract and legality
<b>Workers Compensation Reports</b>	-Need of annual safety training to ensure safety of all employees.

**Assessment of Relevant Policies Work Practices and Procedures 800.6(f)(2)**

**Any Other Internal Reports Related to Workplace Violence**

Instructions: Conduct an assessment of policies, work practices and work procedures that may impact the risk of workplace violence. Examples of relevant policies include:

- Domestic Violence;
- Sexual Harassment;
- Visitation Policies;
- Policies relevant to the care and treatment of client, patients and inmates may be part of this assessment;
- Policies for staff in field travel assignments (daily check-in procedures, itineraries, cell phones provided for check in).

Examples of work practices and procedures:

- Visitor/Client Sign In/Out;
- Visitor(s)/Client(s) Escorted;
- One Client Entrance Used;
- Desks Clear of Objects which may become weapons(might be relevant in situations where dealing with the public);
- I.D Badges Used;
- Left an itinerary with contact information;
- Have periodic check-in procedures;
- After hours contact procedures;
- Know procedures if involved in incident (see also Training Section);
- Know how to control/defuse potentially violent situations;
- Supplied with personal alarm/cellular phone/radio;
- Limit visible clues of carrying money/valuables;
- Partnering arrangements if deemed necessary.

Record the results of the assessment and any associated risks below.

## 2. Results of the Assessment

- Visitation
  - Check in Counter – this would allow employee(s) to secure any files and/or money
  - Sign-in book if entering each office – allows tracking in the event of stalker/harassment case
- Sexual Harassment Policy
  - Needs to be updated in 2016
- Policies for Staff in Field Travel
  - Each employee that goes out to the field to work, Assessor's office, Building Department, Planning/Zoning, should have an ID Badge that clearly identifies who they are and who they work with
  - Building Department check in/out on field inspections
    - Place a call advising they are arriving/departing from location
- ID Badges – all Town employees should have (we are currently looking at prices for systems-to be implemented in 2016)
  - Especially important for those that go into the field (as stated above)
  - Camp Counselors should have too so they are identifiable to parents, and officials
- Counters need to be cleared of any potential projectiles.

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**Appendix 3 800.6(f)(3)**

**Evaluation of the Physical Environment 800.6(f)(3)**

**Location:** Town Hall

**Names of persons conducting the evaluation:** Meaghan Hart, Jack Conway, Ron Stark, Chris Bertrand (Cncl82 – Dispatch representative), Elaine Rudzinski-Miano (Cncl82- Police Representative), DJ Whitman (CSEA Representative)

**Date of Assessment:** Friday, January 22, 2016

**Please note: This section requires the participation of the Authorized Employee Representative(s)**

**Instructions:** All sections below refer to present conditions. Check "NA" for any items you do not consider applicable to the worksite/facility being evaluated. Using the information from Sections 1-3 and your working knowledge of the building describe in Section 4 the building i.e. #of stories,# of entrances and exits, #of employees, access to the building, security features, areas of concern related to security. Using the information from Section 1-4 list the specific hazards related to this evaluation in Section 5.

Items	Yes	No	NA	Notes/Comments
<b>1. Security Features</b>				
Reception Area Available		X		Main entrance to Town Hall open, Town Clerks generally will acknowledge and ask if they need assistance if they are available.
Barriers to Separate Clients from Work Area	X			Each office has a counter that provides a barrier (with a few exceptions).
Separate Interview Area(s)			X	
Emergency Numbers Posted by Phones	X			All offices have phone listings and are aware of line to dispatch. Other offices may also call on behalf of other offices when a situation is escalating.
Multiple Exits	X			Front entrance and two rear entrances (one of each side of building).
Unobstructed Office Exits	X			
Door Control(s) i.e. locks, remote buzzer, panic bars	X			Each office has a door with a lock. No further safety devices.
Door Detector(s) door alarm		X		
Adequate lighting in and around the workplace	X			Town Hall hallways lit throughout day and when the building is occupied.
Parking lot well lighted	X			There are lights, but we will be evaluating further.
Panic Button(s)	X			Court Room and Tax office already have buttons installed. Town Clerk's Office and Town Court Office are to have installed in 2016.
Video Monitor(s)	X			There are multiple cameras throughout inside of Town Hall as well as a number outside. At this time, video is recorded and accessible in the Town Supervisor's Office – evaluating having them looped through to Dispatch Center
Landscaping to provide unobstructed view of the workplace	X			
Limiting the posting of signs on windows	X			Only signs on windows/doors notify of closures
Other:				
<b>2. Factors That Might Place Employees at Risk:</b>				
Work in public settings-e.g. Health Care, Police Officers, Firefighters, Social Workers	X			As a municipality we interact with the public daily for a number of different issues, e.g. Paying fines, paying water/tax bill, registering for camp,

				getting licenses or building permits, or just general questions.
Work late night or early morning hours	X			There are times when there are after hours meetings, or people working late or alone. New procedure is to call Dispatch to notify that you are in the building working.
Exchange money with the Public	X			People pay fines, permit fees, camp fees, tax/water bills.
Work alone or in small numbers	X			
Work in a location with uncontrolled public access	X			
In areas of previous security concerns				
Any other factors that my place employees at risk				
<b>3. Security Guards</b>				
Are Security Guards present at the location?		X		
Are they posted at Entrance(s)		X		
Do they patrol the Building		X		We do have a Police Department downstairs; a Police Officer will occasionally walk through halls. Discussed having Police Officer do a walk through each shift.
Are they provided with communication?-If yes, indicate what type in Notes.		X		
Any other relevant information	X			
<b>4. Description of the Building</b>				
<b>Instruction:</b> Using the information from Sections 1-3 and your working knowledge of the building describe in Section 4 the building i.e. #of stories,# of entrances and exits, #of employees, access to the building, security features, areas of concern related to security.				
<p>The Town Hall building is two stories. The main floor is used as Town Hall and has 1 main front entrance and two rear exits.</p> <p>The basement on one side of the building is used as storage. On the other side, is the Police Department, which has a separate entrance and exit that ties into one of the rear exits of the buildings.</p> <p>Areas of common concern in relation to security are the entrance access points as they are primarily open throughout the day without monitoring. The back rear entrance by the police department is of growing concern, and we have discussed keeping this door locked throughout the day. Only those having keys being able to enter/exit. (need to figure out alternative smoking spot for smokers in PD/Dispatch and Town Hall).</p> <p>All offices are left open during the day, even when on break. Presents safety concerns.</p> <p>Court Room is open and accessible to all that enter Town Hall. This is a main point of concern to address for officials and employee safety.</p>				

**APPENDIX 4 Part 800.6(g)(2)(iv)**

<b>Hazards Identified in the Risk Evaluation and Determination</b>	<b>Methods and means by which this hazard is being addressed</b>
<p><b>Identified Risk#_1___</b></p> <p><b>Town Clerks Office &amp; Receiver of Taxes Office</b>                      -Large windows                      -Employees handle large number of money                      -At time disgruntled residents</p>	<p>-Panic Alarm                      -Glass window</p> <p>**Currently seeking price quotes for glass. Intending to implement in 2016**</p>
<p><b>Identified Risk#_2___</b></p> <p><b>Office Doors</b></p>	<p>-Office Doors should remain closed and secure throughout the day. Most offices have windows and residents and vendors should have to stop at the window prior to being granted access to the office</p>
<p><b>Identified Risk#_2A___</b></p> <p><b>Office Windows</b></p>	<p>-need to develop thorough plan for handling dissatisfied/disgruntled residents                      -How do we keep situation from escalating                      -Call to Police</p>
<p><b>Identified Risk#_3___</b></p> <p><b>Justice Court</b></p>	<p>-Door should be locked throughout day.                      -Panic alarm for employee inside in event of threat.</p>
<p><b>Identified Risk#___</b></p> <p><b>Court Room</b></p>	<p>-Chairs should be welded together- making them less likely to be used as a weapon or flying object                      -Gate that limits access to public to the bench without permission                      -Security checks – should have a walk through prior to court sessions or meetings                      -Keep court room Locked throughout day – only to be unlocked for meetings or court sessions following thorough security check                      -Move DMV to Community Room – would limit public from further access to room</p>
<p><b>Identified Risk#___</b></p> <p><b>Town Hall Entrance</b>                      -open to public – anyone can walk in at any point during open hours</p>	<p>-Vestibule or security in entry way to identify individuals as they come into building                      -Provides a security check like most schools have</p>

**APPENDIX 4 Part 800.6(g)(2)(iv)**

<p><b>Identified Risk# _____</b>   <b>Late Night/Early Morning hours</b></p>	<p>-If you are working in the building after hours or in the morning call down to dispatch to inform that you are in the building- this will add security to the system as they will know someone is in Town Hall</p>
<p><b>Identified Risk# _____</b></p>	<p>Increase Police presence throughout Town Hall. Work with the Chief so that one on duty officer is actively walking through the building each shift.</p>
<p><b>Identified Risk# _____</b></p>	<p>Camera system- loop down into Dispatch command center – would increase the number of eyes watching and would be able to increase reaction time in the event of a situation</p>
<p><b>Identified Risk# _____</b></p>	<p>LED Outdoor Lighting – look into upgrading the lighting in the parking lot. This would increase visibility and safety after court hours and meeting nights.</p>
<p><b>Identified Risk# _____</b>   <b>Back Door</b></p>	<p>-Have door locked around the clock.          Would secure access and limit points of entry for general public.</p>



## **Appendix 6      Workplace Violence Prevention Training Outline**

Every employer shall provide each employee with information and training on the risk of workplace violence in their workplace or workplaces at the time of the employee's initial assignment and at least annually thereafter.

Any substantial change to the workplace violence program must be communicated to employees.

Upon completion of the workplace violence prevention program all employees must be provided information and training on:

- 1) Requirements of the regulation (12NYCRR Part 800.6)
- 2) Risk factors specific to the workplace that were identified in the risk evaluation and determination (Step 2 of the How to Comply Guide)
- 3) Measures that employees can take to protect themselves from the identified risks including specific procedures that the employer has implemented such as
  - a. Incident alert and notification procedures
  - b. Appropriate work practices
  - c. Emergency procedures
  - d. Use of security alarms and other devices
- 4) Procedures to report incidents of workplace violence
- 5) Location of the written workplace program and how to obtain a copy\*

\*This part of the training requirements only applies to employers with 20 or more full-time permanent employees.

Note: Information otherwise kept confidential for security reasons does not have to be disclosed to all employees. Examples of confidential information include but are not limited to information that would interfere with law enforcement investigations or judicial proceedings, would deprive a person of a right to a fair trial, would identify a confidential source or disclose confidential information relating to a criminal investigation, would reveal criminal investigative techniques or procedures except routine techniques and procedures, or would endanger the life or safety of any person.



# *The Town of East Greenbush*

225 Columbia Turnpike, Rensselaer, New York 12144

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## **WORKPLACE VIOLENCE PREVENTION PROGRAM**

### **Acknowledgement Form**

I hereby acknowledge that I have received a copy of *The Town of East Greenbush Workplace Violence Prevention Program* upon the start of my employment with the Town of East Greenbush. I further acknowledge that I have read the contents of the Program and will contact the Safety Officer if I have any questions. I agree that I will abide by the rules and regulations contained therein.

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Employee Name (Please Print)

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Employee Signature

Date



# The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

## WORKPLACE VIOLENCE PREVENTION PROGRAM

### Training Acknowledgement Form

I hereby acknowledge that I have attended training on *The Town of East Greenbush Employee Workplace Violence Prevention Program*. I further acknowledge that I have read the contents of the Program and will contact the safety officer if I have any questions. I agree that I will abide by the rules and regulations contained therein.

\_\_\_\_\_  
Employee Name (Please Print)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Trainer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date