



WORKPLACE VIOLENCE PREVENTION PROGRAM POLICY STATEMENT

Our municipality, Town of Whitestown, is concerned and committed to our employees' safety and health. We refuse to tolerate violence in the workplace and will make every effort to prevent violent incidents from occurring by implementing a Workplace Violence Prevention Program (WPVP). We will provide adequate authority and budgetary resources to responsible parties so that our goals and responsibilities can be met.

All elected Officials, Department Heads and Supervisor are responsible for implementing a maintaining our WPVP Program. We encourage employee participation in designing and implementing our program. We require prompt and accurate reporting of all violent incidents whether or not physical injury has occurred. We will not discriminate against victims of workplace violence.

A copy of this Policy Statement and our WPVP Program is readily available to all employees from their Department Manager or Supervisor.

Our program ensures that all employees, including Elected Officials, Department Heads and Supervisors, adhere to work practices that are designed to make the workplace more secure, and do no engage in verbal threats or physical actions, which create a security hazard for others in the workplace.

All employees, including Elected Officials, Department Heads and Supervisors, are responsible for using safe work practices. For following all directives, policies and procedures, and for assisting in maintaining a safe and secure work environment.

The management of our municipality is responsible for ensuring that all safety and health policies and procedures involving workplace security are clearly communicated and understood by all employees. Department Heads and Supervisors are expected to enforce the rules fairly and uniformly.

Our Program will be reviewed and updated annually.

Overview

Workplace Violence Prevention Manual

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.

Purpose

The purpose of the Workplace Violence Prevention Program and Procedures Manual is to provide information to elected officials, department heads, 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 and manual 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 appropriately.

This manual outlines the major components of the effort to meet these goals; Program, procedures, workplace security risk evaluation, prevention, training, and other support services.

Access to this manual

The Workplace Violence Prevention Program and Procedures Manual can be downloaded from the Town of Whitestown website: www.whitestown.net.

Town of Whitestown Workplace Violence Prevention Program

The Town of Whitestown will not tolerate violence in the work place. All incidents, complaints, and or reports of violent behavior will be taken seriously because the Town of Whitestown is committed to providing its employees with a reasonably safe and secure work environment.

Purpose of Program

Violence in the workplace is a leading cause of fatal and non-fatal occupational injury throughout the U.S. that may affect an organization at any time. 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, threats of violence, harassment, intimidation, and other disruptive behavior in the workplace will not be tolerated by the Town of Whitestown. Examples of disruptive behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of harm. Such behavior will be taken seriously and will be dealt with appropriately.

Scope of Program

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

Application of Program

Violence and other disruptive behavior by or against any employee of Town of Whitestown or member of the public in a Town designated workplace is unacceptable. A Town designated workplace includes offices, work sites, vehicles, field locations, and any other location where Town business is conducted. 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 Department Heads shall ensure that employees of their particular department are 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 employees can take to protect themselves from risks and the details of the written workplace violence prevention program. Employee workplace violence training is to be provided at the time of job assignment and annually thereafter.

Reporting of Violence

At the core of this Workplace Violence Prevention Program is the Town's commitment to work with its employees to maintain a work environment free from violence and other disruptive behavior to the greatest degree possible.

- Any Town employee, upon becoming aware of an instance of physical assault, threatening behavior or verbal abuse occurring in the work setting, must immediately report the facts and circumstances of said incident to their Supervisor. In the event that employees observe or experience violent behavior from Town employees or visitors of the town owned property in which there is an immediate threat to their safety or the safety of others or where an injury has occurred, the employee should immediately obtain police and medical assistance and in addition notify their supervisor.
- The supervisor will immediately conduct a preliminary inquiry into the facts and circumstances of the incident and make a prompt report to the Department Head/Town Board.

- The Department Head/ Town Board will determine if there is:
 - a) An immediate threat of violence. If so, the Department Head/Town Board will ensure police and emergency medical personnel have been notified and thereafter follow the procedures outline I subparagraph (b) or (c) below.
 - b) Serious misconduct or criminal behavior by Town employee. If so, the Department Head shall immediately notify the Town Supervisor at 736-4255 and the Attorney for the town at 724-2147 and take no further action.
 - c) No immediate threat of violence and no serious misconduct or criminal behavior by a Town employee. In that event, the Department Head/Town Board will:
 - Continue the investigation;
 - Resolve/mediate matter;
 - Initiate disciplinary action, if appropriate;

NOTE: In all instances, a written summary report of the incident and all actions taken will be prepared and submitted within three business days to the Town Board and the Attorney for the Town.

Retaliation against an employee who makes a good faith report of violence or other disruptive behavior is strictly prohibited and shall be subject to appropriate corrective or disciplinary measures. An employee, who, in bad faith makes a false report, is also subject to disciplinary action.

New York State Workplace Violence Prevention Law

Introduction

The “New York Public Employer Workplace Violence Prevention Law” was enacted on June 7, 2006 to ensure that public employers evaluate their workplaces and develop and implement effective response and prevention strategies to prevent and minimize workplace violence.

Requirements of the law

Employers must evaluate their workplace or workplaces for factors or situations that may increase the risk of occupational violence. Examples of such factors include working in public settings, working alone or in small numbers, and working late night or early morning hours. The next section of this manual, “Workplace Risk Evaluations”, identifies the results of the Town of Whitestown’s workplace risk evaluation.

In addition, employers with at least 20 full time permanent employees must develop and implement a written workplace violence prevention program. The written program must identify the risk factors identified in the workplace risk evaluation and the methods the employer will use to prevent incidents of violence in the workplace.

Finally, the law requires employers to inform employees 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 employees can take to protect themselves from risks and the details of the written workplace violence prevention program. Employee workplace violence training must be provided at the time of job assignment and annually thereafter. All Department Heads shall ensure that this required training is provide in accordance with the law.

Application of the law

“Any employee or representative of employees who believes that a serious violation of a workplace violence protection program exists or that an imminent danger exists shall bring such matter to the attention of a Supervisor in the form of a written notice and shall afford the employer a reasonable opportunity to correct such activity, policy, or practice. This referral shall not apply where imminent danger or threat exists to the safety of a specific employee or to the general health of a specific patient and the employee reasonably believes in good faith that reporting to a supervisor would not result in corrective action.” (NYS Labor Law sections 27-b (b)(a)).

“If following a referral of such matter to the employee’s Supervisor’s attention and after a reasonable opportunity to correct such activity, policy or practice the matter has not been resolved and the employee or representative of employees still believes that a violation of a workplace violence prevention program remains, or that an imminent danger exists, such employee or representative of employees may request an inspection by giving notice to the Commissioner of Labor of the State of New York of such violation or danger. Such notice and request shall be in writing, shall set forth with reasonable particularity the grounds for the notice, shall be signed by such employee or representative of employees, and a copy shall be provided by the Commissioner to the employer or the person in charge no later than the time of inspection, except that on the request of the person giving such notice, such person’s name and the names of individual employees or representatives of employees shall be withheld. Such inspection shall be made forthwith.” (NYS Labor Law Section 17b (6)(b))

Further Information

See Appendix A for the full text of the “NYS Public Employer Workplace Violence Prevention Law”, NYS Labor Law Section 27-b.

Workplace Risk Evaluation

Introduction

Certain factors or situations may place employees at a greater risk of workplace violence. This workplace risk evaluation is based upon surveys of Town owned, leased and operated facilities conducted by the Town of Whitestown Department Heads and reviews of occupational injury an illness logs and incident reports for violence-related injuries.

Risk Evaluation

Workplace violence can occur in any work place 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 Town of Whitestown employees include, but are not limited to:

- Working in public setting
- Working late night or early morning hours
- Exchanging money with the public
- Working alone or in small numbers
- Working in a setting with uncontrolled access to the workplace
- Having a mobile workplace assignment
- Working with a population which might expose one to potentially violent persons (e.g. in health care, social service, or criminal justice settings)
- Having duties that include the delivery of passengers, goods, or services.

Prevention

Introduction

Prevention is the responsibility of every employee. This section focuses on some measures to reduce the risk of violent behavior. Supervisors and Department Head, as well as employees, should be familiar with and knowledgeable of the issues below before violence occurs.

Definitions and Prevalence of Violence

As noted in the Town of Whitestown Workplace Violence Prevention Program, Workplace violence is defined to include violence, threats of violence, harassment, intimidation and other disruptive behavior.

Two million American workers are victims of workplace violence annually. Workplace violence is the fourth leading cause of fatality in the workplace for all workers; it was the cause of 564 deaths in 2005. Finally a survey in 2005 found approximately 54% of local government employers with more than 1,000 employees reported an incident of workplace violence within the last 12 months.

In reviewing this data, it appears clear that workplace violence is a potential problem in the modern workplace, and one that requires a multifaceted approach by the employer and employees providing support to mitigate the occurrences and effects of violence in the workplace.

Early Warning Signs of Potential Violence

Past behavior has generally been the best predictor of future behavior. There is no specific "profile" of a potentially dangerous individual. Acts of violence may also occur in the workplace due to issues of domestic violence. Sometimes victims and witnesses recount acts of violence that occurred without warning. However, certain patterns of behavior and events frequently precede episodes of violence.

A list of indicators of increased risk of violent behavior may include:

- Direct or veiled threats of harm
- Intimidation, belligerence, bullying or other inappropriate behavior directed at others
- Numerous conflicts with supervisors and employees; verbal comments indicating expressions of hostility directed at coworkers, supervisor, or others
- Bringing an unauthorized weapon to work, brandishing a weapon in the workplace, making inappropriate reference to guns or fascination with weapons
- Fascination with incidents of workplace violence, statements indicating approval of the use of violence to resolve a problem, or statements indicating identification with perpetrators of workplace homicides
- Statements indicating an increased tone of desperation from the person, feeling that normal interventions to solve the problem will not work, feeling hopeless about a situation at work, with family, financial, and other personal problems
- Signs of abuse of drugs/alcohol on or off the job
- Extreme or uncharacteristic changes in behavior or displays of emotion
- Employees with on going domestic difficulties
- Employees with a temporary order of protection against any respondent

These behaviors should be reported to an employee's Supervisor, Departmental Head or Town Board. The Town Board is available to assist Supervisors and Department Heads in dealing with such behavior. Some behaviors may require security intervention; other may require disciplinary action.

Sometimes, small behavior problems, which can precede the above behaviors, are dismissed or ignored, allowing problems to fester. In the employee's mind, the situation can become more intense. It is important to remember the employee must be treated with dignity, mutual respect and fairness in the process. Some of these types of behavior are listed below.

- Withdrawal from friends, coworkers, and/or one's social circle
- Reduced productivity
- Unexplained absence from work area or marked increase in tardiness and/or absenteeism
- Noticeable deterioration of personal hygiene and appearance

Common Issues That May Trigger Workplace Violence

Listed below are two categories of common issues that may trigger workplace violence.

1. Employee issues
 - Negative performance review
 - Unwelcome change in role due to performance or reorganization issue
 - Criticism of performance
 - Conflict with coworker or supervisor
 - Personal stress outside the workplace
 - Increased workload or pressure, e.g. deadlines, projects, etc.
2. Workplace Issues (any of the following may be an employee's perception of issues)
 - No clearly defined rules of conduct
 - Lack of training
 - Inadequate hiring practices/screening of potential employees
 - Insufficient supervision
 - Lack of discipline or inconsistent discipline in workplace
 - Lack of or inadequate employee support systems
 - Failure to address incidents as they occur
 - Overly authoritarian management style

Taking into account, there are three key elements that may help to prevent a violent situation from occurring:

1. Recognizing the early warning signs (such as a change in a person's behavior preceding an episode of violence)
2. Recognizing issues or events that may trigger violence
3. Early intervention to prevent a violent incident from occurring

Please Note

It is important to be careful when drawing assumptions or relying solely on any of the above behaviors as indicators of violence.

RESPONSE PROCEDURES

Introduction

The following procedures are recommended to be followed whenever an employee files a complaint alleging a violation of the Town of Whitestown Workplace Violence Program has occurred or when a violent incident occurs.

Emergency and Non-emergency (threatening) Situations

A “threatening situation” is a situation where one person, through intimidating words or gestures has induced fear and apprehension of physical or other harm in another person but there is no immediate danger of such harm being inflicted. The steps listed under the “Non-Emergency (threatening) Response Procedure” are recommended to be followed whenever a threatening situation occurs.

A situation is an “emergency” if an injury has occurred or there is an immediate threat of physical harm. Individuals should always consider their personal safety first in all emergency situations. If Possible, the ‘Emergency Response Procedure” should be followed whenever an emergency occurs.

Focus Group Assessment Team

The Focus Group Assessment Team (FGAT) will perform annual reviews of the Town’s Workplace violence program and procedures to determine the need for revisions and updates to the County’s program and procedures. Team members are to include representatives from Justice, Highway, Police, Town Clerk and General Administration. Representatives from these departments should be made available by their department heads for FGAT participation.

Response Procedures

<p>Non-Emergency (threatening) Response Procedure</p> <p>A Threatening situation is defined as a situation where:</p> <p>One person, through intimidation words or gestures has induced fear and apprehension of physical or other harm in another person but there is no immediate danger of such harm being inflicted.</p>	<p>Emergency Response Procedure</p> <p>A situation is an emergency if:</p> <ol style="list-style-type: none"> 1) An injury has occurred 2) There is an immediate threat of physical harm. <p>You should consider your personal safety first in all emergency situations. If possible you should use the following response procedure.</p>
<p>Step 1</p> <p>Employee immediately notifies Supervisor.</p>	<p>Step 1</p> <p>First person on the scene quickly assesses the situation and risk.</p>
<p>Step 2</p> <p>Supervisor conducts preliminary inquiry and makes prompt report to Department Head.</p>	<p>Step 2</p> <p>First person on the scene calls for security/medical assistance and ensures needs of injured are met. Employee must also immediately notify supervisor of the situation.</p>
<p>Step 3</p> <p>If there has been serious misconduct or criminal behavior by a Town employee, the Department Head will contact Town Supervisor and take no further action.</p>	<p>Step 3</p> <p>Supervisor will immediately assess whether there is an emergency situation and make prompt report to Department Head.</p>
<p>Or Step 3A</p> <p>If there is no immediate threat of violence and no serious misconduct or criminal behavior by a Town employee the Department Head/Town Board will continue investigation, resolve/mediate matter and initiate disciplinary action.</p>	<p>Step 4</p> <p>The Department Head/Town Board in an emergency situation where there is an immediate threat of violence, will ensure the Police and medical personnel have been notified.</p>
<p>Step 4</p> <p>Department Head ensures that a written summary report of the incident and all actions taken is prepared and submitted within three business days to Town Board and Attorney to the Town.</p>	<p>Step 5</p> <p>Proceed with Non-Emergency Response Procedures, Steps 3-5</p>
<p>Step 5</p> <p>If emergency situation develop, follow steps for emergency response procedure</p>	

The Town of Whitestown Workplace Violence Prevention Policy Statement and Incident Reporting

The Town of Whitestown is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our staff, residents and visitors. Threats, by anyone on Town of Whitestown property 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 for each other as well as 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. Other tools that were utilized during this process included establishing a committee made up of management and authorized Employee Representatives who will have an ongoing role of participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. 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. Town of Whitestown has identified response and personnel that include a member of management and an employee representative. If appropriate, the Town of Whitestown will provide counseling services referrals for employees.

All employees are responsible for notifying the contact person designated below as 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:

Title:	Town Supervisor	Town Attorney	Director of Personnel
Departments:	Any	Any	Any
Phone:	315-736-4255	315-724-2147	315-736-1131