

PUTNAM COUNTY



WORKPLACE VIOLENCE PREVENTION PROGRAM MANUAL

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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 Law is designed to ensure that the risk of workplace assaults and homicides is regularly evaluated by public employers and that workplace violence protection programs are implemented to prevent and minimize the hazard to public employees. Final regulations were promulgated on April 29, 2009, giving public employers 120 days, or until August 27, 2009, to comply.

In March of 2007, Putnam County passed Resolution #54 authorizing the Workplace Violence Prevention Policy and Procedures. In June 2013, Resolution #128 was passed updating the Workplace Violence Prevention Program.

Putnam County, it's management and unions, including CSEA, PBA, PCSEA and PUMA, are committed to providing a safe workplace for all County employees, clients and visitors to County facilities. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of the Putnam County Workplace Violence Prevention Program (PCWVPP) and Policy.

PURPOSE OF PROGRAM

Violence in the workplace is a leading cause of fatal and non-fatal occupational injury throughout the U.S. and 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 to set forth procedures to be followed when such violence has occurred.

STATEMENT OF PROGRAM

Putnam County will not tolerate any type of workplace violence committed by or against employees, clients or visitors to County facilities. Employees, clients and visitors are prohibited from making threats or engaging in violent activities. Workplace violence is any physical assault or act of aggressive behavior occurring where a Putnam County employee performs any work-related duty in the course of his or her employment. The list of behaviors below, while not inclusive, provides examples of conduct that is prohibited:

- Causing physical abuse or injury to another person;
- Stalking;
- Making threatening remarks;
- Workplace bullying: repeated, unreasonable behavior directed towards an employee or group of employees that creates a risk to health and safety (Behavior is considered "repeated" if an established pattern of bullying can be identified);
- Intentionally damaging employer property or property of another employee;
- Brandishing a weapon while on County property or while on County business; or
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

To ensure the WVPP is truly effective, it's focus must remain on workplace violence.

Employees should be aware that not every unpleasant interaction rises to the level of workplace violence. Examples of inappropriate behavior that may not rise to the level of workplace violence are expressing differences of opinion, reasonable action taken by employer or supervisor relating to the management and direction of workers, such as feedback, assigning work, guidance or advice about work-related behavior and performance.

While the County views workplace violence and sexual harassment as behaviors that must be reported and addressed sexual harassment has its own grievance and reporting guidelines and is therefore excluded from the Workplace Violence Prevention Program, unless the harassment includes workplace violence. Please follow the procedures in the Putnam County Sexual Harassment Policy to report all incidents of sexual harassment.

SCOPE OF PROGRAM

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

APPLICATION OF PROGRAM

Acts of workplace violence by or against any employee of Putnam County in a County-designated workplace is unacceptable.

Any employee determined to have committed such acts will be subject to disciplinary action, as per the Civil Service Law or the established collective bargaining agreement, up to and including termination where applicable. Non-employees engaged in violent acts on County premises will be reported to the proper authorities.

WORKPLACE VIOLENCE PREVENTION TASK FORCE

Putnam County has established a Workplace Violence Prevention Taskforce. The Taskforce includes management and union employees from various County departments and authorized union representatives of each union employee organization certified to represent the employees pursuant to Article Fourteen of the Civil Service Law.

The main role of the Taskforce is to assist in developing and implementing the Putnam County Workplace Violence Prevention Program, disseminate program information to Department Heads, supervisors and employees, and to help them understand the procedures and the process of submitting incident forms. Employees may contact any Taskforce member with questions regarding the Program and to request assistance with preparing incident reports.

RISK EVALUATION

Putnam County Workplace Prevention Taskforce will conduct periodic comprehensive risk evaluations of the workplace to identify any factors or situations that may place employees at risk of violence and any necessary corrective action to reduce the risk will be identified.

Workplace violence can occur in any workplace setting. The following are typical examples of employment situations that may pose a higher risk of workplace violence:

- 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 healthcare, social services or criminal justice settings;
- Working alone or in small numbers;
- Working late night or early morning hours;
- Working in a high crime area;
- Working in public settings;
- Working in a setting with uncontrolled access to the workplace;
- Working in a setting where previous security problems have occurred; or
- Duties that involve guarding valuable property or possessions.

The employer, with the participation of the authorized employee representative, shall conduct a review of the 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.

RISK PREVENTION

The methods the employer will use to prevent incidents of occupational violence and assaults at such workplace or workplaces, including but not limited to the following:

- Making high-risk areas more visible to more people;
- Installing good external lighting;
- Using drop safes or other methods to minimize cash on hand;
- Posting signs stating that limited cash is on hand;
- Providing training in conflict resolution and nonviolent self-defense responses; and
- Establishing and implementing reporting systems for incidents of aggressive behavior.

EMPLOYEE ASSISTANCE PROGRAM

The Putnam County Employee Assistance Program (EAP) is a Program available to all employees and their immediate family members. This is an effective Program that establishes confidential support service with trained counselors to help employees deal with personal problems that might adversely impact their work performance, health and well-being. EAP can provide a program for diffusing workplace anger and violence and provide assistance in mitigating and resolving workplace violence issues.

TRAINING

All employees will receive annual training and education on the risks and prevention of workplace violence and retraining whenever significant changes are made to the Putnam County Workplace Violence Prevention Program.

Copies of the Workplace Violence Prevention Policy and Procedure Manual and the Incident Report Form can be downloaded from the Workplace Violence Prevention tab on the Putnam County intranet or employees may obtain a copy from their department head or the Personnel Department.

PROCEDURES

REPORTING OF VIOLENCE

Incidents of workplace violence, threats of workplace violence or observations of workplace violence should not to be ignored by any employee of Putnam County.

Any County employee who is the victim of, or witness to, a suspected violation of the Workplace Violence Prevention Policy should report the facts to their immediate supervisor and submit a Workplace Violence Incident Report to the department head and the Personnel Department as soon as possible but in all cases no later than two working days of the incident. If the department head is unavailable or is a party to the violation, the report should be submitted directly to the Personnel Department.

The department head is required to review the incident. If the department head determines the incident can be resolved at the department level, he/she should take appropriate action. In all instances, the department head must complete Section 2 of the Workplace Violence Incident Form and forward a signed copy to the Personnel Department as soon as possible but in all cases no later than two working days of the incident. Section 2 requires the department head to include a description of all actions taken regarding the reported incident.

In the event that any employee observes or is experiencing danger due to violence of any nature or perceives the threat of violence, the employee should call 911 immediately and, if possible, notify their immediate supervisor and/or department head.

All injuries should be documented on the Employee Accident Report, signed by the department head and submitted to the Senior Deputy County Attorney for Risk & Compliance, as soon as possible.

Putnam County will follow all federal, state and local laws and procedures in the reporting of workplace violence incidents.

At no time should this Program be used for any purpose other than reporting a workplace violence incident.

Retaliation against an employee who makes a good faith report of workplace violence is strictly prohibited and shall be subject to appropriate corrective and/or disciplinary measures. An employee who in bad faith makes a false report may be subject to disciplinary action.

POST INCIDENT RESPONSE

Putnam County will endeavor to assure that any injured employee receives prompt and appropriate medical care.

When a Workplace Violence Incident Report is presented to the Personnel Department, it will be logged and the employee will be notified of its receipt.

The Personnel Department will implement and facilitate an investigation when warranted. Information about an incident or threat will be disclosed only on a need-to-know basis, so that a fair and thorough investigation can be conducted and appropriate recommendations made.

The timeframe and scope of the investigation will depend on the nature of the complaint. The investigation may be as simple as a single follow up interview or individual interviews with the parties involved and, when necessary, department heads and/or individuals who may have observed the alleged conduct or may have information relevant to the investigation.

Depending on the circumstances and the nature of the allegations, the Personnel Director or his/her designated representative, may call upon any and all resources to properly evaluate an incident and take appropriate action to resolve the incident. This may involve an individual and/or representatives from Personnel, CSEA, PBA, PCSEA, PUMA, Law Department, Sheriff's Department or an outside party.

Upon request of the employee, an authorized employee representative may be allowed to be present during their interview.

The investigation may include an examination of the work site to determine if existing hazards placed employee(s) at risk for the reported incident and an examination of any previous workplace violence incident(s) pertaining to both the perpetrator and victim to identify any patterns. All investigations and site visits to the location will be conducted in a manner that will not interfere with any law enforcement investigations. Based on the specific situation and the results of the investigation, appropriate measures may be recommended to minimize the likelihood of similar workplace violence incidents occurring in the future.

In all instances, a written summary report of the incident and investigation will be prepared. The summary will include any actions taken, recommendations and/or referrals made that will remedy the reported incident to minimize the likelihood of similar incidents occurring in the future. The Personnel Department, department head, supervisor and/or any other appropriate personnel will be responsible for following up on the recommendations.

To ensure the safety and privacy of the individuals involved, and upon written authorization of the employee, the summary may be disclosed to the appropriate authorized union representative.

The County will adhere to all of the record keeping requirements for recording of employee injuries or illnesses due to workplace violence incidents.

The Personnel Department will retain all records pertaining to the Workplace Violence Prevention Program in accordance with New York State requirements.

ENFORCEMENT

Threats, threatening conduct or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, as per Civil Service Law or the established collective bargaining agreement, up to and including termination, where applicable. Non-employees engaged in violent acts on County premises

will be reported to the proper authorities.

ACCESS TO MANUAL

The following Putnam County Workplace Violence Prevention Program material can be downloaded from the Workplace Violence Prevention tab on the Putnam County intranet:

- Policy;
- Workplace Violence Prevention Manual;
- Workplace Violence Incident Report Form;
- Employee Report of Work Related Injury.

A hard copy may also be obtained from your Department Head, the Personnel Department.

ATTACHMENTS

PAUL ELDRIDGE
Personnel Director



SUSAN O'ROURKE
Senior Coordinator of
Examinations & Transactions

PUTNAM COUNTY WORKPLACE VIOLENCE PREVENTION POLICY

Putnam County provides a safe workplace for all employees and visitors to County facilities. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this Workplace Violence Prevention Policy.

Prohibited Conduct

We do not tolerate any type of workplace violence committed by or against employees or visitors to County facilities. Employees are prohibited from making threats or engaging in violent activities.

The list of behaviors below, while not inclusive, provides examples of conduct that is prohibited:

- Causing physical abuse or injury to another person;
- Stalking;
- Making threatening remarks;
- Workplace bullying or aggressive or hostile behavior that creates a reasonable fear of injury to another person;
- Intentionally damaging employer property or property of another employee;
- Brandishing a weapon while on County property or while on County business;
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Reporting Procedures

Any potentially dangerous situation must be reported immediately to a supervisor, the 911/Sheriff's Department and the Personnel Department. All reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. All parties involved in a situation will be counseled and the results of the investigation will be discussed with them. Putnam County will actively intervene at any indication of a possibly hostile or violent situation.

Retaliation

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 and/or disciplinary measures. An employee, who in bad faith makes a false report, may be subject to disciplinary action.

Risk Reduction Measures

Hiring: The Personnel Department takes reasonable measures to conduct background investigations, as permitted by law, to review each candidates' backgrounds and reduce the risk of hiring individuals with a history of violent behavior.

Safety: Putnam County Workplace Prevention Taskforce will conduct inspections of County premises to evaluate and determine any vulnerability to workplace violence or hazards. Risk factors and any necessary corrective action to reduce the risk will be identified.

Employee Assistance Program: The Putnam County Employee Assistance Programs (EAP) is an employee benefit program available to all employees and their immediate family members. This effective program establishes a confidential support service with trained counselors who are enabled with the proper resources to help employees deal with personal problems that might adversely affect their work performance, health and well-being. EAP can also provide a program for diffusing workplace anger and violence and help work through workplace violence issues.

Individual Situations: While we do not expect employees to be skilled at identifying all potentially dangerous persons, employees are expected to exercise good judgment and to inform their supervisor and/or the Personnel Department if any employee exhibits behavior that could be a sign of a potentially dangerous situation.

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 disputes. 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, supervisors 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; or
- Employees with a temporary order of protection

These behaviors should be reported to an employee's supervisor, manager, Personnel Department and/or the Workplace Violence Prevention Taskforce. The Director of Personnel is available to assist supervisors and managers in dealing with such behavior. Some behaviors may require immediate intervention and others may require disciplinary action.

Sometimes, small behavioral 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. Early involvement may be the appropriate intervention. It is important to remember that the employee must be treated with dignity, mutual respect and fairness in this 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; or
- 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; or
 - 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; or
 - Overly authoritarian management style.

Taking this 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 potential violence.

Dangerous/Emergency Situations

Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm, make constant eye contact and talk to the individual. If 911/Sheriff Department and/or a supervisor can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given.

Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, as per Civil Service Law or the established collective bargaining agreement, up to and including termination where applicable. Non-employees engaged in violent acts on County premises will be reported to the proper authorities and fully prosecuted.

New York State Workplace Violence Prevention Law

Introduction

The “New York State 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.

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 provided 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 Section 27-b (6) (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 27-b (6) (b).

DEFINITIONS

Authorized employee representative: An employee authorized by the employees or the designated representative of an employee organization recognized or certified to represent the employees pursuant to Article Fourteen of the Civil Service Law.

Domestic Violence: Acts motivated by, or related to, domestic violence.

Employee: A public employee working for an employer.

Employee Assistance Program: A confidential and free service provided for all employees and their family members. EAP has the full support and endorsement of administration and the bargaining units.

Imminent Danger: Condition or practices which could be expected to cause death or serious physical harm.

Property Damage: Damaging employer property or property of another employee.

Retaliatory action: The discharge, suspension, demotion, penalization or discrimination against any employee or other adverse employment action taken against an employee in the terms and conditions of employment.

Risk evaluation and determination: An employer's evaluation of its workplace(s) to determine the presence of factors or situations in such workplace or workplaces that might place employees at risk of occupational assaults and homicides.

Serious physical harm: Physical injury which creates a substantial risk of death or which causes death or serious and protracted impairment of health or protracted loss of impairment of the function of any bodily organ.

Supervisor: Any person within an employer's organization who has the authority to direct and control the work performance of an employee or who has the authority to take corrective action regarding the violation of a law, rule or regulation to which an employee submits written notice.

Workplace: Any location away from an employee's domicile, permanent or temporary, where an employee performs any work-related duty in the course of his or her employment by an employer.

Workplace Violence: Violent acts, including but not limited to, physical assaults and threats of assaults, directed toward persons at work or on duty. The list of behaviors below, while not inclusive, provides examples of conduct that is prohibited:

Physical abuse: Conduct including, but not limited to, physical touching that is intimidating, threatening or harmful including, but not limited to, hitting, slapping, punching, kicking, pinching, grabbing and pushing.

Stalking: Conduct directed at a specific person that involves repeated visual or physical

proximity, nonconsensual communication or verbal, written or implied threats, or a combination thereof, that would cause a reasonable person fear which has arisen through or in the course of employment.

Workplace Bullying: Repeated, unreasonable behavior directed towards an employee or group of employees that creates a risk to health and safety. Behavior is considered “repeated” if an established pattern of bullying can be identified. A single incident of bully-style behavior does not constitute workplace bullying.

**PUTNAM COUNTY
WORKPLACE VIOLENCE PREVENTION INCIDENT REPORT**

The employee affected by the incident should complete Section 1 of this form and submit a copy to their department head and the Personnel Department as soon as possible but in all cases no later than two working days of the incident. The department head will be responsible to review the incident, complete Section 2 and forward the completed form to the Personnel Department as soon as possible but in all cases no later than two working days of receipt of the incident report. In all cases where the department head is the subject of the report, the employee should submit the completed report to the Personnel Department.

**SECTION 1
TO BE COMPLETED BY EMPLOYEE FILING INCIDENT REPORT**

Employee Name: _____ Job Title: _____ Department: _____

Date of Incident: _____ Time of Incident: _____

Location of Incident: _____

Date/Time Reported: _____

List any individual who may have witnessed this incident:

Which best describes the assailant:

| | |
|--------------------------------|-------------------------|
| Member of the Public | Name/Address (if known) |
| Client/customer | Name/Address (if known) |
| Coworker | Name/Department |
| Domestic Partner/Family member | Name |
| Former Employee | Name/Address (if known) |
| Employee Supervisor | Name |
| Unknown | |

Which best describes the incident:

Physical Assault
Threat
Stalking
Brandishing Weapon
Property Damage
Workplace Bullying (as defined in WVPP Program Manual)
Other

Please describe the incident (include names of those involved and witnesses):

Was a weapon used? No Yes What? _____

Did this incident result in a physical injury? No Yes _____

If yes, what was the extent of the injury? _____

If yes, please complete the Employee Report of Work Related Injury form and send to Senior Deputy County Attorney for Risk and Compliance.

Was medical attention required? No _____ Yes _____

Description of medical treatment required: _____

Were the police notified? No _____ Yes _____ Was an arrest made: No _____ Yes _____

Which agency responded? Sheriff's _____ NY State Police _____ Both _____ Other: _____

Please indicate if a similar type of incident, involving the same parties, was previously reported to the department head, supervisor or the Personnel department: Yes _____ No _____

Please describe each incident separately including dates, times and locations and to whom it was reported:

I attest that the information I have provided is a true and accurate description of the incident and that I have not willfully or deliberately made false statements.

Employee Signature

Date

