

# Delaware County

## Workplace Violence Prevention Policy

Delaware County, New York is the provider of municipal and related community services. The County strives to provide a safe work environment to all of its employees and to those that it serves.

The County is committed to providing a safe work environment for all employees. The County will respond promptly to threats, acts of violence, and acts of aggression by employees or against employees by coworkers, members of the public or others.

The County's response may also include removal of third party vendors/contractors from buildings or termination of contracts with such vendors/contractors.

The term "workplace violence" is defined as any physical assault, threatening behavior or verbal abuse occurring in the work setting. **Delaware County prohibits workplace violence and will not tolerate violence, threats of violence, or intimidating conduct in the workplace. Complaints of workplace violence will be given serious attention. Security and safety in the workplace requires the cooperation of every employee.**

This policy sets forth standards for employee conduct and guidelines for reasonable precautions. The accompanying procedures outline response to threats or violence should they occur in the workplace whether in a County facility or while performing duties in the County.

The term "workplace" is defined as 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 for the County.

The term "employee" is defined as a public employee working for an employer.

### Prohibited Conduct

A. The County will not tolerate any act or threat of violence, harassment, intimidation, and other disruptive behavior in the workplace, on County property or while in work status for the County.

B. No person may engage in violent conduct or make threats of violence, implied or direct, on County property or in connection with County business. This includes but is not limited to:

1. The use of force with the intent to cause harm, e.g. physical attacks, or any unwanted contact such as hitting, fighting, pushing or throwing objects;
2. Acts or threats which are intended to intimidate, threaten, coerce, or cause fear of harm whether directly or indirectly; and
3. Acts or threats made directly or indirectly by oral or written words, gestures or symbols that communicate a direct or indirect threat of physical harm or mental harm,

C. No person, without legal authority, may carry, possess or use any weapon on County property or in County buildings or facilities.

## **Department Head**

The Department Head or his/her designee is responsible for the implementation of this policy. This responsibility includes immediately notifying the Clerk of the Board, ensuring appropriate investigation, follow-up, creation of records and maintenance of such records of reported incidents of workplace violence.

## **Risk Evaluation**

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 Delaware County employees include, but are not limited to:

- Working in public settings
- 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
- Working in a setting where previous security problems have occurred
- Having a mobile workplace assignment
- Working with a population which might expose one to potentially violent persons (such as criminal justice settings)
- Having duties that include the delivery of passengers, goods or services

## **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 or 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 immediately reported to the Department Head or Personnel Officer. 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. Early notification/involvement may be the appropriate intervention, it is important to remember 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
- Noticeable deterioration of personal hygiene and appearance

**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
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 supervisor
  - 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 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 violence.***

## Response Procedures

The following procedures are recommended to be followed whenever an employee files a complaint with the Department Head alleging a violation of the *Delaware County Workplace Violence Prevention Policy* 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 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.

<b>Non-Emergency (threatening) Response Procedure</b>  A threatening situation is defined as 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.	<b>Emergency Response Procedure</b>  A situation is an emergency if: 1) an injury has occurred OR 2) there is an immediate threat of physical harm.  You should consider your personal safety first in all emergency situations. If possible, you should use the following response procedure.
<b>Step 1</b>  Employee immediately notifies his or her immediate supervisor.	<b>Step 1</b>  First person on the scene quickly assesses the situation and the risk.
<b>Step 2</b>  The immediate supervisor conducts preliminary inquiry and prepares report for the County’s record.	<b>Step 2</b>  First person on the scene calls 911 for security/medical assistance and ensures needs of the injured are met. Employee must also immediately notify the Department Head of the situation.
<b>Step 3</b>  If there has been serious misconduct or criminal behavior by a County employee, the employee’s supervisor will contact the Department Head and take no further action unless advised to do so.	<b>Step 3</b>  The Department Head will immediately assess whether there is an emergency situation and prepare report for the County’s record.
<b>Step 3a</b>  If there is no immediate threat of violence and	<b>Step 4</b>  The Department Head, in an emergency

no serious misconduct or criminal behavior by a County employee, the employee's supervisor will continue investigation, resolve/mediate the matter, initiate disciplinary action, if appropriate	situation where there is an immediate threat of violence, will ensure that law enforcement and medical personnel have been notified.
<p><b>Step 4</b></p> <p>The Department Head ensures that a written summary report of the incident and all actions taken is prepared and maintained in County files that may be reviewed by the NYS Department of Labor.</p>	<p><b>Step 5</b></p> <p>Proceed with Non-Emergency Response Procedures, Steps 3-5.</p>
<p><b>Step 5</b></p> <p>If an emergency situation develops, follow steps for Emergency Response Procedure.</p>	

**Retaliation**

Retaliation action against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing work place violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action will be subject to discipline up to and including termination.

**Information and Training for Employees**

A. At the time of employees' initial assignment and annually thereafter, the County shall provide is employees with a copy of the Delaware County Workplace Violence Prevention Policy and the following information and training on the risks of violence in their workplace(s):

1. the requirements of NYS Labor Law 27-b;
2. the risk factors in their workplace(s); and
3. training sessions that outline:
  - a. the measures employees can take to protect themselves from such risks, including specific procedures the County has implemented to protect employees.

B. Employees will sign a form attesting that he/she has read, understand will abide by the Delaware County's Workplace Violence Prevention Policy.

The Delaware County is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to all people in our workplace. People in the workplace include the agency, employees, residents and visitors to the Delaware County. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on the Delaware County 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 all people in the workplace. 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. The Delaware County has identified response personnel that include a member of management and an employee representative..

All County employee 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:

Title: \_

Department

Phone:

Location:

