

Warren County Board of Supervisors

RESOLUTION NO. 174 OF 2012

Resolution introduced by Supervisors Taylor, Strainer, Loeb, McDevitt, Frasier, Westcott and Vanselow

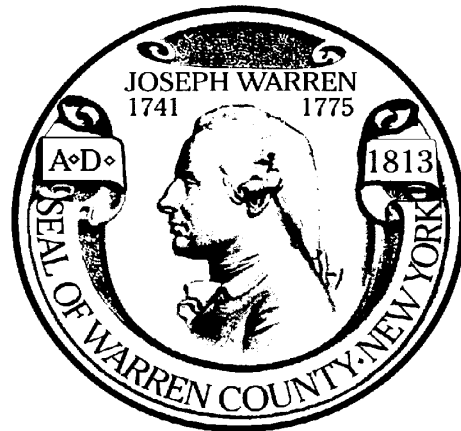
APPROVING AND AUTHORIZING THE IMPLEMENTATION OF A PROGRAM ON WORKPLACE VIOLENCE PREVENTION FOR WARREN COUNTY

WHEREAS, New York State Labor Law Section 27(b), as amended by the 2006 New York State Legislature, requires that public employers are to evaluate the safety of their workplace and implement workplace safety training for all employees, and

WHEREAS, by Resolution No. 108 of 2007, the Warren County Board of Supervisors authorized the implementation of a program on workplace violence, and that original plan and program has been reviewed by Needham Risk Management, the Insurance Administrator, the County Administrator and the County Attorney and has been updated, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves and authorizes the implementation of the revised Workplace Violence Prevention Program for Warren County, annexed to this resolution and presented at this meeting, with a review of said program to be made on an annual basis by the Warren County Support Services Committee, and be it further

RESOLVED, that said Program shall take effect immediately and will be available for review by any Warren County employee at the Warren County Civil Service/Personnel Department.



Warren County

Workplace Violence Prevention

Plan and Program

Date Adopted: _____ 2012

Warren County

Workplace Violence Prevention Plan and Program

Section 27-b of the New York State Labor Law requires public employers (other than schools covered under the school safety plan requirements of the education law) to perform a workplace violence evaluation or risk evaluation at each worksite and to develop and implement programs to prevent and minimize workplace violence caused by assaults and homicides. The Law is designed to ensure that the risk of workplace assaults and homicides are regularly evaluated by public employers and that a workplace violence protection program is implemented to prevent and minimize the hazard to public employees.

The workplace evaluations must identify factors which may place the workforce at risk to occupational assaults or homicides. The results of the evaluation and the risk factors found are to be shared with employees initially and annually thereafter.

I. Board of Supervisors Policy Statement:

Warren County is committed to providing a safe workplace for our employees. We recognize that workplace violence presents a serious occupation safety hazard for workers. Therefore, Warren County has developed and shall implement this workplace violence prevention plan and program.

II. Defining Workplace Violence:

A. In accordance with Section 27-b of the New York State Labor Law and for the purpose of this workplace violence prevention plan, **workplace violence is any physical assault, threatening behavior or verbal abuse occurring in the work setting within Warren County.**

The workplace violence prevention plan has been developed to address three distinct types of Workplace Violence threats:

- **Type 1 Threat:** Physical assault, threatening behavior or verbal abuse by an assailant with no known legitimate relationship to the workplace who enters the workplace to commit a robbery or other criminal act.
- **Type 2 Threat:** Physical assault, threatening behavior or verbal abuse by a recipient of a service provided by the County.
- **Type 3 Threat:** Physical assault, threatening behavior or verbal abuse by a current or former worker, supervisor or manager, or another person who has some employment-related involvement with the County, such as a worker's spouse or lover, a worker's relative or friend or another person who has a dispute with one of our employees.

B. Workplace violence may include threats in the following specific situations or when made in person, in writing, by telephone or electronic communication:

- Non-specific threats of violence by employee
- Specific threats of violence by employee
- Threats of violence directed against an employee by a non-employee
- Violent confrontation by a spouse or significant other with an employee over a personal/domestic dispute
- Threats or threatening conduct by disgruntled or ex-employees
- Violent altercations between two employees or employee and supervisor
- Multiple assaults by intruder

C. Typical warning signs of potentially violent individuals may include:

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility, extreme agitation; making ominous threats such as: “bad things will happen” to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance, irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in County policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; demonstrating a propensity to behave and react irrationally.

III. Workplace Violence Prevention Risk Evaluation:

Warren County has performed “risk evaluations” of certain facilities identified in article V(f) as a means of inspection of workplaces to determine the presence of existing or potential hazards that might place employees at risk from physical assault, threatening behavior or verbal abuse. Warren County will be performing additional “risk evaluations” of the facilities so denoted in V(f). The County employed the following techniques in developing risk evaluations for the facilities where the evaluations have been concluded and will also use the same techniques where the evaluations have not been concluded:

- An examination of the history of past incidents to identify patterns or trends which occurred in each workplace;
- A review of occupational injury and illness logs (SH 900) and incident reports to identify injuries that may have resulted from workplace violence incidents;
- Conducting workplace building security surveys.

IV. Risk Factors Identified In Section III Above:

A review of the activities carried out at Warren County’s facilities and by County employees, indicates that threats of violence may be initiated by any of the three types of individuals listed in item II. above. Many of the County’s employees work closely with the public in situations at the following locations/worksites:

- Municipal Center which includes the County Clerk, Treasurer, Board of Supervisors, Civil Service, County Court as well as several other County departments.
- Human Services building which contains Social Services, Planning, Building Codes, Self-Insurance, Veterans Affairs as well as other County departments.
- Highway Department
- Buildings and Grounds
- Westmount Nursing Facility
- Countryside Adult Home
- Public Safety building which contains the Sheriff’s Department and the correctional facility

Individual departments, within the County, who have constant contact with the public have their own Workplace Violence plans including DPW, Social Services, Health Services and Westmount Nursing Facility.

The County has determined that the following are some of the factors or situations in County workplaces that might place employees at risk of physical assault, threatening behavior or verbal abuse.

- Duties that involve the handling or exchange of monies
- Delivery of passengers, goods or services
- Duties that involve mobile workplace assignments (IE health care, probation, social services, building inspection, criminal justice settings.)
- Working alone or in small numbers (IE working late at night, during early morning hours or anytime the workplace is not fully staffed.)
- Duties that involve guarding valuable property or possessions
- Working in community based settings
- Bomb threats
- Working in rural or sparsely populated areas
- Working in a poorly lit environment

V. Workplace Violence Prevention Responsibility:

A. The County has identified the following responsibilities for implementing and maintaining the provisions of the Workplace Violence Prevention Program:

- The County Administrators Office is responsible for implementation of the Plan and for coordinating the delivery of required annual employee workplace violence prevention training and for ensuring that all new employees receive a copy of the Plan and required training.
- The County Administrators Office is also responsible for annual plan review, ensuring that its provisions are implemented and answering all employee questions relative to Workplace Violence Prevention procedures.
- All County employees will attend Workplace Violence Prevention training and review the contents of the plan. Training will be scheduled and announced as necessary. In addition this plan will be available from Department Heads and/or supervisors and will be posted in employee accessible areas.
- The County Administrators Office will periodically review this Workplace Violence Prevention Plan and annual employee training requirements.
- Department Heads will also conduct a formal review of any workplace violence incidents and within 30 days of the occurrence of an incident may recommend enhancements to the existing Plan and procedures.
- It is the responsibility of the Warren County Sheriff's Department or State Police to respond to and investigate all workplace violence incidents that occur in workplaces. The Investigating Officer will provide a preliminary report to the County Administrator within 15 days of the occurrence of a workplace violence incident.

B. Injury and Illness Recordkeeping and Reporting Requirements for Workplace Violence Incidents:

Currently, Warren County is required to record and report workplace violence incidents in accordance with New York State Labor Law, Section 27-a (Public Employer Safety and Health Act). 12 NYCRR Part 801

Recording and Reporting Public Employees' Occupational Injuries and Illnesses, specifies conditions for employer recordkeeping and reporting requirements. Specifically, an employer is required to record an employee workplace violence injury if it results in death, days away from work, restricted work or transfer to another job, medical treatment beyond first aid and loss of consciousness.

Employers are also required to report employee workplace violence related fatalities and multiple hospitalizations to the Department's Public Employee Safety and Health (PESH) Bureau within 8 hours of the incident.

(Refer to 12 NYCRR Part 801 for complete information pertaining to employee recordkeeping and PESH reporting requirements).

C. Employee Communication:

To properly maintain a safe, healthy and secure workplace the County is committed to having an open, two-way communication policy between all employees on all workplace safety, health and security issues. This communication is designed to encourage a continuous flow of safety and health information between management and employees without fear of reprisal and is readily understandable. This communication system will provide and accomplish the following:

- Employee orientation and training on workplace violence prevention and worksite security policies, procedures and work practices.
- Periodic review of the Workplace Violence Prevention Plan and Program with all personnel.
- Training programs designed to address specific aspects of workplace violence prevention and security that are unique to the County.
- Discussion of Workplace Violence Prevention at regularly scheduled safety and health meetings.
- Posted or distributed workplace security information.
- A system for employees to readily inform management about workplace security hazards or threats of violence.
- Procedures for protecting any employee who reports a threat from retaliation by the person making the threat.

D. Preventing Workplace Violence at worksites:

There is no single ingredient that will prevent or reduce violence in the workplace. Preventative measures must be based on a thorough understanding of risk factors associated with the various types of workplace violence that could occur. While understanding the factors that lead to workplace violence are not always evident, sufficient information is available which can reduce the risk. However, strong management commitment, and the day-to-day involvement of department managers, supervisors, employees and labor unions, is required to reduce the risk of workplace violence. To that end, the County will utilize the following measures in developing and maintaining its Workplace Violence Prevention Program:

- ***Foster a supportive harmonious work environment:*** Create a culture of mutual respect to help reduce harassment and hostility in the workplace. Management will strive to communicate openly, give employees adequate control in their work and provide them with support and recognition. Conflict and stress are lower when employees feel empowered to work independently and are motivated to work cooperatively.
- ***Train employees on how to resolve conflicts:*** Conflicts on the job can be reduced by developing employee skills in negotiating, communicating effectively, team building and resolving disputes.

- ***Develop effective policies to protect employees from harassment:*** Strive to build a culture free of harassment and discrimination and advance this goal by having systems in place to address infractions. Warren County will not tolerate physical assault, threatening behavior or verbal abuse. Further, all complaints will be expeditiously and thoroughly investigated. Appropriate action will be taken to those who violate this policy.
- ***Establish procedures for handling grievances:*** Employees will follow grievance procedures for reporting complaints of unfair treatment, discrimination or harassment.
- ***Provide personal counseling through an employee assistance program:*** Employees can use County resources to address personal concerns. If a physical assault, threatening behavior or verbal abuse incident occurs at work, support services can be made available by the County to help employees cope with their fears and concerns.
- ***Implement security programs that protect employees:*** The County has a variety of methods in-place to ensure worker safety. Such methods include: access control to facilities; employee background screening; and, employee safety awareness and training.
- ***Provide employee safety education programs:*** In addition to making workers aware of safety policies and employee support services, the County will provide education on ways to maximize safety at work.
- ***Train supervisory personnel on how to recognize signs of a troubled employee:*** The County will provide periodic information and/or training to managers and supervisors on how to recognize signs and symptoms of a potentially violent employee. Also, supervisory personnel can be instructed on how to be sensitive to signs of possible abuse among employees, such as frequent absences or depression.

E. Reporting Workplace Violence Incidents:

Any employee or representative thereof who believes that a serious violation of the Workplace Violence Prevention Plan and Program has occurred or that an imminent danger exists, should bring such matter to the attention of a Supervisor or Department Head in the form of a written notice. The referral is not required where imminent danger or threat exist to the safety of a specific employee or to the general health of a specific patient and an employee reasonably believes in good faith that reporting to a Supervisor or Department Head would not result in corrective action.

When a workplace violence incident results in a serious injury, emergency responders such as Police, Fire and/or Ambulance personnel will be promptly notified. The Warren County Sheriff's Department, County Administrator, Department Head and employee's supervisor will also be immediately notified. Based on the seriousness of the incident, the County Administrator may assemble a Workplace Violence Management Response Team which may include the County Attorney, law enforcement, Employee Assistance Program Coordinator, various Department Managers, representatives from the Employee Safety and Health Committee, Employee Union representatives and other others as deemed necessary. This team will evaluate the details of the violent incident, implement required employee safety measures, coordinate with the victim's family, other employees, the media and law enforcement personnel, and refer victims to appropriate assistance and community service programs that may include crisis counseling.

F. County Worksite Security:

The County primarily provides services to County residents and visitors and its worksites must remain accessible to its clients as necessary. Therefore there is no intention to fortify facilities. The County will

provide training to all employees as the primary means of reducing workplace violence. The County will utilize barriers, controlled entries, etc. where such are necessary. In addition, the following physical security measures are also employed at the various facilities as appropriate:

- Maintain exterior lighting, especially in areas where employees walk to their cars.
- As needed, prune landscaping to eliminate hiding places near entrances, walkways and parking areas.
- Keep all non-public entrances closed and locked. Post signs (where necessary) indicating public entrances.
- Post emergency numbers for police, fire and medical services.
- Equip vehicles with two way radios as necessary.

The following details the specific risks and control measures for each of the County's facilities:

- **Municipal Center:** *to be completed following risk evaluations*
- **Human Services Building:** *to be completed following risk evaluations*
- **Department of Public Works:** Please see the DPW's site specific plan.
- **Health Services:** Please see the Health Services specific plan.
- **Social Services:** Please see the Social Services specific plan.
- **Westmount Nursing Facility:** Please see the facility specific workplace violence plan.
- **Countryside Adult Facility:** *to be completed following risk evaluations*
- **Public Safety Building:** *to be completed following risk evaluations*