

Workplace Violence Prevention Program

Newark Valley Central School District



Date: 3/22/24

Table of contents

<u>Introduction</u>	3
<u>Policy Statement</u>	3
<u>Workplace Risk Assessment</u>	4
<u>Reporting an incident</u>	7
<u>Post-Incident Response</u>	7
<u>Employee Training outline</u>	8
<u>Recordkeeping Requirements</u>	8
<u>Program review</u>	8
<u>Appendices:</u>	
1 Policy Statement	10
2 Risk Assessment	12
3 Training Outline	20
4 Incident Report	21
5 Program Review	22

Introduction:

What is Workplace Violence?

Any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of their employment including but not limited to:

- An attempt or threat, whether 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 intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

What is the New York State Workplace Violence Prevention Law and Regulation?

On June 7, 2006, New York State enacted legislation creating a new Section 27-b of State Labor Law that requires every public employer to evaluate the risk of workplace assaults and homicides at its workplace(s) and to develop and implement programs to prevent and minimize the hazard of workplace violence to public employees. In 2009, NYS Department of Labor (DOL) implemented regulations to accompany the Workplace Violence Prevention Law. These regulations can be found at 12 NYCRR 800.6 and are enforced by NYSDOL. Effective January 4, 2024, all public schools & BOCES previously exempted under Section 2801 of the Education Law must comply with 12 NYCRR Part 800.6.

Purpose of this program:

The purpose of this Workplace Violence Prevention Program is to provide information to managers, supervisors, employees, and authorized employee representatives about preventing and responding to incidents of workplace violence or threats of violence in accordance with the Workplace Violence Prevention Law and Regulation. Authorized Employee Representatives must be included in the physical evaluation of the workplace, the development of the WPV written program, and the annual review of WPV incident reports.

The goal of this program is to reduce the probability of threats or acts of violence in the workplace and to ensure that any incident, complaint, or report of violence is taken seriously and dealt with appropriately and as expeditiously as possible. This program outlines the major components of our effort to meet these goals. At the core of this Workplace Violence Prevention Program is the NVCSD commitment to work with employees to maintain a work environment free from violence and other disruptive behavior to the greatest degree possible.

Policy Statement

A policy statement which indicates the NVCSD workplace violence prevention policy, goals and objectives; incident alert and notification policies; and provides for full employee participation through an authorized

employee representative has been developed, implemented and posted where notices to employees are normally posted. The policy statement is included in Appendix 1.

Workplace Risk Assessment

The NVCSD has conducted a workplace risk assessment consisting of:

- Examination of records that concern workplace violence incidents,
 - Assessment of policies, practices, and procedures that may impact the risk of workplace violence, and
 - Evaluation of the physical work environment for the presence of factors which may place employees at risk of workplace violence, with the participation of the authorized employee representatives.
- Although workplace violence can occur in any work setting, some settings or factors may pose a greater degree of risk. Employment situations or factors that may pose a higher risk for the NVCSD employees include, but are not limited to, the following:
- 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 (e.g. in healthcare, social service, public service or criminal justice settings)
 - Having duties that include the delivery of passengers, goods, or services

Risk factors identified during the examination, assessment and evaluation are listed in Appendix 2 or <https://dol.ny.gov/system/files/documents/2021/03/appendix-2-b-sample-evaluation-of-physical-environment.pdf>, along with the methods and means by which each risk is being addressed. The employer is responsible for addressing all risk factors that their employees are potentially exposed to.

Any incidents that may occur after the implementation of this program must be carefully documented and analyzed in order to make improvements to this program during the required annual review or as necessary.

Control methods that the NVCSD will use to prevent workplace violence incidents

Hierarchy of Controls

There are three main types of control measures that may be implemented as part of a safety program to protect employees from recognized hazards. The following types of controls are arranged in order of preference and effectiveness - this is referred to as the “hierarchy of control measures”.

1. **Engineering controls** eliminate or reduce the hazard through substitution or design (possible capital project).

Examples include:

- Increased lighting
- Designing secure building access
- Security hardware
- Eliminating isolated work areas
- Minimizing “cash on hand”

2. **Administrative controls** eliminate or reduce the hazard through organizational policies, procedures, and work practices (staff promulgated action). (Refer to District-Wide School Safety Plan, Code of Conduct, Sexual Harassment Policy, Employee Handbook, other Safety and Health plans, etc.).

Examples include:

- Employment of safety personnel/SRO, SPO, SSO
- Developing building access control procedures
- Cross-shift communication to share information regarding agitated visitors or students
- Reduction of visitor wait times
- Provision of personal alarms (examples include: portable/fixed panic alarms)
- Provision of cell phones/radios
- Provision of life safety supplies (examples include: first aid kit, stop the bleed kit, etc.)
- Training (examples include: workplace violence, conflict resolution, de-escalation training, mental health first aid, restraint training (TCI, CPI))

3. **Personal Protective Equipment (PPE)**

PPE is generally considered the least desirable form of control but may be needed to enhance other controls and/or minimize potential injury severity when other controls fail. Reference to special education and student IEPs to determine and develop what types of materials are necessary to protect staff.

Examples include:

- Eye and face protection (examples include: goggles, face shield)
- Hand/Arm protection
- Leg/Foot protection
- Head protection

Prevention

Prevention of violence in the workplace is the responsibility of every employee. The following section focuses on early warning signs and workplace issues that have the potential to trigger violent behavior. Management, employees, and authorized employee representatives should be familiar with the issues below in order to become aware of and to reduce the likelihood of workplace violence.

Early warning signs of potential violence:

There is no single “profile” that can identify a potentially dangerous individual. However, certain patterns of behavior and events frequently precede episodes of violence.

- A list of indicators of increased risk of violent behavior include, but are not limited to the following:
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 ongoing domestic difficulties
- Employees with a temporary order of protection against any staff

These behaviors should be reported to an employee’s supervisor and/or the administrator of this program. Some behaviors may require immediate law enforcement intervention where others may require disciplinary action or indicate a need for an Employee Assistance Program (EAP) referral or other employee assistance, if available.

Workplace issues that may trigger violence:

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

1. Employee issues (some examples include:

- Negative performance review
- School Climate
- 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 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:

- Recognizing the early warning signs (such as a change in a person's behavior preceding an episode of violence)
- Recognizing issues or events that may trigger violence
- 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.

Reporting an incident

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

Any NVCSD 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 and/or to the contact person identified in the Policy Statement (Appendix 1). In the event that employees observe or experience an incident of violence involving an employee or visitor to NVCSD in which there is an immediate threat to their safety or the safety of others or where an injury has occurred, the employee will immediately obtain law enforcement and medical assistance by calling 911 and in addition notify their immediate supervisor. The supervisor will immediately conduct a preliminary inquiry into the facts and circumstances of the incident and make a prompt report to the **Workplace Violence Administrator** using the Incident Report in Appendix 4.

Where a developing pattern of workplace violence incidents which may involve criminal conduct or serious injury exist, the NVCSD will attempt to develop a protocol with the appropriate local District Attorney or Police agency to ensure that violent crimes committed against employees in the workplace are promptly investigated and appropriately prosecuted.

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.

Post-Incident Response

Any reported workplace violence incident will be thoroughly investigated. (Also see Program Review section below). The LEA and **Workplace Violence Administrator** shall investigate each reported incident.

- Assure that injured employees receive prompt and appropriate medical care (This includes, but is not limited to, providing transportation of the injured to medical care. Prompt first aid and emergency medical treatment can minimize the harmful consequences of a violent incident.)
- Report the incident to the appropriate authorities as required by applicable laws and regulations

- Inform management about the incident in writing
- Secure the premises to safeguard evidence and reduce distractions during the post incident response process
- Prepare an incident report immediately after the incident, noting details that might be forgotten over time (Appendix 4 contains a sample incident report form)
- Address the need for appropriate treatment for victimized employees (In addition to physical injuries, victims and witnesses may suffer psychological trauma, fear of returning to work, feelings of incompetence, guilt, powerlessness, and fear of criticism by supervisors or managers.)

*In the event that critical incident management or crisis counseling is needed following a workplace violence incident in the workplace, arrangements will be made through management, employee unions, Applicable Supervisor, and/or the **Workplace Violence Administrator**.

*Note** - This is not a requirement of the law or regulation.

Employee Information and Training Outline

Training of every employee will be performed before initial assignment and annually thereafter. Retraining is required any time there is a significant change to the program, a risk factor, or work control. Required training topics are listed in the Training Outline in Appendix 3.

Recordkeeping Requirements

The record keeping requirements outlined in 12 NYCRR Part 801, Recording and reporting Public Employees' Occupational Injuries and Illnesses (DOSH 900), must be used to document recordable injuries sustained during workplace violence incidents.

In addition to Part 801, all incidents will be investigated and documented to ensure that all threats and workplace violence incidents are reported to management. These reports will provide written notification when a violence incident occurs so that management can develop an appropriate response. The Incident Report will also create a historical record that can be used in the annual review and program update. (A sample incident reporting form is attached as Appendix 4 of this document)

Program Review

Local Education Agency (LEA), Designated Workplace Violence Administrator, with the Authorized Employee Representatives, shall evaluate the effectiveness of this Workplace Violence Prevention Program and reports submitted, at least annually or after any serious incident.

Review of Incident Reports

Each incident report must be investigated by the employer (or the employer's designated WPV team) when the incident occurs.

An annual review of the incident reports collected shall be reviewed by the Local Education Agency (LEA), Designated Workplace Violence Administrator, and Authorized Employee Representative(s). A report that provides only a summary or statistics is not acceptable per the regulation.

Program Review

Review of the program, where the mitigating actions taken in response to any incident, shall be reviewed at least annually and the review will need to focus on trends, addressing root cause, and the effectiveness of the control measures in place or the need to make changes. The review will also assess whether the reporting and record keeping systems have been effective in collecting all relevant information. Appendix 5 will be updated with titles of those who perform the review.

Following the submission of a written notice of concern regarding the employer's workplace violence program or that an imminent danger exists, the employer must be afforded a reasonable opportunity to address the reported concern. If the employee or authorized employee representative believes that the reported concern has not been resolved and a serious violation of the NVCSD workplace violence prevention program still exists, the employee or authorized employee representative may request an inspection by notifying the Commissioner of Labor.

For additional information on recordkeeping or workplace violence prevention, or to request free and confidential consultation assistance, please use the contact information on the Consultation Fact Sheet available here:

<https://dol.ny.gov/system/files/documents/2023/10/p206-pesh-consultation-fact-sheet.pdf>

APPENDIX 1

POLICY

Subject: Workplace Violence Prevention

2024 4700
Administration

Newark Valley Central School District is committed to the safety and security of our employees and recognizes that workplace violence presents a serious threat to their well-being.

Workplace violence is defined as any physical assault or act of aggressive behavior occurring where a public employee performs any work-related duty in the course of their employment. Workplace violence includes but is not limited to:

- Any verbal or physical attempt or threat to inflict physical injury upon an employee.
- Any intentional display of force which gives an employee reason to fear or expect bodily harm.
- Any intentional, wrongful and nonconsensual physical contact with a person that causes injury.
- Stalking an employee to cause fear of harm to an employee's physical safety and health.

Acts of violence against Newark Valley Central School District employees where any work-related duty is performed outside of the employee's domicile will be thoroughly investigated and appropriate action will be taken. All employees are responsible: for creating an environment of mutual respect for each other as well as clients; following all workplace policies, procedures and practices; and for assisting in maintaining a safe and secure work environment.

Our workplace violence prevention 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 workplace violence prevention law and regulation specify that employers must provide for employee participation in the workplace violence prevention program through an authorized employee representative. Authorized Employee Representative(s) have a right to, at minimum, be involved in:

- evaluating the physical workplace environment to determine workplace violence risk factors;
- developing the Workplace Violence Prevention Program and;
- reviewing workplace violence incident reports at least once annually to identify trends in the types of incidents reported, if any, and evaluate the effectiveness of safeguards and actions taken to reduce the risk of workplace violence.

All employees shall participate in the Workplace Violence Prevention Training Program when they are first assigned to our workplace and once a year after that.

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 investigated upon notification. All personnel are responsible for notifying the contact person designated below of any violent incidents or threatening behavior, including threats they have witnessed, received, or have been told about by another person.

Designated Contact Person:

Name: Todd Schaffer

Title: Executive Principal

Phone: 607-642-3221

Location: Newark Valley Central High School

Adopted: March 11, 2024

APPENDIX 2

Newark Valley Central School District Site Risk Assessment

Facility Name: - _____
Date of Survey: _____
Facility Address: _____

Names/Titles/Organization for those conducting assessment:

Employer Rep's: _____

Employee Rep's: _____

Area Assessed	Yes	No	Comment (if not applicable indicate with an N/A)
General:			
Employees work in public setting			
Employee work late at night or early morning hours			
Employees work alone or in small numbers			
Employees exchange money as part of job			
Employees work in location with uncontrolled public access			
Employees work in area of previous security concerns			
Employees work with public			
Employees work in high crime area			
Employees work with volatile persons			
Does facility have posted evacuation plan/map			
Does facility conduct routine evacuation/fire drills			
Are electric panels locked to prevent unauthorized access			

Is shrubbery, trees and landscaping maintained to minimize obstructions to entrances and exits			
Security:			
Does the facility use Resource Officers? If yes, # R.O. per facility			
Is security or law enforcement present at this location? If yes list # present per shift:			
Is security/law enforcement posted at entrances If yes, list entrances			
Do security/law enforcement personnel patrol facility			
Are I.D. badges required to be worn by all personnel			
Are students required to use school issued I.D. badges when on premises			
Is card reader or equivalent required for entry to facility			
Is facility equipped with metal detectors			
Is facility equipped with security cameras			
Is facility equipped with panic buttons			
Are visitors permitted to enter facility			
Are visitors required to wear visitor I.D. badges			
Are emergency contact names and phone numbers posted in each occupied room			
Is each room equipped with a telephone or radio to call for help when needed			
Parking Lots:			
Are parking areas protected with security/ law enforcement personnel			
Are parking areas patrolled by security/law enforcement personnel			
Are parking areas equipped with security cameras			
Are parking areas equipped with lights			

Offices:			
Do office areas have controlled access			
Is office area separated from entrance with privacy glass			
Is office area equipped with panic alarm			
Are offices equipped with telephones to call 911			
Are telephones or radios used to communicate with facility personnel			
Are office doors equipped with door locks to prevent unauthorized access			
Do employees receive De-escalation training			
Classrooms:			
Are evacuation maps posted in each classroom			
Are classroom doors equipped with locks to restrict access			
Are classrooms equipped with telephones			
Are classroom personnel equipped with radios			
Is personal protective equipment provided to all classroom personnel as needed			
Are classroom personnel exposed to violent behavior from students			
Do classroom personnel receive De-escalation training			
Are classroom personnel informed of students with behavioral issues prior to student placement in classroom			
Have classroom personnel been provided with training on working with students with behavioral issues			
Are windows locked to prevent uncontrolled access			
Is availability to items that can be used as weapons by students minimized			

Are classrooms equipped with security cameras			
Cafeteria:			
Is access restricted to authorized personnel only			
Does cafeteria personnel exchange money with students and staff			
Are cafeteria personnel provided with necessary personal protective equipment			
Is cafeteria equipped with security cameras			
Is cafeteria locked when not in use			
Is cafeteria staff provided with telephones and/or radios			
Are evacuation maps posted at all exits			
Auditorium:			
Are all entrances kept locked when not in use			
Is auditorium, stage, backstage equipped with security cameras			
Is auditorium, stage, backstage equipped with security lighting			
Is backstage entrance restricted to authorized personnel only during events			
Are catwalks, light towers, etc. restricted to authorized personnel only			
Is auditorium patrolled by security/law enforcement during events			
Gymnasium:			
Does gymnasium have exterior lighting around all entrances and exits			
Are locker rooms locked or monitored to prevent unauthorized entry			
Is the area patrolled by security/law enforcement during events			
Is gymnasium equipped with security cameras			

Athletic fields			
Is security/law enforcement present for all sporting events home & away			
Are athletic fields protected from unauthorized entry with fences			
Are athletic fields equipped with security/event lighting			
Are I.D.s required to be worn by school personnel at sporting events			
Bus Garage & busses			
Are all busses equipped with radios			
Are all busses equipped with security cameras			
Is somebody available to respond to all radio calls from drivers that are on road			
Are I.D.s required by individuals getting on busses			
Do all bus runs have two employees on board for each run			
Are busses secured or locked when not in use			
Is bus garage equipped with security cameras			
Is bus garage locked when vacant			
Field trips:			
Do school personnel have a copy of emergency contact names and numbers for administration			
Does school personnel verify I.D. of each student at beginning and end of trip			
Do chaperones receive security briefings prior to trip			
Building & Grounds:			
Are buildings equipped with security cameras			
Are buildings equipped with security lighting			

APPENDIX 3

NVCSD Workplace Violence Prevention Training Outline

Information and training for all employees:

- I. Overview of Requirements of the Workplace Violence Regulations
 - A. Develop a written policy statement - employers must develop a written policy statement about the employer's workplace violence prevention program goals and objectives and provide for full employee participation through an authorized employee representative. The policy statement must be posted where notices to employees are normally posted.
 - B. Conduct a risk evaluation - employers must examine their workplace to determine if existing or potential risk factors exist that might place employees at risk of occupational assaults or homicides.
 - C. Develop a workplace violence prevention program- employers must develop a program, with input from employees or an authorized employee representative, that, among other things, includes the following: risk factors identified through the risk evaluation; how the identified risks will be addressed; the methods that will be used to try to prevent workplace violence incidents; a system to report and record any workplace violence incidents may occur in the workplace; a written outline or lesson plan for employee program trainings; and a plan to review and update the program at least once a year.
 - D. Provide training and information for employees- employers must provide each employee with information and training on the risks of workplace violence in their workplace(s) at least once a year and any time significant changes are made to the workplace violence prevention program.
- II. Risk factors and measures that were identified in the risk evaluation
 - A. [INSERT FINDINGS]
 - B. Measures that employees can take to protect themselves from the identified risks including specific procedures that the employer has implemented such as:
 - i. Incident alert and notification procedures
 - ii. Appropriate work practices
 - iii. Emergency procedures
 - iv. Use of security alarms and other devices
 - v. Other existing policies, procedures and work practices relevant to WPV
 - vi. Procedures to report incidents of workplace violence
- III. Location of the written workplace violence prevention program and how to obtain a copy (only employers with 20 or more full-time permanent employees are required to maintain a program in writing).
- IV. Privacy Concerns
 - A. How will sensitive information be handled?

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.

APPENDIX 4

NVCSD

Workplace Violence Incident Report

Date of Incident:

Workplace location where incident occurred:

Time of day/shift when incident occurred:

DESCRIPTION:

Names and job titles of involved employees:

Detailed description of the incident, including events leading up to the incident and how the incident ended:

Name or other identifier and job titles of involved individuals:

Nature and extent of injuries arising from the incident:

Names of witnesses:

Note: If the case is a "privacy concern case," remove the name of the employee who was the victim of the workplace violence and enter "PRIVACY CONCERN CASE" in the space normally used for the employee's name. Privacy concern cases include cases involving:

- Injury or illness to an intimate body part or the reproductive system;
- Injury or illness resulting from a sexual assault;
- Mental illness;
- HIV infection;
- Needle stick injuries and cuts from sharp objects that are or may be contaminated with another person's blood or other potentially infectious material; and
- Other injuries or illnesses, if the employee independently and voluntarily requests that his or her name not be entered on the report.

APPENDIX 5

NVCSD

Workplace Violence Program Maintenance and Review

Program review (annual) completed on: _____ (date)

Stakeholders and authorized employee representatives (where applicable)

Plan and Contact information:

The most current version of this plan will be made available to employees, their authorized representatives, and to representatives of the NYS Department of Labor by contacting or visiting the NVCSD website www.nvcs.stier.org.

Designated Workplace Violence Administrator Contact:

Primary Contact		Secondary Contact	
Name	Todd Schaffer	Name	
Title	Executive Principal	Title	
Department	Administration	Department	
Phone	607-642-3221	Phone	
Location	District Office	Location	