

SUBJECT: WORKPLACE VIOLENCE PREVENTION PROGRAM**Overview**

New York State requires public employers, including school districts, to develop and implement programs to prevent and minimize workplace violence and help ensure the safety of public employees.

This written document serves as the District's Workplace Violence Prevention Program (WVPP). The District's Workplace Violence Prevention Advisory Committee, which includes all authorized employee representatives and the Chief Emergency Officer, oversaw and participated in the development of the WVPP. During the development process, all authorized employee representatives provided input on those situations in the workplace that pose a threat of workplace violence.

Purpose of the WVPP

The WVPP is designed to prevent, minimize, and respond to any workplace violence. The goals of the WVPP are to:

- 1) Reduce the probability of threats or acts of violence in the workplace; and
- 2) Ensure that any incident, complaint, or report of violence is taken seriously and dealt with in a timely manner.

Scope

All District employees are required to comply with the WVPP.

Reporting Workplace Violence

All employees and authorized employee representatives are responsible for providing written notice to a supervisor or Workplace Violence Prevention Coordinator of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received. Reports of workplace violence must be made in writing. All reports must be immediately forwarded to the Workplace Violence Prevention Coordinator.

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Written notice is not required where imminent danger exists to the safety of a specific employee and the employee reasonably believes in good faith that reporting to a supervisor or the Workplace Violence Prevention Coordinator would not result in corrective action.

Following the notice, the District will be afforded a reasonable opportunity to correct the activity, policy, or practice. The District will promptly respond to all reported incidents of violence or threatening behavior upon notification.

Investigating and Responding to Reports of Workplace Violence

Upon receipt of written notice of an incident of workplace violence, the Workplace Violence Prevention Coordinator will work with the other individuals, such as those on the Workplace Violence Prevention Advisory Committee and/or the Superintendent, to:

- 1) Ensure that the District takes any actions that are required to address a situation in a prompt manner. When necessary, such as when there is criminal conduct or a serious injury, responding may involve working with the District Attorney or police to ensure that violent crimes committed against employees in the workplace are promptly and appropriately investigated.
- 2) Confirm any injured employees receive prompt and appropriate medical care.
- 3) Complete a Workplace Violence Incident Report, which, at a minimum, will contain the following information:
 - a. Workplace location where incident occurred;
 - b. Time of day/shift when incident occurred;
 - c. A detailed description of the incident, including events leading up to the incident and how the incident ended;
 - d. Names and job titles of involved employees;
 - e. Name or other identifier of other individual(s) involved;
 - f. Nature and extent of injuries arising from the incident; and
 - g. Names of witnesses.

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If the case is a privacy concern case, a Workplace Violence Incident Report will still be completed. However, before sharing a copy of the Workplace Violence Incident Report with any party other than the Commissioner of Labor, the District will remove the name of the employee who was the victim of the workplace violence and will instead enter "PRIVACY CONCERN CASE" in the space normally used for the employee's name.

The District will treat incidents involving the following injuries or illnesses as privacy concern cases:

- a. An injury or illness to an intimate body part or the reproductive system;
- b. An injury or illness resulting from a sexual assault;
- c. Mental illness;
- d. HIV infection;
- e. 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
- f. Other injuries or illnesses, if the employee independently and voluntarily requests that their name not be entered on the Workplace Incident Report.

The District will maintain all Workplace Violence Incident Reports for use in the District's annual program review and updates.

- 4) Identify and implement actions to prevent similar occurrences from happening in the future.

Risk Evaluation and Determination

The District's workplace will be annually evaluated to determine the presence of factors or situations in the workplace that might place employees at risk of workplace violence. During the workplace evaluation process, the following will be examined:

- 1) Records

The District will examine any records from the past year that concern workplace violence incidents to identify patterns in the type and cause of injuries. The examination will look to identify patterns of injuries in particular areas of the workplace or incidents which involve specific operations or specific individuals. Examples of records that may be examined include, but are not limited to:

- a. Workplace violence incident reports;

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- b. Injury and illness documentation;
 - c. Worker's compensation reports;
 - d. Disciplinary reports.
- 2) Administrative Risk Factors

The District will examine relevant policies, work practices, and work procedures that may impact the risk of workplace violence. Examples include, but are not limited to:

- a. District-wide school safety plan;
 - b. Building-level emergency response plan(s);
 - c. Policies related to non-discrimination and anti-harassment, visitors to the school, school safety plans, threats of violence in school, prohibition of weapons on school grounds, use of timeout and physical restraint, and weapons in school;
 - d. Use of ID badges;
 - e. Procedures related to controlling or diffusing a potentially violent situation.
- 3) The Physical Environment

The District, with the participation of authorized employee representative(s), will evaluate the workplace to determine the presence of factors or situations which may place employees at risk of workplace violence. Factors which might place an employee at risk include, but are not limited to:

- a. Working in public settings;
- b. Working late night or early morning hours;
- c. Exchanging money with the public;
- d. Working alone or in small numbers;
- e. Uncontrolled access to the workplace;
- f. Areas of previous security problems.

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This evaluation may also include:

- a. Considering security features such as whether there is a reception area, there is adequate lighting in and around the workplace, there are multiple exits, door controls, panic buttons, and video monitors.
- b. Reviewing whether there are security guards present and, if so, where they are posted, if they patrol the building, and if they are provided with communication.
- c. Describing the building.

Program Controls

In situations where a hazard cannot be completely eliminated, the District will adhere to the following hierarchy of controls to reduce the risk to employees:

1) Engineering Controls

Engineering controls reduce the hazard through substitution or design. An example of an engineering control would be the installation of a physical barrier to protect employees from a member of the public (windows, deep counters). Engineering controls are not always feasible. If engineering controls are not feasible, the District will then consider work practice controls.

2) Work Practice Controls

Work practice controls reduce the hazard by changing organizational policies and procedures. An example of a work practice control would be requiring check-in procedures and/or itineraries to account for employees who work alone and are not under the direct supervision of management.

3) Personal Protective Equipment (PPE)

Generally, this type of intervention is not relevant to workplace violence prevention. An example of personal protective equipment would be ballistic body armor for law enforcement personnel.

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Confidentiality

The WVPP does not require the disclosure of information otherwise kept confidential for security reasons. This information may include information which, if disclosed, would:

- 1) Interfere with law enforcement investigations or judicial proceedings;
- 2) Deprive a person of a right to a fair trial or impartial adjudication;
- 3) Identify a confidential source or disclose confidential information relating to a criminal investigation;
- 4) Reveal criminal investigative techniques or procedures, except routine techniques and procedures; or
- 5) Endanger the life or safety of any person.

Training

At the time of hire and annually thereafter, all employees will participate in the District's WVPP training. At a minimum, this training will include information on:

- 1) The requirements in law related to workplace violence prevention;
- 2) The risks in the workplace that were identified in the District's risk evaluation and determination of their workplace and do not need to be kept confidential for security reasons;
- 3) The measures that employees can take to protect themselves from the identified risks including specific procedures that the District has implemented to protect employees such as incident alert and notification procedures, appropriate work practices, emergency procedures, and use of security alarms and other devices;
- 4) The details of the District's written workplace violence prevention program; and
- 5) The location of the written workplace violence prevention program and how to obtain a copy.

Annual Review

On an annual basis, the District will use the Workplace Incidence Reports from the previous year to review and, if necessary, update its WVPP. As part of this process, the District will:

- 1) Conduct a risk evaluation and determination;

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- 2) With the participation of the authorized employee representative, review past Workplace Incident Reports to identify trends in the types of incidents in the workplace and review the effectiveness of the mitigating actions taken.

Labor Law Section 27-b
12 NYCRR Section 800.6
Adopted Date: January 23, 2024