



# **LANSINGBURGH**

**– Central School District –**

## **Workplace Violence Prevention Program (WVPP) Overview**

Lansingburgh Central School District is committed to creating and sustaining a safe learning environment for every staff member, student, and visitor within our catchment area. To accomplish this, we must have systems and structures in place to both prevent and respond to violence. This required program is intended to assist employees in recognizing, reporting, and responding to incidents of workplace violence. Prompt and accurate reporting is crucial to maintaining a safe and healthy work environment for everyone.

On September 6, 2023, NYS Governor Kathy Hochul signed the Workplace Violence Prevention (WVP) Act. This was a modification of the original law, signed into law on June 7, 2006. This legislation requires public employers to perform a risk evaluation of their workplaces and develop and implement programs to prevent and minimize workplace assaults and homicides. Schools and BOCES were previously exempt from this law because of the school safety plan requirements outlined in Commissioner Regulation 155. Public schools and BOCES need to fully comply with this new requirement by May 3, 2024.

Lansingburgh CSD created a WVPP Committee that included its union leaders and administration to develop this program to meet the requirements of the law. It is recognized that this program does not change or undermine any rights of staff students within our District programs pursuant to the United States or New York State constitutions, federal law (including but not limited to the Individuals with Disabilities in Education Act, the Family Educational Rights and Privacy Act, and/or Section 504 of the Rehabilitation Act of 1973), New York State law (including but not limited to the Dignity for All Students Act and Section 3214 of the New York State Education Law), and/or any regulations or guidance put forth by the Commissioner of Education. Lansingburgh CSD will annually evaluate the physical and environmental threats that employees face, along with reviewing the WVPP Program.

## I. Definition of Workplace Violence

The term “workplace violence” is defined as any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment, 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.

## II. Purpose of this program

The purpose of this Workplace Violence Prevention Program (WVPP) 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.

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 WVP Program is the Lansingburgh CSD is committed to working with employees to maintain a work environment free from violence and other disruptive behavior to the greatest degree possible. All Lansingburgh CSD employees are required to comply with this program. In addition, visitors to district-owned property and facilities are required to conduct themselves in a non-violent manner in conformity with the Code of Conduct Policy, and existing law. Employees who observe or experience visitors of District property engaging in violent behavior should follow the procedures for the reporting of such behavior in our policy.

## III. Policy Statement

A policy statement which indicates the Lansingburgh CSD 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.**

### III. Application of the Program

The Lansingburgh CSD has conducted a workplace risk assessment consisting of:

- Examination of records of previous workplace violence incidents,
- Risk evaluation of the workplace to determine the presence of factors or situations that might place employees at risk of workplace violence;
- 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.
- Facilitate appropriate responses to reported incidents of workplace violence;
- Assess the potential problem of workplace violence;
- Evaluate incidents to prevent future occurrences;
- Utilize prevention, intervention, and interviewing techniques in responding to workplace violence; and
- Develop workplace violence prevention tools (such as guidelines and reporting tools) to assist in recognizing and preventing workplace violence in the organization.

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 District employees include, but are not limited to, the following:

- Programs and offices which handle the exchange of cash
- Programs that serve challenging students
- Offices which handle issues which are stressful to faculty and staff, such as Human Resources;
- Staff working:
  - alone or in small groups;
  - late at night or early in the morning
  - in a setting where previous security problems have occurred
  - at a mobile workplace assignment

- Working with a population which might expose one to potentially violent persons (adult education program in jails)

Risk factors identified during the examination, assessment and evaluation are listed in **Appendix 2** along with the methods and means by which each risk is being addressed. Lansingburgh CSD 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.

The application of this program will focus on proactively improving safety measures to mitigate workplace violence for employees. Lansingburgh CSD will ensure that the correct responsive measures are utilized based on the severity of the violation(s). We are committed to implementing training that will educate, prepare, and equip staff with the tools needed to identify workplace violence and respond promptly and equitably as the situation warrants.

It is also recognized that workplace violence toward staff may involve the students served. Identifying the unique challenges and needs of the various students our programs serve may involve the effective implementation of personalized plans for students with diverse needs, including neurodivergent students. To achieve this delicate balance, Lansingburgh CSD is committed to taking proactive steps towards prevention. These plans will be developed collaboratively with educators, parents, and relevant specialists to address individualized requirements and potential triggers.

The WVPP Committee, in conjunction with the Health and Safety Office, will provide workplace violence prevention training sessions for employees based on the law and this program. Included in this training will be processes and protocols to report a workplace violence incident.

## IV. Control Methods

### 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:

### Hierarchy of Controls

- Engineering controls
- Administrative controls
- Personal Protective Equipment (PPE)

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

**Administrative controls** eliminate or reduce the hazard through organizational policies, procedures, and work practices (staff promulgated action). Many of the Lansingburgh CSD policies already address prevention or mitigation of violence in school settings. These include but are not limited to:

- <https://www.lansingburgh.org/district/code-of-conduct>
- <https://www.lansingburgh.org/fs/resource-manager/view/44784898-2e4b-438c-b48b-18ee68590697>

In addition, the Lansingburgh CSD Staff handbook, Lansingburgh CSD Bargaining Unit Agreements and Employee Assistance Resources found on our website provide additional employee-related policies and protocols related to workplace violence.

**Personal Protective Equipment (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. Staff working in the Special Education programs have access to various types of equipment that may be necessary to protect both staff and students. The student IEPs will determine which appropriate PPE is needed in conjunction with the program behavioral specialist. Items include gloves, Kevlar sleeves, face shields, shin guards, etc.

## V. Reporting Procedures

Immediate Threats:

- If there is an immediate threat to the safety of yourself or others, call 911.
- Take steps to ensure your safety and the safety of others, such as moving to a secure location.
- Notify your supervisor once you are in a safe location.

Non-Emergency Incidents:

- For non-emergency incidents or concerns related to workplace violence, report the incident to your immediate supervisor or program manager as soon as possible.
- Use the designated reporting channels established by Lansingburgh CSD for reporting workplace violence. The WPVP incident report form can be found at:
  - <https://resources.finalsite.net/images/v1710341707/lansingburghorg/gwekosttgb10qnfilf42/WORKPLACEVIOLENCEREPORTFORM.pdf>

### Supervisor's Responsibility:

- Supervisors who receive a report of workplace violence must take immediate action to address the situation.
- Document the details of the incident, including the date, time, location, individuals involved, and a description of the events in the Lansingburgh CSD WVPP Incident report form.
  - <https://resources.finalseite.net/images/v1710341707/lansingburghorg/gwekosttgb10qnf42/WORKPLACEVIOLENCEREPORTFORM.pdf>
- If the incident involves harassment, discrimination, or threats, the supervisor must involve the Human Resources department promptly.
- Human Resources will record the incident and conduct an investigation, maintaining confidentiality to the extent allowed by law.

## VI. Reporting Channels:

### Direct Supervisor:

- Employees are encouraged to report incidents to their direct supervisor or manager first and complete the Workplace Violence Reporting Form.

### Human Resources Department:

- If the incident involves a supervisor or the employee is uncomfortable reporting to their supervisor, they may report directly to the Human Resources department.

### Anonymous Reporting:

- Lansingburgh CSD has established an anonymous reporting mechanism to encourage reporting without fear of retaliation. Employees can use Report It (insert link) to report incidents confidentially.

## VII. Follow-Up Actions:

### Investigation:

- Once a report is received, Lansingburgh CSD will conduct a thorough and impartial investigation. The goal is to gather information to determine the appropriate course of action.

### Communication:

- Lansingburgh CSD will communicate with the involved parties as appropriate and provide updates on the status of the investigation.

## Resolution:

- Based on the findings of the investigation, appropriate actions will be taken to address workplace violence and prevent its recurrence.

## VIII. Support Services:

### Employee Assistance Program (EAP):

- Employees are encouraged to utilize the EAP for counseling and support services.

### Security Measures:

- If necessary, Lansingburgh CSD will implement additional security measures to ensure the safety of employees.

## IX. Training:

### Workplace Violence Prevention Training:

- Lansingburgh CSD will provide training to employees on recognizing, preventing, and reporting workplace violence.
- Continual training for school staff is an integral component of our commitment to preventing workplace violence. This training will encompass strategies for de-escalation, conflict resolution, and fostering a positive, inclusive school and working culture. By equipping staff with the tools to recognize and respond to potential issues early on, we aim to create an environment where students and employees feel secure and supported.

## X. Regular Updates:

- Policies and procedures related to workplace violence will be reviewed regularly and updated as needed. By following these reporting guidelines, Lansingburgh CSD employees can contribute to maintaining a safe and respectful workplace for all. Remember, the commitment to reporting ensures a swift and appropriate response to workplace violence incidents.

Lansingburgh CSD is committed to the ongoing development of training that will seek to educate, inform, and support our employees and students through this workplace violence prevention program.

## **APPENDIX 1**

### **Workplace Violence Prevention Policy Statement**

Lansingburgh Central School District is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, clients, and students. 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 his or her 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; or 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.

Acts of violence against the Lansingburgh CSD employees where any work-related duty is performed 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 as well as clients, following all policies, procedures and practices, 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 12 NYCRR 800.6 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 risks of workplace violence to which our employees could be exposed.

Authorized Employee Representative(s) will, at a minimum, be involved in:

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

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. All 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 Workplace Violence Administrator/Officer Contact

Primary Contact		Secondary Contact	
Name	Matthew Van Dervoort	Name	Carrie Phelan
Title	Principal	Title	Principal
Department	High School Administration	Department	Middle School Administration
Phone	518-233-6806	Phone	(518) 233-6811
Location	High School Office	Location	Middle School Office
Primary Contact		Secondary Contact	
Name	Joe Lopez	Name	Tiffany Wysocki
Title	Interim Principal	Title	Principal
Department	Rensselaer Park Administration	Department	Turnpike Elementary Administration
Phone	518-233-6823	Phone	518-233-6822
Location	Rensselaer Park Office	Location	Turnpike Office

### Employee Notice and Training

As required by law, all employees will participate in the Workplace Violence Prevention Training Program at the time of initial assignment and annually thereafter. Employees must be trained on:

- the details of the workplace violence prevention program;
- the measures they can take to protect themselves from risks of violence; and
- the specific procedures the district has implemented to protect employees (such as appropriate work practices, emergency procedures, and the use of security alarms).

Additionally, at the time of initial assignment and at least annually, employees will be informed of the requirements of Labor Law §27-b, the risk factors identified in the workplace, and the location of the district’s Workplace Violence Prevention Program.

This policy must be posted where notices to employees are normally posted.

### Allegations of Violations and Non-Retaliation

The process for employees to allege violations of the workplace violence prevention program to the state Commissioner of Labor, and the employment protections for doing so, is set forth in Labor Law §27-b and 12 NYCRR §800.6 and includes the following:

A “serious violation” of the workplace violence prevention program is the failure to develop and implement a program or address situations which could result in serious physical harm. “Imminent danger” is any condition or practice in the workplace where a danger exists which could reasonably be expected to cause death or serious physical harm

immediately, or before the imminence of the danger can be eliminated through these complaint procedures.

Employees or their representatives who believe that a serious violation of the workplace violence prevention program exists or that an imminent danger exists (as defined above), must bring the matter to their supervisor's attention in writing, and must give the district a reasonable opportunity to correct the activity, policy or practice, before notifying the Commissioner of Labor. However, such prior written notice and opportunity for correction is not required if there is an imminent danger or threat to the safety of a specific employee, and the employee reasonably believes in good faith that reporting to a supervisor would not result in corrective action.

If, after the matter has been brought to a supervisor's attention and a reasonable opportunity to correct the issue has passed, the issue has not been resolved and the employee still believes that a violation of the workplace violence prevention program remains or that an imminent danger exists, employees or their representatives may request an inspection from the Commissioner of Labor in writing. The Commissioner will provide a copy of the request to the district, but the employee may request that their name be withheld.

A district representative and authorized employee representative may accompany the Commissioner of Labor during the inspection to assist in the inspection. If there is no authorized employee representative, the Commissioner will consult with district employees concerning workplace safety.

The district will not take retaliatory action (terminate, suspend, demote, penalize, discriminate, or other adverse employment action in the terms and conditions of employment) against any employee because they have alleged a serious violation of the workplace violence prevention program, or imminent danger exists, requested an inspection by the Commissioner of Labor, or accompanied the Commissioner on the inspection, as prescribed by state law and regulation.

Cross-ref:

5300, Code of Conduct

8130, School Safety Plans and Teams

Ref:

[Labor Law §27-b](#)

[12 NYCRR §800.6](#)

Adopted: February 26, 2024

**Lansingburgh Central School District**

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