

Geneva City School District Workplace Violence Prevention Program

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Access to this program:

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:

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Title: Assistant Superintendent for Administrative Services

Department: Human Resources Office

Phone: 315-781-4131

Location: Geneva City School District Office

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Workplace Violence Prevention Program

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:

- 1) An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- 2) Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- 3) Intentional and wrongful physical contact with a person without his or her consent that entails some injury;
- 4) 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 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.

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 Geneva City School District commitment to work with its 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 Geneva City School District 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

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

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Workplace Risk Assessment

Geneva City School District has conducted a workplace risk assessment consisting of:

- 1) Examination of records that concern workplace violence incidents,
- 2) Assessment of policies, practices, and procedures that may impact the risk of workplace violence, and
- 3) 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 Geneva City School District 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 health care, 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**, 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 Geneva City School District 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".

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Engineering controls eliminate or reduce the hazard through substitution or design. Examples include:

- Increased lighting
- Designing secure building access
- Security hardware
- Eliminating isolated work areas
- Eliminating excessive “cash on hand” or installing drop safes

Administrative controls eliminate or reduce the hazard through organizational policies, procedures and work practices.

Examples include:

- Increased staffing
- Employment of security personnel
- Developing building access control procedures
- Cross-shift communication to share information regarding agitated clients or students
- Providing information on criminal history and violence information on clients, inmates, customers
- Reduction of customer wait times
- Provision of personal alarms
- Provision of cell phones for field workers
- Training

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)

Examples include:

- Ballistic or stab resistant body armor
- Riot gear including protective helmets and shields
- Eye and face 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.

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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 Respondent

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.

Workplace issues that may trigger violence:

Listed below are two categories of 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, e.g. deadlines, projects, etc.

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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 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.

Reporting an incident

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

Any Geneva City School District 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 a Geneva City School District workplace 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 Assistant Superintendent for Administrative Services 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 Geneva City School District will attempt to develop a

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protocol with the District Attorney or Police to insure 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

- 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.)
- Any reported workplace violence incident will be thoroughly investigated. (Also see Program Review section below).

In the event that critical incident management or crisis counseling is needed following a workplace violence incident in a Geneva City School District workplace, arrangements will be made through management, employee unions, or Assistant Superintendent for Administrative Services.

Employee Information and Training Outline

Training of every employee will be performed upon 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 4**.

Recordkeeping Requirements

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

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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 violent 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

Assistant Superintendent for Administrative Services with the Authorized Employee Representative(s), shall evaluate the effectiveness of this Workplace Violence Prevention Program, at least annually or after any serious incident. The review will focus on incident 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. The cover sheet of this program will be updated with the names and titles of those who perform the review and the date of completion.

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 Geneva City School District 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>

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APPENDIX 1

Workplace Violence Prevention **Policy Statement**

Geneva City 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 Geneva City School District 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 for each other 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 Contact Person:

Name: Stephen Kruger
Title: Assistant Superintendent for Administrative Services
Department: Human Resources Office
Phone: 315-781-4131
Location: Geneva City School District Office

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APPENDIX 2

Risks identified in our hazard assessment, and corresponding control methods to reduce those risks, are shown in the tables below for each of our facilities:

School A - Identified Risk	Selected Control(s)	Comments

School B - Identified Risk	Selected Control(s)	Comments

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School C - Identified Risk	Selected Control(s)	Comments

School D - Identified Risk	Selected Control(s)	Comments

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APPENDIX 3

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 that 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
- 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.

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APPENDIX 4

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.*