

POLICY: Workplace Violence Prevention	POLICY #: HR-02
Date: September 28, 2018 Revised: November 30, 2023	SUBMITTED BY: Jonnie J. Dorothy, HR Director
DEPARTMENT: HR	REVIEWED BY: Ruth Doyle, County Administrator Steve Button, County Attorney
REGULATION(S)	Workplace Violence Regulations 12 NYCRR Part 800.6

Background

On June 7, 2006 New York State enacted legislation creating a new Section 27-b of State Labor Law that requires public employers to perform a workplace evaluation or risk assessment 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 workplace violence protection programs are implemented to prevent and minimize the hazard to public employees.

Zero tolerance

Nothing is more important to St. Lawrence County than the safety and security of its employees. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on St. Lawrence County property will not be tolerated.

St. Lawrence County has a policy of zero tolerance for violence. If any employee engages in any violence in the workplace, or threaten violence in the workplace, disciplinary action will be taken. No talk of violence or joking about violence will be tolerated.

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 interest in causing fear of physical harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Workplace security measures

In an effort to fulfill this commitment to a safe work environment for employees, customers, and visitors, a few simple rules have been created. These are:

- No weapons are permitted on County occupied/owned buildings or vehicles, Local Law # 7 of 1994 (see section below)
- Access to the County's property before/after normal work hours will be documented on the sign in/out sheets located at each buildings employee entrances. Any employee working other than their normal hours will inform a supervisor prior to doing so.
- Internal office entrance doors will be locked before/after normal work hours.
- All public access doors will be locked ½ hour after normal business hours.
- All public access doors will be open ½ hour before normal business hours.
- Workplace Violence Response Procedures specific to work areas detailing appropriate action and contact information will be posted and circulated.

All Weapons Banned:

St. Lawrence County's Local Law No. 7 for the Year 1994, Banning Dangerous Weapons in County Buildings and Vehicles. "This local law prohibits any individual from bearing or having in his or her possession, either openly or concealed, any firearm, gun explosive device or substance, lethal or debilitating chemical or gas, or any dangerous or deadly weapon or instrument of any description, including, but not limited to a handgun, pistol, target pistol, revolver, rifle, shotgun, dangerous knife, dagger, dirk, razor, stiletto, imitation pistol or other items defined by the Penal Law of the State of New York, while entering into or while being present in any building and/ or vehicles owned, leased or operated by or for the County of St. Lawrence.

The local law shall not apply to any authorized peace officer or police officer, as defined in the New York State Criminal Procedure Law, or any authorized official of the County, State or Federal Government. This exemption being limited, however, to such times when the official duties of such an authorized officer or official cause him or her to be present in any building owned, leased or occupied by the County of St. Lawrence."

Inspections

Desks, telephones, and computers are the property of the County. Management reserves the right to enter or inspect your work area including, but not limited to, desks and computer storage disks, with or without notice.

The fax, copier, and mail systems, including e-mail, are intended for business use. Personal business should not be conducted through these systems.

Any private conversations overheard or private messages retrieved that constitute threats against other individuals can and will be grounds for disciplinary action.

Reporting violence

It is everyone's business to prevent violence in the workplace. You can help by reporting what you see in the workplace that could indicate that a co-worker is in trouble. You are in a better position than management to know what is happening with those you work with. You are encouraged to report any incident that may involve a violation of any of the County's policies that are designed to provide a comfortable workplace environment. Concerns may be presented to your supervisor or department head, the Personnel Officer or the County Administrator.

The following procedure will be followed when a complaint is made:

- The supervisor and/or department head will make HR aware of any workplace violence complaint when it is received.
- The complaint will be promptly investigated. Information will be kept confidential to the extent possible.
 - Most complaints will be investigated by the Department Head or Supervisor, however, if the complaint is deemed serious it will be investigated by designated workplace violence investigators.
- Investigations will be completed within 14 days. A final report will be issued within 30 days.

Feedback and Outcomes

Once an investigation is completed and a final report issued, both the complainant and respondent will be notified whether the complaint was founded or unfounded. If founded, appropriate disciplinary, as determined by HR and the Department Head, will be taken. Due to the personnel nature of any such action, the complainant is not privy to this information.

In the event a complaint is deemed serious and/or potentially dangerous, immediate action will be taken while the investigation is conducted. This can include relocation of employees, reassignment of duties, or administrative leave

Training programs

As part of its commitment to preventing workplace violence, the County has established training programs for all employees. All employees will receive this mandatory training. All new employees will receive training as part of their new employee orientation training and annually thereafter.

Additionally, Department Heads will provide training to new employees, and annually thereafter, on what specific workplace violence procedures and/or engineering controls are applicable in their department.

Annual Review

During the last quarter of each calendar year an annual review of the Workplace Violence Prevention Program will be conducted by the joint labor-management Health and Safety Committee. As part of this review authorized employee representatives will be given an opportunity to contribute information, assist with analyzing statistics, conduct workplace risk evaluations and determinations, and participate in incident reviews.

Once the Health and Safety Committee reviews the workplace risk evaluations, feedback will be provided to each department head to be shared and included in their annual department-specific workplace violence training.

Education offerings

In order to promote a peaceful working environment, we encourage supervisors and employees to enroll in courses to learn more about working with each other. Course consideration should be topics covering communication, problem solving, building effective working relationships, stress management, and related courses.

Employee assistance program

The County provides an employee assistance program (EAP) for all employees. This EAP offers services to these employees and their eligible dependents.

You are encouraged to use the EAP whenever you feel the need for guidance in coping with life's difficulties. The EAP is a confidential service to be used when you need help. Call 386-3439.

Incident management

In the event of a major workplace incident that affects, or has the potential to affect, the mental health of our workforce, we will provide initial counseling and support services to you and your immediate family members.

As the crisis passes and support systems are put into place for individuals affected by the incident, the County will make every effort to return to normal business operations. A reasonable effort will be made to notify employees, customers, clients, and others who need to know of the status of business operations will be made to communicate through the news media and other available resources.

No Retaliation

The County of St. Lawrence as the employer will not retaliate against any employee who has (1) reported an alleged serious violation to a supervisor; (2) requested an inspection by the Department of Labor officials; or (3) accompanied the Department of Labor officials during the inspection. In addition, it is the responsibility of the County of St. Lawrence to take appropriate disciplinary action against any employee whose actions are retaliatory in nature.

Workplace Violence Response Procedure:

Emergencies – A situation is considered an emergency if:

- An injury has occurred; or
- There is an immediate threat of physical harm or injury.

Emergency Procedure, consider your personal safety first. If possible, follow the steps below:

Step 1 – Activate the **Police Response Device** and/or Call **911**, if appropriate.

Step 2 -- Notify your supervisor or Department Head.

- Supervisor or Department Head will notify the County Administrator at **379-2276** as soon as practicable.

Non-emergencies - A situation is considered a non-emergency if:

- No injury has occurred;
- There is no immediate danger; but
- The words or gestures of one person have induced fear of physical harm in another person.

Non- emergency Procedure -- In the event of a non-emergency:

- Inform your Supervisor and/or Department Head, or

- Place a confidential (and, if you wish, anonymous) call to the Director of Human Resources at **379-2210** or the County Administrator at **379-2276**.

If you have suggestions for ways to improve the safety and security at work, please pass them along to your supervisor and/or department head or contact the Director of Human Resources or County Administrator directly.