

Workplace Violence Prevention Program



Presented to the Board of Education on May 7, 2024

Table of Contents

Introduction

What is Workplace Violence?

What is the New York State Workplace Violence Prevention Law?

Purpose of this program

Policy Statement

Board of Education Policy 8130.2

Workplace Risk Assessment

Overview of process and findings

Hierarchy of controls

Prevention

Reporting An Incident

Post-Incident Response

Employee Training Outline

Recordkeeping Requirements

Program Review

I. Introduction

A. 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.

B. 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.

C. 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 Rush-Henrietta's commitment to work with employees to maintain a work environment free from violence and other disruptive behavior to the greatest degree possible.

II. Policy Statement

[Policy 8130.2](#) - Adopted on January 16, 2024

III. Workplace Risk Assessment

A. Overview of process and findings

The Rush-Henrietta Central School District has conducted a workplace risk assessment consisting of:

- Examination of 2023 [Workers' Compensation Records](#).
- 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 Rush-Henrietta Central 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 healthcare, social service, public service or criminal justice settings); and/or,
 - Having duties that include the delivery of passengers, goods, or services.

Risk factors identified during the examination, assessment and evaluation are listed [here](#). 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.

The policies and procedures reviewed for our Workplace Violence Program:

Rush-Henrietta Central School District Policies:

- 0160 - Intimidation Prevention
- 1240 – Visitors to the Schools
- 4532 – School Volunteer
- 1500-R – Public Use of School Facilities Guidelines
- 1500 – Public Use of School Facilities, Materials and Equipment (also 1500-E.1 and 1500-E.2)
- 1532 – Dangerous Weapons in School
- 3412 – Threats of Violence in School
- 1520 – Conduct on School Property
- 5303 – Intimidation, Harassment, and Bullying Prevention
- 5303-R - Intimidation, Harassment, and Bullying Prevention
- 8100 – Safety Program

- 8130-R –Safety Teams and Plans
- 8136 – District Surveillance Cameras in the School District and on School Buses (8414.4)
- 0150 – Sexual Harassment (also 0150E.1-E.4)
- 5313.3 – Student Suspension
- 5312.2 – Dangerous Weapons in School and the Gun-Free Schools Act
- 0150E.2 – Sexual Harassment - Students

Rush-Henrietta Central School District Procedures:

- Standard Response Protocols
- Raptor Visitor Management and Emergency Response applications
 - Alerts are issued to administrators if a visitor’s background check requires intervention.
 - District staff may implement emergency response protocols and team assists using the application.
- All visitors, vendors and contractors are required to wear badges.
- The main entrances of all buildings are the single points of access for all visitors to the facilities.
- Surveillance cameras (Interior/Exterior) monitor District facilities and grounds.
- District and building level emergency response teams possess radios.
- Fire doors are closed to restrict access to areas of the facilities during non-business hours.
- Direct supervisors approve annual work schedules for employees.

B. 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”.

The hierarchy of control measures include:

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

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”

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

Examples include:

- Increased staffing
- Employment of safety personnel
- 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))

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:

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

C. 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, of which some examples may include:

- Negative performance review
- School Climate/Student behavior
- 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 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:

- 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.

IV. Reporting An Incident

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

Any Rush-Henrietta 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). In the event that employees observe or experience an incident of violence involving an employee or visitor to Rush-Henrietta Central School District 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 Human Resources and the Head of Safety, Security and Emergency Planning using our [Workplace Violence Incident Report](#), which includes all of the information required by the statute. Also linked is the [Department of Labor form](#) which is already used for all illness/injuries, not just workplace violence.

Where a developing pattern of workplace violence incidents which may involve criminal conduct or serious injury exist, the Rush-Henrietta Central School District 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.

A. Post-Incident Response

Any reported workplace violence incident will be thoroughly investigated. The Rush-Henrietta Central School District in conjunction with its Assistant Superintendent for Human Resources and Director of Student Management, or designee(s) will investigate each reported incident. Responses may include that the District:

- 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

- Address the need for appropriate treatment as someone 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, arrangements will be made through management, employee unions, Applicable Supervisor(s), and/or the Assistant Superintendent for Human Resources.*

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

V. Employee Information and Training Outline

Training of every employee will be performed before initial assignment and annually thereafter. Rush-Henrietta is planning to use our vendor partner that we contract for other annual training requirements. Retraining is required any time there is a significant change to the program, a risk factor, or work control.

VI. 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 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.)

VII. Program Review

Rush-Henrietta Central School District 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 when the incident occurs. The Safety Committee will review all reports.

An annual review of the incident reports collected shall be reviewed by the District and its Designated Workplace Violence Administrator/Officer 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 recordkeeping systems have been effective in collecting all relevant information.

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 Rush-Henrietta 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/2024/01/p19-wvpa-1-24.pdf>

APPENDIX 1

Workplace Violence Program Maintenance and Review

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

Stakeholders and authorized employee representatives (where applicable) Member of the Safety Committee	

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 Rush-Henrietta website:

<https://www.rhnet.org/Page/34768>

Primary Contact		Secondary Contact	
Name	Casey van Harssel	Name	TBD
Title	Asst. Superintendent for HR	Title	Director of District Safety
Department	Human Resources	Department	Safety and Security
Phone	585-359-5044	Phone	585-359-5048
Location	Parker Administration Building	Location	Webster Learning Center