

Annual Workplace Violence Prevention Training



Understanding the factors that contribute to workplace violence in educational institutions is essential for creating a safe and nurturing learning environment for students and staff. NYS Labor Law Section 27-b, known as the Workplace Violence Prevention Act, was enacted in 2006. In 2009, NYS Department of Labor (DOL) implemented regulations to accompany the Workplace Violence Prevention Act. These regulations can be found at 12 NYCRR 800.6 and are enforced by the NYSDOL.

Introduction

Workplace violence in schools **refers to any act or threat of physical violence, harassment, intimidation, or other disruptive behavior that occurs within the school setting.**

Understanding the factors that contribute to workplace violence in educational institutions is essential for creating a safe and nurturing learning environment for students and staff.



Types of Workplace Violence

Type 1: Violent acts by criminals, who have no other connection with the workplace, but enter to commit a robbery or another crime

Type 2: Violence directed at employees by students, faculty, staff, parents, visitors or any others for whom an organization provides services

Type 3: Violence against coworkers, supervisors or administrators by a current or former employee

Type 4: Violence committed in the workplace by someone who has a personal relationship with the employee, such as a boyfriend, girlfriend, spouse, or domestic partner

Workplace Violence Defined

Any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of employment including, but not limited to:

- Any verbal or physical attempt or threat to cause physical injury on an employee.
- Any intentional display of force giving an employee reason to fear or expect bodily harm.
- Intentional, wrongful, and non-consensual physical contact that causes injury.
- Stalking an employee with the intent of causing fear of harm to their physical safety and health.



Workplace Defined

NYS DOL regulations define a workplace as:

"any permanent or temporary location outside an employee's home where an employee performs any work-related duty in the course of employment."

Some examples include: Central office, Field trip location, Out-of-office meeting or conference, Sporting events, and School bus.



Impacts of Workplace Violence

The impacts of workplace violence in schools can be:

- Physical: Injuries, trauma, and long-term health effects.
- Emotional: Fear, anxiety, and a negative impact on mental health.
- Academic: Disruption of learning, decreased performance, and absenteeism.



Effects On Students, Staff, and the Learning Environment

Workplace violence in schools has significant effects on students, staff, and the learning environment:

- For students, it leads to fear and anxiety, affecting their academic focus and mental well-being.
- Staff may experience job dissatisfaction and burnout, even leading to turnover.
- The learning environment suffers as trust and safety are disrupted, hindering effective teaching and learning.

Addressing workplace violence is crucial for maintaining well-being and academic success.



Risk Factors - External

- **Location:** Schools in high-crime areas may face higher risks
- **Community Factors:** Socioeconomic conditions, neighborhood safety, and local crime rates
- **Neighborhood Safety:** Proximity to unsafe neighborhoods can impact school safety



Risk Factors - School Environment

- **Security Measures:** Adequacy of security measures such as access control, surveillance, and visitor policies
- **Bullying Prevention:** Effectiveness of anti-bullying programs and policies
- **School Policies:** Clarity and enforcement of policies related to violence prevention



Risk Factors - Organizational

- **School Culture:** The school's overall atmosphere and values
- **Leadership:** The role of school leaders in promoting a safe environment
- **Communication:** The effectiveness of communication among staff and students



Individual Risk Factors

- **Student Mental Health:** Identifying and addressing mental health issues among students
- **Personal Conflicts:** Understanding the impact of personal issues on student behavior
- **Staff Stress:** Recognizing and managing stress among school staff



Prevention Strategies

There are several strategies to prevent workplace violence in schools, such as:

- **Student Counseling:** Providing counseling services to address emotional and behavioral issues
- **Crisis Intervention:** Having protocols in place to respond to incidents quickly
- **Conflict Resolution Programs:** Promoting peaceful conflict resolution strategies among students

Compliance With The New York State Workplace Violence in Public Schools Law

Employers must:

- Develop and post a written policy statement about the employer's workplace violence prevention program goals and objectives. ([Policy 8130.2](#))
- Conduct a risk evaluation by examining the workplace for potential hazards related to workplace violence with an authorized employee representative (if there is one). ([List of Risks and Mitigation Efforts](#))
- Develop a workplace violence prevention program in writing. ([Workplace Violence Prevention Program](#))
- Provide training and information for employees. (Link to training video)
- Document workplace violence incidents and maintain records. (Records will be maintained in the Human Resources office)
- Annually review all workplace violence incidents. (Facilitated by the Assistant Superintendent for Human Resources)

Reporting and Response

Reporting incidents and having a response plan in schools is vital, as it acts as an early warning system for potential threats and ensures preparedness for swift and effective action against workplace violence, promoting a learning environment that is more safe.



Emergency Response Plan

Your work location (building and district) has a emergency response plan for reacting to an emergency developed by administration, law enforcement, school security, and an emergency response team.

The plan outlines notification, communication, and steps to protect yourself and others.

The Emergency Response Plan is reviewed periodically and updated annually as changes are made to the plan.

Reporting Process

An employee **must first notify a supervisor in writing of a serious violation** of the workplace violence prevention program and allow reasonable time for correction using the [district form](#). In addition to this form being accessible on the website, hard copies are in each school's health office and director's office (for non-school settings).

- A **supervisor** is defined by the Act and NYS DOL regulations as:
 - *Any person in an employer's organization who has the authority to direct and control the work performance of an employee, or Any person who has the authority to take corrective action regarding the violation of a law, rule, or regulation that an employee reported*

For cases involving imminent danger, the local authorities should be contacted immediately.

- An **imminent danger** is defined by the Act and NYS DOL regulations as:
 - *Any workplace conditions or practices which could reasonably be expected to cause death or serious physical harm immediately or which could reasonably be expected to lead to the danger of death or serious physical harm which could be eliminated through the enforcement procedures of the workplace violence prevention program before the danger become immediate.*

Investigation Process

Upon receiving the written Workplace Violence Incident Report, the Assistant Superintendent for Human Resources will conduct an investigation to assess whether the reported details meet the definition of workplace violence outlined earlier in the presentation.

Regardless of the outcome of the investigation, the details of the incidents will be discussed with appropriate district leaders to determine if there are additional action steps that need to be implemented to mitigate the risk of similar incidents in the future.



When Workplace Violence Issues Have Not Been Resolved

After notifying the employee's supervisor and:

- A reasonable time to correct the matter has passed
- The matter has not been resolved
- The employee or their AER* believes the serious violation or imminent danger still exists

The employee or their AER may request an inspection by contacting the New York State Department of Labor (NYSDOL)

**An AER (Authorized Employee Representative) could be a union representative, or an employee designated by the employees.*

If the workplace violence matter has not been resolved, a complaint may be filed with the Department of Labor's Division of Safety and Health PESH bureau:

<https://powerforms.docusign.net/bc344ea0-4637-47bc-a8df-d55080235275?env=na1&acct=f873718c-dced-4393-8415-efbcbcb664157&accountId=f873718c-dced-4393-8415-efbcbcb664157> or by calling 1-844-SAFE-NYS.

- Valid complaints may result in a worksite inspection to determine if the employer has implemented the requirements of the Workplace Violence Prevention regulation.
- Employers found to be out of compliance with the requirements will receive notices of violation. The employer may risk incurring fines for failing to comply.

Workplace Violence Prevention Resources

- The following workplace violence website provides additional information including FAQs and a fact sheet for employees: <https://dol.ny.gov/workplace-violence-prevention-information> Employees can also contact the PESH bureau to ask questions about violations by calling the PESH bureau's toll-free number at: 1-844-SAFE-NYS.
- NYSDOL Safety and Health
- PEF Health and Safety Website:
<https://www.pef.org/departments/health-safety/pef-health-safety-factsheets/>
- CSEA Occupational Safety and Health Website
- NYSUT
- BOCES
- OSHA
- NIOSH
- FBI

Thank you for your time!

If you have questions regarding this presentation, you are encouraged to review the Workplace Violence Prevention Program, found on the district website, or call the Human Resources Office.

