



Workplace Violence Prevention Program



Sandy Creek Central School



Workplace Violence Prevention Program

The learning objectives for this training are as follows.

- Develop an understanding of workplace violence
- Identifying the requirements of the NY Workplace Violence Prevention Law
- Understanding the types of offenders
- Understanding the types of workplace violence
- Identifying the risk factors associated with offenders of workplace violence
- Identifying how you can protect yourself
- Understanding the stages of workplace violence
- Properly reporting workplace violence

Workplace Violence Prevention Act and NYS DOL Regulations

The Act and NYS DOL regulations require public employers to develop and implement a Workplace Violence Prevention Program. The Sandy Creek Central School District will:

- Develop a workplace violence policy statement
- Perform a risk evaluation and determine workplace violence risk factors
- Develop a written workplace violence prevention program that:
 - Establishes and implements a workplace violence incidents reporting and recording system
 - Implements safeguards and control measures to protect employees from workplace violence
- Provide employees w/ information and training on workplace violence
- Perform an annual review of the workplace violence incident reports

Workplace Violence Prevention Act: Anti-Retaliation Protections

The Sandy Creek Central School District cannot take retaliatory action against any employee who exercises their rights under this law

- Retaliatory action is a discharge, suspension, demotion, penalization or discrimination against any employee, or other adverse employment action taken against an employee in the terms and conditions of employment

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 employment including, but not limited to:

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

Workplace Definition

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
- School bus

Categories of 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 parent, vendors, consultants, or any others for whom an organization provides services

Type 3: Violence against coworkers, supervisors or managers 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

Why do we care about verbal and physical violence in the workplace?

Employees have a right to a safe and secure workplace

- Workplace violence can impact employees' physical and mental well-being
- Workplace violence interferes with the mission of the Sandy Creek Central School District

Workplace Violence Policy Statement

The Sandy Creek Central School District has developed a written policy statement that describes the goals, objectives, method for incident reporting, and how authorized employee representative/stakeholders can participate in the workplace violence prevention program.

- An authorized employee representative/stakeholder could be a union representative, or an employee designated by the employees
- The policy statement is posted electronically with all other Board of Education approved policies and on the website: [Workplace Violence Prevention Program](#)

Workplace Violence Policy Statement

This policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation designed to identify the workplace violence hazards our employees could be exposed to. Authorized Employee Representative(s) will, at a minimum, be involved in:

- The evaluation of the physical environment;
- The development of the Workplace Violence Prevention Program and;
- The review of workplace violence incident reports at least annually to identify trends in the types of incidents in the workplace and review of the effectiveness of the mitigating actions taken.

All employees will participate in the annual Workplace Violence Prevention Training Program. This policy aims 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.

Workplace Violence Policy Statement

This policy aims 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 employees are responsible for notifying their supervisor or other designated contact person of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received. All acts of workplace violence will be promptly and thoroughly investigated, and appropriate action will be taken, including contacting law enforcement where necessary.

Risk Evaluation and Determination

The workplace violence prevention act and the associated regulations require the Sandy Creek Central School District to perform a risk evaluation to determine workplace violence risk factors. It must include:

- Record examination
- Assessment of relevant policies, work practices and work procedures that impact workplace violence
- Evaluation of the physical environment with the participation of authorized employee representative(s)

Workplace Violence Prevention Program

The workplace violence prevention act and NYS DOL regulations require the Sandy Creek Central School District to create a comprehensive written workplace violence prevention program (WVPP), with participation of the stakeholders and employee representatives. The Sandy Creek Central School District will solicit input from the stakeholders and employee representatives regarding situations in the workplace that pose a threat of workplace violence and on the program the District intends to implement.

Workplace Violence Prevention Program

As required by the Act, our workplace violence prevention program includes:

- Methods and means to prevent workplace violence and implemented safeguards addressing each identified risk factor
- Hierarchy of control measures which ranks safeguards from most effective to least effective
- Incident reporting system
- Employee training outline or lesson plan
- A plan to review workplace incidents once a year and update our program as needed

Workplace Violence Prevention Program

The Act and NYS DOL regulations do not require information obtained in complying with the law to be disclosed if it must be kept confidential for security reasons including the following:

- Interfere with law enforcement investigations or judicial proceedings
- Deprive a person of a right to a fair trial
- Identify a confidential source or disclose confidential information
- Reveal criminal investigative techniques or procedures
- Endanger the life or safety of any person

Workplace Violence Prevention Program: Hierarchy of Controls

NYS DOL regulations require our workplace violence prevention program to adhere to a hierarchy of controls, measures or safeguards. The hierarchy, ranked from most to least effective:

- Engineering controls
- Work practice controls
- Personal protective equipment

Workplace Violence Prevention Program: Incident Reporting System

The Act and NYS DOL regulations requires the Sandy Creek Central School District to design and implement a system for employees to report any workplace violence incidents that occur:

- Recording process to file an incident report with the workplace violence prevention coordinator and recordkeeping process for incident report records to be maintained.
- A process for employees to file complaints with the Department of Labor.

Workplace Violence Prevention Program: Reporting Protocol

Immediately notify his/her supervisor and/or HR, as appropriate

- As appropriate, notify building security or SRO
- As appropriate, call 911
- Complete and submit the Workplace Violence Incident Report form, available on our website. The Sandy Creek Central School District will take necessary action. Any employee who believes an imminent danger exists should bring the matter to the District's attention immediately.
- Email form to the workplace violence coordinator at:
cora.harvey@sccs.cnyric.org

Workplace Violence Prevention Program: Reporting of Workplace Violence Incidents

The Sandy Creek Central School District has developed a Workplace Violence Incident Report form. For each workplace violence incident, the following information must be recorded at a minimum:

- Workplace location where incident occurred
- Time of day/shift when incident occurred
- Detailed description of the incident, including events leading up to the incident, and how the incident was resolved
- Names and titles of employee(s) involved
- Name or other identifier of others involved
- Nature and extent of injuries arising from the incident
- Names of witnesses

Workplace Violence Prevention Program: Reporting and Protecting Privacy

For incidents where privacy is a concern, the report will replace the employee's name with "PRIVACY CONCERN CASE". The following incidents are to be treated as privacy concern cases:

- An injury or illness to an intimate body part or the reproductive system
- An 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
- Other injuries or illnesses if the employee independently and voluntarily requests their name not be entered on the report

Workplace Violence Prevention Program: Recordkeeping of Workplace Violence Incidents

The workplace violence incident reports must be maintained and reviewed once a year. The Sandy Creek Central School District, with participation from the safety committee and stakeholders, must conduct a review of the workplace violence incident reports at least once a year to identify trends in the types of workplace violence incidents that have occurred and evaluate how effective actions and safeguards to reduce workplace violence have been.

Workplace Violence Prevention Program: Employee Reporting of Concerns or Incidents

According to the Act and NYS DOL regulations, an employee or their representatives should notify a supervisor in writing if they believe that:

- A serious violation of the employer's workplace violence prevention program exists or
- An imminent danger of workplace violence exists

Once their supervisor is notified, the Sandy Creek Central School District must be given a reasonable amount of time to correct the activity, policy, or practice causing the violation or danger.

Workplace Violence Prevention Program: Employee Reporting of Concerns or Incidents

However, an employee does not have to notify their supervisor in writing in instances where:

- Imminent danger of workplace violence exists and
- The employee reasonably believes in good faith that reporting to a supervisor would not result in corrective action

Workplace Violence Prevention Program: Employee Reporting of Concerns or Incidents

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 becomes immediate.

Workplace Violence Prevention Program: Employee Reporting of Concerns or Incidents

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

Workplace Violence Prevention Program: Employee Reporting of Concerns or Incidents

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 representative believes the serious violation or imminent danger still exists

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

Workplace Violence Prevention Program: Employee Reporting of Concerns or Incidents

The notices to the NYSDOL Commissioner must:

- Be in writing
- Describe in detail the reason for the notice
- Must be signed by the employee or their authorized employee representative.

The NYSDOL Commissioner will provide a copy of the written notice to the Sandy Creek Central School District no later than the time of inspection. The employee or representative may request that their name(s) be withheld from the school district's copy.

Workplace Violence Prevention Program: Employee Reporting of Concerns or Incidents

Employees can report violations to the Public Employee Safety and Health (PESH) bureau at the Department of Labor's Division of Safety and Health directly using the complaint form linked [here](#), or by calling 1-844-SAFE-NYS.

Workplace Violence Prevention Program: Employee Reporting of Concerns or Incidents

The DOL inspection:

- Will take place at the workplace location where the alleged violation occurred
- Does not have to be limited to the alleged violation
- May include other areas of the location if there is reason to believe that a serious violation exists
- May include other workplace locations of the Sandy Creek Central School District if there is reason to believe that a serious violation exists

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Prevention of Workplace Violence

- After you review the presentation, select the Violence Prevention Training link below and;
- Complete and submit your affirmation using the code from the presentation. Please find the link below.

[WVPP Affirmation](#)