

# Town of Massena

## WORKPLACE VIOLENCE PREVENTION PROGRAM

*Adopted By Resolution of the  
Town Board on October 21, 2011*



*Prepared by:  
Public Sector HR Consultants LLC  
14 Knollwood Drive  
Glenville, New York 12302  
Telephone: 518.399.4512  
Fax: 518.384.1963*

# **Town of Massena**

## **WORKPLACE VIOLENCE PREVENTION PROGRAM**

Copyright © 2009 *Public Sector HR Consultants LLC, Glenville, NY*

This program manual is copyrighted material and is intended only for the internal use of the Town of Massena. The Town of Massena may copy this manual for distribution to its employees. The contents of this manual may not be copied or reproduced in any form or by any means for any other individual or organization without the prior written permission of Public Sector HR Consultants LLC.

# TABLE OF CONTENTS

<b>SECTION 1 – INTRODUCTION</b>	<b>1</b>
POLICY STATEMENT	1
OVERVIEW OF THE NYS WORKPLACE VIOLENCE PREVENTION ACT	3
WHAT IS WORKPLACE VIOLENCE?	3
WHAT IS A WORKPLACE VIOLENCE INCIDENT?	4
SAVINGS CLAUSE	5
<b>SECTION 2 – EMPLOYEE AND SUPERVISOR ROLES AND RESPONSIBILITIES</b>	<b>6</b>
EMPLOYEE RESPONSIBILITIES	6
SUPERVISOR RESPONSIBILITIES	6
HAZARD REDUCTION TEAM	7
<b>SECTION 3 – RESPONSE PROCEDURES</b>	<b>8</b>
RESPONSE PROCEDURES DURING AN INCIDENT	8
POST INCIDENT RESPONSE PROCEDURES	8
DEALING WITH CONFLICT	9
DEALING WITH POTENTIALLY VIOLENT INDIVIDUALS	10
<b>SECTION 4 – TRAINING AND EDUCATION</b>	<b>11</b>
<b>SECTION 5 – INCIDENT RECORDKEEPING, REPORTING, AND INVESTIGATION</b>	<b>12</b>
INCIDENT RECORDKEEPING	12
INCIDENT REPORTING	13
INCIDENT INVESTIGATION	15
<b>SECTION 6 – WORKPLACE RISK EVALUATION</b>	<b>16</b>
EVALUATION PROCESS	16
EVALUATION OUTCOMES	17
<b>SECTION 7 – FORMS</b>	<b>27</b>

# SECTION 1 – INTRODUCTION

---

## ***POLICY STATEMENT***

The Town of Massena is committed to providing its employees with a work environment that is safe, secure, and free from violence. The Town also considers the safety of its residents, vendors, contractors, and the general public (collectively referred to as “visitors” throughout the remainder of this program manual) to be of paramount importance and strives to provide them the same type of protections while on Town property.

In accordance with the New York State Workplace Violence Prevention Act, the Town of Massena has developed a Workplace Violence Prevention Program. As a part of this program, the Town conducted a comprehensive risk evaluation of the entire workplace. The Town will conduct annual reviews to identify risk factors that may increase the likelihood of workplace violence and implement appropriate measures to minimize or eliminate these hazards. In order to achieve this goal, the Town encourages the participation and cooperation of employees and their authorized employee representative(s).

The Town will not tolerate ANY acts of violence in the workplace, including but not limited to, physical assault (e.g., hitting, pushing), threatening, intimidating, or aggressive behavior, or verbal abuse or harassment. Employees are prohibited from possessing firearms or weapons (e.g., guns, knives (except for pocket knives used in the normal course of the employee’s job), explosives, and other items with the potential to inflict harm) in the workplace, even if the employee is licensed to carry the weapon. The only exceptions are law enforcement and security personnel. An employee who has knowledge that a coworker or visitor possesses a weapon on Town property must report this to a Department Head or supervisor immediately.

For the purpose of this program, the workplace is defined as any location away from an employee’s home, either permanent or temporary, where the employee performs any work-related duty in the course of employment. This includes, but is not limited to, Town-owned buildings and surrounding perimeters, parking lots, work sites, clients’ homes, and traveling to and from work assignments.

Any incident of workplace violence or imminent danger must be promptly reported to the Department Head or the supervisor as outlined in Section 2 (Employee Responsibility) of this program manual.

Violations of this policy will result in appropriate remedial, disciplinary, and/or legal action, according to the circumstances.

An employee will not be subject to criticism, reprisal, retaliation, demotion, discrimination, disciplinary action, or other adverse employment action for making a good faith report of acts pursuant to this program.

This Workplace Violence Prevention Program policy statement will be posted where notices to employees are normally displayed. In addition, a copy of the program manual will be made available to employees, the authorized employee representative(s), and the Commissioner of the New York State Department of Labor at each of the Town's work sites during normal working hours.

## **OVERVIEW OF THE NEW YORK STATE WORKPLACE VIOLENCE PREVENTION ACT**

Based on an increasing awareness of, and in response to, the violence that was occurring in public sector workplaces, the New York State Workplace Violence Prevention Act was passed in 2006. The Act amended NYS Labor Law by adding Section 27-b. Section 27-b requires all state and local government employers to take steps to ensure their employees are provided adequate protection from potential incidents of violence in the workplace.

Among other stipulations, Section 27-b requires the Town of Massena to:

1. Conduct a risk assessment of its work sites to identify and address any existing risk factors that may increase the possibility of workplace violence;
2. Provide training for all employees (upon initial assignment and annually thereafter) which informs them of the risk factors that may be present at their work sites, the measures they can take to protect themselves from such risks, and the steps the employer has implemented to protect employees, such as appropriate work practices, emergency procedures, and use of security alarms and other devices; and
3. Develop and implement a written workplace violence prevention program that lists the risk factors and the methods the employer is using to prevent violence and minimize or eliminate identified hazards. (Required if an employer has 20 or more full-time employees).

### **WHAT IS WORKPLACE VIOLENCE?**

For the purpose of this program, the term "violence" means physically harming another, fighting, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, or threatening or talking of engaging in those activities. Workplace violence can be any act of physical violence, threats of physical violence, harassment, intimidation, or other threatening, disruptive behavior that occurs in the workplace.

Workplace violence incidents are generally categorized into three levels:

- Level I – Disruptive behavior such as verbal abuse
- Level II – Aggressive or threatening behavior
- Level III – Physical assault

A number of different actions in the work environment can trigger or cause workplace violence. It may even be the result of non-work-related situations, such as domestic violence or "road rage."

Workplace violence can be inflicted by an employee, a supervisor, department head, resident, member of the public, contractor, vendor, family member, or even a stranger.

## ***WHAT IS A WORKPLACE VIOLENCE INCIDENT?***

For the purpose of this program, a workplace violence incident is defined as one or more of the following:

- a. An attempt or threat, whether verbal or physical, to inflict injury upon another person;
- b. Any intentional display of force which would give a person reason to fear or expect bodily harm;
- c. Intentional and wrongful physical contact with a person without his or her consent that entails some injury or offensive touching;
- d. Harassment of a nature that would give a person reason to fear escalation or make it difficult to pursue a normal life when the harassment arises out of or in the course of employment; or
- e. Stalking a person with the intent of causing fear of material harm to physical safety and health, and when such stalking has arisen through or in the course of employment.

A workplace violence incident may be committed without one person actually touching, striking, or doing bodily harm to another person.

While sexual harassment (as defined in Executive Order #19 and the New York State Human Rights Law) is prohibited by the Town of Massena, it is specifically excluded from the definition of a workplace violence incident. An employee should refer to the sexual harassment policy in the Town of Massena's employee handbook for more information about this topic.

### ***Workplace Violence Imminent Danger***

The Department of Labor defines an imminent danger as any conditions or practices in any place of employment which are such that a danger exists that could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated.

## ***SAVINGS CLAUSE***

The Town of Massena has made every effort to ensure that this Workplace Violence Prevention Program complies with NYS Department of Labor regulations. In the event any of the provisions, portions or applications of this program are found to be invalid or inconsistent with any superseding legal requirements by any tribunal of competent jurisdiction, then the provisions, portions or applications specified in such decision shall be of no force and effect, but the remainder of this program shall continue to be in full force and effect.

## **SECTION 2 – EMPLOYEE AND SUPERVISOR ROLES AND RESPONSIBILITIES**

---

### ***EMPLOYEE RESPONSIBILITIES***

Employee and authorized employee representative involvement in the Town of Massena's Workplace Violence Prevention Program is essential to the program's success. Employees are expected to read, understand, and comply with the Town's program and to attend ongoing education and training on workplace violence. Any questions should be directed to the employee's Department Head or supervisor.

Employees must promptly report any violations of the Town's Workplace Violence Prevention Program or any workplace violence imminent danger in accordance with the reporting procedures outlined in Section 5 (Incident Recordkeeping, Reporting, and Investigation) of this program manual.

### ***Protective and Restraining Orders***

An employee who applies for or obtains a protective or restraining order which lists specific workplace locations as being protected areas must provide the employee's Department Head and the Hazard Reduction Team a copy of the petition and declaration used to seek the order. A copy of any temporary or permanent protective or restraining order that was granted must also be provided. The Town will follow confidentiality procedures that recognize and respect the privacy of the reporting employee.

### ***SUPERVISOR RESPONSIBILITIES***

Department Heads and supervisors are responsible for communicating the Workplace Violence Prevention Program to employees and answering any of their questions. Department Heads and supervisors are expected to enforce the program in a fair and consistent manner and ensure all aspects of the program under their area of responsibility are properly met.

If an employee notifies his/her Department Head of an actual or potential workplace violence incident or submits a completed Workplace Violence Incident Report (Form-1), the Department Head is responsible for following the reporting procedures as outlined in Section 5 (Incident Recordkeeping, Reporting, and Investigation) of this program manual.

## **HAZARD REDUCTION TEAM**

The Town of Massena will establish a Hazard Reduction Team to administer the Workplace Violence Prevention Program. The team's responsibilities will include, but will not be limited to:

- Conducting a comprehensive risk evaluation of the entire workplace to identify any factors or situations that may place employees at risk of violence;
- Conducting employee surveys and interviews to obtain feedback on the risk factors employees believe are present in the workplace, to determine if there have been previous workplace violence incidents, etc.;
- Developing and implementing risk reduction strategies and plans for responding to acts of violence;
- Coordinating employee training and education programs relating to workplace violence;
- Investigating workplace violence incidents and implementing any necessary measures to reduce or eliminate the likelihood of similar incidents occurring;
- Reviewing the Workplace Violence Prevention Program at least annually, to include analyzing Workplace Violence Incident Reports to identify trends in the types of incidents that occurred during the year and to determine the effectiveness of the mitigating actions taken; and
- Updating the Workplace Violence Prevention Program as needed.

The Town's Hazard Reduction Team consists of the following employees:

<b>Name</b>	<b>Job Title</b>	<b>Telephone Number</b>

## **SECTION 3 – RESPONSE PROCEDURES**

---

### ***DURING AN INCIDENT***

If a threatening situation arises:

- Try to remain calm;
- Remove yourself from the threat as soon as possible;
- Immediately call, or alert others to call, for on-site assistance from the appropriate resource (e.g., supervisor, police, ambulance). Refer to the Town's emergency evacuation plan for the appropriate emergency contact number; and
- Notify coworkers as soon as practical to enable them to also reach safety if danger is imminent and applicable to them.

### ***POST INCIDENT***

If a workplace violence incident occurs or an employee submits a Workplace Violence Incident Report, the Hazard Reduction Team will conduct a thorough investigation of the situation. The Town of Massena will respect the privacy and confidentiality rights of employees during investigations to the greatest extent possible, although the Town cannot guarantee complete confidentiality.

Based on the specific situation and the results of the team's investigation, appropriate measures will be taken, if needed, to eliminate or reduce the likelihood of similar workplace violence incidents occurring in the future. If the workplace violence incident was related to a threat, all employees who might be affected if the threat-maker were to carry out such threat will be given proper notification. Throughout the investigation, the Town will maintain open lines of communication with employees, visitors, and the public to answer questions and alleviate anxiety.

The Town of Massena will provide information to potential or actual victims about the options available to them, such as obtaining a restraining order against the threat maker, obtaining follow-up medical care, if applicable, and/or the availability of any counseling services through an Employee Assistance Program (EAP).

## ***DEALING WITH CONFLICT***

There is no sure way to tell whether someone will become violent. However, there are often warning signs before violence occurs. These warning signs do not mean that the individual will actually become violent, but in combination, they should be a cause for concern. Warning signs of potentially violent individuals include:

- Written, oral, or implied threats or intimidation
- Fascination with weaponry or acts of violence
- Theft or sabotage of projects or equipment
- Alcohol or drug abuse in the workplace
- Expressions of hopelessness or heightened anxiety
- Intention to hurt self or others
- Lack of concern for the safety of others
- Externalization of blame
- Irrational beliefs and ideas
- Romantic obsession
- Displays of excessive or unwarranted anger
- Feelings of victimization
- Inability to take criticism
- New or increased sources of stress at home or work
- Productivity and/or attendance problems

## ***DEALING WITH POTENTIALLY VIOLENT INDIVIDUALS***

### **Do's**

- Do project calmness. Move and speak slowly, quietly, and confidently.
- Do listen attentively and encourage the person to talk
- Do let the speaker know that you are interested in what he or she is saying
- Do maintain a relaxed yet attentive posture
- Do acknowledge the person's feelings and indicate that you can see he or she is upset
- Do ask for small, specific favors such as asking the person to move to a quieter area
- Do establish ground rules. State the consequences of violent or threatening behavior.
- Do employ delaying tactics that give the person time to calm down. For example, offer a glass of water.
- Do be reassuring and point out choices
- Do help the person break down big problems into smaller, more manageable problems
- Do accept criticism. When a complaint might be true, use statements such as, "You're probably right" or "It was my fault." If the criticism seems unwarranted, ask clarifying questions.
- Do arrange yourself so that your exit is not blocked
- Do make sure there are three to six feet between you and the other person

### **Don'ts**

- Don't make sudden movements that may seem threatening
- Don't speak rapidly, raise your volume, or use an accusatory tone
- Don't reject all demands
- Don't make physical contact, jab your finger at the other person, or use long periods of eye contact
- Don't pose in challenging stances, such as directly opposite someone, hands on hips, or with arms crossed
- Don't challenge, threaten, or dare the individual. Never belittle the other person.
- Don't criticize or act impatient
- Don't attempt to bargain with a threatening individual
- Don't try to make the situation seem less serious than it is
- Don't make false statements or promises you cannot keep
- Don't try to impart a lot of technical or complicated information when emotions are high
- Don't take sides or agree with distortions
- Don't invade the individual's personal space

## SECTION 4 – TRAINING AND EDUCATION

---

All employees will receive training and education on the risks of workplace violence. Training will be provided at the time of hire and at least annually thereafter. Additional training may be required prior to starting a new job assignment, if new laws relating to workplace violence are enacted or there are changes in any current laws, or if the Town makes significant changes in its Workplace Violence Prevention Program.

At a minimum, the Town's employee training and education will address the following:

- Overview of the New York State Workplace Violence Prevention Act and NYS Labor Law Section 27-b
- Overview of the Town's Workplace Violence Prevention Program
- Workplace location of the Town's Workplace Violence Prevention Program manual and procedures for obtaining a copy
- Definition of workplace violence and the three levels of workplace violence
- Methods of recognizing and responding to the three levels of violence
- Standard response action plan for violent situations
- Procedures for reporting a workplace violence incident or imminent danger
- How and when incidents will be investigated by the Town
- The risk factors identified in the Hazard Reduction Team's risk evaluation and determination
- Measures employees can take to protect themselves from identified risks
- Procedures, policies, safety devices, and/or work environment accommodations that have been implemented to protect employees based on the results of the risk evaluation
- Post-incident procedures, including medical follow-up and the availability of counseling for affected individuals

Specialized training and education is provided to Department Heads and supervisors as well as to those employees who are at higher risk of workplace violence based on their job duties and/or work site location.

Employees will receive a copy of the Town's Workplace Violence Prevention Program and will be required to sign a Policy Acknowledgement Form (Form-3) and a Training Acknowledgement Form (Form-4). These signed acknowledgement forms will be placed in the employee's personnel file.

## **SECTION 5 – INCIDENT RECORDKEEPING, REPORTING, AND INVESTIGATION**

---

### ***INCIDENT RECORDKEEPING***

The Town of Massena will maintain accurate records regarding all workplace violence incidents. The Town will adhere to all of the requirements of 12 NYCRR Part 801, known as the Public Employer Recordkeeping Rule, which is implemented pursuant to Section 27-a of the Labor Law, for the recording of employee injuries or illnesses due to workplace violence incidents. All workplace violence incident forms will be kept according to the applicable retention and disposition schedules.

Any situation that meets the definition of a workplace violence incident as defined in Section 1 (Introduction) or any workplace violence injury that results in death, days away from work, restricted work or transfer to another job, medical treatment beyond first aid, or loss of consciousness will be documented on a Workplace Violence Incident Report. Any recordable injury will also be documented on the SH 900 Log.

If a workplace violence incident meets the definition of a privacy concern case as specified below, before sharing a copy of the Workplace Violence Incident Report Form with any party other than the Department of Labor, the Town will remove the name of the employee who was the victim of the workplace violence incident and shall instead enter “PRIVACY CONCERN CASE” in the space normally used for the employee’s name. The Town will treat incidents involving the following injuries or illnesses as privacy concern cases:

- (1) An injury or illness to an intimate body part or the reproductive system;
- (2) An injury or illness resulting from a sexual assault;
- (3) Mental illness;
- (4) HIV infection;
- (5) Needle stick injuries and cuts from sharp objects that are or may be contaminated with another person’s blood or other potentially infectious material;
- (6) Other injuries or illnesses, if the employee independently and voluntarily requests that his or her name not be entered on the Report.

## ***INCIDENT REPORTING***

The Town will follow all federal, state and local laws and procedures in the reporting of workplace violence incidents.

### ***Internal Reporting Procedures***

Any employee or authorized employee representative who believes that a workplace violence imminent danger exists or that there has otherwise been a violation of the Town's Workplace Violence Prevention Program should report such to the employee's Department Head. If the Department Head is unavailable or is a party to the violation, the report should be made to the supervisor.

An employee is responsible for reporting all incidents of Level I violence in writing within 48 hours of the occurrence using the Workplace Violence Incident Report. All Level II and Level III incidents must be reported immediately using this form.

The Department Head or the supervisor, in turn, is responsible for forwarding copies of the Workplace Violence Incident Report to the Hazard Reduction Team and the Town Supervisor. All Level II and Level III incidents must be forwarded immediately and all Level I incidents must be forwarded within 48 hours.

If, after providing the Town a reasonable opportunity to resolve the situation set forth in the Workplace Violence Incident Report, the employee believes that a violation of the Town's program still exists or that there continues to be a workplace violence imminent danger, the employee may contact the Commissioner of Labor at the NYS Department of Labor to request an inspection. Such request must be in writing, be signed by the employee or the employee's authorized representative, and include specific information as to the alleged violation or imminent danger. The Commissioner of Labor will provide a copy of the employee's notice to the Town of Massena no later than the time of inspection. The employee may request that his or her name, the names of individual employees, and/or the authorized employee representative's name be withheld from the Town.

**An employee is not required to provide written notice to the Department Head or the supervisor if a workplace violence imminent danger exists to the safety of a specific employee or to the general health of a specific person and the employee reasonably believes in good faith that reporting this information to the Department Head or the supervisor would not result in corrective action.**

An employee will not be subject to criticism, reprisal, retaliation, demotion, discrimination, disciplinary action, or other adverse employment action for making a good faith report of acts pursuant to this program.

## ***Law Enforcement Reporting Procedures***

The Department Head is responsible for reporting any workplace violence incident that may be of a criminal or domestic violence nature to the appropriate law enforcement agency.

If a pattern of workplace violence incidents involving criminal conduct or serious injury develops, the Town of Massena will work with the District Attorney or local police department to develop a protocol to ensure that any future violent crimes occurring in the workplace are promptly investigated and appropriately prosecuted.

If an employee chooses to file a criminal complaint, the Town will provide the employee with the protocol and contact information for the District Attorney and/or police department. The Town will not infringe upon the right of an employee to pursue or file a criminal complaint.

## **DOSH Reporting Requirements**

The Town is required to report any workplace violence related fatalities and multiple hospitalizations to the DOSH District Office within eight hours of the incident. (Refer to NYCRR Part 801 for complete information pertaining to employee recordkeeping and PESH reporting requirements). The nearest Department of Safety and Health (DOSH) District Office is located at:

### **Utica District Office**

207 Genesee Street, Utica, NY 13501  
(315) 793-2258 (FAX) (315) 793-2303

DOSH will use the same criteria to review complaints as that utilized by the Public Employee Safety and Health (PESH) Program. Whenever there is a workplace violence incident resulting in an employee fatality or multiple employee hospitalizations, DOSH will conduct an on-site inspection. Other valid complaints that do not involve a fatality or multiple hospitalizations may result in an on-site inspection to determine if the Town is in compliance with the Workplace Violence Prevention Act.

## ***INCIDENT INVESTIGATION***

### ***Risk Evaluation after a Workplace Violence Incident***

The Hazard Reduction Team will perform a risk evaluation and determination immediately after the occurrence of a workplace violence incident. The investigation may take various forms, depending upon the type of incident.

Upon completion of its review, the Hazard Reduction Team will address the cause(s) of the incident and take the necessary steps to eliminate or reduce the likelihood of such an incident occurring again. The team may also make recommendations for revising the Workplace Violence Prevention Program. Any revisions to the program will be put in writing and made available to employees. Employee training will be provided if significant changes to the program are made. The Town will also consider global prevention enhancements at all work sites which may be necessary to properly protect employees.

### ***Annual Review of Workplace Violence Incident Reports***

The Hazard Reduction Team is responsible for reviewing and updating the Town's Workplace Violence Prevention Program at least annually. Part of this review will include summarizing the Workplace Violence Incident Reports and SH 900 Logs from the previous 12 months so they can be analyzed for any trends in the types of workplace violence incidents occurring and to review the effectiveness of the mitigating actions the Town has taken.

## SECTION 6 – WORKPLACE RISK EVALUATION

---

### ***EVALUATION PROCESS***

As required by Section 27-b of the New York State Labor Law, the Town of Massena performed a risk evaluation of the workplace in general and each work site specifically in October 2009.

The work site specific risk evaluation process included:

- An examination of the workplace to determine existing or potential hazards that may place employees at risk for incidents of workplace violence, paying particular attention to the following: working with the public or in public settings, exchanging money with the public, working alone or in small numbers, working late night or early morning, uncontrolled access to the workplace, and having a mobile workplace;
- A review of occupational injury and illness records (i.e., SH-900 and SH-900.2 logs, C-2 forms), accident reports, and any available insurance, police, or other incident reports in order to identify injuries that may have been the result of workplace violence;
- A survey of employees to gather information regarding violent incidents they may have experienced or witnessed but not reported, as well as to identify conditions that could be contributing to potential incidents;
- Based on the risk factors identified, the development of administrative policies and procedures for all departments as well as specific work site recommendations that should be implemented to prevent or reduce the potential for workplace violence incidents.

# **EVALUATION OUTCOMES**

## ***Work Area Evaluations***

The risk evaluation entailed conducting a physical inspection of each work site where one or more Town employees perform any duties pertaining to their assigned job functions.

The following risk factors have been identified at each work site:

### ***Town Hall Offices and Justice Court***

<b>Engineering Controls:</b>	
1.	There were no postings or signage to indicate that a particular area was considered "restricted to employees only". The doors to the employee work areas were not secured to restrict access to unauthorized visitors.
2.	Employee access to main entrance of the building is controlled with a standard key and lock system. There may be unlimited access to entire building when the building is unlocked and the alarm system is turned off.
3.	Electronic surveillance of interior and exterior points of the Town Hall was limited and there were several areas that were not monitored in the hall ways and the alley outside the building.
4.	Individual panic devices had been issued to Town employees working in the Town Hall offices. Panic devices were stored on desks and in desk drawers.
5.	Stationary metal detector positioned in front of the door at the rear of the court room was not being used to scan attendees. Handheld detector was being used by court officer at the door to the court room that was closest the judge's bench.
6.	There were no phones in the meeting rooms.
<b>Work Practice Controls:</b>	
1.	No written protocols in place for opening and closing the Town Hall or for conducting a sweep of the building at night after end of business.
2.	Monetary transactions performed on a regular basis by certain employees who work in the Town Hall. There were no written safety protocols in place for safe handling of the monetary transactions.
3.	Offsite work performed by some employees. There were no written procedures for communicating their location or requesting assistance in the event of an emergency while working offsite.
4.	No established procedures in place to communicate between offices or between each floor in the event of an emergency situation.
5.	Emergency phone number were not programmed or posted at every desk.
6.	No written safety protocols for employees to follow if they are working after established business hours or on weekends.

<b>Floor and Evacuation Plans:</b>
1. There are no lock-down or emergency evacuation plans established or practiced, with the exception of fire evacuation plans.
2. No floor plans posted at the time of the evaluation.
<b>Training and Use of Personal Protective Devices (if applicable):</b>
1. Workplace Violence Prevention Training as required by New York State law had not been provided at the time of evaluation.
2. Training has not been provided to Town employees for conflict resolution or harassment prevention, with the exception of some training for the Court personnel training through the Unified Court System.

### ***Highway Department***

<b>Engineering Controls:</b>
1. The entrances have standard key and lock system. Garage bay doors can be controlled remotely.
2. There was no central alarm system at the highway garage location.
3. Lighting in and around the facility was adequate at time of evaluation.
<b>Work Practice Controls:</b>
1. Offsite work regularly performed by employees. There were no written procedures for communicating one's location or for requesting assistance in the event of an emergency while working offsite.
2. No written protocols for dealing with confrontation or a potentially violent situation while working offsite.
<b>Floor and Evacuation Plans:</b>
1. With the exception of illuminated fire exit signs, no floor or evacuation plan posted for this location at the time of evaluation.
<b>Training and Use of Personal Protective Devices (if applicable):</b>
1. Workplace Violence Prevention Training as required by New York State law had not been provided at the time of evaluation.

### ***Airport Hanger***

<b>Work Practice Controls:</b>
1. Controls in place through Federal State and Local law enforcement agencies
<b>Floor and Evacuation Plans:</b>
1. Exits well marked and facility one story with multiple exists available
<b>Training and Use of Personal Protective Devices (if applicable):</b>
1. Workplace Violence Prevention Training as required by New York State law had not been provided at the time of evaluation.

## ***Museum***

<b>Engineering Controls:</b>
1. The storage area in the basement has no phone or intercom system that would be easily accessible in the event of an emergency.
<b>Work Practice Controls:</b>
1. No written protocols in place for opening and closing the Museum or for conducting a sweep of the building at night after end of business.
2. Monetary transactions performed by Museum employees. There were no written safety protocols in place for handling monetary transactions.
3. No established procedures were in place to communicate between rooms or between each floor of the Museum in the event of an emergency situation.
<b>Floor and Evacuation Plans:</b>
1. No evacuation plans were developed or practiced by Museum employees.
2. Floor plans for the Museum were not prominently posted on each floor.
<b>Training and Use of Personal Protective Devices (if applicable):</b>
1. Workplace Violence Prevention Training as required by New York State law had not been provided at the time of evaluation.

## ***Public Library***

<b>Engineering Controls:</b>
1. The phone system in the Library is limited and there were no phones accessible in the meeting rooms on the ground floor of the Library.
2. The lighting over the rear entrance of the Library where the handicapped entrance was located was in need of improvement.
3. There were no means of communication with the front desk available to employees or visitors who may be meeting in the rooms on the ground floor.
4. There were no panic or duress devices installed at the front desk.
<b>Work Practice Controls:</b>
1. No written protocols for opening and closing the Museum or for conducting a sweep of the building at night after end of business.
2. Monetary transactions performed by Museum employees. There were no written safety protocols in place for handling monetary transactions.
3. No established procedures in place to communicate between rooms or between each floor of the Museum in the event of an emergency situation.
<b>Floor and Evacuation Plans:</b>
1. No evacuation plans developed or practiced by Library employees.
2. Floor plans for the Library were not prominently posted on each floor.
<b>Training and Use of Personal Protective Devices (if applicable):</b>
1. Workplace Violence Prevention Training as required by New York State law had not been provided at the time of evaluation.

## ***Review of Past Workplace Violence Incidents***

A review of accident reports, insurance records, police reports, and other incident reports will be made by the Town on an annual basis to review reportable incidents of workplace violence, if any.

## ***Review of Occupational Injury and Illness Records***

A review of the SH-900, SH-900.1, and SH-900.2 Logs and Workers' Compensation C-2 Forms is to be made by the Town on an annual basis to review reportable incidents of workplace violence, if any.

## ***Employee Surveys and Interviews***

Confidential employee surveys were distributed to all employees and supervisory staff of the Town of Massena at the time of the risk evaluation. In addition, personal interviews were conducted with several Town employees. The following is representative of the employee comments documented in the surveys and interviews:

<b>Employee Surveys and Personal Interviews:</b>
1. A number of the employees surveyed claimed to have been subjected to the public having used abusive language directed at them while working in Town Hall and while performing their duties offsite.
2. A number of the employees surveyed claimed to have been subjected to abusive language, harassment or intimidation directed at them by a fellow employee while performing their job duties.
3. The opinion of some employees surveyed was that lighting and security at their worksite needed to be improved.
4. The majority of employee surveys completed reflected a desire for training in the areas of conflict resolution, workplace violence and harassment prevention in the workplace.

## **RECOMMENDATIONS**

Based on the risk factors identified in the risk evaluation, it is recommended that the Town of Massena implement the following measures to reduce or prevent workplace violence.

**It must be recognized that there are no certain means by which workplace violence can be completely prevented, that no process can wholly identify any and all conditions and risk factors that may exist in the Town of Massena's workplace, and that the Town's ability to mitigate those conditions and risk factors may be limited by fiscal and administrative constraints.**

### *Individual Work site Recommendations*

#### ***Town Hall Office and Justice Court***

<b>Engineering Controls:</b>	
1.	Employee work areas should be restricted to the public and signs stating "Employees Only" should be posted on doors to employee work spaces and break areas on first and second floors of the Town Hall.
2.	Public access to Town Hall building should be restricted during evening hours to limit public access to the court room and the meeting rooms on the second floor.
3.	Video surveillance coverage should be expanded to cover the entire main hallway on the first floor of the Town Hall and the alley outside the building.
4.	Install interoffice phones or duress devices in second floor meeting rooms to provide additional security in the event immediate assistance is needed.
5.	Employees who have not been issued individual panic devices should be provided access to a device within their office and the devices should be kept in an accessible location at all times.
6.	Installation of mirrors over the entrance to the offices on the first floor should be considered to improve visibility and enable employees to see someone approaching their office without leaving their desk.
7.	The door between the Town Clerk's office the Police Station on the ground floor should be locked at all times.
8.	The stationary metal detector should be utilized during court proceedings. Attendees should enter the court room through door with the metal detector in place at the far end of court room and away from judge's bench.
<b>Work Practice Controls:</b>	
1.	Written procedures for opening and closing Town Hall offices should be implemented and enforced. Establish who will be responsible for ensuring the procedures are followed when the Town Hall offices or meeting rooms are used after normal business hours.

2.	A building-wide inspection should be made at the end of the business day to ensure no unauthorized visitors remain in the building after closing. Inspection should be documented and dated.
3.	Establish procedures for securing each department at close of business. Maintain a list of names of those who receive department keys. Require signatures upon receipt of key and keep the list current.
4.	Establish procedures for handling all monetary transactions, including deposits. Consider a courier service to pick up and deposit all monies collected by the various departments within the Town Hall.
5.	An internal emergency communication plan should be established to communicate between offices and each floor of the Town Hall.
6.	Employees required to perform duties offsite unaccompanied by another employee shall notify a co-worker where they are going, their anticipated time of return and provide their contact information.
7.	Establish clear guidelines for evacuating all parts of the Town Hall in the event of an emergency. Drills should be conducted periodically, including Court and Police Department and Village staff, and at different times of the day.
8.	Employees who work after established business hours or on weekends should notify the Police dispatch when they are in the building and when they leave.
<b>Floor and Evacuation Plans:</b>	
1.	Develop emergency response and evacuation plans for employees to follow and conduct periodic drills. Plans should be developed for each department within the Town Hall.
2.	Floor plans with evacuation routes should be posted on each floor of the Town Hall.
<b>Training and Use of Personal Protective Devices (if applicable):</b>	
1.	Workplace Violence Prevention Training must be provided to all employees annually as required by New York State law. Training acknowledgement should be placed in personnel files. Part-time and seasonal employees should be provided with the policy and direction regarding incident reporting procedures upon hire.
2.	If additional panic devices are provided, employees should be trained on proper use of such devices and regular testing of the devices should be performed and documented.
3.	Additional employee training on conflict resolution, customer service and harassment prevention should be considered for all Town Hall employees.

## ***Highways Department***

<b>Engineering Controls:</b>
1. No recommendations at time of evaluation.
<b>Work Practice Controls:</b>
1. Employees required to work offsite unaccompanied by another employee shall notify the Foreman where they will be and when they expect to return. Cell phones should be turned on and accessible in the event of an emergency.
2. Establish written protocols for employees to follow in the event they are confronted with a conflict or a potentially violent situation while working off-site.
<b>Floor and Evacuation Plans:</b>
1. Floor plans of Highway Facility should be posted prominently.
<b>Training and Use of Personal Protective Devices (if applicable):</b>
1. Workplace Violence Prevention Training must be provided to all employees annually as required by New York State law. Training acknowledgement should be placed in personnel files.

## ***Airport Hanger***

<b>Engineering Controls:</b>
1. No recommendations at time of evaluation.
<b>Work Practice Controls:</b>
1. No recommendations at time of evaluation.
<b>Floor and Evacuation Plans:</b>
1. No recommendations at time of evaluation
<b>Training and Use of Personal Protective Devices (if applicable):</b>
1. Workplace Violence Prevention Training must be provided to all employees annually as required by New York State law. Training acknowledgement should be placed in personnel files.

## ***Museum***

<b>Engineering Controls:</b>
1. Installation of an intercom system or an emergency alert device should be considered in the basement storage area.
<b>Work Practice Controls:</b>
1. A building-wide inspection should be made at the end of the business day to ensure no unauthorized visitors remain in the building after closing. Inspection should be documented and dated.
2. Establish procedures for handling all monetary transactions, including deposits. Post signs stating that minimal or no cash is kept on the premises.

<b>Floor and Evacuation Plans:</b>
1. Develop emergency response and evacuation plans for employees to follow and conduct periodic drills.
2. Floor plans with evacuation routes should be posted on each floor.
<b>Training and Use of Personal Protective Devices (if applicable):</b>
1. Workplace Violence Prevention Training must be provided to all employees annually as required by New York State law. Training acknowledgement should be placed in personnel files. Part-time and seasonal employees should be provided with the policy and direction regarding incident reporting procedures upon hire.
2. If additional panic devices are provided to employees in this facility, employees should be trained on proper use of such devices and regular testing of the devices should be performed and documented.

***Public Library***

<b>Engineering Controls:</b>
1. The phone system in the Library should be upgraded and expanded to provide an interoffice phones system throughout the building, including the employee break area and meeting rooms in the basement.
2. The exterior lighting on the building must be regularly checked for necessary maintenance. Lighting over the rear entrance near the handicapped entrance should be enhanced.
3. An intercom system should be considered in the basement meeting rooms to provide a means of communicating with the front desk in the event of an emergency.
4. A panic button should be considered for the front desk and should be hard wired to alert the local police in the event of an emergency.
<b>Work Practice Controls:</b>
1. A building-wide inspection should be made at the end of the business day to ensure no unauthorized visitors remain in the building after closing. Inspection should be documented and dated.
2. Establish procedures for handling all monetary transactions, including deposits. Post signs stating that minimal or no cash is kept on the premises.
<b>Floor and Evacuation Plans:</b>
1. No evacuation plans developed or practiced by Library employees at the time of evaluation.
2. Floor plans for the Library were not prominently posted on each floor.
<b>Training and Use of Personal Protective Devices (if applicable):</b>
1. Workplace Violence Prevention Training as required by New York State law had not been provided at the time of evaluation.
2. If panic devices are provided, employee training should be provided on proper use. Regular testing of the devices should be performed and documented.

## ***Recommendations for All Departments***

It is recommended that the Town develop and implement the following administrative policies and procedures that would be applicable to all departments:

1. Post the Workplace Violence Prevention Policy Statement in each department where it is easily visible to employees and visitors.
2. Conduct training on the Town's Workplace Violence Prevention Program for all current employees and within 30 days after a new employee is hired. Thereafter, conduct training on an annual basis.
3. Implement a corrective discipline program, including Department Head and supervisory training, so that employees are held accountable for violations of the Workplace Violence Prevention Program. The corrective discipline program should address conducting workplace investigations, when to use counseling versus formal discipline, how to develop a counseling memo, and how to apply formal disciplinary procedures in accordance with Civil Service Law Section 75 and any applicable collective bargaining agreements.
4. In light of the Workplace Violence Prevention Act, expand the Town's current sexual harassment policy as published in the employee handbook to include all forms of workplace harassment.
5. Provide training so that Department Heads and supervisors will know how to recognize and deal with workplace harassment and employees will be aware of their role in creating a harassment-free workplace.
6. Develop a Workplace Harassment Complaint Form and train Department Heads and supervisors on how to receive and handle complaints.
7. Train all employees on basic conflict resolution techniques, including methods for dealing with violent coworkers and visitors, and when to call for assistance.
8. Implement a pre-employment drug testing program and a background and reference checking program in compliance with federal and state laws so that all final applicants are thoroughly screened prior to employment with the Town. Develop necessary personnel forms to administer this process, such as a Hold Harmless Agreement and Reference Checking Questionnaire.
9. Develop proper procedures for terminating employees and provide Department Head and supervisory training on this topic.
10. Consistently conduct exit interviews at the time employees separate from the Town of Massena. This will allow the Town the opportunity to request all keys, uniforms, ID badges, etc., in the employee's possession as well as gauge the individual's demeanor and the potential risk of workplace violence.

11. For employees who work off-site, develop procedures for responding to acts of violence and for notifying Department Heads when work shifts are over.
12. Develop or update evacuation procedures and conduct periodic drills.
13. Establish procedures for providing crisis counseling to affected employees after an incident and develop protocols to determine when such counseling should be made available.
14. Work sites that handle money should keep it in a locked safe and post signs stating that minimal or no cash is kept on the premises. No more than \$500 in cash should be kept on-site at any time. Regular deposits should be made throughout the day, if needed.
15. Each department should post emergency telephone numbers next to every phone.
16. Ensure that each work site that will exist for one year or longer documents each recordable work-related injury and illness occurring during the calendar year on a SH-900 Log and that a SH-900.1 Log is completed at the end of each calendar year. Post the SH-900.1 annually from February 1 – April 30 at each work site in a conspicuous place where notices to employees are customarily posted. Maintain logs at each work site for a minimum of five years (or at a central location so long as 1) recordable injuries/illnesses are communicated to the central location within seven calendar days and 2) the records can be sent from the central location to the work site within the time frame required by law).

## **SECTION 7 – FORMS**

---

The following forms are to be used in administering the Town of Massena's Workplace Violence Prevention Program:

**FORM-1** – Workplace Violence Incident Report Form

**FORM-2** – Employee Security Survey Form

**FORM-3** – Policy Acknowledgment Form

**FORM-4** – Training Acknowledgment Form

**This form must be used to document any reportable workplace violence incident.** For any Level I incident, an employee must submit this completed form to the Department Head or the supervisor within 48 hours of the occurrence. For all Level II and Level III incidents, this completed form must be submitted immediately. The Department Head or the supervisor is responsible for forwarding this form to the Hazard Reduction Team and the Town Supervisor within the same timeframes.

Victim's Name	
Job Title	
Department / Location	
Date and Time of Incident	
Location of Incident	
Name / Job Title of Individual Completing this Report	
Date Incident Report Completed	
Date Incident Report Received by Town Supervisor	

List any individuals who may have witnessed this incident:

Witness Name	Witness Job Title	Witness Work Phone Number

Check the type of violence the victim experienced (Check all that apply):

**Level I Violence**

- Intimidation       Bullying       Verbal abuse       Minimal harassment
- Shouting       Swearing       Obscene gestures       False statements

**Level II Violence**

- Psychological trauma       Suicide threat       Threats of assault       Advanced harassment
- Shouted at directly       Swore at directly       Obscene calls       Being followed or stalked

**Level III Violence**

- Shooting       Stabbing       Striking with an object       Sexual assault
- Pushing       Grabbing       Throwing objects       Homicide

Please provide a detailed description of the incident; including what happened immediately prior to the incident and how the incident ended: (use the back of this page if more room is needed)

---



---



---



---



---



---

Assailant / Perpetrator	√	Name	Address	City	State
Member of the Public	<input type="checkbox"/>				
Employee's Spouse	<input type="checkbox"/>				
Employee's Significant Other	<input type="checkbox"/>				
Employee's Supervisor	<input type="checkbox"/>				
Coworker	<input type="checkbox"/>				
Former employee	<input type="checkbox"/>				
Other (specify) _____	<input type="checkbox"/>				

Did police respond to the incident?  Yes  No

If yes, name of the Police Department \_\_\_\_\_

Was a police report filed?  Yes  No Police Report Number \_\_\_\_\_

Was the victim injured?  Yes  No

If yes, please specify the injuries and the name and location of the facility that provided medical care:

---



---



---

Did the victim lose any work days?  Yes  No If yes, number of days \_\_\_\_\_

Has the victim been informed of the crisis counseling services available?  Yes  No

Has the victim received counseling since this incident?  Yes  No

Did the victim have any reason to believe that this incident might occur?  Yes  No

Are you aware of any measure that the Town has taken to avert this incident from occurring in the future?

Yes  No Please describe: \_\_\_\_\_

---



---

Has the authorized employee representative been notified?  Yes (Date) \_\_\_\_\_  No  N/A

---

**For Internal Town Use Only**

Indicate the steps that have been taken to mitigate future incidents of a similar nature:

Action Taken	Date Completed

Indicate any steps currently being taken by the Town to mitigate future incidents and/or any interim protective measures being taken:

Action in Progress and/or Interim Protective Measures	Estimated Date of Completion

Indicate any other work sites, if applicable, that will require similar action to mitigate future incidents:

1.
2.
3.
4.
5.

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DEPARTMENT HEAD SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
HAZARD REDUCTION TEAM DESIGNEE

\_\_\_\_\_  
DATE

As part of the Town's effort to provide a safe workplace and minimize the potential for workplace violence, we are requesting your feedback by completing the following survey. Although providing your name is optional, if further clarification is needed, it allows us to contact you directly. **Please complete this survey and return it to the in a sealed envelope.**

Name / Job Title: (optional) \_\_\_\_\_

Department: \_\_\_\_\_

Work Location: \_\_\_\_\_

**Workplace violence can be inflicted by an abusive employee, a supervisor, member of the public, family member, or even a stranger.**

The following are examples of **Level I** types of workplace violence. During the last twelve months of your employment, have you been the victim of, or a witness to, any incident(s) of the nature listed below (check all that apply):

- None
- Verbal threat
- Harassment of any kind
- Shouting
- Intimidation/bullying
- Obscene language/gestures

Please describe any incident(s) in greater detail: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following are examples of **Level II** types of workplace violence. During the last twelve months of your employment, have you been the victim of, or a witness to, any incident(s) of the nature listed below (check all that apply):

- None
- Threats of assault
- Obscene calls
- Being followed or stalked

Please describe any incident(s) in greater detail: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following are examples of **Level III** types of workplace violence. During the last twelve months of your employment, have you been the victim of, or a witness to, any incident(s) of this nature (check all that apply):

- None
- Sexual assault
- Striking with hands or feet
- Pushing or grabbing
- Shooting
- Striking with an object
- Assault with biological or chemical material
- Stabbing

Please describe any incident(s) in greater detail: \_\_\_\_\_

---

---

---

---

---

Have you experienced any of the following: (check all that apply)

- Working alone during off hours where you felt unsafe
- Working in isolated areas or where your whereabouts are unknown to coworkers
- Poor security in and around building and parking lots
- Poor lighting in or around building and parking lots

What training do you feel would help create a more productive and safe work environment?

- Conflict resolution
- What to do if subjected to workplace violence
- How to prevent harassment in the workplace
- How to implement effective counseling and corrective discipline
- Other (please specify) \_\_\_\_\_

Please indicate any other concerns with respect to workplace violence that you would like to address: \_\_\_\_\_

---

---

---

Thank you for completing this survey.

I hereby acknowledge that I have received a copy of the Town of Massena's Workplace Violence Prevention Program manual outlining the Town's policy, objectives, procedures, and regulations regarding violence in the workplace. I further acknowledge that I have read or will read the contents of the program manual and will contact my department head or supervisor with any questions.

I understand that the objectives, procedures and regulations in this program manual will remain in effect unless I am notified of changes.

I understand that the Town of Massena reserves the right to interpret, add to, or revise any part of this program manual, consistent with statutory requirements. Moreover, this program manual may be subject to alteration by changes in federal or state legislation, rules, and/or regulations.

I agree to abide by the Town of Massena's Workplace Violence Prevention Program's policies and procedures.

\_\_\_\_\_  
EMPLOYEE NAME (PLEASE PRINT)

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE OF SIGNATURE

*A copy of this form is to be placed in the employee's personnel file.*

I hereby acknowledge that I have received training on the dangers of workplace violence, identified risk factors and available prevention methods, and my responsibilities and rights with respect to addressing the potential for workplace violence. I have been informed of the Town's policy regarding workplace violence and the program and procedures in place to minimize risks.

\_\_\_\_\_  
DATE OF TRAINING

\_\_\_\_\_  
EMPLOYEE NAME (PLEASE PRINT)

\_\_\_\_\_  
SIGNATURE OF EMPLOYEE

\_\_\_\_\_  
DATE OF SIGNATURE

*A copy of this form is to be placed in the employee's personnel file.*