



## Test the Strength of Your Workplace Violence Prevention Program

### Training Materials:

Grade Your WVPP PowerPoint

Group Activity

WVPP Strengths Checklist

Sample WVPP Policy and Program

Workplace Violence Prevention Web Resources

### Presented by:


***NYS Public Employees Federation***

***PEF Occupational Health & Safety Department***

[www.pef.org](http://www.pef.org)

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a NYS Department of Labor Hazard Abatement Board  
Occupational Safety & Health Training & Education Grant

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**PRESENTED BY**  
**PEF OCCUPATIONAL HEALTH & SAFETY DEPARTMENT**

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## Goals

- ▶ Brief review of the WVP Law
- ▶ Grade your program – Using the Tool
- ▶ Next Steps
- ▶ Group Activity



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### Grade Your WVPP



## Overview of the workplace violence prevention standard

BASIC ELEMENTS OF THE LAW

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# What is the Law?



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## NYS Labor Law Section 27-b Workplace Violence Prevention Act for Public Employees

- ▶ Applies to all public sector workers and public schools
- ▶ Enacted in June 2006, amended in September 2023 to include public schools
- ▶ Final regulations published April 2009
- ▶ Full compliance for all NYS Agencies - August 27, 2009
- ▶ Public schools must comply by January 4, 2024

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# 12 NYCRR Part 800.6

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## Subpart (a) Definition of Workplace Violence

- ▶ Any **physical assault** or acts of **aggressive behavior** occurring where a public employee performs **any work-related duty** in the course of his/her employment....
- ▶ Including but **not limited** to:

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# 800.6 - Definition Workplace Violence

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- ▶ An attempt or threat, whether verbal or physical, to inflict physical injury
- ▶ 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



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## 800.6 - Typology of Violence

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- ▶ Type I – Criminal intent (stranger)
- ▶ Type II – Customer/client/patient
- ▶ Type III – Co-worker
- ▶ Type IV – Personal (friend/family)



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## Key Requirements of the Law

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- ▶ Participation of Authorized Employee Representatives (AER) – the UNION
- ▶ Develop and implement a workplace violence prevention (WVP) policy statement
- ▶ Conduct risk evaluations and determinations
- ▶ Develop a written WVP program
- ▶ Provide information and training
- ▶ Develop a system to record workplace violence incidents\*
- ▶ Annual review of WVP Program
- ▶ Employees have the right to file PESH complaints
- ▶ No discrimination (retaliatory) action

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## What does the AER participate on?

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- ▶ Developing the workplace violence prevention policy statement.
- ▶ Participating in risk evaluations and determinations of the physical environment.
- ▶ Providing input in the development of the written workplace violence prevention program.
- ▶ Reviewing workplace violence incident reports, at least annually.



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**How does the AER Participate?** 10

- ▶ Health and Safety Committees
- ▶ Workplace Violence Prevention Committees
- ▶ Risk assessment Teams
- ▶ Others?
  
- ▶ Which methods are used at your worksite?



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**Grade Your WVPP** 11



**Using the Tool**  
 GRADING YOUR WORKPLACE VIOLENCE PREVENTION PROGRAM (WVPP)

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**Q I(A) Written Policy Statement** 12

- ▶ What is Required?
  - ▶ Goals and objectives of the WVPP
  - ▶ Full employee participation of the Union/AER
  - ▶ Brief description of the incident alert and notification policies
  - ▶ Post the policy statement - where notices to employees are normally posted.

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## QI(B) Risk Assessment

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What is Required? For all workers/locations/field staff

- ▶ **Evaluation of the physical environment:** to determine the presence of factors that may put employees at risk for workplace violence
- ▶ **Administrative risk factors:** assess policies, practices and procedures
- ▶ **Records examination:** review of incident reports, injury and illness logs, workers' compensation etc

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## QI(C) Prevention & Control Measures

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What is Required?

- ▶ Each risk factor identified must have a corresponding control measure
- ▶ May be an existing control or in the process of implementing
- ▶ Can use alternative administrative control in the meantime
- ▶ Must use Hierarchy of Controls

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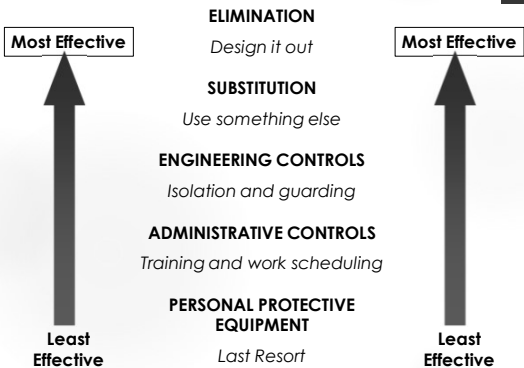
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## Hierarchy of Controls

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## Q I(D) Training

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- ▶ What is required?
- ▶ Every employee is to receive WVPP training
  - ▶ at the time of initial assignment and at least annually afterwards
  - ▶ With any significant changes to the WVPP



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## Training

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- ▶ Training must include information on:
  - ▶ Risk factors identified during the risk evaluation and determination
  - ▶ Measures employees can take to protect themselves
  - ▶ Procedures implemented by the employer
  - ▶ Location of the written WVPP
  - ▶ How to report WV

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## QII(A) Filing Incident Reports

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What is Required?

- ▶ Workplace location
- ▶ Time of day / shift
- ▶ Detailed description, incl. prec events and how ended
- ▶ Names and job titles of involved employees
- ▶ Nature and extent of injuries
- ▶ Names of witnesses



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## QII(B) PESH Complaints

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- ▶ Employee and AER have the right to report concerns with WVPP or when imminent danger exist
- ▶ Written notification to employer required
- ▶ Reasonable amount of time to allow for corrective action(s) by employer
- ▶ Written notification NOT required for imminent danger concerns
- ▶ PESH complaint may be filed if corrective action not taken within reasonable amount of time or corrective action(s) did not adequately address problem

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## Non-discrimination

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- ▶ **No** employer shall take retaliatory action against **any employee** because the employee exercises **any right** accorded him or her by **WVPP standard**.

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## Q III - WVP Committees

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- ▶ Examples:
  - ▶ WVP Committees (Statewide and Local)
  - ▶ Risk Assessment Teams
- ▶ Not required specifically by the Stand
- ▶ Can be used as the AER
- ▶ Assist with conducting risk assessment:
- ▶ Conduct annual review and recommend changes to the policy, guidelines and training
- ▶ Unions strongly recommend establishing



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# Q IV - Workplace Bullying

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► Definition:

1. Repeated, health-harming mistreatment ...that takes one or more of the following forms:
  - verbal abuse
  - threatening, humiliating or offensive behavior/actions
  - work interference -- sabotage -- which prevents work from getting done.
    - Source: Workplace Bullying and Trauma Institute
2. Abusive behavior at work that is repeated over a period of time.
  - Source: University of Maryland Work and Health Research Center

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- Not included in the Standard **per se**, but left unchecked bullying can lead to violence
- Workplace bullying that includes threats of physical harm, physical assaults or stalking are considered Workplace Violence!
- Strong programs included a bullying prevention component
- Union leaders should work with their agencies to:
  - establish workplace bullying prevention policies
  - investigate all complaints of workplace bullying
  - implement corrective actions

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## Grade Your WVPP



# Using the Information

GRADING YOUR PROGRAM  
NEXT STEPS

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## Grading Your WVP Program 25

1.....2.....3.....4.....5.....6.....7.....8.....9.....10  
Grading on a scale of 1 - 10 with 1 being the worst and 10 being the best

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## Q V – Next Steps 26

- ⇒ **KEEP a copy for your records**
- ⇒ **SHARE with your Statewide H&S, WVP and L/M Committees**
- ⇒ **STRATEGIZE with your union on taking corrective actions**
- ⇒ **PLACE on your WVPC agenda as part of your annual review**
- ⇒ **MEET with your members to discuss**
- ⇒ **Use the information to file a PESH complaint**
- ⇒ **Contact the Occupational Health & Safety Department with any questions**

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## Grade Your WVPP 27

### Group Activity

USING YOUR WVPP  
USING THE SAMPLE WVPP

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# Group Activity Instructions

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- ▶ Select a reporter to provide feedback of your group's evaluation.
- ▶ Utilizing the WVPP checklist and other resources provided, evaluate the sample WVPP for:
  - ▶ Does the plan meet ALL requirements of the standard?
  - ▶ Which criteria are missing?
  - ▶ How can the plan be improved (don't limit to only what's required by the standard)?




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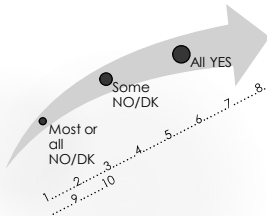
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# Activity Report Out

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- ▶ Each Team Reports :
- ▶ What Grade did you give it? (on a scale of 1-10)
  - ▶ What deficiencies in the WVPP did you find?
  - ▶ What recommendations for improvement do you suggest?

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# Resources

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## PEF's Health & Safety Department

Email PEF H&S with any questions at [healthandsafety@pef.org](mailto:healthandsafety@pef.org)  
 Phones: H.Q. (800) 342-4306 x254 and NYC PEF (800) 522-8700

### Art. 18 Statewide H&S Committee Co-Chairs:

- Leisa Abraham [leisa.abraham@pef.org](mailto:leisa.abraham@pef.org)
- Conrad Davis [conrad.davis@pef.org](mailto:conrad.davis@pef.org)

### Director of Health and Safety

- Geraldine Stella [geraldine.stella@pef.org](mailto:geraldine.stella@pef.org)

### Health & Safety Specialists/Trainers:

- Shawn Bobb [shawn.bobb@pef.org](mailto:shawn.bobb@pef.org)
- Paige Saakyan [paige.saakyan@pef.org](mailto:paige.saakyan@pef.org)
- Jazmine Nova [jazmine.nova@pef.org](mailto:jazmine.nova@pef.org)

### H&S Assistant /Conference Coordinator:

- Niki Grabo [nicole.grabo@pef.org](mailto:nicole.grabo@pef.org)

### Administrative Assistant:

- Kelly Lockwood [kelly.lockwood@pef.org](mailto:kelly.lockwood@pef.org)

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Thank You for Attending! 31

Questions?? 

Comments?? 

Evaluation Forms 

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# Grade Your Workplace Violence Prevention Program

Below are questions to help you determine the strength of your Agency Workplace Violence Prevention Policy. These questions are based on compliance with the NYS 12 NYCRR Part 800.6 and the NYS Department of Labor Public Employee Safety and Health (PESH) requirements, as well as best practices for implementing an effective workplace violence prevention program.



Please CHECK-OFF the most correct answer. If you do not know the answer, do not guess, but indicate the DK (Don't Know) option. Contact the PEF Health and Safety with any questions at 518-785-1900 x254 or [healthandsafety@pef.org](mailto:healthandsafety@pef.org).

Agency \_\_\_\_\_

Location \_\_\_\_\_

Date \_\_\_\_\_

Completed By (Name/Union Position) \_\_\_\_\_

Contact Info: \_\_\_\_\_

**I) The Agency's Written Program is required to include:**

**A) *Written Policy Statement***

- 1) Is there a written workplace violence prevention policy? .....  YES  NO  DK
- 2) What is the date of the current version? \_\_\_\_\_
- 3) Was PEF involved in writing/reviewing? .....  YES  NO  DK
- 4) Is it posted? .....  YES  NO  DK
- 5) If yes, where? \_\_\_\_\_

**B) *Risk Assessment – Identification of Risk Factors***

- 1) Has there been a walkthrough of the physical environment for each work location? .....  YES  NO  DK
- 2) Are they all current (within the past year)? .....  YES  NO  DK
  - (a) If "no", which locations are not (attach list if needed) \_\_\_\_\_
- 3) Is there a master list of locations? .....  YES  NO  DK

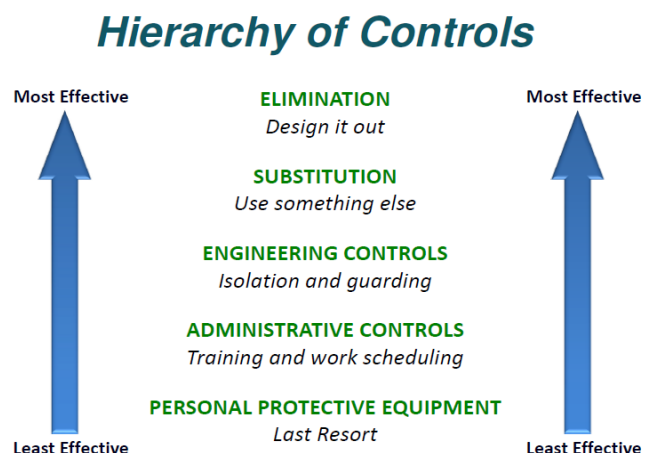
- 4) Were field staff/assignments (locations and assignments that are conducted outside of the office or other fixed location) included in the risk assessments? .....  YES  NO  DK  NA
- 5) Were union representatives included on each assessment?.....  YES/ALL  SOME  NONE  
 (a) If you answered “some”, on which ones were union representatives included? \_\_\_\_\_
- 6) Were relevant policies and work practices reviewed within the past year ..... YES  NO  DK  
 (a) Were union representatives involved..... YES  NO  DK
- 7) Were data from the workplace violence incident reports reviewed at least annually [look for trends, risk factors, prevention ideas, etc? ..... YES  NO  DK  
 (a) When was the last review conducted? \_\_\_\_\_  
 (b) Were union representatives involved ..... YES  NO  DK
- 8) Were risk factors identified specific to each office/fixed location/field group?.....YES  NO  DK

**C) Prevention and Control Measures**

- 1) Were control identified to correspond to each risk factor noted in Question 8? .....YES  NO  DK
- 2) What potential prevention and control measures have been identified? (attach a list if necessary) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 3) Which have been implemented? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 4) What alternative method(s) have been implement to protect members from workplace violence? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5) The “hierarchy of controls” shows the various types of hazard control measures, from least effective up to “best” and most effective (see diagram on right). The objective is to remove the hazard if at all possible, rather than putting the burden on the individual worker.

- (a) At your agency/workplace, has the “hierarchy of controls” been used to select prevention and control measures?
  - ALWAYS  SOMETIMES
  - RARELY  NOT SURE



(b) If not "always", list examples where the hierarchy of controls was not followed

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**D) Training**

- 1) Do new employees receive WVP training during orientation? .....  YES  NO  DK
- 2) Have all staff been trained within the past year? .....  YES  NO  DK
- 3) Did the training include the following:
  - (a) An overview of workplace violence? .....  YES  NO  DK
  - (b) An overview of the NYS Law? .....  YES  NO  DK
  - (c) How to submit a workplace violence incident report? .....  YES  NO  DK
  - (d) Discussion of location- and job-specific risk factors? .....  YES  NO  DK
  - (e) Discussion of location- and job-specific preventive and control measures? .....  YES  NO  DK
  - (f) Opportunity to ask questions and/or raise concerns? .....  YES  NO  DK

**II) Filing Workplace Violence Reports – within the Agency and to DOL/PESH**

**A) Incident Reporting System - Agency**

- 1) Are employees familiar with WV incident reporting procedures? .....  YES  NO  DK
- 2) Is there a specific form for people to use to report incidents? .....  YES  NO  DK
- 3) Do employees know how to access WV incident report forms? .....  YES  NO  DK
  - (a) Do they know where to submit WV incident report forms? ...  ALL DO  SOME DO  NONE DO
- 4) Are investigations conducted in a timely manner? .....  
 ALWAYS.....  USUALLY.....  SOMETIMES.....  RARELY.....  NEVER
- 5) Do people who submit a report receive investigation results including notice of what actions will be taken (when possible and where it does not violate confidentiality or due process)?  
 ALWAYS.....  USUALLY.....  SOMETIMES.....  RARELY.....  NEVER

**B) PESH Complaints**

- 1) Are workers aware of their right to file a PESH complaint? ..... YES  NO  DK
- 2) Have any PESH complaints on WVP been filed? ..... YES  NO  DK
  - (a) If yes, attach a document that lists the following for each PESH complaint:



(i) The site(s)/location(s)

(ii) The date of the PESH inspection

3) Has the PESH report been received by Union officials? ..... YES  NO  DK

(a) Were any citations issued? ..... YES  NO  DK

(b) If yes, for what violations?

\_\_\_\_\_

\_\_\_\_\_

(c) Was the citation posted in the workplace?.....YES  NO  DK

(d) Have there been any situations where intimidation or retaliation occurred after submitting a WV report or PESH complaint? ..... YES  NO  DK

**III) Workplace Violence Prevention Committees**

*WVP Committees are not required specifically by the Standard, however they can be used to satisfy the Authorized Employee Representative (Union) requirement. We strongly recommend using these committees.*

A) Is there an Agency Level/Statewide Workplace Violence Committee? ..... YES  NO  DK

1) List the chair(s) for the committee \_\_\_\_\_

\_\_\_\_\_

2) List the members of the committee \_\_\_\_\_

\_\_\_\_\_

3) List all meeting dates for the past 12 months \_\_\_\_\_

\_\_\_\_\_

4) List all upcoming meeting dates \_\_\_\_\_

\_\_\_\_\_

B) Are there any Local WVP Committees/Teams? .....  YES  NO  DK

1) What locations/areas are covered (worksite, facility, etc.) [attach additional sheets if necessary]?

\_\_\_\_\_

\_\_\_\_\_

1) List the chair(s) for each committee \_\_\_\_\_

\_\_\_\_\_

2) List the members for each committee \_\_\_\_\_

\_\_\_\_\_

3) List all meeting dates for the prior 12 months \_\_\_\_\_

\_\_\_\_\_

4) List all upcoming meetings \_\_\_\_\_

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**IV) Workplace Bullying Prevention**

*Bullying is not included in the WVP Standard, but bullying left unchecked can lead to workplace violence. A strong program will have a workplace bullying prevention component.*

- C) Does Your Agency Have a Program to Address Workplace Bullying? .....  YES  NO  DK
- 1) Is it included in the WVP Program? .....  YES  NO  DK
- 2) Is there a system for reporting? .....  YES  NO  DK
- (a) If yes, is it separate from the workplace violence incident reporting system? ....  YES  NO  DK
- (b) How are incident reports followed up (describe) \_\_\_\_\_
- 
- 3) Is there a workplace bullying policy (If yes, obtain)? .....  YES  NO  DK
- (a) Is it contained within the overall WVP policy? .....  YES  NO  DK
- 4) Is there training on workplace bullying? .....  YES  NO  DK
- (a) Is it included within the overall WVP training program? .....  YES  NO  DK

**V) What to do with this information:**

If you answered positively to all of the questions – congratulations! You have a strong WVP Program! See if there are any areas you can still improve upon.

If you answered NO or DK then there are problems with your program and your Agency may be in violation of the Standard. The more negative answers you have, the weaker your program is.

- ➔ **KEEP a copy for your records**
- ➔ **SHARE with your Statewide Health & Safety, Workplace Violence Prevention and Labor Management Committees**
- ➔ **STRATEGIZE with your union committees on taking corrective actions**
- ➔ **PLACE on your WVPC agenda as part of your annual review**
- ➔ **MEET with your members to discuss**
- ➔ **Use the information to file a PESH complaint**
- ➔ **Contact the Occupational Health & Safety Department with any questions**

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*Upon request, PEF Occupational Health & Safety Department will provide other factsheets, standards, regulations, and other resources. Contact us at [healthandsafety@pef.org](mailto:healthandsafety@pef.org) or 518-785-1900, ext. 254 or 1-800-342-4306, ext. 254.*

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**Produced by the New York State Public Employees Federation**

**Wayne Spence  
President**

**Joseph Donahue  
Secretary-Treasurer**



# Grade Your Workplace Violence Prevention Program

## Group Activity

### INSTRUCTIONS:

- Select a reporter to provide feedback of your group's evaluation.
- Utilizing the WVPP checklist and other resources provided, evaluate the sample WVPP for:
  1. Does the plan meet ALL requirements of the standard?
  2. Which criteria are missing?
  3. How can the plan be improved (don't limit to only what's required by the standard)?

### EACH TEAM REPORTS:

1. What Grade did you give it? (on a scale of 1-10)
2. What deficiencies in the WVPP did you find?
3. What recommendations for improvement do you suggest?

 <p><b>NYS ANY SERVICE AGENCY Policy</b></p> <p>Workplace Violence Prevention Program</p>	<b>No:</b> ASA-P10-005
	<b>Updated:</b> 11/16/2015
	<b>Policy Owner:</b> Human Resource Services

## 1.0 Purpose

Workplace violence presents a serious safety hazard to our agency, staff, contractors, customers, and visitors. The NYS Any Service Agency (ASA) is committed to the safety and security of our employees and those that we serve. Threats, threatening behavior, or acts of violence will not be tolerated. All incidents will be thoroughly investigated and appropriate action will be taken.

This policy is intended to apply for all ASA employees, contractors, customers and visitors.

## 2.0 Policy Statement

Section 27-b of the New York State Labor Law (the “Law”), requires public employers to perform a workplace evaluation or risk evaluation at each work site, and to develop and implement programs to prevent and minimize workplace violence.

Workplace violence is any physical assault or act of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment, including, but not limited to: an attempt or threat, whether verbal or physical, to inflict physical injury upon an employee; any intentional display of force which would give an employee reason to fear or expect bodily harm; intentional and wrongful physical contact with a person without his or her consent that entails some injury; or stalking an employee with the interest in causing fear or physical harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Workplace violence is a serious safety and health concern. The Law requires employers to perform a risk evaluation of their workplace to determine the presence of factors or situations that might place employees at risk, prepare and implement a workplace violence prevention program, and inform and train employees on the requirements of the Law.

An employee's best protection is the elimination or mitigation of workplace violence risk factors. It is also important for an employee to be aware of workplace surroundings, knowing and understanding the warning signs of potentially violent individuals or situations.

Strong management commitment and the day-to-day involvement of managers, supervisors, employees and labor unions, are required to reduce the risk of workplace violence.

The NYS ASA Workplace Violence Prevention Program addresses the hazards known to be associated with workplace violence. The safety and security of all individuals in the workplace is important to ASA. All managers and supervisors are responsible for implementing and maintaining this program in their work areas and for answering employee questions about the program. All employees are responsible for using

safe work practices, for following all directives, policies and procedures, and for assisting in maintaining a safe and secure work environment.

Removal from the work site will only be made after consulting with Human Resource Services. Human Resource Services will conduct a prompt and thorough investigation of all alleged threats or threatening behavior, and include other necessary personnel, including the supervisor, as appropriate. It will be the responsibility of all staff to cooperate with such investigations, with due regard for confidentiality to ensure protection of the complainant and the accused.

The goal of this policy is to promote the safety and well-being of all individuals in our workplaces. All incidents of violence or threatening behavior will be responded to immediately upon notification. ASA has identified response personnel that may include a member of management and an Authorized Employee Representative. If appropriate, ASA will provide counseling services and or an authorized employee representative will provide referrals for employees.

All ASA personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received. Notification can be submitted to the Office of Labor Relations by email.

### **Risk Assessment**

ASA conducts an annual risk evaluation/assessment at all work sites to determine the presence of factors or situations in the workplace that could potentially increase the risk of workplace violence. All ASA sites are currently secured using ID entry cards preventing unauthorized personnel from entering ASA secured work sites. ASA also uses security staff at security stations to control the entry of visitors to the work site at some locations. After hour access to buildings is controlled by ID entry cards. ASA has a Tenant Safety Organization (TSO) in place to deal with emergency building evacuations, and information to report health and safety emergencies.

All employees must be diligent in reporting problems or health and safety concerns, and all be informed and educated on how to report these concerns so that these may be considered as part of a risk assessment.

### **How to Report Workplace Violence**

To report Workplace Violence incidents and or Workplace Violence concerns an [ASA Workplace Violence Report Form \(HR-47\)](#) should be completed and submitted to ASA Human Resources Services, Office of Labor Relations.

If a Supervisor receives a report of Workplace Violence, they would be responsible for the following:

- ▶ Report instances of threatening behavior or potentially threatening incidents, contacting Human Resource Services immediately;
- ▶ Report a building/facility or security concern to Facilities Services as soon as possible;
- ▶ If appropriate, dial 911 to address an immediate emergency situation and then contact Human Resource Services.

All reported incidents will be investigated promptly and thoroughly by Human Resource Services and other

necessary personnel. There will be appropriate follow-up to determine if the behavior has ceased and whether adequate measures are in place to prevent such incidents in the future.

### **Workplace Violence Prevention Training**

All ASA employees must complete the mandatory training on Workplace Violence Prevention which will be available through the Statewide Learning Management System (SLMS). The Workplace Violence Prevention Program training program includes: examples and types of workplace violence; requirements of the workplace violence regulations; what is a risk assessment and what are risk factors; methods for prevention and control of risk factors; how employees can protect themselves, report threats and incidents; administrative and work practice controls. Information on this training course is available via the ASA Training and Staff Development website.

### **Employee Responsibility**

All employees are responsible for helping to create an environment of mutual respect for each other, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment. ASA will hold accountable those employees and individuals who engage in threatening behavior or acts of violence while in the workplace.

### **ASA Responsibility**

ASA shall, with the participation of the authorized employee representative(s) and or a Workplace Violence Committee:

- Post the Workplace Violence Policy Statement where notices to employees are normally posted.
- Examine any records relevant to violence in the workplace to identify patterns in the type and cause of injuries in particular areas of the workplace or incidents which involve specific operations or specific individuals.
- Assess relevant policies, work practices, and work procedures that may impact the risk of workplace violence.
- Evaluate the workplace to determine the presence of factors which may place employees at risk of workplace violence.
- Review and update the Workplace Violence Prevention Program on an annual basis.
- Establish and implement reporting systems for incidents of workplace violence.
- Address when crisis counseling will be provided, following generally accepted practices, after a workplace violence incident for employees.

## **3.0 Compliance**

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All employees must follow the above policy/procedures. All ASA employees must complete the mandatory training on Workplace Violence Prevention on an annual basis.

## **4.0 Definitions**

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**Terms defined in this policy are:**

**Authorized Employee Representative** – An employee authorized by the employees or the designated representative of an employee organization recognized or certified to represent the employees pursuant to Article 14 of the Civil Service Law.

**Imminent Danger** – Any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through the enforcement procedures.

**Retaliatory Action** – The 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.

**State Labor Law - § 27-b.** Duty of public employers to develop and implement programs to prevent workplace violence. 1. Purpose. The purpose of this section is to ensure that the risk of workplace assaults and homicides is evaluated by affected public employers and their employees and that such employers design and implement workplace violence protection programs to prevent and minimize the hazard of workplace violence to public employees.

**Workplace** – Any location away from an employee’s domicile, permanent or temporary, where an employee performs any work-related duty in the course of his or her employment by an employer.

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

- An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- Intentional and wrongful physical contact with a person without his or her consent that entails some injury;
- Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when stalking has arisen through and in the course of employment.

## 5.0 Contact Information

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Questions concerning this policy may be directed to Human Resource Services at (518) 555-5555.

## 6.0 Related Documents - Links

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[State Labor Law, Section 27-b](#)

[NYS Department of Labor, 12 NYCRR Part 800.6, Public Employer Workplace Violence Prevention Programs](#)

[ASA Workplace Violence Report Form \(HR-47\)](#)



# **Workplace Violence Prevention**

## **Web Resources**

### **for New York State Public Employees**



#### **PEF**

<https://www.pef.org/departments/health-safety/pef-health-safety-factsheets/>

- Connecting with Others
- Information for Families
- Key Elements of the Workplace Violence Protection Law
- Security Checklist
- Warning Signs an Individual Could be Violent
- When Terrible Things Happen
- Working with District Attorneys
- Workplace Bullying

#### **CSEA**

<https://cseany.org/workplace-violence-prevention>

- General Information on Workplace Violence
- Guidance for Local and Unit Leadership
- Tools to Help You Address Workplace Violence
- Links and Other Useful Information

#### **NYS Department of Labor DOSH - Public Employee Safety and Health (PESH)**

<https://dol.ny.gov/workplace-violence-prevention-information>

- How to Comply Guide
- Appendix 1 Workplace Violence Prevention Policy Statement
- Appendix 2-A Records Examination
- Appendix 2-B Evaluation of the Physical Environment
- Appendix 3 List of Risks and Mitigation Efforts
- Appendix 4 Workplace Violence Prevention Training Outline
- Appendix 5 Workplace Violence Incident Report
- Workplace Violence Prevention Regulations
- Workplace Violence Prevention Statute
- PESH Consultation Assistance Fact Sheet

#### **Occupational Safety and Health Administration (OSHA)**

<https://www.osha.gov/SLTC/workplaceviolence>

- Guidelines for Preventing Workplace Violence for Healthcare and Social Service Workers



- Worker Safety in Hospitals: Caring for our Caregivers, Preventing Workplace Violence in Healthcare
- Enforcement Procedures for Investigating or Inspecting Workplace Violence Incidents
- Preventing Violence Against Taxi and For-Hire Drivers
- Recommendations for Workplace Violence Prevention Programs in Late-Night Retail Establishments).

**CDC National Institute on Occupational Safety and Health (NIOSH)**

<http://www.cdc.gov/niosh/topics/violence/>

- Workplace Violence for Nurses
  - The workplace violence prevention course is designed to give healthcare workers an opportunity to acquire free workplace violence prevention training while earning free continuing education units
- Field Studies
  - Evaluation of Ordinances to Prevent Workplace Violence in Convenience Stores
  - Workplace Violence Prevention Programs in New Jersey
  - Health Violence Prevention On-line Best Practices Course
  - Epidemiology and Impact of Workplace Violence in Pennsylvania Teachers and Paraprofessionals
  - Evaluation of Workplace Violence Safety Ordinances for Taxi Drivers
  - Reducing Violence Against Nurses
- Surveys
  - Survey of Work-Related Assaults Treated in Hospital Emergency Departments
  - Employer-Based Workplace Violence Prevention Survey

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**PEF Occupational Health and Safety Department**

[www.pef.org](http://www.pef.org)

[healthandsafety@pef.org](mailto:healthandsafety@pef.org)

**New York State Public Employees Federation**

**Wayne Spence**  
*President*

**Joseph Donahue**  
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