

VILLAGE OF BUCHANAN

WORKPLACE VIOLENCE PREVENTION PROGRAM

The Village of Buchanan is committed to our employees' safety and health. The Village has no tolerance for violence in the workplace and will make every effort to prevent violent incidents from occurring by implementing a Workplace Violence Prevention Program (WPVP Program). The Village will provide adequate authority to responsible parties so that our goals and responsibilities can be met

All managers and supervisors are responsible for implementing and maintaining our WPVP Program. We encourage employee participation in designing and implementing our program. We require prompt and accurate reporting of all violent incidents whether or not physical injury has occurred.

A copy of this policy statement and our WPVP Program is readily available to all employees.

Our Program ensures that all employees, including department heads and supervisors, adhere to work practices that are designed to make the workplace more secure and do not engage in verbal threats or physical actions which create a security hazard for others in the workplace.

All employees, including department heads/managers, are responsible for using safe work practices, following all directives, policies and procedures, and assisting in maintaining a safe and secure work environment. All employees are expected to treat each other, the public and all others with courtesy, dignity and respect.

A violation of this Program may result in disciplinary action up to and including termination of employment and, civil and/or criminal sanctions, if appropriate.

Our program will be reviewed and updated annually as required.

INTRODUCTION

What is 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 their employment including, but not limited to:

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

Workplace violence can occur between Village employees, or an employee and non-employee. It is possible that various factors in the employees' personal lives can be brought into the workplace environment that could result in workplace violence. The root causes of workplace violence incidents are often NOT conflicts or disputes about the work itself or work assignments.

1. WPV Types of Incidents

- A) Non-specific threats of violence by an employee to another employee or non-employee
- B) Specific threats of violence by an employee to another employee or non-employee
- C) Threats of violence directed against an employee or non-employee
- D) Violent confrontation by a spouse or significant other/domestic partner with an employee over a non-workplace personal/domestic dispute that occurs at the workplace
- E) Threats or threatening conduct by disgruntled or former employees
- F) Violent altercations between co-workers or employee(s) and supervisory staff
- G) Assaults of any type by intruder
- H) Employee bullying of other employees
- I) Verbal abuse and threats directed at or by employees or non-employees
- J) Forms of harassment
- K) Emotional abuse
- L) Other as defined by the situation

2. Workplace Violent Prevention Program (WPVP) Threat Team

Village Safety Committee will function as the Workplace Violence Prevention Program (WPVP) Threat Team in making an assessment of the potential WPV incident.

3. Hazard Assessment

Tier Groups of Potential Workplace Violence Exposure

The Village has identified three tier groups of potential workplace violence exposure. Tier 1 represents the higher level of exposure, Tier 2 having less exposure, and Tier 3 having little or no potential workplace violence exposure.

Tier 1 – Assessment:

- Exchanging money with the public
- Municipal court justice system
- Issuance of building permits, certificates of occupancy, and other Village code violations enforcement, parking, zoning, inspections
- Traveling alone with cash or checks to make bank deposits
- Others

Tier 2 – Assessment:

- Working alone, site visits, land development, off-site meetings, etc.
- Working in high crime areas (not identified as frequent for Buchanan)
- Working late at night, early morning hours
- Working away from Village Hall or other offices in scheduled routes of delivery or collection, mail delivery, refuse collection, snow and ice control, etc.
- Guarding valuable sites or property

- Village Hall office staff who interface with the public.
- Other

Tier 3 – Assessment

- All others not listed in Tier 1 or Tier 2
- All staff in this Tier would require a basic Workplace Violence Program Awareness course
- Other

These Risk Assessments are further reviewed for the degree of vulnerability into these additional categories:

- Violence by strangers
- Violence by customers, residents, clients, and the public where there is legitimate and purposeful interaction intended
- Violence by co-workers and other personal relationships
- Other

The annual Risk Assessment will also further identify and list specific Village job positions and titles in one of the three Tiers listed above.

Annual Risk Assessment

The Village Administrator, or designee, and the WPVP Threat Team will, at a minimum, annually conduct a risk assessment. The risk assessment will include, but not be limited to, entrances/exits to Village buildings, public access, entrances of public restroom facilities, parking lots, workstations, and an examination of the locations of closed-circuit surveillance cameras. The assessment will also review risk factors including, but not limited to, identifying which employees work in public settings, work late at night or early in the morning, exchange money with the public, work alone or in small numbers, work in a location with uncontrolled public access, and areas previously identified as security risks or problems.

As part of the annual assessment, the Village Administrator, or designee, will separately review records of workplace violence incidents, disciplinary incidents, log of work-related illnesses or injuries, and workers' compensation cases from the prior 12-month period. The purpose of this review is to identify patterns in the type and cause of injuries, particular areas of the workplace, specific operations involved, or specific individuals involved. The Village will also review the effectiveness of any prior mitigating action to reduce or eliminate workplace violence. Lastly, the Village will review its practices, procedures, and policies that may impact risk of workplace violence to determine whether they should be revised.

Following the assessment, the Village Administrator, or designee, and the WPVP Threat Team will document the following:

- The risk factors identified in the risk assessment;
- The methods that the Village will use to address the risks identified in the risk assessment;
- The methods that the Village will use to prevent workplace violence incidents;
- Controls that will be used to eliminate or reduce risks including, but not limited to:
 - Engineering Controls (*e.g.*, a physical barrier);
 - Work Practice Controls (*e.g.*, a policy or procedure); and

- Personal Protective Equipment (*e.g.*, a bulletproof vest for law enforcement).

4. Existing Workplace Violence Hazard Control and Prevention Measures

- a) Village Hall:
 - A panic button has been installed in the Clerk's Office. If the button is pushed and someone is on-duty in the Police Department, they will respond.
 - Both entry points to the Police Department are monitored by cameras, and visitors can only enter after a member of the staff unlocks the door.
 - Building Department door will be maintained in locked position and all visitors should check in at Clerk's Office.
 - Recreation/Senior Office should have door closed at all times. Room has a second point of exit for staff members.
- b) Village Municipal Justice Court: Officers are assigned to Village Hall on days in which court is in session. Officers conduct metal detection screening of individuals needing to access the Court.
- c) Highway Garage: All vehicles not in use shall be locked. Building shall remain locked when Highway Foremen is out on the road.
- d) Wastewater Treatment Plant: All vehicles not in use shall be locked. Building shall remain locked when plant operator or other staff or consultants are not on premises. The camera system is operational at the STP.

TRAINING AND EDUCATION

The Village Board will authorize training to be done annually for all Village employees. Any new employees will be trained upon hiring. The training will, at a minimum, include:

- A review of this Program and the related forms;
- The requirements of the New York workplace violence regulations;
- The risk factors identified in the risk assessment;
- The measures that employees can take to protect themselves from the identified risks;
- A review of steps that the Village has taken to reduce or eliminate identified risks (*e.g.*, procedures, work practices, security alarms; *etc.*)
- Notification and reporting procedures; and
- The location of the Program, related forms, and how employees may obtain copies.

Village Policy and the WPV Program will be included in the Employee Manual.

Reporting Responsibility

It is the responsibility of all employees to promptly report any incident that the employee in good faith believes to constitute workplace violence. All incidents are to be reported to the Village Administrator, or designee, within 24 hours of when the incident occurred. If the incident involves the Village Administrator, the incident is to be reported to the Mayor. While the report can be in any form, it is preferable that the employee use the Workplace Violence Incident Report form.

Supervisors and all WPVP Threat Team members are responsible for the observation of

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all personnel and identification of potential workplace violence exposures. Supervisors and WPVP Threat Team members must report observed incidents of workplace violence and potential risks.

The report must include the following information:

- The workplace location where the incident occurred;
- The time of day/shift when the incident occurred;
- A detailed description of the incident including the events leading up to it and how it occurred;
- The names and job titles of the employees involved;
- The name or other identifier of other individual(s) involved;
- If applicable, nature and extent of injuries from the incident; and
- Names of witnesses.

All workplace violence reports will be fully investigated by an investigator designated by the Village. The investigator's findings will be presented to the Village Administrator, or designee, for review and response. If the Village Administrator participated in the investigation, the investigator's findings will be presented to the Mayor for review and response.

If needed, in response to any workplace violence finding, the Village Administrator, or designee, (or, if applicable, the Mayor) and WPVP Threat Team will review the plan that was developed following the last risk assessment and determine whether modifications are needed.

Confidentiality

Documentation related to the risk assessment or workplace violence incidents will not be subject to disclosure if it would: interfere with law enforcement investigations or judicial proceedings; deprive a person of a right to a fair trial or impartial adjudication; identify a confidential source or disclose confidential information relating to a criminal investigation; endanger the life or safety of any person; or for any other lawful reason.

The Village will treat workplace violence incidents involving the following injuries or illnesses as privacy concern cases:

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

Prior to disclosing a copy of a Workplace Incident Report that is a privacy concern case, the Village will redact the name of the employee who was the alleged victim and instead enter "PRIVACY CONCERN CASE". This requirement does not apply to disclosures to the Commissioner of Labor.

Retaliation

The Village prohibits retaliation against employees who in good faith report workplace violence

or participate in an investigation into an allegation of workplace violence. Employees may be subject to discipline for, *e.g.*, submitting a report in bad faith or misrepresenting information during the Village's investigation.

Recordkeeping

Records regarding workplace violence incident will be prepared and maintained in accordance with New York State Labor Law § 27-a and N.Y.C.R.R. Part 801.

In addition, the Village Clerk or his/her designee will be responsible for all recordkeeping:

1. Initial Report by the employee
2. Follow-up training and sign-in sheets
3. Course rosters, course outline, instructor qualifications
4. Incident reports and incident investigations.
5. Each Department/Division will also maintain a set of records for each employee making a report of an incident.

WORKPLACE VIOLENCE POLICY ACKNOWLEDGEMENT

I _____ (please print name) acknowledge that I have received my personal copy of the Village of Buchanan Workplace Violence Prevention Program. I understand that it is my responsibility to read and abide by the Program.

Employee Signature: _____

Date: _____

Amended October 2023