

TOWN OF JOHNSBURG WORKPLACE VIOLENCE PREVENTION PLAN & POLICY

Date Revised- April 6, 2021

Workplace Violence Prevention Plan & Policy

Purpose

Section 27-b of the New York State Labor Law requires public employers (other than schools covered under the school safety plan requirements of the education law) to develop and implement programs to prevent and minimize workplace violence. The Law is designed to ensure that the risk of workplace assaults and homicides are regularly evaluated by public employers and that a workplace violence protection plan is implemented to prevent and minimize the hazard to public employees.

Town Board Policy Statement

The safety and security of Town of Johnsburg employees, contractors, visitors and clients is very important and the Johnsburg Town Board is committed to providing a safe workplace. Therefore, threats, threatening behavior, acts of violence, or any related conduct that disrupts the work of an individual, or that of a Town Department, will not be tolerated.

The Town Safety Officer, with help from the Town Personnel Committee, shall be responsible for investigating any reports of workplace violence incidents, as well as, annual Plan review, ensuring that its provisions are implemented and answering all employee questions relative to workplace violence prevention procedures.

All Town employees will complete workplace violence prevention training and review the contents of this Plan on an annual basis. In addition, copies of this Plan will be available to employees in the Town Supervisors office.

Definitions: Workplace Violence

- A. For the purpose of the policy, "workplace" means any location, either permanent or temporary, where an employee or contractor appointed by the Town, a visitor, temporary or contract employee, performs any work-related duty. This includes but is not limited to, the buildings and surrounding perimeters including the parking lots, alternate work locations, and travel to and from work assignments.
- B. In accordance with Section 27-b of the New York State Labor Law and for the purpose of this workplace violence prevention plan, workplace violence is defined as any physical assault, threatening behavior or verbal abuse occurring in the work setting within the Town of Johnsbury. It includes, but is not limited to; beating, stabbing, rape, psychological trauma such as threats, obscene phone calls, an intimidating presence, and harassment of any nature such as stalking, shouting or swearing.

Prohibited Conduct

Workplace violence may include threats made in person, in writing, by telephone or electronic communication:

Prohibited conduct includes, but is not limited to:

- Injuring another person physically
- Specific or non-specific threats to injure an individual or to damage property
- Intentionally damaging property
- Engaging in behavior that creates a reasonable fear of injury to another person
- Engaging in behavior that subjects another individual to extreme emotional distress
- Possessing, brandishing or using a weapon that is not required by the individual's position while in the workplace or engaged in Town business
- Committing injurious acts motivated by or related to, domestic violence or sexual harassment
- Retaliating against any employee who, in good faith, reports a violation of this policy

*** Violent acts of employees occurring outside the work place may also be grounds for disciplinary action, up to and including termination.**

reports of threats of violence, actual violence and suspicious activities will be promptly and thoroughly investigated by the Town Safety Officer and/or the Town Personnel Committee. If warranted, the Warren County Sheriff's office may also be asked to assist with an investigation.

As soon as possible upon receipt of a complaint, the Town Safety Officer shall verbally notify the accused party thereof and invite them to share their recollection of the events /activities in question. Interviews may also be scheduled with the complainant and any witnesses if warranted. All investigations will be conducted in such a way as to maintain employee confidentiality to the extent practicable under the circumstances. In the event that they are asked, employees and management are expected to cooperate fully with any ongoing investigation.

Retaliation

Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action will be subject to discipline up to and including termination

Disciplinary Action

Upon completion of a workplace violence incident investigation, both the complainant and accused will receive a brief written summary for their records. If it is determined that unacceptable workplace conduct has been committed by an employee, the Town shall take such action as is appropriate for the degree of violation. Punishment for minor offenses may include, but are not limited to; counseling, mandated anger management or other employee training and mandated unpaid leave, not to exceed one week. Punishment for more serious offenses or for employees who have repeatedly violated this policy may include, but is not limited to; counseling, mandated anger management or other employee training, mandated unpaid leave of up to two weeks and complete termination of employment.

Any Town employee, including supervisors or managers, having knowledge of a threat of violence or an actual act of violence that has occurred and takes no action, or who fails to report an incident of workplace violence shall also be subject to corrective action up to and including termination of employment.

THIS POLICY SHALL NOT BE CONSTRUED TO CREATE A DUTY OR OBLIGATION ON THE PART OF THE TOWN TO TAKE ANY ACTIONS BEYOND THOSE REQUIRED OF AN EMPLOYER BY EXISTING LAW.

Aggressor Information:

Name:

Title/Department: *(if an employee)* _____

Relationship to aggressor: *(if stranger, indicate relationship. if any)*

Had anything occurred in the past to make you feel this would happen? If so, please explain.

Home address/vehicle information: *(if not an employee)*

Follow-up Information:

Did this incident cause lost workdays? If so, how many? _____

What action did your immediate supervisor take? _____

Have you had any counseling or any form of emotional support since the incident?

If not, would you like to be afforded this? _____

Does something need to be done to avoid such an incident from happening again? If so, explain.

Report Completed by

Town Safety Officer Signature

Title

Date

Date

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Distribution (via hard copy, fax OR e-mail): Original to Town Safety Officer
Copy to Personnel Committee