



Center for Instruction,  
Technology & Innovation

# Workplace

## Violence Prevention Plan





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# INTRODUCTION

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Workplace violence presents a serious occupational safety hazard for workers. To help prevent workplace violence in public schools, on September 6, 2023, the Governor signed legislation (S1746/A1120) amending the Workplace Violence Prevention Law (Section 27-b of Labor Law), extending coverage to elementary and secondary public education that was previously exempted.

## What do public employers have to do?

1. **Develop and post a written policy statement** about the employer's workplace violence prevention program goals and objectives.
2. **Conduct a risk evaluation** by examining the workplace for potential hazards related to workplace violence with an authorized employee representative (if there is one).
3. **Develop a workplace violence prevention program** (in writing, although that is only required for employers with 20 or more full-time permanent employees) that explains how the policy is actually going to be implemented. The program will include details about the risks that were identified in the basic evaluation and describe how the employer will address those risks. It will also include a system to report any incidents of workplace violence, among other things.
4. **Provide training and information for employees** around the workplace violence prevention program, including any risk factors identified and what employees can do to protect themselves.
5. **Document workplace violence incidents and maintain those records.**
6. **Annually review all workplace violence incidences** with an authorized employee representative (if there is one) to determine what, if any, changes need to be made to the program or identified risk factors.

# 1. DEFINITIONS

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**"Authorized employee representative"** means 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, the Public Employees' Fair Employment Act.

**"Imminent danger"** means 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 the danger can be eliminated through the enforcement procedures.

**"Retaliatory action"** means 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.

**"Serious physical harm"** means physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of any bodily organ or a sexual offense as defined in Penal Law.

**"Serious violation"** means a serious violation of the public employer workplace violence prevention program is the failure to:

1. Develop and implement a program;
2. Address situations which could result in serious physical harm.

**"Supervisor"** means any person within the District who has the authority to direct and control the work performance of an employee or who has the authority to take corrective action regarding the violation of a law, rule, or regulation to which an employee submits written notice.

**"Threat"** A threat is a communication of intent to harm someone that may be spoken, written, gestured or expressed in some other form, such as via text messaging, email or other digital means. An expression of intent to harm someone is considered a threat regardless of whether it is communicated to the intended target(s) or whether the intended target is aware of the threat. Threats may be implied by behavior that an observer would reasonably regard as threatening, planning or preparing to commit a violent act. Not all types of misbehavior that may warrant discipline or even criminal consequences are threats. It is limited to instances

where there is a threat to harm someone else. If there is doubt, the communication or behavior should be treated as a threat and a threat assessment should be conducted.

**“Threat assessment”** A problem-solving approach to violence prevention that involves assessment and intervention with staff or students who have threatened violence. It is a fact-based process that emphasizes identification, evaluation, intervention and follow-up in order to prevent serious threats of harm or actual acts of violence from occurring.

- Threat assessment is not an emergency or crisis response. If there is an indication that violence is imminent, such as when a person is at school with a gun, a crisis response is indicated. School staff must take immediate action by calling 911 and following local crisis or emergency response plans.
- Threat assessment is not a disciplinary process. District procedures regarding discipline and referral to law enforcement should be followed, no matter the outcome of a threat assessment. Information learned in a threat assessment may be used in disciplinary proceedings, where appropriate.
- Threat assessment is not a suicide or self-harm assessment. While there may be cases where a threat to harm others may be accompanied by a threat to harm oneself, in most cases, a threat assessment should not be completed when someone is threatening suicide or self-harm. The individual still may require intervention and assistance, but it is a different process than a threat assessment. Threat assessment is focused on threats of harm to others.

**"Workplace"** means any location away from an employee's domicile, permanent or temporary, where an employee performs any work-related duty in the course of their employment by the District.

## 2. DISTRICT POLICIES

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**2024****5190****Personnel****SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT****Overview**

The BOCES is committed to the safety and security of its employees. Workplace violence presents a serious occupational safety hazard. The goal of this policy is to promote the safety and well-being of all people in the workplace.

Acts of violence against any employee where any work-related duty is performed will be thoroughly investigated and appropriate action will be taken, including involving law enforcement authorities when warranted. All employees are responsible for: helping to create an environment of mutual respect for each other, as well as students, parents, and other visitors; following all applicable documents; and for assisting in maintaining a safe and secure work environment.

This policy was developed in consultation with the authorized employee representative(s) and is designed to meet the requirements of New York State Labor Law.

**Definitions**

For purposes of this policy, the following definitions apply:

- a) "Authorized employee representative" means 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, the Public Employees' Fair Employment Act.
- b) "Imminent danger" means 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 the danger can be eliminated through the enforcement procedures.
- c) "Retaliatory action" means 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.

- d) "Serious physical harm" means physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of any bodily organ or a sexual offense as defined in Penal Law.
- e) "Serious violation" means a serious violation of the public employer workplace violence prevention program is the failure to:
  - 1. Develop and implement a program;
  - 2. Address situations which could result in serious physical harm.
- f) "Supervisor" means any person within the BOCES who has the authority to direct and control the work performance of an employee or who has the authority to take corrective action regarding the violation of a law, rule, or regulation to which an employee submits written notice.
- g) "Workplace" means any location away from an employee's domicile, permanent or temporary, where an employee performs any work-related duty in the course of their employment by the BOCES.

### **What is Workplace Violence**

Workplace violence is any physical assault or acts of aggressive behavior occurring where an employee performs any work-related duty in the course of their employment including, but not limited to:

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

Workplace violence may be committed by:

- a) Other employees;

- b) Former employees;
- c) Students;
- d) Parents;
- e) Visitors;
- f) Individuals who have no connection to the workplace, but enter to commit a robbery or other crime; or
- g) An individual who has a personal relationship with an employee.

**Prohibited Conduct**

The BOCES prohibits workplace violence and will not tolerate violence, threats of violence, or intimidating conduct in the workplace.

**Workplace Violence Prevention Advisory Committee**

The BOCES will establish a Workplace Violence Prevention Advisory Committee that will meet periodically throughout the year. The purpose of the Workplace Violence Prevention Advisory Committee is to assist the BOCES in coordinating its efforts to comply with its responsibilities related to workplace violence prevention, including overseeing the development and maintenance of the BOCES's Workplace Violence Prevention Program (WVPP).

The Workplace Violence Prevention Advisory Committee will include:

- a) The Workplace Violence Prevention Coordinator;
- b) All authorized employee representatives;
- c) The Chief Emergency Officer.

It may also include one or more representatives from the following groups:

- a) BOCES-wide school safety team;
- b) The building level emergency response team(s);
- c) BOCES/building administrators;
- d) Teachers, including at least one special education teacher; and



- e) Other BOCES staff.

#### Workplace Violence Prevention Coordinator

The BOCES has designated the following BOCES employee to serve as its Workplace Violence Prevention Coordinator:

**Kristen Foland, Asst. Supt. For Personnel, (315) 963-4286 – [kfoland@CiTiboces.net](mailto:kfoland@CiTiboces.net)**

The Workplace Violence Prevention Coordinator convenes and coordinates the activities and plans of the Workplace Violence Prevention Advisory Committee. The Workplace Violence Prevention Coordinator is also responsible for answering employee questions about this policy and related materials, as well as receiving workplace violence incident reports.

#### Authorized Employee Representatives

Authorized employee representatives will participate on the Workplace Violence Prevention Advisory Committee. Other responsibilities of the authorized employee representatives include, but are not limited to:

- a) Participating in the development and implementation of this policy.
- b) Evaluating the physical environment.
- c) Developing the WVPP.
- d) Reviewing workplace violence incident reports at least annually to identify trends in the types of incidents reported, if any.
- e) Reviewing the effectiveness of the mitigating actions taken.
- f) Reporting violations of the BOCES's WVPP.

#### **Reporting Workplace Violence**

The BOCES has established and implemented a reporting system for incidents of workplace violence. If there is a developing pattern of workplace violence incidents which may involve criminal conduct or a serious injury, the BOCES will attempt to develop a protocol with the BOCES Attorney or police to ensure that violent crimes committed against employees in the workplace are promptly investigated and appropriately prosecuted. The BOCES will provide

information on these protocols and contact information to employees who wish to file a criminal complaint after a workplace violence incident.

All employees and authorized employee representatives are responsible for providing written notice to a supervisor or Workplace Violence Prevention Coordinator of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received. Reports of workplace violence must be made in writing. All reports must be immediately forwarded to the Workplace Violence Prevention Coordinator.

Written notice is not required where imminent danger exists to the safety of a specific employee and the employee reasonably believes in good faith that reporting to a supervisor or the Workplace Violence Prevention Coordinator would not result in corrective action.

After the BOCES receives notice, the BOCES will be afforded a reasonable opportunity to correct the activity, policy, or practice. The BOCES will immediately respond to all reported incidents of violence or threatening behavior upon notification.

In addition to complying with the reporting requirements in this policy, BOCES employees must comply with all other applicable reporting requirements contained in any BOCES policy, regulation, procedure, collective bargaining agreement, or other document such as the BOCES's *Code of Conduct*.

## **Inspections by the Commissioner of Labor**

### At the Request of an Employee or Authorized Employee Representative

If the BOCES has been given notice and opportunity to resolve the activity, policy, or practice and the employee or authorized employee representative still believes that a serious violation of the WVPP remains, or that an imminent danger exists, the employee or authorized employee representative may request an inspection by notifying the Commissioner of Labor of the alleged violation or danger. The notice and request will be in writing, describing with reasonable particularity the grounds for the notice, and be signed by the employee or authorized employee representative. A copy of the written notice will be provided by the Commissioner of Labor to the BOCES or the person in charge no later than the time of inspection, except that on the request of the person giving the notice, the person's name and the names of individual employees or authorized employee representative will be withheld.

A BOCES representative and an authorized employee representative will be given the opportunity to accompany the Commissioner of Labor during an inspection for the purpose of aiding the inspection. Where there is no authorized employee representative, the Commissioner of Labor will consult with a reasonable number of employees concerning matters of safety in the workplace.

The authority of the Commissioner of Labor to inspect a premises pursuant to an employee complaint will not be limited to the alleged violation contained in the complaint. The Commissioner of Labor may inspect any other area of the premises in which they have reason to believe that a serious violation of the workplace violence prevention law exists.

#### Initiated by the Commissioner of Labor

The Commissioner of Labor may inspect any premises occupied by the BOCES if they have reason to believe that a violation of the workplace violence prevention law has occurred. The current Public Employee Safety and Health (PESH) administrative plan will be used for the enforcement of the workplace violence prevention law, including a general schedule of inspection, which provides a rational administrative basis for the inspection.

### **Workplace Risk Evaluation and Developing a Workplace Violence Prevention Program (WVPP)**

The BOCES will engage in a process of workplace evaluation designed to identify the risks of workplace violence to which employees could be exposed.

The BOCES will then develop and implement a written WVPP to prevent, minimize, and respond to any workplace violence. The Workplace Violence Advisory Committee, which includes all authorized employee representatives, will oversee and participate in the development of the WVPP. During the development process, the authorized employee representative(s) will provide input on those situations in the workplace that pose a threat of workplace violence.

The WVPP will include the following:

- a) A list of the risk factors identified in the workplace evaluation.
- b) The methods the BOCES will use to prevent incidents of workplace violence. Examples include, but are not limited to:
  - 1. Making high-risk areas more visible to more people;
  - 2. Installing good external lighting;
  - 3. Using drop safes or other methods to minimize cash on hand;
  - 4. Posting signs stating that limited cash is on hand;
  - 5. Providing training in conflict resolution and nonviolent self-defense responses; and

6. Establishing and implementing reporting systems for incidents of aggressive behavior.
- c) A hierarchy of controls to which the program will adhere as follows: engineering controls, work practice controls, and personal protective equipment (PPE).
- d) The methods and means by which the BOCES will address each specific hazard identified in the workplace evaluation.
- e) A system designed and implemented by the BOCES to report any workplace violence incidents that occur in the workplace. The reports must be in writing and maintained for the annual program review.
- f) A written outline or lesson plan for employee program training.
- g) A plan for program review and update on at least an annual basis. This review and update will detail any mitigating steps taken in response to any incident of workplace violence.

### **Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)**

The BOCES will not take retaliatory action against any employee because the employee exercises any right accorded to them under this policy.

### **Training**

At the time of hire and annually thereafter, all employees will participate in the BOCES's workplace violence prevention training program.

### **Notification**

This policy will be posted where notices to employees are typically posted. The BOCES will make its WVPP available to employees, authorizes employee representatives, and the Commissioner of Labor upon request and in the work area.

Whenever significant changes are made to the WVPP, the BOCES will provide relevant information to affected employees.

Labor Law Section 27-b  
12 NYCRR Section 800.6



### **3. WORKPLACE VIOLENCE PREVENTION ADVISORY COMMITTEE**

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The Workplace Advisory Committee meets twice a year. (Fall and Spring) The purpose of the committee is to assist the district in coordinating its efforts to comply with its responsibilities related to workplace violence prevention, including overseeing the development and maintenance of the District's WVPP.

The advisory committee will include:

- The Chief Emergency Officer
- The Workplace Violence Prevention Coordinator
- Representatives from each of the 6 bargaining units
- Other District Staff

Duties of the Team:

- Review numbers of student and staff workplace violence reports
- Review the Workplace Violence Prevention Plan
- Review the Workplace Physical Evaluation tool for each location.
- Review any employee data related to training.

## **4. WORKPLACE VIOLENCE EMPLOYEE TRAINING**

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As of the Fall of 2024, all CiTi BOCES employees will participate in WPVP training through the Public Schoolworks Platform. Staff will be required to complete this within the first 30 days of the school year or for new employees, the first 30 days of employment. Additionally, the CiTi BOCES administration will provide continued safety tips regarding WPVP through organization wide emails sent to staff.

## 5. THREATS BY STUDENTS & STAFF

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*[Model Behavioral Threat Assessment Policies and Best Practices for K-12 Schools](#)* (Florida Department of Education, 2020).

A threat is a communication of intent to harm someone that may be spoken, written, gestured, or expressed in some other form, such as via text messaging, email, or other digital means. An expression of intent to harm someone is considered a threat regardless of whether it is communicated to the intended target(s) and regardless of whether the intended target is aware of the threat. Threats may be implied by behavior that an observer would reasonably regard as threatening, planning, or preparing to commit a violent act. When in doubt, treat the communication or behavior as a threat and conduct a threat assessment. Threats that are not easily recognized as harmless (e.g., an obvious joke that worries no one) should be reported to the school administrator or other team members. The administrator or another team member makes a preliminary determination of the seriousness of the threat. The student, targets of the threat, and other witnesses should be interviewed to obtain information using this protocol. A transient threat means there is no sustained intent to harm, and a substantive threat means the intent is present (or not clear) and therefore requires protective action. This form is a guide for conducting a threat assessment, but each case may have unique features that require some modification.

A threat assessment is not a crisis response. If there is indication that violence is imminent (e.g., a person has a firearm at school or is on the way to school to attack someone), a crisis response is appropriate. Take immediate action such as calling 911 and follow the school crisis response plan.

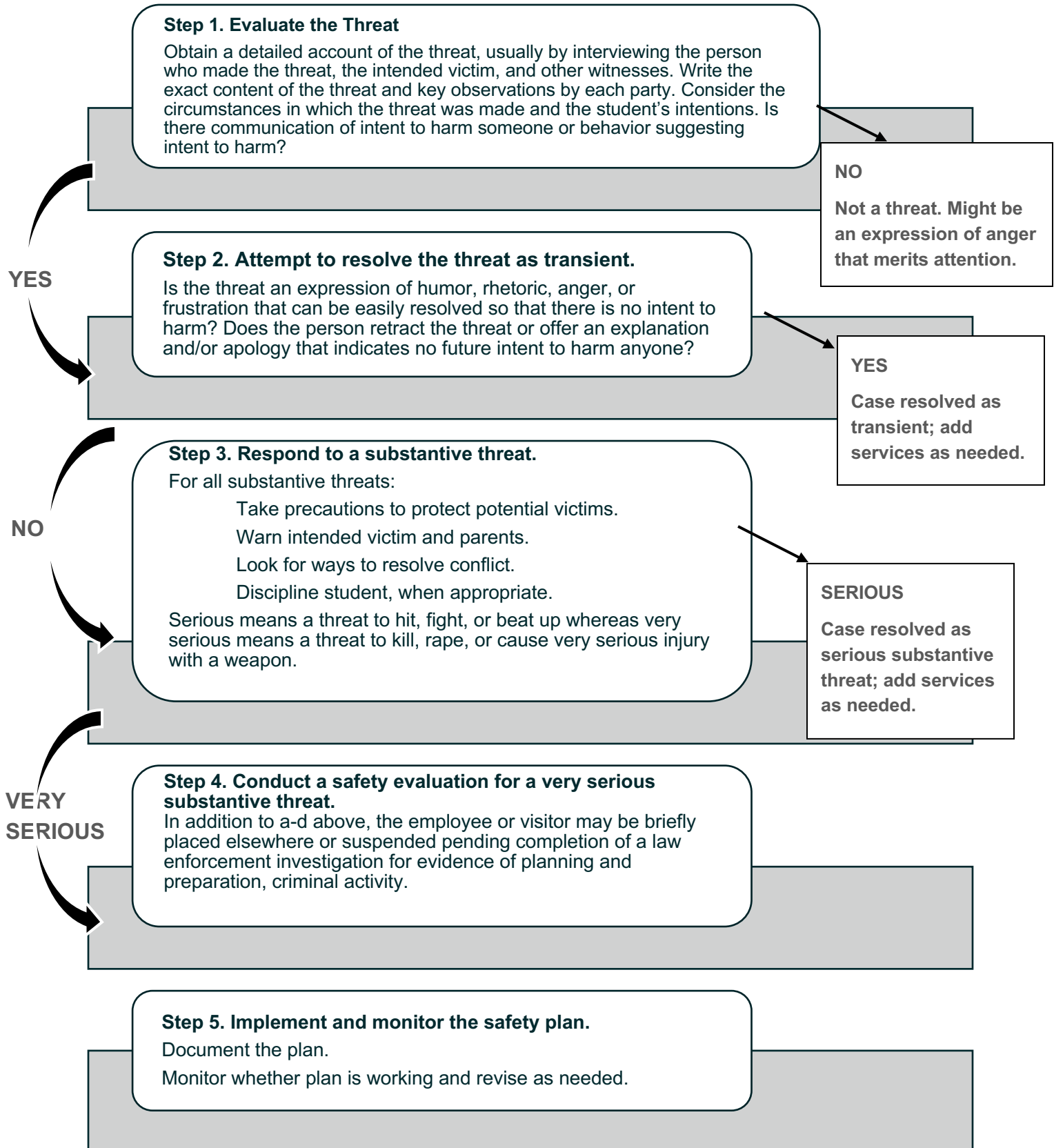
### **Threats by Students:**

- Threats by students are handled by program level administration.
- Should a Threat Assessment need to be completed, trained School Resource Officers from the Oswego County Sheriff's Department will complete the Assessment.
- Follow up regarding discipline will be a decision made by program administration.

### **Threats by Staff/Adults:**

- The threat will be assessed by school administration using the Threat Assessment & Response Protocol

## THREAT ASSESSMENT & RESPONSE PROTOCOL





## **6. WORKPLACE RISK EVALUATION**

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Certain factors or situations may place employees and students at greater risk for workplace violence. Workplace violence can occur in any workplace setting. However, some settings or factors may pose greater risks.

At each Advisory Committee meeting, the team will review an assessment of the physical environment of each CiTi BOCES location. Assessment results will be used to determine next steps, should there be any, to improving physical environments, thus improving safety outcomes.

## Evaluation of the Physical Environment

### Workplace Violence Prevention (Sample – fillable PDF is used)

**Date of Assessment:**

**Location of Assessment:**

**Person(s) Conducting Assessment:**

Items	Yes/NO/ NA	Notes/Comments
Security Features		
Reception Area Available		
Barriers to Separate Clients from Work Area		
Emergency Numbers Posted by Phones		
Separate Interview Area(s)		
Multiple Exits		
Unobstructed Office Exits		
Door Control(s) i.e. locks, remote buzzer, panic bars		

Door Detector(s) door alarm		
Adequate lighting in and around the workplace		
Parking lot well lighted		
Video Monitor(s)		
Panic Button(s)		
Landscaping to provide unobstructed view of the workplace		
Limiting the posting of signs on windows		
Other:		
<b>Factors That Might Place Employees at Risk</b>		
Work in public settings-e.g. Health Care, Police Officers, Firefighters, Social Workers		
Exchange money with the Public		
Work alone or in small numbers		
Work in a location with uncontrolled public access		
Areas of previous security concerns		

Any other factors that might place employees at risk		
<b>Security Guards</b>		
Are security guards present at the location		
Are guards posted at entrance(s)		
Do they patrol the building		
Are they provided with communication? If yes, indicate what type in notes.		
Any other relevant information		
<b>Description of the Building:</b> Using the information from Sections 1-3 and your working knowledge of the building describe in Section 4 the building (number of entrances and exits, number of employees, access to the building, security features, areas of concern related to security).		

<b>Specific Hazards:</b> Using the information from Sections 1-4 list the specific hazards related to this evaluation in Section 5.



## **7. WORKPLACE VIOLENCE REPORTING**

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### **Workplace Violence Incident Report (fillable pdf available)**

**Date of Incident:**

**Time of day/shift when the incident occurred:**

**Workplace location where incident occurred:**

**Provide a detailed description of the incident below:**

Note: If the case is a "privacy concern case," remove the name of the employee who was the victim of the workplace violence and enter "PRIVACY CONCERN CASE" in the space normally used for the employee's name. Privacy concern cases include cases involving injury or illness to an intimate body part or the reproductive system; 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

**DESCRIPTION (include the following):**

Name of employee reporting the incident (unless a "privacy concern case"); Names and job titles of involved employees; Name or other identifier of other individuals involved; Nature and extent of injuries arising from the incident; Names of witnesses; and Events leading up to the incident and how the incident ended.



## 8. LIST OF RISKS AND MITIGATION FORM

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### List of Risks and Mitigation Efforts (fillable pdf)

Date:

Location:

Risks Identified through Record Review and/or Risk Evaluation	Methods and means by which the risk is being addressed
Identified Risk #____	
Identified Risk #____	
Identified Risk #____	
Identified Risk #____	
Identified Risk #____	