

Workplace Violence Program

This program is known as the Solvay Union Free School District Workplace Violence Prevention Program and has been developed to comply with Code Rule 800.6, "Public Employer Workplace Violence Prevention Programs", of the New York State Labor Law.

PURPOSE AND INTENT

The purpose of this program is to prevent and minimize the hazards of workplace violence to employees of the Solvay Union Free School District and enables the district to evaluate the risk of potential violence, then design and implement protection programs to address those risks.

APPLICATION

This program applies to all employees of the Solvay Union Free School District, including teachers, administrators, support staff, and contractors.

EMPLOYEE INVOLVEMENT

The Solvay Union Free School District is committed to employee involvement in its Workplace Violence Prevention Program (the "Program"). Employees are encouraged to report any potential workplace violence hazards to their supervisor or the Workplace Violence Prevention Coordinator.

Employees also have the right to participate in the development and review of the Program.

More specifically, the participation of Authorized Employee Representative(s) shall be included in:

- creating a school district policy statement;
- evaluating the school district physical environment;
- developing this workplace violence prevention program;
- reviewing workplace violence incident reports at least annually to identify trends in the types of incidents in the workplace; and
- reviewing the effectiveness of mitigating actions taken.

DEFINITIONS

The terms below have the following meanings for the purposes of this program:

- **"Employee:"** Any person employed by the Solvay Union Free School District, including teachers, administrators, support staff, and contractors.
- **"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.
- **“Serious physical harm:”** 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 Article 130 of the New York State Penal Law.
- **“Supervisor:”** Any person within the school 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.
- **“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 the school district.
- **“Workplace violence:”** Any physical assault or act of aggressive behavior occurring where a Solvay Union Free School District 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 such stalking has arisen through and in the course of employment.

WORKPLACE VIOLENCE PREVENTION PROGRAM

This Solvay Union Free School District Workplace Violence Prevention Program includes the following elements:

- District Workplace Violence Prevention Policy Statement- This shall be posted where notices to employees are normally posted.
 - Risk Evaluation and Determination: The Solvay Union Free School District will conduct a risk evaluation to identify potential workplace violence hazards. The risk evaluation includes an examination of records, an assessment of relevant policies and work practices, and an evaluation of the physical environment.
 - Prevention Methods: The Solvay Union Free School District will implement a number of prevention methods to reduce the risk of workplace violence, including:
 - A workplace violence policy statement that is posted throughout the district and communicated to all employees;
 - Employee training on workplace violence prevention;
 - Security measures at all school facilities; and
 - A system for reporting and investigating workplace violence incidents.
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RISK EVALUATION AND DETERMINATION

On an annual basis, the Solvay Union Free School District shall:

1. Examine records including those compiled in the previous year that concern workplace violence incidents to identify patterns in the type and cause of injuries. Examples of records to be used:
 - a. Injury and illness documentation (SH 900, SH 900.1 and SH 900.2);
 - b. Workplace violence incident reports; and/or
 - c. Workers' compensation reports and disciplinary reports. (The tool provided for at Appendix 2-A is available to assist with record review.)
2. Assess policies, practices, and procedures that may impact the risk of workplace violence. Examples of what may be assessed:
 - a. Policies regarding sexual harassment;
 - b. Firearms policies; and/or
 - c. Work practices requiring work in public settings, including exchanging money with the public, working alone or in small numbers, and working with potentially violent clients.
3. Evaluate the physical work environment for the presence of factors which may place employees at risk of workplace violence, with the participation of the Authorized Employee Representative(s).

RESPONSE PLANS

The Solvay Union Free School District has a response plan in place to address workplace violence incidents and other related incidents. The response plan includes procedures for:

- Evacuating employees and students from a dangerous area;
- Notifying law enforcement and emergency medical services;
- Providing support to victims of workplace violence.

The Solvay Union Free School District maintains safety plans/emergency response plans that include considerations for safety and health that meet all applicable federal, state, local laws, regulations and ordinances

PREVENTION METHODS

The following section provides a summary of the methods the Solvay Union Free School District will use to try to prevent workplace violence incidents.

In situations where the hazard cannot be completely eliminated, the school district shall implement control measures to reduce the risk to employees. A hierarchy of controls to which this program shall adhere are as follows: engineering controls, work practice controls, and personal protective equipment.

- A. Engineering Controls reduce the hazard through substitution or design. *An example of an engineering control could be the installation of a physical barrier to protect*

employees from a member of the public (windows, deep counters).

Engineering controls may not always be feasible. If engineering controls are not feasible, the school district will then consider work practice controls.

- B. Work Practice Controls reduce the hazard by changing organizational policies and procedures. *An example of a work practice control could be requiring check-in procedures and/or itineraries to account for employees who work alone and are not under the direct supervision of management.*
- C. Personal Protective Equipment: Personal equipment that may assist in preventing workplace violence. *An example of personal protective equipment could be arm guards to prevent biting injuries.*

Specific hazards will be identified and methods and means by which the school district shall address each specific hazard will be identified and assigned control measures consistent with the above.

REPORTING

The Solvay Union Free School District has created a reporting system that allows employees to report any workplace violence incidents that occur in the workplace. These reports will be in writing and will be maintained for the annual program review with the Authorized Employee Representative(s). The reporting system includes a Workplace Violence Incident Reporting Form.

At a minimum, the Workplace Violence Incident Reporting Form will contain the following:

1. Workplace location where incident occurred;
2. Time of day/shift when incident occurred;
3. A detailed description of the incident, including events leading up to the incident and how the incident ended;
4. Names and job titles of involved employees;
5. Name or other identifier of other individual(s) involved;
6. Nature and extent of injuries arising from the incident; and
7. Names of witnesses.

Any employee or their Authorized Employee Representative who believes a serious violation of the employer's workplace violence protection program exists, or that a workplace violence Imminent Danger exists, shall bring such matter to the attention of their supervisor and report the incident via the school district's Workplace Violence Incident Reporting Form and the school district shall have a reasonable opportunity to correct such activity, policy or practice.

Any employee or their Authorized Employee Representative are encouraged to report any incident or circumstance they believe to be in violation of the Workplace Violence Plan, as such, they are protected from retaliation, threat or undue influence. Likewise, employees

who subject an individual to not report an incident or circumstance may be found to be in violation of this plan.

Written notice is not required where workplace violence Imminent Danger exists to the safety of a specific employee and the employee reasonably believes in good faith that reporting to a supervisor would not result in corrective action.

EMPLOYEE TRAINING

Training will be provided at the time of the employee's initial onboarding and annually thereafter. Information will be provided to affected employees whenever significant changes are made to this program.

At a minimum, Employee training shall include the following:

1. The requirements of the workplace violence regulations and the risk factors that were identified in the risk evaluation and determination;
2. Measures that employees can take to protect themselves from the identified risks including specific procedures that the employer has implemented to protect employees, such as incident alert and notification procedures, appropriate work practices, emergency procedures and the use of security alarms and other devices;
3. The location of the written workplace violence prevention program and how to obtain a copy.

PROGRAM REVIEW

The Solvay Union Free School District will review and update its Workplace Violence Prevention Program on an annual basis with the Authorized Employee Representative(s). The review will include an assessment of the program's effectiveness and any necessary modifications.

CONFIDENTIALITY AND PRIVACY CONCERNS

Confidentiality

The school district shall consider safety and security before considering disclosure of information related to workplace violence prevention. Examples of circumstances in which safety and security may preclude disclosure includes, but is not limited to, disclosure that would:

1. interfere with law enforcement investigations or judicial proceedings;
2. deprive a person of a right to a fair trial or impartial adjudication;
3. identify a confidential source or disclose confidential information relating to a criminal investigation;
4. reveal criminal investigative techniques or procedures, except routine techniques and procedures; or
5. endanger the life or safety of any person.

Privacy Concern Case

If a report is deemed a “privacy concern case,” by the school district, the school district shall 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 may include cases involving:

1. Injury or illness to an intimate body part or the reproductive system;
2. 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; and
6. Other injuries or illnesses, if the employee independently and voluntarily requests that his or her name not be entered on the report.

CONCLUSION

The Solvay Union Free School District Workplace Violence Prevention Program is designed to create a safe and healthy work environment for all employees. The program is based on the understanding that workplace violence is a serious problem that can be prevented. By working together, the Solvay Union Free School District and its employees can create a workplace where everyone feels safe and respected.