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Town of Granville

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TOWN OF GRANVILLE
VIOLENCE IN THE WORKPLACE

Policy Statement:

Town of Granville's number one core value is to provide a safe and healthy work environment free from all recognized safety and health hazards. Threats or acts of violence, is one of these workplace hazards that are unacceptable and will not be tolerated.

Goal:

The goal of this policy is to ensure all employees have an opportunity to work in an environment free of violence and to maintain this culture by providing procedures for reporting, investigation and resolving any threats or acts of violence involving or against our employees. Management will continuously look for and take every reasonable prevention measure possible to insure that this program protects our employees from all violent behavior.

Upon knowledge of threats or acts of workplace violence, management will take direct and immediate action to prevent any additional threats or violent acts from occurring. Management will investigate thoroughly all reports of threats or acts of violence. The lessons learned will be shared as well as utilized to improve our Workplace Violence Prevention Program. We will update our program whenever deficiencies are found, but no less than annually.

Report To:

If you feel that you have been a target of workplace violence, report it immediately to your Supervisor or Department Head. If you feel that you are in immediate danger call 911.

If you have any questions please feel free to ask your Supervisor.

DRAFT

2/10/11

TOWN OF GRANVILLE

WORKPLACE VIOLENCE POLICY

SECTION 1. Introduction.

Workplace violence presents a serious occupational safety hazard for workers. On June 7, 2006 New York State enacted legislation that requires public employers other than schools covered under a school safety plan, to perform a risk evaluation of its workplaces and develop and implement programs to prevent and minimize workplace assaults and homicides.

SECTION 2. Declaration of Policy.

The Town of Granville is committed to the safety and security of its officials and employees. Workplace violence presents a serious occupational safety Hazard to the Town's employees and officials. Threats, threatening behavior, or acts of violence against employees, officials, visitors, guests, or other individuals by anyone on Town of Granville property will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All Town officials and employees are responsible for helping to create an environment of mutual respect for each other as well as visitors, guests, vendors and members of the public; following all policies, procedures and program requirements regarding workplace violence; and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of the New York State labor Law section 27-b.

SECTION 3. Definition.

The National Institute for Occupational Safety and Health (NIOSH) defines workplace violence as "violent acts (including physical assaults and threats of assaults) directed toward persons at work were on duty."

Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, the work environment, or the Town of Granville's ability to provide services to the public. It also involves the abuse or intentional non-authorized destruction of property.

Examples of workplace violence include, but are not limited to:

1. Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as, but not limited to, yelling, using profanity, verbally abusing others, or waving arms and fists).
2. Intentional physical contact for the purpose of causing harm (such as, but not limited to, slapping, stabbing, punching, striking, shoving, or other physical attack).
3. Menacing or threatening behavior (such as, but not limited to, throwing objects, pounding on a desk or door, damaging property, stalking, or otherwise acting aggressively; or making oral or written statement specifically intended to frighten, coerce, or threaten) where a

reasonable person would interpret such behavior as constituting evidence of intent to cause harm to individuals or property.

4. Possessing, brandishing or using firearms, imitation firearms, knives or other dangerous weapons, instruments or materials.
5. Frequent use of abusive language.
6. Belligerent actions or activity toward others.
7. Intimidation or harassment of others.
8. Theft or sabotage of Town property.
9. Physical confrontations.
10. Property destruction.
11. Use of a weapon.
12. File and confrontation by a spouse or significant other with an employee over a personal/domestic dispute.
13. Violent altercations between two employees or employee and supervisor.

Workplace violence does not include the use of reasonable force in the defense of oneself or others.

SECTION 4. Scope.

This policy applies to all employees and officials of the Town of Granville; and to all members of the public, vendors, contractors, consultants, and others who do business with the Town of Granville, or who interact with Town of Granville employees and officials, whether in a Town of Granville facility or off site location where Town of Granville businesses conducted. A Town of Granville facility or off-site location includes offices, worksites, vehicles, field locations and any other location where Town businesses conducted.

This policy also applies to other persons not affiliated with the Town of Granville, such as former employees, and visitors.

SECTION 5. Workplace Violence Prohibited.

No employee or official of the Town of Granville shall engage in conduct or behavior which constitutes workplace violence towards the person or property of another employee or official of the Town of Granville; towards the person or property of members of the public, vendors, contractors, consultants, and others who do business with the Town of Granville, or who interact with Town of Granville employees and officials; or towards the property of the Town of Granville.

SECTION 6. Reporting of Complaints.

A. General Reporting Requirements. Any employee or official of the Town of Granville who believes that he or she has been the target or victim of conduct or behavior constituting workplace violence shall file a written complaint within thirty (30) calendar days of the incident complained of, in accordance with the procedure set forth in Section 7 of this policy. Any employee or official of the Town of Granville who believes that he or she has witnessed, or otherwise become aware of, the occurrence of conduct or behavior constituting workplace violence towards: 1) the person or property of another employee or official of the Town; 2) the

person or property of a member of the public, vendor, contractor, consultant, or other person doing business with the Town of Granville, or interacting with Town of Granville employees and officials; or 3) the property of the Town of Granville; may file a written complaint in accordance with the procedure set forth in Section 7 of this policy.

B. Imminent or Actual Violence. Any person experiencing or witnessing imminent danger of actual violence involving weapons or personal injury should call their supervisor immediately, or call 911.

C. Commission of a Crime. Any individual who believes that a crime has been committed against him or her shall have the right, and is encouraged, to report the incident to the appropriate law enforcement agency.

SECTION 7. Investigation and Determination of Complaints.

- ▶ All reports of workplace violence shall be made in writing to the Town Supervisor and signed by the person making the report. In the event that the Town Supervisor is the subject of a complaint, the report shall be made to the Deputy Town Supervisor.
- ▶ All reports of workplace violence shall be thoroughly investigated and a determination of the merits of each complaint or report shall be made on a timely basis. The Town Supervisor (or, in the event of his disqualification, the Deputy Town Supervisor) shall, in consultation with the Town's legal counsel, determine the appropriate steps to take in investigating the merits of the complaint based upon the circumstances of each particular case.
- ▶ All information obtained from an employee, officer or official making a report of workplace violence shall be held in the strictest confidence possible and shall be repeated or disseminated only to the extent necessary to conduct an appropriate investigation and implement any corrective action following the conclusion of such investigation.
- ▶ Retaliation against any person filing a report or complaint of workplace violence will not be tolerated or permitted.

SECTION 8. Authority of Supervisors Confronted With Workplace Violence.

Any Town supervisor or department head who becomes aware that an incident of workplace violence is, or may be, occurring, is authorized and encouraged to respond as follows:

A. The Situation Is Not Dangerous.

- Implement a "cooling off period." Separate and isolate those involved in the incident until they are interviewed and statements taken.
- Separate witnesses until they are interviewed and their statements taken.
- Document all actions and statements.

- Ensure that a workplace violence incident report is completed and delivered to the Town Supervisor.
- If there has been serious misconduct or criminal behavior committed, notify the appropriate law enforcement authority.
- Make a full written report to the Town Supervisor.

B. The Situation Is Dangerous.

- Immediately contact the appropriate law enforcement authority and request any needed medical assistance.
- Order all those presenting the danger to leave the area immediately.
- As soon as possible, document all actions and statements.
- Ensure that a workplace violence incident report is completed and delivered to the Town Supervisor.
- Make a full written report to the Town Supervisor.

SECTION 9. Penalties.

- ▶ If an investigation of a report or complaint of workplace violence confirms that workplace violence has in fact occurred, such conduct is and will be treated as a disciplinary offense and the Town of Granville will take corrective action with respect thereto, including any discipline that is appropriate, up to and including, immediate termination of employment.
- ▶ Due to the serious and private nature of the offense of workplace violence, false accusations of workplace violence are and will be treated as a disciplinary offense. Accordingly, if an investigation of a report or complaint of workplace violence reveals that no workplace violence has occurred and that a false accusation of workplace violence was knowingly made, the Town of Granville will take corrective action and the making of such false accusation will subject the offending party to the same level of punishment or discipline as that applied to one who engages in conduct constituting workplace violence.

SECTION 10. Limitation of Purpose and Effect.

This policy is intended solely for the municipal use of the Town of Granville and shall not, with respect to any liability claims asserted against the Town, be deemed or construed to create a greater legal duty or a higher legal standard of safety or care on the part of the Town of Granville than that otherwise existing under applicable state and federal law. Any violation of the provisions of this policy shall form the basis for municipal administrative sanctions only; and shall not give rise to any private claim or cause of action against the Town or its employees, officers or officials.

TOWN OF GRANVILLE

WORKPLACE VIOLENCE INCIDENT REPORT

Today's Date _____

Date of Incident _____

Time of Incident _____

Case Number _____

Employee Name _____

Title _____

Workplace Location _____

What was the employee doing just prior to the incident?

Incident Description (Minimally include names of involved employees, extent of injuries and names of witnesses):

Provide information on preventative actions that the public employer has taken or is considering as a result of the incident to prevent against further like occurrences:

ADOPTED: _____, 2011

EFFECTIVE: _____, 2011