

# WORKPLACE VIOLENCE PREVENTION For Public Employers

NYS Department of Labor



- Unemployment Benefits
- Career Services
- Business Services
- Workforce NY Partners
- Workforce & Industry Data
- Worker Protection
- Forms and Publications
- Home

Enter Keywords

Search this section only

### Worker Protection

#### Online Services

- Asbestos Notification
- Child Performer
- Registered Apparel Contractors & Manufacturers

#### Employment Laws/Labor Standards

- Wage & Hour Laws
- Child Labor
- Working Papers
- Apparel Industry
- Farm Labor
- PEO (Employee Leasing Firms)
- Child Performer
- Licenses, Permits, Certifications & Registrations

### Workplace Violence Prevention Information

Workplace violence is a serious safety and health concern. There are a number of measures that employers and employees can take to pro-actively prevent violence from occurring in workplaces. The essential ingredients of such measures include the conduct of workplace risk assessments, the development of functional response plans and the conduct of employee training and awareness programs.

The "New York State Public Employer Workplace Violence Prevention Law" was enacted to ensure that public workplaces are evaluated and effective response and prevention strategies are implemented to prevent and minimize workplace violence.

The information found below will assist public employers in meeting the requirements of the Law and ensuring that their workplaces and employees are as safe as possible from the threat of violence.

#### Planning

[Fact Sheet \(word\)](#)

[Fact Sheet \(pdf\)](#)

[Law \(pdf\)](#)

[Model Plan for Workplace Violence Prevention \(word\)](#)

[Model Plan for Workplace Violence Prevention \(pdf\)](#)

[Workplace Security Checklist \(word\)](#)

[Workplace Security Checklist \(pdf\)](#)

# What Is Workplace Violence?

Workplace violence is any physical assault, threatening behavior, or verbal abuse occurring in the work setting

# Definition

Workplace violence is any physical assault, threatening behavior, or verbal abuse occurring in the work setting

A workplace may be any location either permanent or temporary where an employee performs any work-related duty

## Definition Cont'd

- This includes, but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations, clients' homes and traveling to and from work assignments

# Workplace Violence Includes:

- Beatings
- Stabbings
- Suicides
- Shootings
- Rapes
- Near-suicides
- Psychological traumas
- Threats or obscene phone calls
- Intimidation
- Harassment of any nature
- Being followed, sworn or shouted at



# Examples

- Verbal threats to inflict bodily harm; including vague or covert threats
- Attempting to cause physical harm; striking, pushing and other aggressive physical acts against another person

# Types of Workplace Violence

- Violence by strangers
- Violence by customers or clients
- Violence by co-workers
- Violence by personal relations

# Extent of Problem

**We live in an increasingly violent culture**

- **Job-related homicides were the third leading cause of death for all workers.**
- **The #1 cause of occupational death for all female workers.**
- **The #2 cause of occupational death for male workers.**

# Economic Impact of Workplace Violence

- Cost 500,000 employees 1,175,100 lost work days each year
- Lost wages: \$55 million annually
- Lost productivity, legal expenses, property damage, diminished public image, increased security: \$ billions \$



# Number of Violent Acts to Government Workers in New York State

	<b>2003</b>	<b>2004</b>
<b>Assaults &amp; Violent Acts for NYS Employees</b>	<b>1290</b>	<b>1900</b>
<b>Assaults &amp; Violent Acts for NYS Local Governments</b>	<b>3600</b>	<b>3240</b>

# **New York State Workplace Violence Prevention Act**

**On June 7, 2006 New York State passed legislation, Article 27-b of the Labor Law, that requires public employers to perform a workplace evaluation or risk assessment at each worksite and to develop and implement programs to prevent and minimize workplace violence.**

# What Is Required By The Law?

Every public employer should perform a risk assessment and evaluate their workplace to determine the presence of risk factors or situations that might place employees at risk of occupational assaults and homicides.

# What is a Risk Assessment?

A Risk Assessment is an inspection or examination of the workplace to find existing or potential hazards (**Risk Factors**) for workplace violence; this can include:

- Look at the history of past incidents; try to identify patterns or trends which occurred in your workplace.
- Review your occupational injury and illness logs (SH 900) and incident reports to identify injuries resulting from violence.
- Survey your workers at all levels regarding violent incidents reported or unreported

# Risk Factors

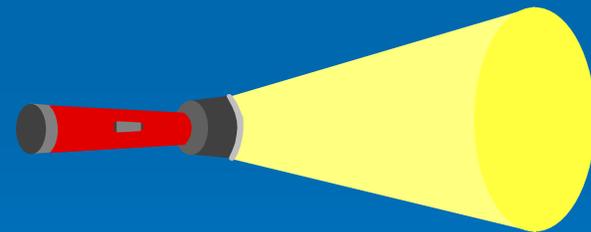
- Contact with the public
- Working late night or early morning
- Exchanging money with the public
- Working alone or in small numbers
- Uncontrolled access to the workplace
- Having a mobile workplace such as a police cruiser, fire fighter or ambulance service

# Risk Factors

- Prevalence of handguns and other weapons among the public, employees, or clients
- Solo work, often in remote locations, high crime settings with no back-up or means of obtaining assistance such as communication devices or alarm systems

# Risk Factors (cont'd)

- Lack of training in recognizing and managing escalating hostile and aggressive behavior
- Poorly-lighted parking areas



# Workplace Violence Prevention Program

- List of Risk Factors found during analysis
- Methods used for Hazard Prevention and Control
- Written plan required if you have 20 or more full time employees
- Management Commitment and Employee Involvement

# Methods Used For Hazard Prevention and Control

Could Include:

- Make high risk areas more visible
- Install more lighting
- Use drop safes, decrease cash on hand
- Post signs – stating limited cash
- Train employees on conflict resolution
- Need a system to respond

# Engineering Controls

- Visibility and lighting
- Drop safes
- Video surveillance
- Height markers
- Door detectors, buzzers
- Alarms
- Bullet resistant barriers



# Administrative and Work Practice Controls

- Lock delivery doors
- Establish rules for workers leaving facility
- Lock doors when not open, procedures for opening and closing
- Limit access
- Adopt safety procedures for off-site work

# Administrative and Work Practice Controls

- State clearly to patients, clients, and employees that violence will not be tolerated or permitted
- Establish liaison with local police and state prosecutors
- Require employees to report all assaults and threats
- Set up trained response teams to respond to emergencies

# Administrative and Work Practice Controls

- Integrate violence prevention into daily procedures
- Minimal cash in register
- Emergency procedures, systems of communication
- Procedures to use barriers & enclosures
- Evaluate staffing needs for high risk locations/times

# Management Commitment and Employee Involvement

- Complementary and essential
- Management commitment provides the motivating force to deal effectively with workplace violence
- Employee involvement and feedback-enable workers to develop and express their commitment to safety and health



# Employee Involvement

- **Understand and comply with the workplace violence prevention program and other safety and security measures**
- **Participate in employee complaints or suggestion procedures covering safety and security concerns**
- **Prompt and accurate reporting of violent incidents**

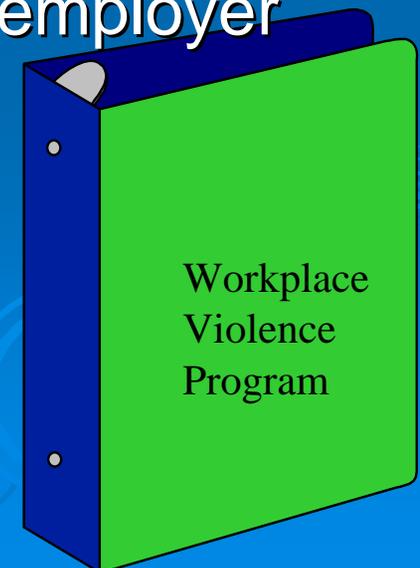


# Post-Incident Response

- Trauma-crisis counseling
- Critical incident stress debriefing
- Employee assistance programs to assist victims

# Training and Education

- Initially or upon assignment and annually thereafter
- Review of the Workplace Violence Prevention Program
- Risk Factors
- Methods for employees to protect themselves
- Controls/procedures put in place by the employer



# Training and Education

- **Employees should understand concept of “Universal Precautions for Violence” - i.e., that violence should be expected but can be avoided or mitigated through preparation**
- **Employees should be instructed to limit physical interventions in workplace altercations unless designated emergency response team or security personnel are available**

# Training and Education

Training program should involve all employees, including supervisors and managers



# Training and Education

- Workplace violence prevention policy
- Risk factors that cause or contribute to assaults
- Early recognition of escalating behavior or warning signs
- Ways to prevent volatile situations
- Standard response action plan for violent situations
- Location and operation of safety devices

# Recordkeeping and Evaluation

- Recordkeeping and evaluation of the violence prevention program are necessary to determine overall effectiveness and identify deficiencies or changes that should be made

# Recordkeeping

- DOSH Log of Injury and Illness (SH 900)
- Reports of work injuries from assaults
- Incidents of abuse, verbal attacks or aggressive behavior
- Information on patients with history of violence
- Minutes of safety meetings, records of hazard analyses and corrective actions
- Records of all training programs



# Evaluation

- Establish uniform violence reporting system and regular review of reports
- Review reports of minutes from staff meetings on safety issues
- Analyze trends and rates in illness/injury or fatalities caused by violence
- Measure improvement based on lowering frequency and severity of workplace violence

# In Summary

- Risk Evaluation
- WPVPP ( $\geq 20$  employees, must be written)
  - List of Risk Factors
  - Control Methods
- Information and Training
  - Initial Assignment
  - Annually Thereafter

# Additional Resources

- NYS DOL Safety and Health website
  - [http://www.labor.state.ny.us/workerprotection/safetyhealth/DOSH\\_INDEX.shtm](http://www.labor.state.ny.us/workerprotection/safetyhealth/DOSH_INDEX.shtm)
- NIOSH
  - <http://www.cdc.gov/niosh/injury/traumaviolence.html>
- FBI
  - <http://www.fbi.gov/publications/violence.pdf>