



Orange County Community College

Workplace Violence Prevention Program

In Case of Immediate Danger:
Call 911

October 2023

INTRODUCTION

New York State has enacted Article 2 Section 27-b of the New York State Labor Law entitled The Workplace Violence Prevention Act for Public Employees. Within the Department of Labor this regulation is known as Code Rule 800.6. It requires public employers with 20 or more employees to develop and implement a written program to prevent and minimize the hazards of workplace violence.

What is Workplace Violence?

The Department of Labor Code Rule, 12 NYCRR PAR 800.6, defines workplace violence as “any physical assault, threatening behavior, or verbal abuse occurring where the public employee performs any work-related duty in the course of his or her employment”.

Workplace Violence is not just limited to co-worker to co-worker, but can be categorized as follows:

Type I Criminal Intent: Violent acts by non-employees who have no other connection with the workplace but enter to commit robbery or some other crime.

Type 2 Customer/Client: Violent acts directed at employees by customers, clients, or others with whom the employer conducts business or to whom the employer provides a service.

Type 3 Co-Worker: Violence against coworkers, supervisors, or managers by a present or former employee, or between employees.

Type 4 Personal: Violence in the workplace by someone who is not an employee, but has a personal relationship with the employee. This includes domestic violence situations and is usually perpetrated by an acquaintance or family member while the employee is at work.

Orange County Community College has developed a Workplace Violence Prevention Program to address these types of violence with these goals in mind:

- **Reduce the potential for violence in the workplace.**
- **Provide training to better prepare employees to deal with violence in the workplace, should it occur.**
- **Encourage respect and healthy conflict resolution.**

THE WORKPLACE VIOLENCE PREVENTION PROGRAM

Key Elements:

- 1) The Workplace Violence Prevention Policy
- 2) The Risk Evaluation and Determination
- 3) Hazard Control
- 4) The Workplace Violence Prevention Program
- 5) Employee Training
- 6) Recordkeeping and Recording of Workplace Violence Incidents

Most importantly, management commitment, employee involvement, and evaluation of the program annually, must be integral parts of the program. These elements, and the objectives and goal of our program, are reflected in the Workplace Violence Prevention Policy Statement that follows.

**ORANGE COUNTY COMMUNITY COLLEGE
WORKPLACE VIOLENCE PREVENTION POLICY
POLICY STATEMENT**

ORANGE COUNTY COMMUNITY COLLEGE ("COLLEGE") HAS DEVELOPED THIS POLICY TO PROMOTE THE SAFETY AND WELL-BEING OF ITS EMPLOYEES. THREATS, THREATENING BEHAVIOR AND ACTS OF VIOLENCE AGAINST EMPLOYEES BY OTHER COLLEGE EMPLOYEES, CONTRACTUAL WORKERS, VISITORS, VENDORS, RELATIVES OR OTHER THIRD PARTIES ON COLLEGE PREMISES, WILL NOT BE TOLERATED.

IN THE EVENT THAT AN EMPLOYEE IS IN A SITUATION OF IMMEDIATE DANGER, CALL 911 IMMEDIATELY.

THIS POLICY IS TO BE SHARED WITH AND MADE AVAILABLE TO ALL EMPLOYEES. THE COLLEGE WILL CONTINUALLY DEVELOP ITS WORKPLACE VIOLENCE PREVENTION PROGRAM AND TRAINING WILL BE PROVIDED ANNUALLY ON ISSUES RELATED TO INCREASING WORKPLACE SAFETY AND REDUCING WORKPLACE VIOLENCE.

IT IS THE RESPONSIBILITY OF EACH COLLEGE EMPLOYEE WHO HAS BEEN SUBJECT TO OR WITNESSED A WORKPLACE VIOLENCE INCIDENT BY ANOTHER COLLEGE EMPLOYEE OR NON-EMPLOYEE TO REPORT SUCH BEHAVIORS. THE COLLEGE'S COMPLAINT PROCEDURE IS SET FORTH HEREIN.

IT IS THE RESPONSIBILITY OF EVERY COLLEGE EMPLOYEE TO TAKE ANY THREAT OR VIOLENT ACT SERIOUSLY AND TO REPORT SUCH THREATS TO APPROPRIATE PERSONNEL AS SET FORTH IN THIS POLICY. EACH MEMBER OF MANAGEMENT IS RESPONSIBLE FOR CREATING AN ATMOSPHERE FREE OF VIOLENCE. EMPLOYEES ARE RESPONSIBLE FOR RESPECTING THE RIGHTS OF THEIR COWORKERS.

ALL INCIDENTS OF VIOLENCE SHALL BE INVESTIGATED PROMPTLY AND THOROUGHLY, AND THE NATURE OF THE COMPLAINT KEPT CONFIDENTIAL TO THE EXTENT REASONABLY POSSIBLE TO CONDUCT A THOROUGH INVESTIGATION. RETALIATION AGAINST ANY EMPLOYEE FOR FILING A GOOD FAITH COMPLAINT OR PARTICIPATING IN AN INVESTIGATION IS STRICTLY PROHIBITED.

The College Policy as enacted by the Board of Trustees on March 2008 is as follows:

Pursuant to the Workplace Violence Protection Act, the College is committed to creating and maintaining a working and learning environment where violence or threats directed toward any member of or visitors to the College community are not tolerated. Additionally, the College regularly evaluates risk factors for workplace violence on campus and in College buildings and facilities.

The College prohibits violent acts and threats of violence. Students, employees and visitors to the campus who commit or threaten to commit acts of violence are subject to disciplinary action and/or civil or criminal prosecution as appropriate. For purposes of this policy, violence and threats of violence include, but are not limited to: any physical assault, any physical or verbal threat, or behavior or action which is interpreted by a reasonable person to carry the potential:

- To harm or endanger the safety of others
- To result in an act of aggression
- To willfully destroy or damage property

If an individual is subject to violent acts or threats of violence, or believes that a serious violation of the College's violence prevention policy exists, a supervisor or any member of College administration should be contacted. No retaliation shall be taken against any employee who reports an alleged serious violation of the College's workplace violence policy.

This policy is applicable to all College employees, students, vendors and their employees, campus visitors, volunteers and College-affiliated individuals.

DEFINITIONS OF VIOLENCE

Workplace violence refers to physical assaults or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including but not limited to:

- 1) An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- 2) Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- 3) Intentional and wrongful physical contact with a person without his or her consent that entails some injury;
- 4) 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.

Verbal behavior includes the use of other methods of communication such as, but not limited to, emails, written comments, phone calls, texting, or use of other paper or electronic equipment.

Imminent danger refers to a situation such that a danger exists which could reasonably be expected to cause serious physical harm or death immediately or before the imminence of such danger can be eliminated through the procedures referred to herein.

Prohibition on Possession of Firearms or Weapons

Employees are prohibited from possessing or using firearms or weapons while on College property, unless the employee is a certified law enforcement officer or is required to carry weapons as a part of the employee's job duties.

PREVENTION AND ASSESSMENT

A Worksite Evaluation Committee was established to conduct evaluations of all of the College's worksites, so that the analysis could be used as the basis for formulating a Workplace Violence Prevention Program.

The Worksite Evaluation Committee was composed of representatives from CSEA, Staff Chair and Faculty Associations and the Department of Human Resources and Security. Input was received from Department Heads and/or representatives from their departments.

The College's Workplace Violence Prevention Program is a result of site assessments, analysis of workplace practices, and ongoing risk evaluation. It is designed to minimize the risk of violence in the workplace and maintain an informed workforce. It identifies risk factors, work practice controls and policies to help keep employees safe, guidelines to be used for reporting workplace incidents, and recordkeeping procedures. The Program will be available to all, and annual training will be provided. Both will be reviewed and updated annually.

Reports of incidents involving workplace violence will be investigated according to the procedure described below. An annual review of such reports will be made to help identify trends in behavior and evaluate the effectiveness of responses to the complaints.

COMPLAINT PROCEDURE

REPORTING AN INCIDENT

Employees who believe they have been subject to or witnessed a workplace violence incident should report it to their supervisor or Department Head, as soon as possible, so that the incident may be investigated, corrected, and resolved in a timely manner. Upon receipt of a complaint, the supervisor or Department Head with whom the complaint is filed shall notify the AVP for Human Resources.

An incident may be reported by submitting an Incident Report Form (attached) or by submitting a signed letter which includes as much of the following information as possible:

- (a) Workplace location where incident occurred;
- (b) Time of day/shift when incident occurred;
- (c) A detailed description of the incident, including events leading up to the incident and how the incident ended;
- (d) Name and job title of employee(s) involved;

- (e) Name or other identifier of other individuals involved;
- (f) Nature and extent of injuries arising from the incident; and
- (g) Names of witnesses

Employees who do not feel comfortable reporting the incident to their supervisor or Department Head may report the incident, in writing, to the AVP of Human Resources.

Incidents may also be reported verbally, however this practice, along with unsigned or incomplete Incident Report Forms, may hinder an investigation and/or prevent the College from resolving employee concerns.

In the case of imminent danger to an employee or worksite, 911 should be called first and a written report submitted thereafter.

INVESTIGATION OF AN INCIDENT

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on College property, may be removed from the premises as quickly as safety permits and shall remain off College premises pending the outcome of the investigation.

The College is committed to undertaking a prompt and thorough investigation of complaints of workplace violence. Confidentiality shall be maintained to the extent reasonably possible. When or if appropriate, law enforcement may be involved.

RESOLUTION OF AN INCIDENT

If, following the investigation, it is determined that an employee has committed workplace violence as defined herein, disciplinary action, as per the established collective bargaining agreement, up to and including termination, where applicable, may be taken against the offending employee. Other appropriate action may also be taken against the employee, depending on the circumstances. If someone other than an employee commits an act of violence as defined herein, appropriate steps will be taken.

NO RETALIATION

The College will not tolerate, and will not itself take, any form of retaliatory action against any employee who utilizes or participates in this procedure, subject to the Bad Faith provision set forth below.

BAD FAITH

If, after the investigation, it is determined that a complaint of workplace violence was made in bad faith, or that any employee knowingly provided false information regarding the incident, disciplinary action, as per the established collective bargaining agreement, up to and including termination, where applicable, may be taken against the offending employee. If someone other than the employee filed a complaint of workplace violence that was determined to be made in bad faith, or knowingly provided false information regarding the incident, appropriate steps will be taken.

Risk Evaluation and Determination

An assessment of SUNY Orange worksites was conducted in October 2023 to identify possible risks of violence in the workplace. The worksite evaluation committee included: Authorized employee representatives, a member of Safety & Security and a member of the Human Resources department. The committee assessed an estimated 33 worksites within 15 buildings.

A copy of the Worksite Evaluation Checklist that was used to assess each worksite may be found in Appendix A. This checklist allowed the committee to focus on and evaluate engineering controls, facility controls, work practice controls, settings and set ups, and policies and practices that were in place.

The following security factors were considered:

- Visibility and lighting
- Working in isolated areas
- Working early morning or late night hours
- Employees working alone
- Methods of entry – door locks, buzzers, key cards, alarms, open access
- Configuration – buildings, departments, restrooms, open to the public
- Cash collection and visibility
- How cash is transported to banks/other departments
- Contact with the public
- Presence of security
- Working with difficult employees and customers

Prevention Control Measures

The worksite evaluation committee analyzed risk evaluation data in order to identify control methods that might increase safety at the worksites and reduce workplace violence. After meeting with the authorized employee representatives who participated in the assessments, a list was developed. It included methods that could be implemented within a short time frame; methods that involved research, budgeting, and planning; and changes to Department and/or College policies and practices.

Short Term Facility, Engineering and Work Practice Controls:

- Desks cleared of all potentially harmful objects – reiterated to the staff the importance of keeping sharp objects off of their work areas.
- Emergency procedure red flip cards were posted at all worksite locations and classrooms.
- One stop employees request security presence at closing times. Security personnel will be assigned as requested.
- During the fall of 2023 the Director of Safety & Security and NYS Homeland Security & Emergency services conducted a safety presentation to address individual concerns of employees and students regarding their safety on campus.
- One shelter-In-Place drill exercise was conducted on 10/26/2022. The purpose of the drill exercise was conducted to test all notification tools, NY Alert, Alertus, BRG interior and exterior speakers and social media tools, Facebook and Twitter. All notifications were deemed operational. All participants, employees and students fully cooperated in sheltering in place.
- Conducted a campus wide test of the Emergency Notification Systems on 10/17/2023. All systems were operational.

Controls That Require Further Research, Planning and/or Budgeting:

Enhanced Policies and Practices

Ensure that all employees are familiar with Evacuation Plans and workplace violence prevention program. At our site visits, we asked those present, if they knew where the evacuation plans were posted and did they have a way out of their area in case of an emergency.

Security presence is still a concern of some staff, especially during educational breaks. Security continues to review security staff schedules to ensure adequate coverage and patrols through all buildings.

During the Safety Presentations, the Director of Safety spoke to personal safety during the evening hours and made known that security can provide an escort to their cars at night or whenever they need their presence.

Review of Past Incidents

There were no incidents of WPV reported within this academic year.

Hazard Control Methods

Additional Hazard Control Actions

Follow up meetings will be conducted to review the status, implementation, and evaluation of the above, feedback from employees, updates that have been received, and additional incidents if they occur.

Procedures have been implemented for annual review and evaluation of the workplace violence prevention program, the incident review log for the year, and feedback from departments as to the program and its results.

Workplace Violence Prevention Training

All employees will receive training at the time of hire and annually thereafter. The training is meant to educate employees on the issue of workplace violence, enable them to recognize and avoid potential harm, and know how to proceed should they encounter danger. As of this writing, 740 employees completed the Workplace Violence Awareness and Prevention online training program. It includes:

I. Review of the Workplace Violence Prevention Program Policy

a. Definition of Workplace Violence

b. Commitment to Zero Tolerance of Violence in the Workplace

c. Review of the Policy Statement:

1. key definitions
2. delineation of responsibilities
3. complaint procedure
4. incident report follow up

d. Review of the Workplace Violence Prevention Program

1. worksite assessment results
2. hazard controls

II. Review of Violence in the Workplace

1. types of violent behavior
2. recognizing and avoiding violent behavior
3. methods to protect oneself
4. emergency procedures
5. group discussion
6. employee survey of their workplace

Procedures When an Incident Occurs

As soon as safety permits, per the Workplace Violence Prevention Policy, the following steps should be taken. The incident should be reported to the Department Head or supervisor in charge so that information can be gathered, an investigation can take place, Human Resources can be notified, and an Incident Report Form can be completed.

If there is immediate danger of injury:

*****911 should be called first*****

Specific procedures are identified in the College's Emergency Management Plan, located on the College website under Safety & Security Department.

HOW WE WILL PROCEED

Recordkeeping

Incident Reports should be forwarded to Human Resources, where they will be maintained, and reviewed periodically as to patterns and types of occurrences, services or treatment required, training possibly needed, and worksite controls to possibly implement.

Records will be filed by department so that review as to number and type of occurrences is possible. Workers Compensation records and reports made on the basis of Labor Law 27-a will also be reviewed.

Review and Update of Program

The college has reviewed our workplace violence program and has determined that we are in compliance with the current mandates.

The College continues to be committed to moving forward with the policies, procedures and resolutions set forth in this document.

The workplace violence prevention program, the current training program and control methods that are to be put in place will be evaluated and updated annually. Feedback will be collected from a Program Review Committee, from employees via a survey, and from Department Heads.

**Orange County Community
College
Workplace Violence Prevention Program**

APPENDIX

**Appendix A Orange County Community College Worksite
Evaluation Checklist**

Appendix B Incident Report Form

Workplace Violence Site Visit

Date: _____ Building: _____ Area: _____

Those in attendance: HR: _____ Security: _____ CSEA: _____

Faculty: _____ Staff & Chair _____ **Circle note taker**

	YES	NO	DNK
Are there obstructed office exits?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is there a reception area available?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do visitors sign in/out?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do counters separate customers from work area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is there more than one entrance to enter department?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the access doors monitored?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are ID badges used?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the red security flip cards posted in an easily visible spot?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are there any exterior entrances to the department?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If so, are the exterior entrances obstructed (i.e. bushes)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ASK: Do you know the posted location of the current evacuation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did your supervisor review the WPV Prevention annual survey?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are desks clear of potentially dangerous objects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS FROM SITE EVALUATORS:



INCIDENT REPORT

Staff/Faculty-Department _____ Supervisor _____

Student FT _____ PT _____ Lab School _____ Other _____

Name _____ DOB (Students only) _____ SS# (Students only) xxx-xx-

Parent or legal guardian (if individual is under 18 years old) _____

Address _____ Telephone (____) _____

(Street)

(City & State)

(Zip code)

Date and time of incident _____ Date and time reported _____ Time began shift _____

Location of incident _____ Reported to _____

Type of incident _____

Activity involved in when incident occurred _____

Above named individual's description of incident _____

Responder's description of accident – (Please note: who, what, when, where, why, how, precise location, relevant surface conditions, footwear, hazards, medical history, medications taken, PPE use, safety precautions, weather, personal factors, etc. observed by individual completing this report.) _____

Witnesses _____

Assessment of injury _____

Treatment/Medical Referral _____

Report Completed by _____ / _____

(Print name)

(Signature)

Person in charge of activity _____

Signature required for student, staff and faculty incidents:

I have read the above report and attest to its accuracy.

Signature _____ Date _____

(All data in this report is confidential. Copies of this report are to be sent to Director of Facilities; Director of Safety and Security, and for employee incidents, to the respective department head and to Human Resources. Original reports are kept on file in Health Services.)