

Town of Thurston Workplace Violence Prevention Policy Statement

The safety and security of our employees is very important to the Town of Thurston. This policy is designed to meet the requirements of the NYS Labor Law 27b and highlights some of the elements that are found within our local Workplace Violence Prevention Program. Threats, threatening behaviors, or acts of violence against employees, visitors, guests, or other individuals on Town of Thurston property will not be tolerated. Acts of violence occurring where an employee performs any work-related duty in the course of his or her employment will not be tolerated.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on Town of Thurston property will be removed from the premises as quickly as safety permits and shall remain off Town of Thurston premises pending the outcome of the investigation. The Town of Thurston's response to an incident of violence may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, disciplinary action up to and including termination of employment, and the criminal prosecution of those involved.

Town of Thurston employees are responsible for notifying their supervisor or any town board members of any threats they have witnessed, received, or have been told that another person has witnessed or received. Employees should also report behavior they regard as threatening or violent if that behavior is job-related or might be carried out on a job site. Any actions considered by the employee to be an immediate danger to life and health should be reported to law enforcement by dialing 911.

An employee who applies for or obtains a protective or restraining order that lists the Town of Thurston as a protected area must provide a copy of the petition and declarations used to seek the order and a copy of the temporary or permanent protective or restraining order that was granted. The Town of Thurston Workplace Violence Prevention Policy has confidentiality procedures that recognize and respect the privacy of the reporting employee(s).

The Town of Thurston, along with an authorized employee representative will conduct an annual risk evaluation of employees work environment. An authorized employee representative will have an ongoing role in participating in the evaluation process and recommending methods to reduce or eliminate the hazards identified during the evaluation process. The Employee is responsible for analyzing the risk evaluation data to determine appropriate control measures that will prevent or reduce workplace violence. All employees will participate in the annual Workplace Violence Prevention Training Program.

Workplace Violence Prevention Policy Town of Thurston, New York

PURPOSE: The Town of Thurston is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our municipality, employees, and customers. Threats, threatening behavior, or acts of violence against employees, customers, or other individuals by anyone on Town of Thurston property will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other, as well as for other Town residents, following all policies, procedures, and program requirements, and for assisting in the maintaining of a safe and secure work environment.

The Town of Thurston is also committed to protecting all people from violence or the threat of violence against employees, customers, Town residents, or vendors. No Town of Thurston employee may use violence or the threat of violence while performing work, conducting business, or visiting Town of Thurston premises. All employees will participate in the annual Workplace Violence Prevention Training Program.

POLICY: The Town of Thurston has a strong commitment to its employees to provide a safe, healthy, and secure work environment. The Town expects employees to maintain a high level of productivity and efficiency. The threat of violence, occurrence of violence and presence of unlawful possession of weapons in the workplace during work hours is inconsistent with these objectives. The Town expects all employees to report to the work site without unlawfully possessing weapons and to perform their job without violence toward any other individual. Likewise, employees will perform their jobs without being subject to workplace violence.

SCOPE OF POLICY: This policy applies to all Town of Thurston employees and all personnel in a contractual or other business relationship with the Town, including, for example, applicants, temporary or leased employees, independent contractors, vendors, consultants, volunteers, and visitors. Depending on the extent of the Town's exercise of control, this Policy may be applied to the conduct of non-employees with respect to the treatment of Town employees in the workplace. This Policy applies with equal force on Town property as it does at Town-sponsored events, programs, and activities which may take place off Town of Thurston premises.

POLICY OBJECTIVES: By adopting and publishing this Policy, it is the intention of the Town of Thurston to:

1. Provide safety education for employees so they know what conduct is not acceptable, what to do if they witness or are subjected to workplace violence, and how to protect themselves.
2. Inform employees about notification procedures established by the Town of Thurston which enable any employee who believes he or she is a victim of workplace violence to submit a complaint which will be investigated by the Town.
3. Secure the workplace with appropriate lighting.
4. Where applicable, limit the amount of cash on hand.
5. Instruct employees not to enter any location where they feel unsafe.
6. Take threats seriously. Respond to threats by individuals. Call 911 where there is threat of bodily harm.

EXAMPLES OF PROHIBITED ACTIVITIES: The Town of Thurston specifically prohibits the following and will routinely discipline an employee, up to and including termination, for any of the following:

1. Verbal or physical threats, threatening gestures, or statements
2. Fighting
3. Bullying
4. Unlawful use and unlawful possession, or sale of any weapon
5. Unlawful possession of a weapon in a desk, locker, vehicle, lunch box, tool kit, bag, purse, or any unlawful concealing of a weapon on the work site of any other Town location

6. Refusing to participate in an investigation pertaining to allegations or suspicion that violence has or is likely to occur
7. Refusing to sign a statement to comply with the Town's Police on Workplace Violence
8. Refusing to participate in the annual Workplace Violence Prevention Training Program

EXAMPLES OF PROTECTED ACTIVITY: Includes, but may not be limited to:

1. Complained or reported a problem with discrimination, including sexual harassment and all other categories of discrimination such as race, national origin, age, gender, pregnancy, disability or religion.
2. Complained or reported safety issues
3. Requested accommodation of a disability
4. Filed workers compensation claim
5. Served as a witness at an unemployment hearing
6. Was a whistleblower
7. Refused to violate the law or a code of ethics
8. Sued the Town of Thurston under certain laws such as the discrimination laws, whistleblower laws, and benefit-related laws
9. Any good faith communication that discloses or demonstrates an intention to disclose information that may evidence either an improper government activity or any condition that may significantly threaten the health or safety of employees or the public if the disclosure or intention to disclose was made for the purpose of remedying that condition

PROHIBITION AGAINST RETALIATION: Retaliation is strictly prohibited as noted in the Non-Retaliation Policy for the Town of Thurston. Complaints of retaliation should be brought directly to a Department Supervisor or the Town Board.

PROCEDURES: Note that the confidentiality of the employee making the good faith disclosure will be maintained, unless it becomes necessary to disclose their identity in order to conduct a thorough investigation, to comply with the laws, and to provide the accused individual(s) their legal rights of defense. All reports of illegal and dishonest activities should be promptly submitted to the supervisor or town board. At any time before the complaint is fully resolved, the complainant may submit a request to the responsible supervisor or town board to take interim actions to protect the complainant against any adverse action. The Department in which the employee is working is responsible for investigating and coordinating any corrective action.

DEFINITIONS:

1. *Crime of Violence or Violence:* Includes any degree of murder, voluntary manslaughter, aggravated rape, rape, mayhem, especially aggravated robbery, robbery, burglary, aggravated assault, assault, physical or verbal threats and battery.
2. *Weapon:* Includes an explosive or an explosive weapon, a machine gun, a short-barrel rifle or shotgun, unlawful possession of a handgun, a firearm silencer, a switchblade knife or any other type of knife or knuckles, or any other implement for infliction of bodily injury, serious bodily injury, or death that has no common lawful purpose.
3. *Bullying:* Workplace bullying is the repeated less favorable treatment of a person by another or others, which may be considered unreasonable and inappropriate workplace practice. Workplace bullying is behavior that can intimidate, offend, degrade or humiliate an employee.
4. *Work Site:* Includes all Town of Thurston property owned or operated by the Town or in a Town vehicle.
5. *Reporting:* An employee who witnesses an incident of violence or threatening language or conduct must promptly report the incident to his or her supervisor or to the Town Board.
6. *Discipline:* An employee who violates this Policy by engaging in violent conduct or possessing unlawfully a concealed weapon in the workplace may be subject to discipline, up to and including reprimand, fine, suspension, demotion, or termination.

EFFECTIVE DATE AND POLICY DISSEMINATION: The effective date of this Policy shall be February 15, 2012. The Town of Thurston shall ensure that this Policy is adequately disseminated and made available to all employees of the Town. In addition, copies of this Policy shall be posted on the employee bulletin board and posted on the town web site.