

Bedford Village Fire District Workplace Violence Prevention Program and Policy

Adopted October 12, 2020

At a meeting of the Board of Fire Commissioners of the Bedford Village Fire District, held at 34 Village Green, Bedford, NY, on the 12 day of October 2020, established a Workplace Violence Prevention Program and Violence Prevention Policy.

THE BEDFORD VILLAGE FIRE DISTRICT WORKPLACE VIOLENCE PREVENTION PROGRAM AND POLICY

Purpose

The purpose of this Workplace Violence Prevention (“WVP”) Program is to ensure that the risk of workplace violence is evaluated by the Bedford Village Fire District (“the District”) and further, that the District design and implement a written workplace violence protection program to prevent and minimize the hazard of workplace violence to its public employees. These actions shall be consistent with applicable law, including New York State Labor Law § 27-b.

Policy

The District has issued a Workplace Violence Policy, attached hereto as Appendix A. A copy of said Policy will be provided to every employee at the time of their initial assignment and annually thereafter. Employees may obtain additional copies from the District Secretary upon request.

Responsibility

The WVP Program Administrator is the Bedford Village Fire District Secretary, and s/he has the authority and responsibility for implementing the provisions of this program for the District. All managers, supervisors and employees are responsible for reading and understanding the District’s WVP Policy and Program and implementing and maintaining the WVP Program in their work areas. All managers and supervisors are responsible for answering employee questions about the WVP Policy and Program.

Risk Evaluation and Determination

The District has established a WVP Group to assess the vulnerability to workplace violence of District employees and reach agreement on preventive actions to be taken. The WVP Group will periodically evaluate the District’s workplace(s) to determine the presence of factors or situations in such workplace(s) that might place employees at risk of workplace violence, including occupational assaults or homicides. See Risk Assessment Tool, attached hereto as Appendix B. In addition, the WVP Group periodically will update and review the following workplace violence reports and records:

- Note: care will be taken to ensure appropriate confidentiality of medical and personnel records, as required by federal and state law and other applicable regulations and policies.*

Title: Chief of the Department Phone: 914-234-3133

1. The following factors or situations may exist which may place employees at risk of workplace violence:
 - a. Working in public settings (e.g., firefighters, emergency medical technicians, District personnel)
 - b. Working late night or early morning hours
 - c. Exchanging money with the public
 - d. Working alone or in small numbers
 - e. Uncontrolled access to the workplace
 - f. Areas of previous security problems
2. The methods the District will use to prevent incidents of workplace violence at such workplace(s) including but not limited to:
 - a. Making high risk areas more visible to more people
 - b. Utilizing good external lighting wherever possible
 - c. Providing training in conflict resolution and nonviolent self-defense responses
 - d. Establishing and implementing reporting systems for incidents of aggressive behavior.

The District will provide its employees with the following information and training on the risks of workplace violence in their workplace(s) at the time of their initial assignment and annually

thereafter: a copy of the District's Workplace Violence Prevention Policy, and a copy of the District's Workplace Prevention Program. Copies also shall be made available upon request to designated representatives of an employee.

The District will provide employee training on the risks of workplace violence. Each training will include at a minimum:

1. The requirements of New York State Labor Law § 27-b
2. The location of the District's Workplace Violence Prevention Program
3. The details of the District's Workplace Violence Prevention Program
4. The risk factors in the workplace(s)
5. The measures employees can take to protect themselves from such risks; including specific procedures the employer has implemented to protect employees, such as appropriate work practices, emergency procedures, and use of security alarms and other devices.

Record Keeping and Reporting

The District complies with New York State Labor Law § 27-a (Public Employer Safety and Health Act) and NYCRR Part 801, which require an employer to record an employee workplace violence injury if it results in death, days away from work, restricted work, transfer to another job, or medical treatment beyond first aid and loss of consciousness. The District will utilize accident and illness record keeping information to ensure that its WVP Program is as effective as possible. The District is also required to report employee workplace violence related fatalities and multiple hospitalizations to the New York State Department of Labor's Public Employee Safety and Health Bureau within 48 hours of the incident (NYCRR Part 801).

THE BEDFORD VILLAGE FIRE DISTRICT WORKPLACE VIOLENCE POLICY

- 1. Purpose**
- 2. Policy**
- 3. Definitions**
- 4. Weapons**
- 5. Prohibited Activities**
- 6. Notification and Reporting**
- 7. Restraining and Protective Orders**
- 8. Confidentiality**
- 9. District's Response to Threats and Violence**
- 10. Retaliation**
- 11. Coverage**
- 12. Designated Contact Person**

Appendix A

THE BEDFORD VILLAGE FIRE DISTRICT WORKPLACE VIOLENCE POLICY

1. Purpose

To define the policy of the Bedford Village Fire District that all employees have the right to work in an environment free from physical violence, threats and intimidation.

2. Policy

The safety and security of all our employees is of utmost importance to the Bedford Village Fire District ("the District"). The District will not tolerate workplace violence of any type, from any source. This includes, but is not limited to, threats, threatening and abusive behavior, or acts of violence against (a) employees, visitors, users of our facilities or other individuals, or (b) District buildings, equipment, or property. In addition, weapons of any kind are prohibited in the workplace, unless specifically authorized (see Section 4 below for exceptions).

3. Definitions

3.1 Violence or threats: Prohibited acts of workplace violence include but are not limited to threats, intimidation, physical attack or property damage.

- **Threat:** the expression of intent to cause physical or mental harm. Such an expression constitutes a threat without regard to whether the person communicating the threat has the ability to carry it out, and without regard to whether the threat is made on a present, conditional or future basis. In determining whether the conduct constitutes a threat, including whether the action causes a reasonable apprehension of harm, the District will consider the totality of the circumstances.
- **Physical attack:** unwanted or hostile physical contact such as hitting, pushing, kicking, shoving, throwing of objects or fighting.
- **Intimidation:** includes but is not limited to stalking or engaging in actions, either verbal or physical, which frighten or coerce.
- **Property damage:** intentional damage to or destruction of property owned by the District personnel, persons contracted by the District, seasonal and part-time District employees, volunteers, customers, and anyone else on District property.

Other examples of violence include but are not limited to:

- Stalking another employee.
- Distributing "hate" literature or engaging in other communication that advocates violence.

- Any behavior that would qualify under the District's **Harassment/Discrimination** Policy including but not limited to threatening phone calls, e-mails, letters, stalking, and/or suggestions or intimation of violence.
- Being in possession of weapons on District property, including private vehicles in District parking lots or in District vehicles, unless specifically authorized (see Section 4 below for exceptions).

3.2. Weapon: includes a device instrument, material or substance which is used for, or can cause death or bodily injury, or damage to property. Weapons include, but are not limited to: an explosive or an explosive weapon, a device principally designed, made or adapted for delivering or shooting an explosive weapon, a machine gun, a rifle or shotgun, a handgun, a firearm silencer, a switchblade knife or any other type of knife, or brass knuckles, or any other implement for infliction of bodily injury, damage to property, or death, which has no common lawful purpose. Pocket knives or knives used solely for eating, food preparation, distribution, or in the course of normal employment, are not considered "weapons" for purposes of this policy unless used to inflict bodily injury or property damage.

3.3. On the worksite/in the workplace: includes all real property owned or occupied by the District, District vehicles and personal vehicles when performing District business off District property.

3.4 Reasonable suspicion: the degree of knowledge sufficient to induce an ordinarily prudent and cautious person to believe that the circumstances being presented are more likely to be true than not. Reasonable suspicion must be based on an articulatory, specific and objective basis, and may include direct observation, or information received from a source believed to be reliable.

3.5 Employee: for purposes of this policy, persons receiving a payroll check, contractors and volunteers.

3.6 Possession: Includes but is not limited to, the presence of a weapon on the employee, in his/her motor vehicle, desk, lunch box, locker, toolkit, bag, purse, cabinets, office, etc.

4. Weapons

Despite laws which provide for permits allowing individuals to carry concealed handguns (New York State Penal Law Article 400), it is the District's policy to prohibit the possession of all weapons, including handguns, on property owned, operated or under the control of the District. Weapons of any kind are prohibited in the workplace. The only exceptions to this prohibition are as follows:

- Firearms used for instructional or District sanctioned ceremonial purposes.
- Persons employed in the Army, Air Force, Navy, Coast Guard or Marine Service of the United States or any member of the New York National Guard when in the discharge of their official duties and acting under orders requiring them to carry arms or weapons.

- Civil officers of the United States in the discharge of their official duties.
- Officers and soldiers of the militia and the National Guard when called into actual service.
- Officers of the state, or any county, city or town, charged with the enforcement of the laws of the state, when in the discharge of their official duties.
- Any registered security officer/guard who meets licensing requirements, who is discharging such officer's official duties.
- Any law enforcement officer, police officer, or bonded and sworn deputy sheriff may carry handguns always pursuant to a written directive by the executive supervisor of the organization to which the person is attached or employed, despite the person's regular duty hours or assignments.

5. Prohibited Activities

The District specifically prohibits the following, and may discipline an employee up to and including dismissal for any of the following:

- 5.1** Use, possession, or sale of any weapon on the work site.
- 5.2** Storing any weapon in a motor vehicle, desk, lunch box, locker, toolkit, bag, purse, cabinets, office or other repository on the worksite.
- 5.3** Refusing to submit to an inspection for the presence of a weapon based on reasonable suspicion.
- 5.4** Refusing to allow inspection of storage areas specified in 5.2 above based on a reasonable suspicion that a weapon or weapons will be found in such an area.
- 5.5** Engaging in violence or threats of violence.

6. Notification and Reporting

All District personnel are responsible for notifying the contact person designated below of any threats or violence that they witness or receive or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior they have witnessed that they regard as being potentially threatening or violent or which could endanger the health or safety of an employee when the behavior might be or has been carried out on a District-controlled drill or duty site or is connected to District employment or District business. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened.

7. Restraining and Protective Orders

An employee who applies for or obtains a protective or restraining order that lists District properties or locations as protected areas must provide to the designated contact person listed below a copy of the petition and declarations used to seek the order and a copy of any temporary or permanent protective or restraining order that was granted.

8. Confidentiality

The District understands the sensitivity of the information requested and has developed confidentiality procedures that recognize and respect the privacy of the reporting employee. Note that we cannot promise absolute confidentiality because we may have to report this to a law enforcement agency, other governmental agency, etc. However, we will maintain the anonymity of the reporting employee when at all possible.

9. District Response to Threats and Violence.

In the event a complaint or concern arises with regard to compliance with this policy, the District will promptly conduct an investigation to determine the validity of the complaint and what, if any, corrective action should be taken to resolve the matter and promote a violence-free workplace.

Depending on the seriousness of the allegation(s) and other factors that the District deems relevant, such as security concerns, potential disruptions, etc., any person who makes threats, exhibits threatening behavior, or engages in violent acts on District property shall be removed from the premises as quickly as safety permits and shall remain off District premises whether or not he or she is suspended, placed on administrative leave or taking a leave of absence pending the outcome of an investigation. However, the District shall not act arbitrarily when deciding whether to remove an individual.

Following investigation which indicates this policy was violated, the District will initiate an immediate and appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship. District employees may be subject to reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person or persons involved. Other corrective action might include: coaching, counseling, mediation, other disciplinary action, transfer or demotion, reaffirmation of the policy, individualized or group training, etc.

10. Retaliation.

The Bedford Village Fire District respects the right of employees to raise concerns regarding violent activities and cooperate with necessary investigations. Retaliation against employees who report violence or participate in investigations is strictly prohibited. "Retaliation" is broadly construed. It includes not only overt retribution, but also acts such as refusal to communicate, or cooperate regarding work-related matters, withholding information or assistance needed to perform one's job, more closely scrutinizing an employee's work performance, etc.

An employee who feels (s)he has been retaliated against for reporting violence or participating in an investigation should promptly report the retaliation to his/her immediate supervisor. If the employee,

for any reason, feels uncomfortable reporting the alleged retaliation to his/her immediate supervisor, the employee may report to the Secretary of the Fire District, or the Fire Chief.

11. Coverage

The District may from time to time modify this policy to comply with future state and/or federal legislative action. In the event the policy is revised, a copy of the revised policy will be provided to each employee.

12. Designated Contact Person

Name: Secretary, Bedford Village Fire District


Title: Secretary of the Bedford Village Fire District, or Chief of the Fire Department

Department: Bedford Village Fire District

Phone: 914-234-3133

Location: Fire Headquarters 34 Village Green, Bedford, NY 10506-0230

Dated: October 12, 2020


Heather Feldman, Chair


Angela Sour, Secretary

**BOARD OF FIRE COMMISSIONERS
BEDFORD VILLAGE FIRE DISTRICT
Post Office Box 230
34 Village Green
Bedford, New York 10506-0230**

Appendix B

BEDFORD VILLAGE FIRE DISTRICT ASSESSMENT TOOL

Periodic inspections to determine and evaluate the risk of workplace violence are performed according to the following schedule:

- Semi-annually
- When we initially established our WVP Program
- When new, previously unidentified security hazards are recognized
- When occupational injuries or threats of injury occur
- Whenever workplace security conditions warrant an inspection

Periodic inspections for security hazards consist of identification and evaluation of workplace security hazards and changes in employee work practices and may require assessing for more than one type of workplace violence. The Town performs inspections for each type of workplace violence by using the methods specified below to identify and evaluate workplace security hazards.

Type 1: Inspections for workplace security hazards from violence by strangers include assessing:

- The exterior and interior of the workplace for its attractiveness to robbers.
- The need for security surveillance measures, such as mirrors or cameras.
- Posting or signs notifying the public that limited cash is kept on the premises.
- Procedures for employee response during a robbery or other criminal act.
- Procedures for reporting suspicious persons or activities.
- Posting of emergency telephone numbers for law enforcement, fire and medical services where employees have access to a telephone with an outside line.
- Limiting the amount of cash on hand and using time access safes for large bills.
- Minimizing and safe-guarding transfers of cash to bank
- Staffing levels during evening hours of operation and at other high-risk times.
- The use of work practices such as “buddy” systems, as appropriate, for identified risks (e.g., walking employees to their cars or mass transit stops at the end of the workday).
- Other: _____

Type 2: Inspections for workplace security hazards from violence by customers or clients include assessing:

- Access to and freedom of movement within, the workplace.
- Adequacy of workplace security systems, such as door locks, security windows, physical barriers and restraint systems.
- Frequency and severity of threatening situations that may lead to violent acts by persons who are service recipients of the District.
- Employees’ skill in safely handling threatening or hostile service recipients.

- Effectiveness of systems and procedures to warn others of a security danger or to summon assistance e.g. alarms or panic buttons.
- The use of work practices such as “buddy” systems, as appropriate, for identified risks (e.g., walking employees to their cars or mass transit stops at the end of the workday).
- Adequacy of lighting and security for designated parking lots or unlighted areas.
- The availability of employee escape routes.
- Other: _____

Type 3: Inspections for workplace security hazards from violence by coworkers include assessing:

- How well the District’s WVP Program has been communicated to employees, supervisors and managers.
- How well the District’s management and employees communicate with each other.
- How well our employees, supervisors and managers know the warning signs of potential workplace violence.
- Access to and freedom of movement within, the workplace by non-employees, specifically recently discharged employees.
- Frequency and severity of employee-reported threats of physical or verbal abuse by managers, supervisors or other employees.
- Any prior violent acts, threats of physical violence, verbal abuse, property damage or other signs of strain or pressure in the workplace.
- Employee disciplinary and discharge procedures.
- Other: _____

Appendix C

BEDFORD FIRE DISTRICT RISK ASSESSMENT TOOL

Periodic inspections to determine and evaluate the risk of workplace violence are performed according to the following schedule:

- Semi-annually
- When we initially established our WVP Program
- When new, previously unidentified security hazards are recognized
- When occupational injuries or threats of injury occur
- Whenever workplace security conditions warrant an inspection

Periodic inspections for security hazards consist of identification and evaluation of workplace security hazards and changes in employee work practices and may require assessing for more than one type of workplace violence. The District performs inspections for each type of workplace violence by using the methods specified below to identify and evaluate workplace security hazards.

Type 1: Inspections for workplace security hazards from violence by strangers include assessing:

- The exterior and interior of the workplace for its attractiveness to robbers.

- The need for security surveillance measures, such as mirrors or cameras.

- Posting or signs notifying the public that limited cash is kept on the premises.

- Procedures for employee response during a robbery or other criminal act.

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- Procedures for reporting suspicious persons or activities.
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- Posting of emergency telephone numbers for law enforcement, fire and medical services where employees have access to a telephone with an outside line.
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- Limiting the amount of cash on hand and using time access safes for large bills.
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- Minimizing and safe-guarding transfers of cash to bank
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- Staffing levels during evening hours of operation and at other high-risk times.
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- The use of work practices such as “buddy” systems, as appropriate, for identified risks (e.g., walking employees to their cars or mass transit stops at the end of the workday).
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- Other: _____
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Type 2: Inspections for workplace security hazards from violence by customers or clients include assessing:

- Access to and freedom of movement within, the workplace.
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- Adequacy of workplace security systems, such as door locks, security windows, physical barriers and restraint systems.

- Frequency and severity of threatening situations that may lead to violent acts by persons who are service recipients of the District.

- Employees' skill in safely handling threatening or hostile service recipients.

- Effectiveness of systems and procedures to warn others of a security danger or to summon assistance e.g. alarms or panic buttons.

- The use of work practices such as "buddy" systems, as appropriate, for identified risks (e.g., walking employees to their cars or mass transit stops at the end of the workday).

- Adequacy of lighting and security for designated parking lots or unlighted areas.

- The availability of employee escape routes.

- Other: _____

Type 3: Inspections for workplace security hazards from violence by coworkers include assessing:

- How well the District's WVP Program has been communicated to employees, supervisors, and managers.

- How well the District's management and employees communicate with each other.

- How well our employees, supervisors and managers know the warning signs of potential workplace violence.

- Access to and freedom of movement within, the workplace by non-employees, including recently discharged employees.

- Frequency and severity of employee-reported threats of physical or verbal abuse by managers, supervisors or other employees.

- Any prior violent acts, threats of physical violence, verbal abuse, property damage or other signs of strain or pressure in the workplace.

- Employee disciplinary and discharge procedures.

- Other: _____
