



Cortland County Administrative Policy Manual

Workplace Violence Policy

Policy/Procedure Number: 01.015

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Effective Date:

11/14/2023

Resolution No.:

Next Review: annually

Objective: The purpose of this policy is to address the issue of potential workplace violence, prevent workplace violence from occurring to the fullest extent possible, and set forth procedures to be followed when such violence has occurred.

Reference (All applicable federal, state, and local laws):

Legislative Policy Statement: Cortland County is committed to promoting a safe and secure work environment for all its employees. All County employees are expected to maintain a work environment free from violence, threats of harassment, intimidation, bullying or coercion.

Responsible Department: Personnel Department

General Information:

I. Definitions:

Workplace violence is defined by the New York State Department of Labor, 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.

Such actions include but are not limited to:

- Causing physical injury to another person.
- Making threatening remarks, statements or expressions of intention to hurt, destroy, or punish.
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Intentionally and wrongfully damaging employer property or property of another employee.
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Therefore, except as may be required as a condition of employment and/or as tools required for the performance of job duties:



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- No employee shall bring into any work site any weapon or other dangerous instrument that might reasonably be used as a weapon.
- No employee shall use, attempt to use, or threaten to use any weapon or dangerous instrument in a work site.
- No employee shall cause or threaten to cause physical injury to any individual, or intentionally cause damage to property in a work site.
- No employee shall make threatening or bullying* remarks towards another person.

* Workplace Bullying is defined by the Workplace Bullying Institute as: Repeated, health-harming mistreatment of one or more persons (targets) by one or more perpetrators that consists of one or more of the following:

- Verbal abuse; “verbal abuse” is a broad term that encompasses a wide array of actions. Affected individuals perceive verbal abuse differently. The effects are not the same for everyone and they are relative to the victim. By nature, verbal abuse is subject to personal interpretation and is difficult to neatly define. “Workplace Violence Prevention – CSEA.”
 - Accusatory, threatening, humiliating or offensive behavior or actions.
 - Work interference – sabotage which prevents work from getting done.

Bullying at work means harassing, offending, socially excluding someone, or negatively affecting someone’s work tasks. It usually occurs repeatedly and regularly over a period of time.

While bullying, yelling, tantrums, cursing at someone, sabotage, insults, intimidation, back-stabbing, belittling, “icing,” one upping, finger pointing, humiliation, offensive actions and the like are not illegal acts, they are not acceptable behaviors.

II. Policy:

Types of Workplace Violence:

1. Criminal intent – violent acts carried out for the purpose of committing a crime, like burglary.
2. Customer or client – violence directed at employees by customers or clients.
3. Personal – violence committed by an individual who does not work at the business, but has a personal relationship with an employee.
4. Co-worker – violence committed against employees by current or former employees.



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Scope of Policy

All County employees, vendors, contractors, consultants, and others who do business with the County, whether in a County facility or where official County business is conducted, are covered by this policy. This policy also applies to other persons not affiliated with the County, such as former employees and visitors. When employees have complaints about other employees, they should contact their immediate supervisor. If the complaint involves their immediate supervisor, they should contact their department head. If supervisor and/or department head is unavailable the complaint should be routed to the Personnel or Safety Officer. This policy may be found on the Cortland County Personnel web page.

Cortland County prohibits workplace violence. Complaints involving workplace violence will be given the serious attention they deserve. Individuals who violate this policy may be removed from County property and employees may be subject to disciplinary action up to and including termination, consistent with County policies, rules and collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution. The County, at the request of an employee, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee on County property unless necessary to transact County- related business. This policy particularly applies in cases where the employee suspects that an act of violence will result from an encounter with said individual(s).

Responsibilities

The County shall establish a Risk Assessment Team, Workplace Violence Advisory Team, and a Workplace Violence Committee. The Risk Assessment Team will be comprised of the Safety Officer and Deputy Personnel Officer with participation of the authorized employee representatives. This team will be responsible for evaluating all worksites and continually monitoring them for potential workplace violence hazards. See Appendix A for a listing of Cortland County worksites' identified risks and control factors.

The Workplace Violence Advisory Team will be comprised of the Personnel Officer, Safety Officer, County Administrator and Chairman of the Legislature. The Workplace Violence Advisory Team will make changes to the policy/program as appropriate and be responsible for investigating reports of workplace violence incidents. Policy/program changes will be provided to the employees.

The Workplace Violence Committee includes members of the workplace Violence Advisory Team, Risk Assessment Team, authorized management and employee representatives from each bargaining unit.

Identified Risk Factors

The following factors have been identified as potentially placing employees at risk:



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- Working in public settings
- Working late night or early morning hours
- Exchanging money with the public
- Working alone or in small numbers
- Working in a location with uncontrolled access to the public
- Working in areas of isolation and/or known security problems
- Working with clients or persons with a known history of violent behavior or behavior disorders

Prevention Control Measures

The following control measures have been put in place to eliminate or reduce the risk of workplace violence. These control measures may be amended from time to time as a result of continuing risk assessments. Each risk area has been evaluated and addressed according to the following:

- Engineering controls which eliminate or reduce the hazard through substitution or design of the physical environment
- Administrative or work practice controls which eliminate or reduce the hazard by changing County policies or procedures
- Personal protective equipment which reduce the hazard through safety devices for the individual.

III. Procedure:

Reporting of Incidents

It is the responsibility of all employees to report threatening behavior to their supervisor or department head immediately; if the supervisor and/or department head is unavailable the report should be made to the Personnel or Safety Officer. Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any County employee. Workplace violence should promptly be reported using the Workplace Violence Incident Report form at the end of this policy. Additionally, County employees are encouraged to report behavior that they reasonably believe poses a potential for workplace violence.

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call 911 immediately. All individuals who believe a crime has been committed against them have the right, and are encouraged, to report the incident to the appropriate law enforcement agency. Employees who make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action and/or referral to law enforcement authorities as appropriate.



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Administrative Procedures for Incident Reporting

- The supervisor or department head to whom the employee reports the threat will review the threat with that employee and with any other appropriate staff.
- The supervisor or department head will notify all appropriate personnel, including law enforcement, if necessary.
- The supervisor or department head will complete the Workplace Violence Incident Report and forward it to the Personnel Officer who will convene the Workplace Violence Advisory Team.

Incident Assessment

The assessment of the threat is an evaluation of the threat itself and of the threatener. Together, these evaluations can help lead to an informed judgment on whether someone who has made a threat is likely to carry it out – a determination that is described as differentiating between when someone is making a threat versus posing a threat. Someone posing a threat, is defined as someone who is engaging in inappropriate behavior, verbal or nonverbal communication, or expression that would lead to the reasonable belief that an act has occurred or may occur which may lead to physical and/or psychological harm to the threatened, to others, or property.

Timeliness of Reporting

It is the policy of Cortland County to investigate reports of workplace violence in a reasonable time period. Because there are limits to Cortland County's ability to provide effective safeguards, primary responsibility for protecting against harm must remain with the threatened employee through the exercise of vigilance, common sense and his/her rights to police protection as a citizen. Nothing in this procedure limits the threatened employee from exercising his/her legal rights to make additional arrangements for protections which do not impede his/her ability to perform his/her work duties.

Review

The Workplace Violence Incident reports will be maintained by the Personnel Officer for use in the annual program review and updates with the County Workplace Violence Committee. The Workplace Violence Committee, which includes authorized employee representatives, shall conduct a review of the Workplace Violence Incident Reports at least annually to identify trends in the types of incidents in the workplace and review the effectiveness of mitigating actions taken.



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Confidentiality

The County shall maintain the confidentiality of investigations of workplace violence to the fullest extent possible. The County will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been a violation of this policy and that the safety and wellbeing of County employees would be served by such action.

Employee Assistance Program (EAP)

The County shall maintain an employee assistance program for all employees to utilize for counseling purposes. Victims of workplace violence will be offered and encouraged to use this program and may access it by contacting the Personnel Officer.

Retaliation

Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action may be subject to discipline up to and including termination.

Education

The County is responsible for the dissemination and enforcement of this policy as described herein, as well as for providing opportunities for training in the prevention and awareness of workplace violence. The County Safety Officer, department heads and supervisors are responsible to assist in identifying available training opportunities, as well as other resources and tools, (such as reference materials detailing workplace violence warning signs) that can be incorporated into County prevention materials for dissemination to County Employees. Training topics will include the following:

- Requirements of the Workplace Violence regulation
- Details of the risk factors identified in the risk assessment
- How employees can protect themselves, report threats and incidents
- Description and details of the County's written Workplace Violence Prevention Program
- Training on dealing with potentially violent clients, coworkers, etc.
- Where to obtain a copy of the Cortland County Workplace Violence Prevention Policy/Program

All County employees will receive workplace violence training during their new employee orientation and annually thereafter. It is the responsibility of the Safety Officer and department heads to ensure that all employees receive this training.



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Firearms & Weapons

Firearms and weapons of any kind are prohibited while on County property; in County owned, leased, rental or personal vehicles while conducting County business; at work sites, constituent locations, or any other location during working hours or while representing the County. Exceptions are granted for those who are required to carry firearms or weapons in accordance with their job responsibilities in accordance with the Buildings Weapons Policy.

Bomb Threat Protocol

In the event an employee receives notice, by telephone or otherwise, of a bomb threat, the employee shall immediately call 911 and notify their department head and/or supervisor.

Questions regarding the policy/program should be directed to the Personnel Officer at 607-753- 5076.



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**APPENDIX A
IDENTIFIED RISK FACTORS and CONTROL MEASURES FOR CORTLAND
COUNTY WORKSITES**

County Office Building – All Departments (DSS, Treasurer, Public Defender, Assigned Counsel, Personnel, Budget and Finance, Real Property, Public Health, Area Agency on Aging, Child Advocacy Center, Treasurer’s Office, Buildings and Grounds, Weights and Measures, Planning, Legislature/Clerk of the Legislature, County Attorney, County Administration, Veterans’ Agency)

Identified Risk Factors	Control Measures
General public/client safety concerns	Police Officers stationed at main entrance checking visitors in and out. All visitors must pass through magnetometer. Access into the building has been limited to one entrance for visitors. Employees may enter through that entrance or use another entrance which is only accessible with a swipe ID badge. Video camera surveillance outside building and by entrances. Additional lighting in parking lot.

County Office Building – Finance Department

Identified Risk Factors	Control Measures
Money Handling	Separated from public reception area by a glass partition and locked door. Money secured in safe.

County Office Building – Public Health Department

Identified Risk Factors	Control Measures
Employees perform home visits to unknown clients.	Safety procedure in place for home visits.
Irate/unstable clients	Training on de-escalation techniques



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County Office Building – DSS

Identified Risk Factors	Control Measures
Employees perform home visits to unknown clients.	Written procedure for safety on home visits
Irate/unstable clients	Training on de-escalation techniques

Courthouse – Probation, County Clerk

Identified Risk Factors	Control Measures
General public/client safety concerns	There is one entrance for clients/visitors equipped with a metal detector which all visitors need to go through. Employees enter the building through a separate secured entrance. Continued agreement with State for court security. Cameras outside building.

Courthouse – Probation only

Identified Risk Factors	Control Measures
Employees perform home visits (Probation)	Equipped with pepper spray and radios Trained in home visit best practices
Irate/unstable clients	Training on de-escalation techniques (Probation Officers)

Public Safety Building

Identified Risk Factors	Control Measures
Semi-uncontrolled access during the day.	Building locked at all times. Stairwell entrances and elevators have swipe card access entry. Employee stationed near entrance to prohibit access. Cameras outside of building, including parking lot and front
Irate/unstable clients	Training in de-escalation techniques (Police Officers)



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Highway Garage Buildings

Identified Risk Factors	Control Measures
This location is made up of five buildings. Semi-uncontrolled access.	Signs on buildings direct visitors to enter through the main office entrance. Administration building entrance door fitted with buzz in system. Several cameras outside.

Jail

Identified Risk Factors	Control Measures
Cameras in the master control area lack view of a couple of areas within the jail.	Cameras updated and more were installed to prevent blind spots for officers in master control.
Lack of separation between visitors and inmates in visitation area	Visitation supervised by Correction Officers
Irate/unstable inmates	Training on de-escalation techniques

District Attorney

Identified Risk Factors	Control Measures
Uncontrolled access to the building	Card entry system installed for both floors, public may only access lobby area to communicate purpose for visit

Landfill

Identified Risk Factors	Control Measures
Employees work in isolated areas	All employees at Landfill have access to portable radios. Cameras outside.
Money handling	Window barrier between employee and customer.

Airport

Identified Risk Factors	Control Measures
Airport Maintenance Worker works alone.	Employee has personal cell phone for communication.



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Dwyer Park

Identified Risk Factors	Control Measures
Park Attendants and Wade Pool Attendants work in isolated areas	Employees have personal cell phones for communication. Several cameras installed around main pavilion.

Career Works Center

Identified Risk Factors	Control Measures
General public/client safety concerns	Internal safety policy and procedure. GO2BLU panic system installed on County computers.

Mental Health Clinic

Identified Risk Factors	Control Measures
General public/client safety concerns	Panic buttons in each office. Closed door access to clinical areas. Barrier installed between lobby and Reception and other clinical offices. Written procedure for reporting incidents and dealing with unstable clients/public.
Irate/unstable clients	Training on de-escalation techniques, audible personal security alarm keychain devices
Clinic open after dark	Increased lighting in parking lot

Department of Motor Vehicles

Identified Risk Factors	Control Measures
General public/client safety concerns	Panic buttons Employees separated from public reception area by counter and locked door. Several cameras added for exterior and interior safety.

Board of Elections

Identified Risk Factors	Control Measures
General public/client safety concerns	Panic buttons Employees separated from public by counter. Several cameras added for exterior and interior safety.