

Town of Cobleskill

Workplace Violence Policy & Procedures

The employer known as the Town of Cobleskill has a long-standing commitment to promoting a safe and secure work environment that promotes the achievement of its mission of serving the public. All employee's of the Town of Cobleskill are expected to maintain a working environment free from violence, threats of harassment, violence, intimidation or coercion. While these behaviors are not prevalent at the Town of Cobleskill, no organization is immune.

The purpose of this policy is to address the issue of potential workplace violence in our Town of Cobleskill, prevent workplace violence from occurring to the fullest extent possible, and set forth procedures to follow when such violence has occurred.

POLICY

The Town of Cobleskill prohibits workplace violence. Violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property will not be tolerated. Complaints involving workplace violence will not be ignored and will be given the serious attention they deserve. Individuals who violate this policy may be removed from the Town of Cobleskill property and are subject to disciplinary and/or personnel action up to and including termination, consistent with the Town of Cobleskill policies, rules, and/or referral to law enforcement authorities for criminal prosecution. Complaints of sexual harassment are covered under the Town of Cobleskill's Policy against Sexual Harassment.

The Town of Cobleskill, 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 Town of Cobleskill property unless necessary to transact Town of Cobleskill 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).

SCOPE

All employees, members of the public, vendors, contractors, consultants, and others who do business with the Town of Cobleskill, whether in a Town of Cobleskill facility or off-site location where Town of Cobleskill business is conducted, are covered by this policy. This policy also applies to other persons not affiliated with Town of Cobleskill, such as former employees, and visitors. When employees have complaints about other employees, they should contact their supervisor.

DEFINITIONS

1. Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, the work environment, or the Town of Cobleskill's ability to provide services to the public. It also involves the abuse or intentional non-authorized destruction of property. Workplace violence does not include the use of reasonable force in the defense of

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oneself or others.

2. Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as but not limited to yelling, using profanity, verbally abusing others, or waving arms and fists).
3. Intentional physical contact for the purpose of causing harm (such as but not limited to slapping, stabbing, punching, striking, shoving, or other physical attack).
4. Menacing or threatening behavior (such as but not limited to throwing objects, pounding on a desk or door, damaging property, stalking, or otherwise acting aggressively; or making oral or written statements specifically intended to frighten, coerce, or threaten) where a reasonable person would interrupt such behavior as constituting evidence of intent to cause harm to individuals or property.
5. Possessing firearms, imitation firearms, knives or other dangerous weapons, instruments or materials. No one within the Town of Cobleskill, shall have in their possession a firearm or other dangerous weapon, instrument or material that can be used to inflict bodily harm on an individual or damage to the Town of Cobleskill property without specific written authorization from the Town Supervisor regardless of whether the individual possesses a valid permit to carry the firearm or weapon.

REPORTING OF INCIDENTS

1. General Reporting Responsibilities:

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence will not be ignored by any employee of the Town of Cobleskill. Workplace violence should promptly be reported to the appropriate Town of Cobleskill official (see below). Additionally, employees are encouraged to report behavior that they reasonably believe poses a potential for workplace violence as defined above. It is important that all employees of the Town of Cobleskill take this responsibility seriously to effectively maintain a safe working and learning environment.

2. Imminent or Actual Violence:

Any person experiencing or witnessing imminent danger of actual violence involving weapons or personal injury should call their supervisor immediately, or call 911.

3. Acts of Violence Not Involving Weapons or Injuries to Persons:

Any person who is subject of a suspected violation of the policy involving violence without weapons or person injury, or is a witness to such suspected violation, should report the incident to his or her immediate supervisor, or in lieu thereof, to the Town Supervisor and /or Town

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Board members on an appropriate response.

4. Commission of a Crime:

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.

5. False Reports:

Employees of the Town of Cobleskill 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 civil authorities as deemed appropriate by Civil Service Law.

6. Incident Reports:

The Town of Cobleskill will report incidents of workplace violence consistent with the Town of Cobleskill Policies for Incident Reporting.

RESPONSIBILITIES

1. Town Supervisor:

The Town Supervisor shall be responsible for the implementation of this policy. The responsibility includes dissemination of this policy to all Town of Cobleskill employees, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, and ensuring that all administrators, managers, and department heads are aware of their responsibilities under this policy through internal communications and training.

2. Town Attorney:

The Town Attorney is responsible for responding to, intervening, and documenting all incidents of violence in the workplace. The Town Attorney will immediately log all incidents or workplace violence and will notify the respective supervisor of an incident with his/her employee, or notify the appropriate Department Head of the Town of Cobleskill of an incident. The Town Attorney should be knowledgeable of when law enforcement action may be appropriate. Human Resources will maintain an internal tracking system of all threats and incidents of violence.

The Town Attorney will be trained in workplace violence awareness and prevention, non-violent crises intervention, conflict management, and dispute resolution.

The Town Attorney will work closely with Human Resources when the possibility of workplace

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violence is heightened, as well as on the appropriate response to workplace violence incidents consistent with Town of Cobleskill policies, rules, procedures and applicable labor agreements, including appropriate disciplinary action up to and including termination.

When informed, the Town Attorney will maintain a record of any Orders of Protection for employees. The Town Attorney will provide escort service to employees within its geographical confines, when sufficient personnel are available. Such services are to be extended at the discretion of the Town Attorney.

3. Department Head:

Each, executive officer, administrator, Department Head or other person with supervisory responsibility (hereinafter “supervisor”) is responsible with his/her area of jurisdiction for the implementation of this policy. Supervisors must report to Human Resource/Town Attorney any complaint of workplace violence made to him/her and any other incidents of workplace violence of which he/she becomes aware or reasonably believes to exist. Supervisors are expected to inform their immediate supervisor promptly about any complaints, acts, or threats of violence even if the situation has been addressed and resolved. After having reported such complaint or incident to the Human Resources/Town Attorney and immediate supervisor, the supervisor should keep it confidential and not disclose it further, except as necessary during the investigation process and/or subsequent proceedings.

Supervisors are required to contact the Human Resources/Town Attorney immediately in the event of imminent or actual violence involving weapons or potential physical injuries.

4. Employees and Staff:

Employees and staff must report workplace violence, as defined above, to their supervisor. Recurring or persistent workplace violence that an employee reasonably believes is not being addressed satisfactorily, or violence that is, or has been, engaged in by the employee’s supervisor should be brought to the attention of the Human Resources/Town Attorney.

Employees who have obtained Orders of Protection are expected to notify their supervisors and the Human Resources/Town Attorney of any orders that list Town of Cobleskill locations as protected areas.

Victims of domestic violence who believe the violence may extend into the workplace, or employees who believe that domestic or other personal matters may result in their being subject to violence extending into the workplace, are encouraged to notify their supervisor, or the Human Resources/Town Attorney. Confidentiality will be maintained to the extent possible.

Upon hiring employees will receive a copy of this policy. Additionally, the policy will be

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posted throughout the Town of Cobleskill's facilities and placed on the Town of Cobleskill's website.

5. Office of Human Resources: (Schoharie County Personnel Officer)

The Office of Human Resources is responsible for assisting the Town Attorney and supervisors in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; notifying the Town Attorney of workplace violence incidents reported to that office; and consulting with, as necessary, counseling services to secure professional intervention.

The Office of Human Resources is responsible insuring that employees and staff receive appropriate training.

6. Town Clerk:

The Office of the Town Clerk is responsible for providing new employees with a copy of the Workplace Violence Policy and Procedures.

EDUCATION

Supervisors are responsible for 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. Additionally, annual training will be provided.

CONFIDENTIALITY

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

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 will be subject to discipline up to and including termination.

Adopt by the Town Board of the Town of Cobleskill on : __ June 8, 2009 _____