

ENDWELL FIRE DISTRICT

WORKPLACE VIOLENCE PREVENTION	
Number: 2024-26	Adopted: January 17, 2024

Volunteer Fire Department Workplace Violence Policy & Procedures

Labor Law § 27-b; 12 NYCRR 800.6

Last Review Date: January 2024

Next Review Date: January 2025

Reviewer(s): Carlton “Andy” Anderson, Endwell Fire District, Chairman,
Board of Fire Commissioners
Michael Battaglini, Fire Chief
Rob Congdon, Assistant Fire Chief
F. Walton Roper III, WPV Trainer
Jason Stupski, Captain
Rob Brady, President, O.L. Davis Fire Company

When the review is complete, place this page at the back of this document and print a new cover page with the next review date. Reviewers must mark any changes required on the back of this page.

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Introduction

Workplace violence presents a serious occupational safety hazard for workers; during the last decade, homicide was the third leading cause of death of all workers and the leading cause of occupational death for women workers. Examples of high-risk workplaces include healthcare settings, social services, working alone or in small numbers, service workers, public transportation drivers, and many other types of public employment.

New York State requires public employers (with the exception of employers as defined in section twenty-eight hundred one-a of the education law) to perform a workplace evaluation of each work site. The unique nature of the Volunteer Fire Department is considered here; for the purposes of this document, all members of the Fire Department, the Fire Company, and the Fire District, as well as any employees who receive remuneration for their services, are considered employees.

The evaluation is intended to identify factors which may place the workforce at risk of occupational assaults or homicides. The results of the evaluation and the Risk Factors found should be shared with employees; this information should be reviewed initially and annually thereafter. Employers with 20 or more full-time employees must develop a written Workplace Violence Prevention Program. Since the Fire Company has over 20 active members, we are submitting this plan to the Department of Labor to comply with New York State Labor Law § 27-b and highlight some of the elements found within our Workplace Violence Prevention Program.

Workplace Violence Policy Statement

The Endwell Fire District is committed to the safety and security of our employees. For the purposes of this policy statement, the terms “employees” and “public employees” refer to paid employees, volunteer members of the district’s fire department/company, and officers of the district, department, and company. Workplace violence presents a serious occupational safety hazard to our Fire District, Department, Fire Company, staff, and the public we serve and come into contact with.

Workplace Violence is defined as any physical assault or act of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment (membership for volunteers), including but not limited to an attempt or threat, whether verbal or physical, to inflict physical injury upon an employee; any intentional display of force which would give an employee reason to fear or expect bodily harm; intentional and wrongful physical contact with a person without his or her consent that entails some injury; or stalking an employee with the intent of causing fear if material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment (membership).

Acts of violence against our employees where any work-related duty is performed will be thoroughly investigated, and appropriate action will be taken, including involving law enforcement authorities when warranted or requested by the victim. All employees are responsible for helping to create an environment of mutual respect for each other as well as the public served and visitors

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to our facilities or events by following all policies, procedures, and practices and for assisting in maintaining a safe and secure work environment.

All employees are advised that the commission of an act of workplace violence and/ or a violation of the terms of this policy statement are considered acts of misconduct for which they may be subject to disciplinary action.

This policy is designed to meet the requirements of New York State Labor Law Art. 2 Section 27-b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law includes a workplace evaluation that is designed to identify the risks of workplace violence to which our employees could be exposed. Management and an authorized employee representative(s) will, at a minimum, be involved in:

- Evaluating the physical environment of our workplace;
- Developing the Workplace Violence Program; and
- Review workplace violence incident reports at least annually to identify trends in the types of incidents reported, if any, and review the effectiveness of mitigating actions taken.

The Workplace Violence Risk Evaluation will be performed and memorialized in a written report filed with the District office.

All employees will participate in an annual Workplace Violence Prevention Training Program.

This policy aims to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior in our workplace will be responded to immediately upon notification. All personnel are responsible for notifying the contact person designated below of any violent incidents or threatening behavior, including threats they have witnessed, received, or have been told that another person witnessed or received.

No person participating in this program, submitting a complaint of workplace violence, or serving as a witness in a proceeding related to the same shall be retaliated against for having done so.

Designated Contact Person:

Name: Michael Battaglini

Title: Fire Chief

Office Phone: 607-785-0985

Email Address: chief@endwellfire.com

Other responsible parties are:

Matthew Grafton, Assistant Fire Chief

Robert Congdon, Assistant Fire Chief

Kyle Ferraro, Assistant Fire Chief

Carlton “Andy” Anderson, Chairman, Board of Fire Commissioners

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Members of the Workplace Violence Committee:

Carlton “Andy” Anderson, Board of Fire Commissioners (Alternate: Vice Chairman)

Michael Battaglini, Fire Chief (Alternate: - 1st Assistant Chief Officer)

F. Walton Roper III, WPV Trainer

Jason Stupski, Captain (Alternate: 2nd Captain)

Rob Brady, President, O.L. Davis Fire Company (Alternate: 1st or 2nd Vice Presidents)

A copy of this program is available on the Member’s Side of www.endwellfire.com.

Workplace Violence Policy

Nothing is more important to the Endwell Fire District than the safety and security of our employees. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on fire department property or on the fire grounds will not be tolerated. Any person who makes threats, exhibits threatening behavior, or engages in violent acts on fire department property or on the fire ground will be removed from premises as quickly as safety permits and are subject to disciplinary and/or personnel action up to and including termination, consistent with Fire District policies, Department rules and Fire Company By-Laws, and/or referral to law enforcement authorities for criminal prosecution. Individuals who violate this policy shall remain off fire department premises pending the outcome of an investigation.

An employee who applies for or obtains a protective or restraining order that lists company locations as protected areas must provide 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. The fire department has confidentiality procedures that recognize and respect the privacy of the reporting employee(s).

All fire department personnel are responsible for notifying the Fire Chief or any Officer of any violent incidents or threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received. Personnel should also report behavior they regard as threatening or violent if that behavior is job-related or might be carried out on a company-controlled site.

PLEASE NOTE: Threats or assaults that require immediate attention by police should be reported to the police by calling 911.

The Fire Chief of our department is responsible for ensuring that all employees clearly communicate and understand all safety and health policies and procedures involving workplace violence. Fire Officers and Fire Company Officers are expected to enforce the rules fairly and uniformly.

All employees are responsible for using safe work practices, following all directives, policies, and procedures, and assisting in maintaining a safe and secure work environment.

Our system of ensuring that all our employees, including Officers and Line Personnel, comply

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with work practices that are designed to make the workplace more secure and do not engage in verbal threats or physical actions which create a security hazard for others in the workplace includes:

- Informing all employees of the provisions of our program for workplace security;
- Evaluating the performance of all our employees in complying with our Fire Department's security measures;
- Recognizing employees who perform work practices that promote security in the workplace;
- Providing training and/or counseling to employees whose performance in complying with work practices designed to ensure workplace security is deficient;
- Disciplining employees for failure to comply with workplace security practices.

No person participating in this program, submitting a complaint of workplace violence, or serving as a witness in a proceeding related to the same shall be retaliated against for having done so.

The Workplace Violence Risk Evaluation will be performed and memorialized in a written report filed with the District office.

Training

The Chief, all Fire Officers, and the Board of Fire Commissioners are responsible for disseminating and enforcing this policy in their work areas and answering employees' questions about the program. As well as providing opportunities for training in the prevention and awareness of workplace violence. Entry-level training will be provided. Periodic refresher training will be provided as recommended by the Chief for employees and volunteer firefighters.

Confidentiality

The Fire District shall maintain the confidentiality of investigations of workplace violence to the extent possible. The Fire District 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 well-being of employees or volunteer firefighters of the Fire District would be served by such action. However, when disciplinary action is contemplated, confidentiality must be balanced by the due process hearing rights of employees or volunteer firefighters.

Retaliation

Retaliation against an employee who makes a good faith report of violence or other disruptive behavior is strictly prohibited and shall be subject to appropriate corrective or disciplinary measures. An employee who, in bad faith, makes a false report is also subject to disciplinary action.

What Is Workplace Violence

Workplace violence is any behavior that is violent, threatens violence, coerces, harasses, or intimidates another, interferes with an individual's legal right of movement or expression, or disrupts the workplace, the work environment, or the Fire District's ability to provide services to

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the public. Examples of workplace violence include, but are not limited to:

- Non-specific threats of violence by an employee
- Specific threats of violence by an employee
- Threats of violence directed against an employee by a non-employee
- Violent confrontation by a spouse or significant other with an employee over a personal/domestic dispute
- Threats or threatening conduct by disgruntled or ex-employees
- Violent altercations between two employees or employee and supervisor
- Multiple assaults by an intruder

Top 10 Ways to Prevent Violence in the Workplace

There is no single prescription for reducing violence in the workplace. Each organization is unique and operates in a different social and economic environment. When planning workplace safety issues, employers may want to consider the organization's culture, history, size, industry, and workforce. These 10 suggestions are based on responses from survey participants and recommendations from experts who guided the research. The suggestions should be modified to best accommodate the needs of an organization.

1. Foster a supportive harmonious work environment: Creating a culture of mutual respect can help reduce harassment and hostility in the workplace. In such a culture, employers strive to communicate openly, give employees adequate control over their work, and provide them with support and recognition. Conflict and stress are lower when employees feel empowered to work independently and are motivated to work cooperatively.
2. Train department heads and employees how to resolve conflicts: developing employee skills in negotiating, communicating effectively, team building, and resolving disputes can reduce Conflicts on the job.
3. Develop effective policies to protect employees from harassment: While all employers strive to build a culture free of harassment and discrimination, they can advance this goal by having systems in place to address infractions. The key is a harassment policy that clearly denounces harassment and states unequivocally that it will not be tolerated. A thorough policy defines harassment, specifies how to report it, explains how complaints will be investigated, and presents the consequences.
4. Establish procedures for handling grievances: Employees need to understand Grievance procedures for reporting complaints of unfair treatment, discrimination, or harassment, believe that those procedures will be followed, and feel confident that concerns will be addressed promptly and confidentially.
5. Provide personal counseling through an employee assistance program: Family, marital, financial, and personal issues can have a profound impact on employees' work

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performance as well as social interactions at work. An employee assistance program (EAP) provides employees with a free, easily accessible, and confidential resource for addressing personal concerns. In addition, supervisory personnel can be trained on how to document and address work performance and attitude problems and refer employees for help. If a violent or threatening incident occurs at work, support services can be made available to help employees cope with their fears and concerns.

6. Implement security programs that protect employees: Employers have a variety of methods for ensuring workers' safety, such as full-time after-hours security guards, high-tech monitoring systems, emergency warning systems, limited access key cards, strict visitor sign-in policies, new employee background screening, and safety awareness and training. Employers that regularly evaluate their security programs can best determine if they are meeting employer and employee needs. Also, employers need to make sure that employees are aware of and understand existing security policies and procedures.
7. Provide employee safety education programs: In addition to making workers aware of safety policies and employee support services, employers can provide educational materials and seminars about ways to maximize safety at work.
8. Provide job counseling for employees who have been laid off or fired: Because a job is often closely tied to one's identity, being laid off can be traumatic. Employee counseling and support services can help workers develop job-seeking skills, learn how to cope with life changes, and personally and financially prepare for the future. These services also help exiting employees feel that the employer cares about them. It is helpful to train supervisory personnel to communicate layoffs and firings sensitively.
9. Train supervisory personnel on how to recognize signs of a troubled employee: One way to reduce the potential for workplace violence is to intervene before an incident reaches a flash point. Supervisory personnel can be given training on how to recognize the signs and symptoms of a potentially violent employee. Also, supervisory personnel can be instructed on how to be sensitive to signs of possible abuse among employees, such as frequent absences or depression.
10. Set up a crisis plan: Employers may want to consider developing a crisis plan for dealing with violent incidents. The plan can include details on how to report the incident, which key internal supervisory personnel and external authorities should be alerted, how to maintain the safety of unaffected workers, and security precautions to prevent further trouble. Employers also can arrange to provide individual crisis counseling and support groups for affected employees soon after the incident occurs.

As part of our Workplace Violence plan, it is imperative that emergency scene awareness is a fundamental part of this training. An incident of workplace violence is more likely to happen on the fire ground due to irate or disgruntled victims, out-of-control motorists, and other situations involving the public that we protect and serve.

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What can be done to prevent workplace violence?

Any preventive measure must be based on a thorough understanding of risk factors associated with the various types of workplace violence. And, even though our understanding of the factors that lead to workplace violence is not perfect, sufficient information is available which, if utilized effectively, can reduce the risk of workplace violence. However, strong management commitment and the day-to-day involvement of department heads, supervisors, employees, and labor unions are required to reduce the risk of workplace violence.

Every employer should establish, implement, and maintain a written injury and illness Prevention Safety Program (IIPSP), and a copy must be maintained at each workplace or at a central worksite if the employer has non-fixed worksites. An effective written injury and illness prevention safety program consists of the following eight elements:

- Responsibility
- Compliance
- Communication
- Hazard Assessment
- Incident Investigation
- Hazard Correction
- Training and Instruction
- Record keeping

Injury and Illness Prevention Program for Workplace Violence (IIPSP)

The Endwell Fire Department Safety Program addresses the hazards known to be associated with the three major types of workplace violence.

- **Type I Criminal Intent:** workplace violence involves a violent act by an assailant with no legitimate relationship to the workplace who enters the workplace to commit a robbery or other criminal act.
- **Type II Customer/Client/Patient:** involves a violent act by a recipient of a service provided by our Fire Company, such as a civilian, patient, victim, or other person involved in the direct provision of our emergency services and/or preventive services.
- **Type III Co-Worker/Personal:** involves a violent act by a current/former employee, department head or supervisory personnel, or another person who has some employment-related involvement with our establishments, such as an employee's spouse or lover, an employee's relative or friend, or another person who has a dispute with one of our employees.

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Risk Evaluation

What are the inherent dangers for fire department employees **not** fighting the fire?

The fire department members must constantly be aware that by the very nature of our work in serving the public, we may be put at risk by the public themselves.

The FD is a public building; however, access is controlled by Key Fobs, which members possess. There are many entrances where someone could enter the fire department building during the daytime where there may be no one to greet them. However, there is a closed-circuit video system in place to monitor activity. There are monitors in the front office. Video can also be viewed on selected workstations and are also available in the Board Room/Emergency Command Center.

We also must realize that we are not just conducting business within the four walls of the station. Fire department members may be vulnerable to a citizen who may not be happy with fire department activities and, under stress, may attack.

The EMS/First Responder personnel also need to be aware of their own vulnerability when attending to a patient in a distressed state of mind or when attending to a patient at a party, bar, or fight scene. EMS personnel are also put into possibly dangerous situations on certain calls that may not be dispatched properly.

We also need to watch our own members for signs of stress to prevent tragedy from striking within. All employees need to make "all" fire department operations as safe as possible.

By conducting a risk evaluation and determination to determine the presence of factors or situations that may place an employee at risk of occupational assaults and homicides. A separate risk evaluation has been performed for each location where fire department employee performs work-related duties.

Factors considered:

- Working in public settings
- Working off hours
- Working alone or in small numbers
- Uncontrolled access to workplaces
- Exchange of money with the public

Endwell Fire Stations #1, 2, and 3;

Location:

- Building grounds
- Apparatus floor
- Living areas

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- Training areas
- Exercise areas

Possible assailants:

- Department member
- Department member family/friend
- Disgruntled ex-employee
- Walk in disgruntled taxpayer
- Walk-in civilian (non-Fire Department business)

Possible assailants:

- Building owners
- Building maintenance personnel
- Building occupants
- Emergency Medical Service – First Responders assist Union Volunteer Emergency Squad on ECHO calls:
 - Location:
 - Wherever dispatched:
 - Patients at the scene
 - Patient's family members or friends
 - Bystanders
 - Vehicle assault

Fire Ground:

Location: Any scene of an emergency operation:

- Arsonist
- Disgruntled taxpayer
- Booby-trapped building
- Out-of-control or disgruntled drivers who refuse to obey Fire Police Personnel.

Engineering Controls

There are no building doors unlocked, under normal conditions, at any time.

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Work Practice Controls

- Training of Supervisors in the identification of warning signs.
- Training members on the risk factors.
- Members must call Broome County by radio or telephone (911) if police presence is required. 911 or personal radio contact will be used depending on the situation.

Training

Training will be provided to all members in regards to:

- Risk factors
- Availability of written workplace prevention program
- Measures employees can take to protect him or herself from risk, including specific procedures implemented

Emergency procedures

Activation of Law Enforcement or other devices

Officers and Chiefs

- Communication skills
- Team building
- Conflict resolution
- Identification of warning signs
- (EAP)

Documentation in addressing work performances

Training will be done in a classroom environment with a PowerPoint presentation, and all required student educational material.

Evacuation Plan:

All fire department personnel are required to leave the building immediately when there is a fire alarm or violent incident in the station. They are required to leave through any of the many means of egress from the fire department, which will provide safe passage. Once out of the building, members are to stand a reasonable distance from the station or fireground and keep in touch with Command using radios or cell phones.

Record Keeping

Any employee may report what they believe to be a serious violation of the workplace violence prevention plan to an officer by written notice.

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1. Reasonable opportunity to investigate and correct
2. If unresolved, the employee may report it to the Commissioner of Labor (Division of Safety & Health) for investigation.
3. Information already required in the SH900 DOSH logs (incidents of abuse, verbal attacks, aggressive behaviors, and minutes of safety meetings)
4. Records of the training program must be kept. (Program material and attendance)

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Workplace Violence Reporting Form

Today's Date: _____

Date of Incident: _____

Time of Incident: _____

Case Number: _____

Employee Name: _____

Title: _____

Workplace Location: _____

What was the employee doing just prior to the incident?

Incident Description (Minimally include the names of involved employees, extent of injuries, and name of witnesses):

Employee Signature

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Workplace Violence Reporting Form - Officer's Report

Today's Date: _____

Date of Incident: _____

Parties Involved: _____

Description of Incident (Minimally include the names and job titles of involved employees, nature and extent of injuries, description of the incident (verbal or physical confrontation or attack), names of witnesses:

Provide information on preventative actions that the public employer has taken or is considering as a result of the incident to prevent further like occurrences:

If additional information is needed, use the back side of this page.

As the supervisor on duty at the time of this incident, I provide the above supporting statement without prejudice and attest that the information that I have provided is true.

Supervisor's Signature

