	FULTON POLICE DEPARTMENT	DATE: DEC. 20, 2006
	WORKING CONDITIONS	SEC. 212.3
	SUBJECT: VIOLENCE IN THE WORKPLACE	CANCELS: 000.0, 00/00/00

Std. 00.0

Distribution: A

I. PURPOSE The purpose of this policy is to ensure that the risk of workplace assaults and homicides is evaluated by the City, the Department and its employee; further, that the City and Department design and implement workplace violence protection programs to prevent and minimize the hazard of workplace violence to its public employees.

II. POLICY Consistent with applicable law, including Section 27-b of the New York State Labor Law, the city and Department will evaluate its workplace(s) to determine the presence of factors or situations in such workplace(s) that might place employees at risk of occupational assaults or homicides. Further, that the City and Department will develop and implement a written workplace violence prevention program for its workplace(s) as more fully described herein.

III. DEFINITIONS

City: The city of Fulton

Commissioner: The Commissioner of the Department of Labor of the State of New York

Department: The Fulton Police Department

Division: a division of city government (i.e. Animal Control, Traffic)

Section 27-b: §27-b of the New York State Labor Law.

IV. PROCEDURES

A. RISK EVALUATION AND DETERMINATION

1. The Department will evaluate its workplace(s) to determine the presence of factors or situations in such workplace(s) that might place employees at risk of occupational assaults or homicides. Refer to risk assessment tool, contained herein at Appendix A.
2. The Chief of Police will also review the divisions of Animal Control, Traffic and Crossing Guards to the extent that those divisions are under the auspices of the Department.

B. WRITTEN WORKPLACE VIOLENCE PREVENTION PROGRAM - The Chief of Police will develop and prepare a written program (refer to Appendix B) which includes the following:

1. a list of the following risk factors:
 - a. working in public settings (i.e. social services, police officers, firefighters, service workers)
 - 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 Department will use to prevent incidents of occupational assaults and homicides at such workplace(s), including but not limited to:
 - a. making high risk areas more visible to more people
 - b. installing good external lighting
 - c. using drop safes or other methods to minimize cash on hand
 - d. posting signs stating that limited cash is on hand
 - e. providing training in conflict resolution and nonviolent self-defense responses
 - f. establishing and implementing reporting systems for incidents of aggressive behavior

C. EMPLOYEE INFORMATION AND TRAINING

1. The Department will provide its employees with the following information and training on the risks of occupational assaults and homicides in their workplace(s) at the time of their initial assignment and annually thereafter. The dissemination of such information will be via the Department's Operations Manual at §212.3. For sworn members of the Department, training will occur during annual in-service training. For non-sworn members and staff, training shall occur on an annual basis to be scheduled by the Training Division Commander but may include attendance of that particular module at the annual in-service training for sworn members.
2. The Training Division Commander will be responsible for the training components of this section, as follows:
 - a. the requirements of §27-b of the New York State Labor Law
 - b. the risk factors in the workplace(s)
 - c. the location of the written workplace violence prevention program
 - d. employee training to include, at least, the measures employees can take to protect themselves from such risks, including specific procedures the employer has implements to protect employees, such as appropriate work practices, emergency procedures, use of security alarms and other devices, and the details of the written workplace violence prevention program developed by the City and/or Department
3. The Chief of Police will be responsible for overseeing the program detailed herein, for reviewing and analyzing the risk assessment tools, and for conducting an annual review of workplace violence incidents and related matters.
4. The Chief of Police will prepare and post an annual report of workplace violence incidents and reports. Such reports will be in the form as prescribed by the Chief of Police and which is referenced herein as Appendix E. Such annual reports will be posted in the workplace.

D. NOTICE OF PROBLEM, RISK OR IMMINENT DANGER

1. Any employee or representative of employees who believes that a serious violation of a workplace violence protection program exists or that an imminent danger exists shall bring such matter to the attention of a supervisor in the form of a written notice and shall afford the employer a reasonable opportunity to correct such activity, policy or practice. This referral shall not apply where imminent danger or threat exists to the safety of a specific employee or to the general health of a specific patient and the employee reasonably believes in good faith that reporting to a supervisor would not result in corrective action. All such reports shall be brought to the attention of the Chief of Police without unnecessary delay.
2. If following a referral of such matter to the employee's supervisor's attention and after a reasonable opportunity to correct such activity, policy or practice the matter has not been resolved and the employee or representative of employees still believes that a violation of a workplace violence prevention program remains, or that an imminent danger exists, such

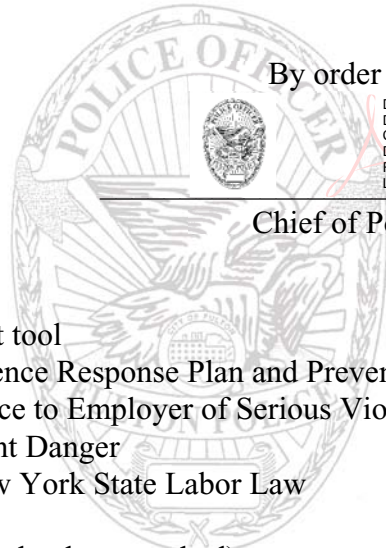
employee or presentative may request an inspection by giving notice to the Commissioner of the Department of Labor of such violation or danger. No employer may take retaliatory action against any employee:

- a. because the employee makes a report to a supervisor of a serious violation of a workplace violence protection program or of an imminent danger
- b. because the employee requests an inspection by the Commissioner of the Department of Labor
- c. because the employee accompanies the Commissioner of the Department of Labor

E. AUTHORITY AND JURISDICTION OF THE COMMISSIONER OF THE DEPARTMENT OF LABOR (COMMISSIONER)

The Commissioner may, upon his/her own initiative conduct an inspection of any premises occupied by an employer:

1. if he/she has reason to believe that a violation of §27-b of the New York State Labor Law (§27-b) has occurred,
2. if he/she has a general administrative plan for the enforcement of §27-b, including a general schedule of inspections, which provide a rational administrative basis for such inspections.



By order of:

Digitally signed by MARK A. SPAWN
DN: CN = MARK A. SPAWN, C = US, O =
CITY OF FULTON, OU = FULTON POLICE
DEPT.
Reason: I am the author of this document
Location: FULTON, NEW YORK

Chief of Police

Appendix A: Risk Assessment tool

Appendix B: Workplace Violence Response Plan and Prevention Program

Appendix C: Employee's Notice to Employer of Serious Violation of Workplace Violence Protection Program or Notice of Imminent Danger


Appendix D: §27-b of the New York State Labor Law

Annual report appendices (check when attached):

- 212.3.2006 - Annual report for 2006 - voluntary
- 212.3.2007 - Annual report for 2007
- 212.3.2008 - Annual report for 2008
- 212.3.2009 - Annual report for 2009
- 212.3.2010 - Annual report for 2010
- 212.3.2011 - Annual report for 2011
- 212.3.2012 - Annual report for 2012

cc: Clerical; Animal Control; Traffic Department; Crossing Guards

FULTON POLICE DEPARTMENT RISK ASSESSMENT TOOL

DEPARTMENT:	FULTON POLICE DEPARTMENT	PHYSICAL LOCATION ASSESSED:	141 S. FIRST ST. MUNICIPAL BLDG. FULTON NY 13069
EMPLOYEES (NO.) REGULARLY AT LOCATION FROM 0800-1600		NO. OF EMPLOYEES (FROM LEFT COLUMN) WHO ARE POLICE OFFICERS	
EMPLOYEES (NO.) REGULARLY AT LOCATION FROM 1600-2400		NO. OF EMPLOYEES (FROM LEFT COLUMN) WHO ARE POLICE OFFICERS	
EMPLOYEES (NO.) REGULARLY AT LOCATION FROM 0000-0800		NO. OF EMPLOYEES (FROM LEFT COLUMN) WHO ARE POLICE OFFICERS	
DO EMPLOYEES EXCHANGE MONEY WITH THE PUBLIC?	<input type="checkbox"/> YES <input type="checkbox"/> NO	DO EMPLOYEES WORK ALONE OR IN SMALL NUMBERS?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THERE UNCONTROLLED ACCESS TO THE WORKPLACE?	<input type="checkbox"/> YES <input type="checkbox"/> NO	ARE THERE AREAS OF PREVIOUS SECURITY PROBLEMS AT THIS WORKPLACE?	<input type="checkbox"/> YES <input type="checkbox"/> NO
NARRATIVE, DETAILS OR COMMENTS - CITE SECTION FROM ABOVE - PROVIDE DETAILS FOR ANY CHECK BOX WITH A 'YES' RESPONSE: <div style="text-align: center; margin-top: 50px;">  </div>			
ASSESSMENT REPORT PREPARED BY		ASSESSMENT REPORT DATE	
SIGNATURE OF MEMBER PREPARING THIS REPORT			

**FULTON POLICE DEPARTMENT
WORKPLACE VIOLENCE RESPONSE PLAN AND PREVENTION PROGRAM**

**THE FOLLOWING WILL COMPRISE THE DEPARTMENTS WORKPLACE VIOLENCE RESPONSE
PLAN AND PREVENTION PROGRAM AND ANNUAL EMPLOYEE TRAINING
(INCLUDING NEWLY HIRED EMPLOYEES):**

1. Dissemination of directives; state law; policy; forms; reports
 - a. provide copy of FPD §212.3, containing all relevant law, policy, reports and forms.
 - b. explain requirements of NYS Labor Law and copy of law (within §212.3).
 - c. Duty to report violations; notification of command staff; notification of Chief

The City will aggressively investigate all allegations of violence in the workplace and take appropriate actions to remedy same.

Employees must report violent or aggressive behavior in the workplace to a supervisor promptly.

2. Measures that employees can take to protect themselves from risks
 - a. appropriate work practices (communication of threat, reporting).
 - i. high risk areas - should be most visible to the most people.

Interaction with the public will generally be handled by use of a bullet-resistant glass panel with two-way intercom and pass-through compartment for papers, etc. Monitoring of the police corridor at the Municipal building will be facilitated via a closed circuit camera system which is monitored at the central Dispatch Office. Weapons are prohibited in city buildings as more fully defined in Chapter 72 of the City Code.
 - ii. good lighting

The Municipal Building, including all external areas such as parking lots and walkways, should be well-lit at all times when such areas are occupied and in use. Lighting defects (interior and exterior) will be brought to the attention of the Maintenance Department staff.
 - iii. use of drop safes (lock box) or other methods to minimize cash on hand (timely and routine deposits; record-keeping including receipts for all money exchanges whether negotiable or nonnegotiable items)

Cash shall be handled according to department policy and rules. Cash and other negotiable items, and nonnegotiable items such as bail money, report fees, parking violation fines and other similar moneys shall be handled in a secure manner and deposited into the money drop box unless such funds are being processed, counted or deposited; items held as evidence shall be handled according to evidence policies contained within the FPD Operations Manual
 - iv. Communication skills - conflict resolution and nonviolent self-defense responses

When dealing with disorderly persons, persons with weapons, combative or

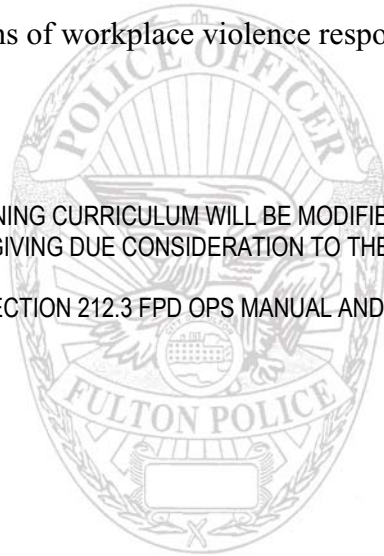
threatening persons, employees should immediately alert a coworker or the E-911 Communications Control Center via radio or telephone and maintain radio communication to provide status reports of the situation. Civilian personnel should immediately alert a sworn member (police officer) when dealing with disorderly persons, persons with weapons, combative or threatening persons.

- b. emergency procedures (communication of threat or emergency, evacuation, lock down, take cover, etc.)
- c. use of alarms (radio codes, E-911, panic buttons)
For sworn members, emergency radio traffic may also include "Code 30" officer trouble call signal.
- d. other


3. Reporting of serious violations of workplace violence response plan or report of imminent danger (form)

THIS RESPONSE PLAN AND TRAINING CURRICULUM WILL BE MODIFIED FROM TIME TO TIME AS DIRECTED BY THE CHIEF OF POLICE GIVING DUE CONSIDERATION TO THE CURRENT RISK ASSESSMENT.

COPY ALL CHANGES TO SECTION 212.3 FPD OPS MANUAL AND ALL FIELD TRAINING MANUALS



**FULTON POLICE DEPARTMENT
 EMPLOYEE'S NOTICE TO EMPLOYER OF
 SERIOUS VIOLATION OF WORKPLACE VIOLENCE
 PROTECTION PROGRAM
 OR
 NOTICE OF IMMINENT DANGER**

DATE	TIME	EMPLOYEE	
CHECK APPROPRIATE BOX:			
<input type="checkbox"/> SERIOUS VIOLATION OF WORKPLACE VIOLENCE PROTECTION PROGRAM			
<input type="checkbox"/> NOTICE OF IMMINENT DANGER			
DESCRIBE THE ACTIVITY, POLICY OR PRACTICE WHICH IS THE SUBJECT OF THIS REPORT:			
			
SIGNED:			
RECEIVED BY: SUPERVISOR NAME		RECEIVED ON DATE/TIME:	

SUPERVISOR - FOR URGENT MATTERS REQUIRING IMMEDIATE ATTENTION, CONTACT CHIEF OF POLICE AND/OR DEPUTY CHIEF. IF THE SITUATION IS PROMPTLY ADJUSTED BY THE SUPERVISOR, NOTIFY CHIEF AND FORWARD ALL REPORTS WITH A DETAILED EXPLANATION OF ANY RESPONSE, MITIGATION OR REMEDIATION TO THE CHIEF. FOR ALL OTHER MATTERS, FORWARD ALL REPORTS TO CHIEF.

§ 27-b of the Labor Law of the State of New York, effective March 4, 2007

§ 27-b. Duty of public employers to develop and implement programs to prevent workplace violence.

1. Purpose. The purpose of this section is to ensure that the risk of workplace assaults and homicides is evaluated by affected public employers and their employees and that such employers design and implement workplace violence protection programs to prevent and minimize the hazard of workplace violence to public employees.

2. Definitions. For the purposes of this section:

- a. "Employer" means: (1) the state; (2) a political subdivision of the state, provided, however that this subdivision shall not mean any employer as defined in section twenty-eight hundred one-a of the education law; and (3) a public authority, a public benefit corporation, or any other governmental agency or instrumentality thereof.
- b. "Employee" means a public employee working for an employer.
- c. "Workplace" means any location away from an employee's domicile, permanent or temporary, where an employee performs any work-related duty in the course of his or her employment by an employer.
- d. "Supervisor" means any person within an employer's organization who has the authority to direct and control the work performance of an employee, or who has the authority to take corrective action regarding the violation of a law, rule or regulation to which an employee submits written notice.
- e. "Retaliatory action" means the discharge, suspension, demotion, penalization, or discrimination against any employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

3. Risk evaluation and determination. Every employer shall evaluate its workplace or workplaces to determine the presence of factors or situations in such workplace or workplaces that might place employees at risk of occupational assaults and homicides. Examples of such factors shall include, but not limited to:

- a. working in public settings (e.g., social services or other governmental workers, police officers, firefighters, teachers, public transportation drivers, health care workers, and service workers);
- 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; and
- f. areas of previous security problems.

4. Written workplace violence prevention program. Every employer with at least twenty full time permanent employees shall develop and implement a written workplace violence prevention program for its workplace or workplaces that includes the following:

- a. a list of the risk factors identified in subdivision three of this section that are present in such workplace or workplaces;
- b. the methods the employer will use to prevent incidents of occupational assaults and homicides at such workplace or workplaces, including but not limited to the following:

- (1) making high-risk areas more visible to more people;
- (2) installing good external lighting;
- (3) using drop safes or other methods to minimize cash on hand;
- (4) posting signs stating that limited cash is on hand;
- (5) providing training in conflict resolution and nonviolent self-defense responses; and
- (6) establishing and implementing reporting systems for incidents of aggressive behavior.

5. Employee information and training.

a. Every employer with at least twenty permanent full time employees shall make the written workplace violence prevention program available, upon request, to its employees, their designated representatives and the department.

b. Every employer shall provide its employees with the following information and training on the risks of occupational assaults and homicides in their workplace or workplaces at the time of their initial assignment and annually thereafter:

- (1) employees shall be informed of the requirements of this section, the risk factors in their workplace or workplaces, and the location and availability of the written workplace violence prevention program required by this section; and
- (2) employee training shall include at least:

- (a) 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, use of security alarms and other devices, and

(b) the details of the written workplace violence prevention program developed by the employer.

6. Application.

a. Any employee or representative of employees who believes that a serious violation of a workplace violence protection program exists or that an imminent danger exists shall bring such matter to the attention of a supervisor in the form of a written notice and shall afford the employer a reasonable opportunity to correct such activity, policy or practice. This referral shall not apply where imminent danger or threat exists to the safety of a specific employee or to the general health of a specific patient and the employee reasonably believes in good faith that reporting to a supervisor would not result in corrective action.

b. If following a referral of such matter to the employee's supervisor's attention and after a reasonable opportunity to correct such activity, policy or practice the matter has not been resolved and the employee or representative of employees still believes that a violation of a workplace violence prevention program remains, or that an imminent danger exists, such employee or representative of employees may request an inspection by giving notice to the commissioner of such violation or danger. Such notice and request shall be in writing, shall set forth with reasonable particularity the grounds for the notice, shall be signed by such employee or representative of employees, and a copy shall be provided by the commissioner to the employer or the person in charge no later than the time of inspection, except that on the request of the person giving such notice, such person's name and the names of individual employees or representatives of employees shall be withheld. Such inspection shall be made forthwith.

c. A representative of the employer and an authorized employee representative shall be given the opportunity to accompany the commissioner during an inspection for the purpose of aiding such inspection. Where there is no authorized employee representative, the commissioner shall consult with a reasonable number of employees concerning matters of safety in the workplace.

d. The authority of the commissioner to inspect a premises pursuant to such an employee complaint shall not be limited to the alleged violation contained in such complaint. The commissioner may inspect any other area of the premises in which he or she has reason to believe that a serious violation of

this section exists.

e. No employer shall take retaliatory action against any employee because the employee does any of the following:

- (1) makes an application pursuant to paragraph a of this subdivision;
- (2) requests an inspection as authorized in paragraph b of this subdivision;
- (3) accompanies the commissioner as authorized in paragraph c of this subdivision;

f. The commissioner may, upon his or her own initiative, conduct an inspection of any premises occupied by an employer if he or she has reason to believe that a violation of this section has occurred or if he or she has a general administrative plan for the enforcement of this section, including a general schedule of inspections, which provide a rational administrative basis for such inspecting. Within one hundred twenty days of the effective date of this paragraph the commissioner shall adopt rules and regulations implementing the provisions of this section.

g. Any information obtained by the commissioner pursuant to this subdivision shall be obtained with a minimum burden upon the employers.

h. When a request for an inspection has been made in a situation where there is an allegation of an imminent danger such that an employee would be subjecting himself or herself to serious injury or death because of the hazardous condition in the workplace, the inspection shall be given the highest priority by the department and shall be carried out immediately.

FULTON POLICE DEPARTMENT ANNUAL REPORT OF WORKPLACE VIOLENCE

REPORT NO.	212.3.2007
WORK SITE/LOCATION:	MUNICIPAL BUILDING - POLICE
EMPLOYER:	CITY OF FULTON
DEPARTMENT:	POLICE
DATE OF REPORT:	
COVERS CALENDAR YEAR:	2007

INCIDENT OR VIOLATION	NO. REPORTED
WORKPLACE VIOLENCE INCIDENTS	
NOTICE OF IMMINENT DANGER	
NOTICE OF SERIOUS VIOLATION OF WORKPLACE VIOLENCE PROTECTION PROGRAM	
INSPECTIONS BY COMMISSION OF LABOR	
EMPLOYEES INJURED DUE TO WORKPLACE VIOLENCE	
EMPLOYEES KILLED DUE TO WORKPLACE VIOLENCE	
OTHER PERSONS INJURED DUE TO WORKPLACE VIOLENCE	
OTHER PERSONS KILLED DUE TO WORKPLACE VIOLENCE	
INSPECTIONS BY COMMISSION OF LABOR	

TRAINING	DATES CONDUCTED
ANNUAL WORKPLACE VIOLENCE CURRICULUM	
ANNUAL WORKPLACE VIOLENCE CURRICULUM	

NARRATIVE - TRAINING; SPECIAL CIRCUMSTANCES; INITIATIVES TO ENHANCE SAFETY IN WORKPLACE, COMMENTS, ETC.

REPORT PREPARED BY:	DATE:
REPORT APPROVED BY:	DATE: