

**RESOLUTION NO. 05:09:23-11**  
**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN APPROVING**  
**AND RATIFYING THE FURTHER AMENDED WORKPLACE VIOLENCE**  
**PREVENTION POLICY**

**WHEREAS**, the Town Of Beekman's Workplace Violence Prevention Policy (the "Policy") was adopted on December 1, 2008, with revisions on November 16, 2011; January 6, 2016; June 21, 2017; April 28, 2020; and

**WHEREAS**, the Town Board is desirous in further amending the Policy in response to the lodging of facially invalid claims for the possible purposes of harassing co-workers and impeding the prosecution of Town business by diverting finite municipal resources towards investigating and responding to such claims and away from rendering services to Town residents; and

**WHEREAS**, the Town Board has reviewed and considered the proposed further amended Policy in consultation with legal counsel and wishes to adopt such further amended Policy;

**NOW, THEREFORE, IT IS HEREBY: RESOLVED**, that the Town Board of the Town of Beekman hereby ratifies and approves the further amended Policy, effective this date.

**Introduced: COUNCILMAN LEMAK**

**Seconded: COUNCILMAN BATTAGLINI**

**ROLL CALL VOTE:**

Councilman Stiegler	<b>ABSENT</b>
Councilman Battaglini	<b>AYE</b>
Councilman Lemak	<b>AYE</b>
Councilwoman Woehrman	<b>AYE</b>
Supervisor Covucci	<b>AYE</b>

# **TOWN OF BEEKMAN, NEW YORK**



## **WORKPLACE VIOLENCE PREVENTION POLICY**

**Effective November 17, 2011**

**Amended May 9, 2023**

# Town of Beekman

## Workplace Violence Prevention Policy

Effective Date: November 17, 2011

Amendment Date: May 9, 2023

### PURPOSE

The Town of Beekman does not tolerate workplace violence.

We define workplace violence (herein after, "Violence") as actions endangering or harming another employee or resulting in other employees having a reasonable belief that they are in danger.

#### Violence includes:

- Verbal or physical harassment which is actionable offense under federal and/or State law
- Verbal threats of physical violence
- Battery or other instances of physical violence
- Any other behavior constituting an actionable offense under federal and/or State law and which reasonably and subjectively causes a Town Employee to feel unsafe.

### SCOPE

Town policy requires an immediate response to all reports of Violence. All incidents of Violence will be investigated and documented by the Town Supervisor's office or a designee thereof. If appropriate, the Town may provide counseling services or referrals for employees.

The following disciplinary actions may also be taken:

- Oral reprimand
- Written reprimand
- Suspension
- Termination

### RESPONSIBILITY

It's the responsibility of all employees to report all Violence to the Town Supervisor immediately. The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of Violence are to be reported within the first 24 hours.

Management, supervisors, and all safety personnel are responsible for the observation of all personnel and identification of potential Violence. All facially valid reports of Violence are to be fully investigated. Findings will be presented to management and an action plan

developed to minimize and eliminate the Violence.

## **PROCEDURES**

### **Evaluation of Security Procedures**

A physical security survey will be conducted once a year on or around July 1.

As our town continues to grow and expand, so does potential Violence.

Reassess all facets to the work environment to include secure entrances, public access, restroom facilities, parking lots, workstations, and closed circuit surveillance cameras.

### **Complaints**

Employees are encouraged to submit a written complaint of any alleged Violence to the Town Supervisor. If any employee is uncomfortable providing their written complaint to the town Supervisor, they may provide their complaint to any member of the Town Board.

### **Incident Response Team**

The following individuals are named in the event to respond to a potential threat or live situation. The Incident Response Team will coordinate all facets of the response including the initial response in emergency situations, contacting of local authorities and intervention of the subject and victim.

<b>Werner Stiegler, Councilman</b>	<b>(914) 490-8912</b>
<b>Theresa Manzo, Payroll Clerk</b>	<b>(845) 724-5300 ext. 231</b>
<b>Ezio Battaglini, Councilman</b>	<b>(845) 656-5988</b>

### **Training of Management and Employee Groups**

Initial training for management and employees consists of the introduction of this policy, scope and responsibilities. Review reporting procedures and expectations with employees. Management will provide incident forms and detailed procedures to which front-line supervisors shall adhere.

Re-training will be conducted annually on or around July 1st of each year.

### **Evaluation and Intervention**

In order to assess this risk, the following suggested questions should be asked to individuals familiar with the alleged offender's behavior, both prior to and after any alleged Violence.

Reference Appendix A for the Individual Assessment Form.

### **Preliminary Complaint Evaluation**

Prior to conducting a Risk Assessment, or investigating any complaint submitted under this Policy, the Incident Response Team shall determine whether the complaint alleges: (1) that an act of physical violence was perpetrated against a Town Employee; (2) that such an act was threatened against a Town employee; and/or (3) conduct constituting an actionable offense under federal and/or State law.

If the Incident Response Team determines that the complaint does not allege one of the above circumstances, the complaint shall be summarily adjudicated as not falling with this Policy and shall be dismissed without further action. In making this determination, the Incident Response Team shall view the allegations in the complaint in the light most favorable to the complaining employee, assuming the truth of such allegations and drawing all reasonable inferences in favor of such employee.

### **Risk Assessment**

*Note:* Perpetrators of Violence can be both men and women, however, for the purposes of the questions to be asked, he is used to refer to the offender.

They include:

- Why has the offender threatened, made comments which have been perceived by others as threatening, or has taken this action at this time?
- What is happening in his own life that has prompted this?
- What has been said to others, i.e. friends, colleagues, coworkers, etc., regarding what is troubling him?
- How does the offender view himself in relation to everyone else?
- Does he feel he has been wronged in some way?
- Does he accept responsibility for his own actions?
- How does the offender cope with disappointment, loss, or failures?
- Does he blame others for his failures?
- How does the offender interact with coworkers?
- Does he feel he is being treated fairly by the company?
- Does he have problems with supervisors or management?
- Is he concerned with job practices and responsibilities?
- Has he received unfavorable performance reviews or been reprimanded by management?
- Is he experiencing personal problems such as divorce, death in the family, health problems, or other personal losses or issues?
- Is he experiencing financial problems, high personal debt, or bankruptcy?
- Is there evidence of substance abuse or mental illness/depression?
- Has he shown an interest in violence through movies, games, books, or magazines?
- Is he preoccupied with violent themes; interested in publicized violent events; or fascinated with and/or recently acquired weapons?
- Has the offender identified a specific target and communicated with others his thoughts or plans for violence?
- Is he obsessed with others or engaged in any stalking or surveillance activity?
- Has the offender spoken of homicide or suicide?
- Does he have a past criminal history or history of past violent behavior?
- Does the offender have a plan for what he would do?
- Does the plan make sense, is it reasonable, is it specific?
- Does the offender have the means, knowledge and wherewithal, to carry out his plan?

### **Assessment Review and Action**

Upon completion of the assessment, review results with the Town Supervisor. Options are to be considered in terms of intervention. If a threat is eminent, local authorities should be

immediately contacted.

Consider job rotation, change in reporting manager, or other work environment change to reduce or eliminate the source of conflict.

Full documentation of the perceived or real threat is to be well maintained. If an incident occurs, complete the appropriate job site investigation and witness statement forms.

### **Communication**

Communicate course of action with all Management, victim and subject in question. Clearly define the course of action this policy lays forth in terms of discipline.

### **Retaliation & Bad Faith Complaints Prohibited**

No employee shall be subjected to retaliation for bringing in good faith, or cooperating in the investigation of a complaint under the Policy.

Notwithstanding the above, any employee found to have brought their complaint in bad faith shall be subject to discipline up to and including termination.

No employee shall be found to have brought a bad-faith complaint exclusively on the basis that the Incident Response Team summarily adjudicated such complaint as not falling with this Policy as provided for under the "Preliminary Complaint Evaluation" section. However, such a finding may be considered in deciding whether a complaint was brought in bad faith. Conversely, an employee may still be found to have brought a bad-faith complaint notwithstanding a preliminary determination by the Incident Response Team that the complaint fell within this Policy.

## EMPLOYEE ACKNOWLEDGEMENT FORM

I have received a copy of the Town's Workplace Violence Prevention Policy amended by the Town Board on May 9, 2023

I agree to review the policy and abide by it at all times.

I understand that questions about the policy should be directed to the Town Supervisor.

\_\_\_\_\_  
Name of Employee/Consultant (Please Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent or Guardian Signature if under 18 years of age

\_\_\_\_\_  
Date

# **Appendix A**

## **Individual Assessment**

**Town of Beekman**

Workplace Violence Prevention Policy



## Individual Assessment

Date of Assessment: \_\_\_\_\_

Individual's Name: \_\_\_\_\_

Supervisor: \_\_\_\_\_

1. Why has the offender threatened, made comments which have been perceived by others as threatening, or taken this action at this particular time? What is happening in his/her own life that has prompted this?

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2. What has been said to others, i.e. friends, colleagues, coworkers, etc., regarding what is troubling him?

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3. How does the offender view himself in relation to everyone else?

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4. Does he feel he has been wronged in some way?

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5. Does he accept responsibility for his own actions?

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6. How does the offender cope with disappointment, loss or failure?

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7. Does he blame others for his failures?

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8. How does the offender interact with coworkers?

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9. Does he feel he is being treated fairly by the company?

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10. Does he have problems with supervisors or management?

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11. Is he concerned with job practices and responsibilities?

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12. Has he received unfavorable performance reviews or been reprimanded by management?

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13. Is he experiencing personal problems such as divorce, death in the family, health problems, or other personal losses or issues?

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14. Is he experiencing financial problems, high personal debt, or bankruptcy?

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15. Is there evidence of substance abuse or mental illness/depression?

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16. Has he shown an interest in violence through movies, games, books, or magazines?

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17. Is he preoccupied with violent themes; interested in publicized violent events; or fascinated with and/or recently acquired weapons?

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18. Has the offender identified a specific target and communicated with others his thoughts or plans for violence?

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19. Is he obsessed with others or engaged in any stalking or surveillance activity?

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20. Has the offender spoken of homicide or suicide?

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21. Does he have a past criminal history or history of past violent behavior?

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22. Does the offender have a plan for what he would do?

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23. Does the plan make sense, is it reasonable, is it specific?

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24. Does the offender have the means, knowledge and wherewithal to carry out his plan?

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Form completed by: \_\_\_\_\_

Completed on: \_\_\_\_\_

Time: \_\_\_\_\_

Signature: \_\_\_\_\_

Individuals present for the assessment:

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\_\_\_\_\_

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