

**NYCHA STANDARD PROCEDURE MANUAL**  
**SP 001:97:2, WORKPLACE VIOLENCE PROCEDURE**  
**TABLE OF CONTENTS**

I. PURPOSE .....	1
II. POLICY.....	1
III. APPLICABILITY.....	2
IV. DEFINITIONS .....	2
V. REVIEW CYCLE.....	3
VI. RESPONSIBILITIES.....	4
A. Office of Safety and Security .....	4
B. Law Department.....	4
C. Human Resources Department.....	5
D. Authorized Employee Representative (AERs).....	5
E. Department Directors .....	5
F. Supervisors .....	6
G. Employees .....	7
VII. PROCEDURE .....	7
A. During a Workplace Violence Incident.....	7
B. After a Workplace Violence Incident.....	7
C. Follow-Up to a Workplace Violence Incident .....	9
D. Risk Assessments .....	12
E. Active Shooter Drills .....	14
F. Workplace Violence Prevention Poster .....	14
VIII. OUTPUTS, REPORTS, AND RECORDKEEPING .....	15
A. Outputs.....	15
B. Reports.....	15
C. Recordkeeping .....	15
IX. TRAINING REQUIREMENTS.....	15
X. PERFORMANCE METRICS.....	15
XI. NON-COMPLIANCE .....	15
XII. FORMS.....	15
XIII. WORKFLOW .....	16
XIV. REVIEW/REVISION HISTORY PAGE.....	17
XV. APPENDICES.....	18

SUBJECT	PROCEDURE OWNER	APPROVED DATE	APPROVED BY	INDEX NO.
WORKPLACE VIOLENCE PROCEDURE	OFFICE OF SAFETY AND SECURITY	Issued May 1, 1997 Revised August 11, 2003 Revised June 7, 2010 Revised June 14, 2013  Date: 5/2/17	 Gerald Nelson Vice-President for Public Safety   Michael P. Kelly General Manager	001:97:2

## I. PURPOSE

The purpose of this Standard Procedure is to establish:

1. The responsibilities of NYCHA employees and their departments regarding workplace violence.
2. Procedures for evaluating and lessening risk regarding workplace violence.
3. A workplace violence prevention training program.
4. A workplace violence prevention plan, as required by Article 2, Section 27-b of the New York State Labor Law; and by 12 NYCRR Part 800.6, "Public Employer Workplace Violence Prevention Programs."

## II. POLICY

The New York City Housing Authority (NYCHA) is committed to providing a safe workplace environment for its employees, residents, contractors, program participants, program applicants, and visitors to the premises by utilizing physical space design and administrative controls to reduce or eliminate the risk of workplace violence. Any employee, resident, contractor, program participant, program applicant, or visitor to the premises who engages in violent and/or abusive behavior in the workplace may be subject to criminal prosecution, immediate suspension, or disciplinary action including termination of employment as applicable. NYCHA does not tolerate:

- A. Workplace violence (See Section IV.G.1.).
- B. Retaliatory actions at the workplace by or against any employee, resident, contractor program participant, program applicant, or visitor to the premises under any circumstances.
- C. Objectionable behavior which includes, but is not limited to, insults, gestures, physical or verbal expressions of hostility towards others, or threats made against an employee, resident, contractor, program participant, program applicant, or visitor to the premises.
- D. Any remarks intended to provoke hostilities.

## NYCHA STANDARD PROCEDURE MANUAL

All NYCHA personnel are to act promptly in accordance with this Standard Procedure. Employees must notify the Office of Safety and Security of any violent incidents, threatening behavior, or threats that they witnessed or received, by submitting NYCHA e-form 899.003, *Safety and Security Incident Report*, or by calling 212-306-8800.

### III. APPLICABILITY

This Standard Procedure applies to all NYCHA employees and third-party contractors.

### IV. DEFINITIONS

#### A. Authorized Employee Representative (AER)

As defined by the New York Public Employee Safety and Health Bureau (PESH), an employee authorized by the employees or the designated representative of an employee organization recognized or certified to represent the employees pursuant to Article 14 of the Civil Service Law.

#### B. Imminent Danger

Any condition or practice at NYCHA locations in which a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated.

#### C. Joint Task Force

Comprised of representatives from various NYCHA departments and AERs, performs all risk evaluations at NYCHA locations in cooperation with the Office of Safety and Security.

#### D. Retaliatory Action

Discharge, suspension, demotion, penalization, discrimination, or other adverse employment action taken against an employee for reporting violations of this Standard Procedure to NYCHA or the New York State Department of Labor.

#### E. Supervisor

Any person within NYCHA who has the authority to direct and control the work performance of an employee or who has the authority to take corrective action.

#### F. Workplace

Any location where an employee performs any work-related duty in the course of his or her employment, and any location that reasonably can be regarded as an extension of the workplace.

## NYCHA STANDARD PROCEDURE MANUAL

### G. Workplace Violence

1. Any physical assault or act of aggressive behavior occurring in a workplace, including but not limited to:
  - a. Any attempt or threat, either verbal or physical, to inflict physical injury to an employee.
  - b. Any intentional display of force which would give an employee reason to fear or expect bodily harm.
  - c. Intentional and wrongful physical contact with a person without his or her consent that entails some injury.
  - d. Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee.
2. Workplace violence can be committed by, but not limited to, the following:
  - a. Personal relations, including intimate partners and family members.
  - b. Customers, clients, or business relations including residents, contractors, program participants, program applicants, or visitors to a NYCHA location.
  - c. Co-workers.
  - d. Strangers.

### V. REVIEW CYCLE

The Office of Safety and Security shall review this Standard Procedure annually, or earlier if needed, in cooperation with the Joint Task Force. The review is based on, but not limited to, the following information:

- A. Workplace violence statistical information from NYCHA e-forms 899.003, *Safety and Security Incident Report*, sent to the Office of Safety and Security
- B. Active shooter drills and workplace violence site-specific training conducted by the Office of Safety and Security
- C. Results of NYCHA risk assessments
- D. Changes made to New York State Labor Law 27b and Code Rule 800.6
- E. New York City Police Department Uniform Crime Reports

## NYCHA STANDARD PROCEDURE MANUAL

### VI. RESPONSIBILITIES

#### A. Office of Safety and Security

The director of safety and security shall have overall oversight of this procedure. He/she shall ensure that the Office of Safety and Security:

1. Conducts active shooter drills at NYCHA locations, in cooperation with AERs and the NYPD.
2. Schedules and conducts risk assessments for NYCHA locations in cooperation with AERs.
3. Revises and evaluates strategies by utilizing the hierarchy of hazard controls, a system used to eliminate or lessen exposure to risks. The hierarchy of hazard controls includes elimination, substitution, engineering, administration, and personal protective equipment (PPE).
4. Investigates workplace violence incidents.
5. Implements measures to safeguard NYCHA personnel.
6. Testifies in court hearings.
7. Provides guidance to employees who request advice in handling workplace violence incidents.
8. Provides central office locations and the Customer Contact Center a list of people who are not allowed access to the location (denied access list).
9. Reviews statistics in cooperation with the AERs to identify trends.
10. Assists employees on order of protection and privacy cases.

#### B. Law Department

##### 1. Employee Disciplinary Division

The chief or assistant chief shall review and advise on workplace violence findings by the Office of Safety and Security when requested.

##### 2. Tenant Administrative Hearings Division

The chief or assistant chief shall manage termination of tenancy proceedings as outlined in *NYCHA Management Manual, Chapter IV*.

## NYCHA STANDARD PROCEDURE MANUAL

### C. Human Resources Department

#### 1. Director of Human Resources

- a. Reviews the circumstances of workplace violence cases.
- b. Coordinates employee transfers.
- c. Recommends and responds to requests for appropriate action to be taken against any employee perpetrator.

#### 2. Labor Relations Unit

A Labor Relations Unit analyst shall provide, upon notice from the Office of Safety and Security, release notifications to supervisors to allow AERs to perform their duties under this Standard Procedure.

### D. Authorized Employee Representative (AERs)

Authorized employee representatives shall:

1. Participate in workplace violence training, active shooter drills, and risk assessments.
2. Assist the Office of Safety and Security in evaluating safety strategies and trends.
3. Request risk assessments and active shooter drills.

### E. Department Directors

All NYCHA department directors shall:

1. Notify the Human Resources Department about workplace violence by sending an e-mail to 'HR Employee Violence Reports' and/or calling 212-306-3892 or 212-306-3978.
2. Follow up on resident perpetrator workplace violence incidents with the location supervisor.
3. Follow up on employee perpetrator workplace violence with appropriate disciplinary actions.
4. Initiate employee transfers.
5. Rectify risks identified by the Office of Safety and Security.

## NYCHA STANDARD PROCEDURE MANUAL

### F. Supervisors

All NYCHA supervisors shall:

1. Notify the Office of Safety and Security about workplace violence incidents by submitting NYCHA e-form 899.003, *Safety and Security Incident Report*.
2. Obtain contemporaneous, written witness statements and provide them to the Office of Safety and Security, Human Resources Department, and Law Department.
3. Make arrangements for the purpose of safeguarding employees who are victims of workplace violence.
4. Take no retaliatory action against an employee for reporting violations of this Standard Procedure to NYCHA or the New York State Department of Labor.
5. Take preventive action before an occurrence or threat of workplace violence.
  - a. The supervisor/employee relationship is characterized by the same courtesy and respect that all employees are expected to maintain with one another. Workplace violence is never appropriate.
  - b. Every effort is made by the supervisor to develop an atmosphere of trust, so that employees may talk through situations that might otherwise result in workplace violence. In all such discussions, the supervisor clearly:
    - (1) States NYCHA policy.
    - (2) States the consequences of abusive or violent behavior.
    - (3) Reminds staff of their obligation to comply with the *NYCHA Human Resources Manual, General Regulations of Behavior*.
  - c. Supervisors may recommend the Employee Assistance Program to their employees, when in their judgment such intervention may prove helpful to the employee. If the employee indicates their willingness, supervisors may call the Employee Assistance Program to set up the initial appointment. For more information, see the *NYCHA Human Resources Manual*.
  - d. Supervisors may recommend and encourage employees to attend one of the following additional NYCHA sponsored courses:
    - (1) Preventing Workplace Violence.
    - (2) Preventing Sexual Harassment.

## NYCHA STANDARD PROCEDURE MANUAL

(3) Resolving Conflicts at Work.

(4) Stress Management.

### G. Employees

All NYCHA employees shall:

1. Retreat from, and not engage in, a potential workplace violence situation when provoked.
2. Act professionally when confronted or provoked.

Keeping control of your behavior, not exchanging words, and maintaining calm are good responses to these types of encounters.

3. Notify their supervisors and the Office of Safety and Security of their awareness of the following:
  - a. Witnessing imminent or actual workplace violence incident(s).
  - b. Victimization by verbal or physical workplace violence behavior.

## VII. PROCEDURE

### A. During a Workplace Violence Incident

During an active or imminent danger of an incident, an employee, if able to do so without endangering him or herself:

1. Notifies law enforcement.
2. Reports the incident to a supervisor.

### B. After a Workplace Violence Incident

#### 1. Reporting an Incident

An employee can report an incident in any of the following ways:

- a. Submitting NYCHA e-form 899.003, *Safety and Security Incident Report*.
- b. Calling the Office of Safety and Security at 212-306-8800 (available 24 hours a day, seven (7) days a week).



## NYCHA STANDARD PROCEDURE MANUAL

- c. Reporting in person to the Office of Safety and Security at 90 Church Street, 9<sup>th</sup> floor, New York, NY, 10007. This visit can be scheduled or unscheduled.
- d. Sending a letter to Director of Safety and Security, NYCHA Office of Safety and Security, 90 Church Street, 9<sup>th</sup> floor, New York, NY, 10007.

### 2. Supervisors

- a. The supervisor notifies his/her department director of the incident.

If a victim is unable to notify law enforcement of an incident, his/her supervisor must do so.

- b. The supervisor consults with the victim to determine if he or she needs to be temporarily or permanently transferred to another location.
- c. If the perpetrator is a NYCHA employee, and should be removed from the workplace, the supervisor consults with Human Resources regarding actions that may be taken within civil service law by contacting the Employee Relations Coordinator at 212-306-3892 or 212-306-3978.
- d. The supervisor ensures employee information and any documents related to the incident are shared only as necessary.
- e. The supervisor contacts the department director if an employee transfer is warranted. See Section VII.C.7. below.

### 3. Department Directors

A department director notifies the Human Resources Department about the incident by sending an e-mail to 'HR Employee Violence Reports' and/or calling 212-306-3892 or 212-306-3978.

### 4. Office of Safety and Security

- a. The Office of Safety and Security receives NYCHA e-form 899.003, *Safety and Security Incident Report*, and investigates the claim.
- b. The director of safety and security forwards the findings to the affected department director and director of human resources.

## NYCHA STANDARD PROCEDURE MANUAL

### C. Follow-Up to a Workplace Violence Incident

#### 1. Employee Perpetrator

- a. If a NYCHA employee engages in workplace violence, his/her supervisor is required to consult with his/her department director and the Human Resources Department Employee Relations Coordinator regarding appropriate disciplinary action.
- b. The Human Resources Department Employee Relations Coordinator recommends and responds to requests for appropriate immediate action to be taken against any employee perpetrator, up to and including termination. The Human Resources Department Employee Relations Coordinator ensures that:
  - (1) The supervisor and department director of an employee perpetrator are informed of the perpetrator's status regarding entitlement to disciplinary due process rights.
    - (a) Certain employees are entitled to disciplinary due process rights and may be suspended without pay for up to 30 days, and subject to a General Trial that may result in termination. Other employees are not entitled to disciplinary due process rights and can be subject to immediate termination.
    - (b) For employees with disciplinary due process rights, the department director and director of human resources may consult with the chief or assistant chief of the Law Department Employee Disciplinary Division to determine if a General Trial request should be submitted. For more information, see the *NYCHA Human Resources Manual*.
  - (2) Recommendation(s) for disciplinary action are provided to the department director.
- c. The department director determines whether to request disciplinary action.

#### 2. Contractor Perpetrator

- a. If a NYCHA contractor, independent contractor, or third-party employee engages in workplace violence, the offending contractor and/or employee is removed from NYCHA property and the location supervisor notifies the contract administering department.
- b. The contract administering department provides written notice to the director of the Procurement Department and the independent contractor that the offending employee is banned from performing work on any NYCHA contract, until such time as the contractor receives written notice from the contract administering department to the contrary.

## NYCHA STANDARD PROCEDURE MANUAL

- c. The contract administering department determines if any additional action is necessary regarding the contract, e.g., termination of the contract.
3. Resident Perpetrator
    - a. If a NYCHA public housing resident commits an act of workplace violence, the property manager must initiate administrative action, as appropriate. For more information, see *NYCHA Management Manual, Chapter IV*.
    - b. If a resident threatens an employee, the property manager or property maintenance supervisor does not have to allow the resident inside the management office. Business can be conducted through the receptionist desk, or arrangements can be made to meet in another location. The property manager or property maintenance supervisor can request police and/or a member of the Office of Safety and Security be present at the meeting.
  4. Leased Housing Tenant Perpetrator
    - a. If a NYCHA leased housing tenant commits an act of workplace violence, the director of Leased Housing Central Office Operations initiates administrative action, as appropriate.
      - (1) If the leased housing tenant is part of the Project-Based Section 8 Program, see *NYCHA Management Manual, Chapter V*.
      - (2) If the leased housing tenant is part of the Section 8 Existing Housing Program, see NYCHA form 059.262, *Section 8 Existing Housing Program – Termination Of Subsidy Procedures*.
    - b. If a leased housing tenant threatens an employee, the location supervisor does not have to allow the resident inside the office. Arrangements can be made to meet in another location. The location supervisor can request police and/or a member of the Office of Safety and Security be present at the meeting.
  5. Program Participant, Program Applicant, or Visitor Perpetrator
    - a. If a program participant, applicant, or visitor to the premises engages in workplace violence, the offending individual is removed from NYCHA property and the location supervisor notifies the director of the administering department.
    - b. The administering department provides written notice to the director of the Office of Safety and Security and the offending individual that he/she is banned from any NYCHA program or property, until such time as the offending individual receives written notice from the administering department to the contrary.

## NYCHA STANDARD PROCEDURE MANUAL

- c. If the offending individual is applying for public housing, the individual may be denied admission. See *NYCHA Applications and Tenancy Administration Department Manual*.

### 6. Orders of Protection

- a. If a victim of workplace violence obtains a legal order of protection, he/she is encouraged to provide copies to his/her supervisor and the Office of Safety and Security. The copy can be provided to the Office of Safety and Security by:

- (1) Including it as an attachment to NYCHA e-form 899.003, *Safety and Security Incident Report*, or,

- (2) Mailing or hand delivering it to the Office of Safety Security Office at 90 Church Street, 9<sup>th</sup> floor, New York, NY, 10007.

- b. If an order of protection is violated on NYCHA grounds, the victim notifies law enforcement and contacts the Office of Safety and Security at 212-306-8800.

### 7. Employee Transfers

- a. Any of the following can request an employee transfer:

- (1) An employee who was a victim of workplace violence.

- (a) The employee makes the request to his/her supervisor.

- (b) The supervisor informs the department director of the request or forwards the request to the department director if it is in writing.

- (2) The employee's supervisor.

- (a) The request is sent to the employee's department director.

- (3) The Office of Safety and Security.

- (a) The request is sent to the employee's department director.

- (4) The Law Department Employee Disciplinary Division or Human Resources Department (based on any known history of participation in an incident).

- (a) The request is sent to the employee's department director.

## NYCHA STANDARD PROCEDURE MANUAL

- b. A department director, following any recommendations provided by the Office of Safety and Security regarding safety factors and by the Human Resources Department or Law Department regarding the employee's history and prior interactions, confers with the Human Resources Department to find a suitable location where there is an approved vacancy in the employee's title.
- c. Transfers made for safety reasons following a workplace violence incident are not subject to the provisions followed to fill a vacancy through the Automated Transfer List System.
- d. If an appropriate location is not available within the employee's department, the department director confers with the Human Resources Department and other departments which use the involved title, to find a new location for the employee.

### D. Risk Assessments

The Office of Safety and Security conducts risk assessments of all NYCHA locations annually or as required by law. Risk assessments are overseen by the director of safety and security, deputy director of safety and security, or security manager, and are conducted in cooperation with AERs and local unions.

#### 1. Risk Assessment Factors

A risk assessment determines the presence of factors or situations that might place employees at risk of workplace violence by:

- a. Examining previous incidents to identify patterns in the type and cause of injuries.
- b. Assessing relevant policies, work practices, and work procedures that may impact the risk of workplace violence.
- c. Identifying risks, which include, but are not limited to:
  - (1) Working in public settings
  - (2) Working late night or early morning hours
  - (3) Working alone or in small numbers
  - (4) Working in a location with uncontrolled public access
  - (5) Working in areas with previous security problems
- d. Assessing physical spaces, including design, hardware, and property layout.

## NYCHA STANDARD PROCEDURE MANUAL

### 2. Risk Assessment Process

- a. The Office of Safety and Security representative:
  - (1) Creates a schedule that lists the locations scheduled for an evaluation which includes the date, time, and meeting place.
  - (2) E-mails the evaluation schedule seven (7) days prior to the evaluation to an administrative staff analyst in the Human Resources Department, Labor Relations Unit.
- b. The Human Resources Department, Labor Relations informs members of the Joint Task Force of the schedule of the evaluation
- c. On the day of the risk evaluation, the Office of Safety and Security representative informs the Joint Task Force of the property layout being surveyed and any prior results and actions taken by the Office of Safety and Security.
- d. The Joint Task Force, in cooperation with the Office of Safety and Security representative:
  - (1) Conducts a physical inspection of the exterior and interior of the location to determine the existing state
  - (2) Identifies the weaknesses and strengths of the location from a security hardware, procedural, and design standpoint
  - (3) Compiles information from photographs and interviews
  - (4) Documents, discusses, and recommends types and degrees of protection and training required to safeguard employees

### 3. Determination

The Office of Safety and Security representative:

- a. Records the results of the risk assessment on NYCHA form 899.004, *Workplace Violence Prevention Checklist*.
- b. Analyzes the evaluation to develop recommendations for the reduction of workplace violence risks.
- c. Provides the findings and recommendations to the department director and location supervisor.
- d. May conduct follow-up inspections to ensure recommendations are enacted.

## NYCHA STANDARD PROCEDURE MANUAL

### E. Active Shooter Drills

The Office of Safety and Security conducts an active shooter drill at a location if warranted by previous activity or upon request. Active shooter drills are overseen by the director of safety and security, deputy director of safety and security, or security manager.

#### 1. Scheduling a Drill

- a. The Office of Safety and Security determines which locations to conduct a drill at if warranted by previous activity using the following information:
  - (1) NYCHA Emergency Services Department reports
  - (2) NYPD Uniformed Crime Reports
  - (3) Office of Safety and Security Workplace Violence Database
- b. Any NYCHA employee can contact the director of safety and security, deputy director of safety and security, or security manager to request an active shooter drill at his/her location.
- c. The Office of Safety and Security contacts the department director and location supervisor to schedule the drill.

#### 2. Drill Process

A drill includes the following protocols:

- a. Preplanning: how to best be prepared for an incident.
- b. Situational: how to best respond to an active incident.
- c. Post-Incident: how to best respond after an incident occurs.

#### 3. Follow-Up

The Office of Safety and Security representative:

- a. Discusses recommendations with employees at the end of a drill.
- b. Provides an active shooter drill report to the department director and location supervisor.

### F. Workplace Violence Prevention Poster

Every NYCHA department director ensures the NYCHA Workplace Violence Prevention Poster is displayed where it may be seen easily in common areas, such as break rooms, reception areas, or near the time clock.

## VIII. OUTPUTS, REPORTS, AND RECORDKEEPING

### A. Outputs

1. Completed Safety and Security Incident Reports
2. Completed Workplace Violence Prevention Checklists

### B. Reports

The Office of Safety and Security generates a workplace violence report for each quarter.

### C. Recordkeeping

The Office of Safety and Security maintains all reports and assessments. Any NYCHA employee can contact the Office of Safety and Security at 212-306-8800 to view copies of NYCHA form 899.004, *Workplace Violence Prevention Checklist*.

## IX. TRAINING REQUIREMENTS

The Office of Safety and Security will conduct site-specific training annually. The training is based on site assessments and site-specific risks and remedies.

## X. PERFORMANCE METRICS

- A. Number of risk assessments conducted per year compared to the number of developments
- B. Number of closed out reports per year compared to the number of reports filed
- C. Number of active shooter drills conducted per year compared to the number of requests

## XI. NON-COMPLIANCE

Any employee, resident, contractor, program participant, program applicant, or visitor who is not in compliance with this Standard Procedure, or who engages in workplace violence may be subject to criminal prosecution, termination of lease, contract revocation, removal from program, immediate suspension, or disciplinary action including termination of employment.

## XII. FORMS

- A. NYCHA e-form 899.003, *Safety and Security Incident Report*
- B. NYCHA form 899.004, *Workplace Violence Prevention Checklist*



**XIII. WORKFLOW**

This section intentionally left blank.

NYCHA STANDARD PROCEDURE MANUAL

XIV. REVIEW/REVISION HISTORY PAGE

WORKPLACE VIOLENCE PROCEDURE

SP 001:97:2

<b>Review/ Revision</b>	<b>Review/ Revision Date</b>	<b>Sections Amended</b>
1.	5/2/17	Section I. Purpose
2.	5/2/17	Section II. Policy
3.	5/2/17	Added Section III. Applicability
4.	5/2/17	Section IV. Definitions
5.	5/2/17	Added Section V. Review Cycle
6.	5/2/17	Section VI. Responsibilities
7.	5/2/17	Added Section VII. Procedure
8.	5/2/17	Added Section VIII. Outputs, Reports, and Recordkeeping
9.	5/2/17	Added Section IX. Training Requirements
10.	5/2/17	Added Section X. Performance Metrics
11.	5/2/17	Added Section XI. Non-Compliance
12.	5/2/17	Added Section XII. Forms
13.	5/2/17	Added Section XIII. Workflow
14.	5/2/17	Added Section XIV. Review /Revision History Page
15.	5/2/17	Added Section XV. Appendices
16.	7/19/17	Section IV. Definitions

**XV. APPENDICES**

This section intentionally left blank.