



WORKPLACE VIOLENCE PREVENTION POLICY

1. POLICY STATEMENT

- 1.1 The New York City Fire Department promulgates this policy to prevent and minimize instances of violence in the workplace between Department employees and all persons with whom they come in contact in the course of conducting their assigned tasks. This policy is also promulgated to encourage employees to report all instances of, and concerns regarding, physical violence (assaults and homicides), attempted assaults, threats reasonably perceived to result in physical violence, or other conduct that would be reasonably expected to lead to an assault or a homicide, to ensure that those reports are reviewed on an expedited basis, and, where appropriate, to ensure that de-escalation and/or corrective measures are taken.
- 1.2 The Fire Department is responsible for evaluating its workplace, determining factors and situations that may place employees at risk of workplace violence, developing and implementing a written prevention program, and providing employees with information and training on the risks of workplace violence.
- 1.3 To this end, the Fire Department, with the participation and input of management, employees, and authorized employee representatives, has conducted a risk evaluation of the agency's operations and facilities, and has identified risk factors for workplace violence that are present and the workplace violence control measures that minimize the risk of workplace violence, and has prepared this policy. Participation by employees and employee representatives is an important part of our program. The written program will be reviewed on an annual basis. The Fire Department will continue to solicit feedback from authorized employee representatives on the program, annual review of facilities, and review of trends in workplace violence prevention trends at least annually.
- 1.4 Any questions, concerns or suggestions regarding workplace violence prevention or the Workplace Violence Prevention policy may be addressed to the Workplace Violence Prevention Coordinator, FDNY OSHA Unit at WVPCoordinator@fdny.nyc.gov or at (718) 784-6554. Written comments from authorized employee representatives will be accepted and reviewed upon receipt.
- 1.5 A copy of the written Workplace Violence Prevention Policy is available on the Fire Department Intranet. It may also be obtained by requesting a hard copy from a supervisor or the FDNY OSHA Unit.
- 1.6 In the event of a workplace violence emergency, employees are instructed to first report the emergency by calling 911, and then report to their supervisor or the Workplace Violence Prevention Coordinator, as described in Section 10 of the Workplace Violence Prevention Policy.
- 1.7 This policy shall apply to all Fire Department employees, except where otherwise indicated.

2. DEFINITIONS

- 2.1 **Employee** - An employee working for the Fire Department.
- 2.2 **Workplace** - Any location away from the employee's domicile in which the employee is authorized to perform any work-related duties in the course of his or her employment.
- 2.3 **Supervisor** - Any person within the Fire Department who (i) has the authority to direct and control the work performance of an employee, or (ii) has the authority to take corrective action in response to a report of workplace violence.
- 2.4 **Retaliatory action** - The discharge, suspension, demotion, penalization, or discrimination against any employee, or other adverse employment action taken against an employee regarding the terms and conditions of employment.

3. CONTENTS OF PROGRAM

- 3.1 The Fire Department is committed to the safety and security of its employees. The Fire Department has numerous policies and procedures in place that are designed to protect employees from workplace violence. These policies and/or procedures are summarized below and/or listed in Section 17. This written program consolidates and summarizes these policies and procedures.

4. PERIODIC WORKPLACE ASSESSMENTS

- 4.1 The Fire Department shall evaluate the workplace to which employees are assigned to determine the presence of factors or situations that might place employees at risk of occupational assaults and homicides.
- 4.2 The Department shall consider the factors set forth in Section 6 and other factors when conducting its workplace risk evaluations.

5. EVALUATION OF WORKPLACE VIOLENCE RISKS TO FDNY EMPLOYEES

- 5.1 The Workplace Violence Prevention Law (Section 27-b of the Labor Law) requires an assessment of risk factors present in the workplace.
- 5.2 The Fire Department has a workforce of approximately 16,000 employees. The agency consists of approximately 11,000 uniformed Firefighters, Fire Officers and Fire Marshals, approximately 4,000 Emergency Medical Technicians (EMTs), Paramedics and EMS Officers, approximately 290 Fire Protection Inspectors, approximately 200 Fire Alarm Dispatchers and approximately 1,100 administrative support personnel. (More exact numbers of Fire Department employees can be found on the Fire Department website.)

- 5.3 As first responders to fires, public safety and medical emergencies, natural disasters and terrorist acts, the Fire Department protects the lives and property of New York City residents and visitors. The Department advances public safety through its fire prevention, investigation and education programs. The timely delivery of these services enables the Fire Department to make contributions to the safety of New York City and homeland security efforts.
- 5.4 Fire Department employees respond to fires, non-fire emergencies and medical calls. Employees also investigate the cause and origin of fires, conduct fire safety events and conduct inspections to ensure compliance with the Fire Code and other laws, rules and regulations that the Department is authorized to enforce.
- 5.5 To determine the potential risks for workplace violence that Fire Department employees face, the Fire Department, in consultation with authorized employee representatives, evaluated the Department's employee work locations and the work duties of employees.
- 5.6 The Fire Department has also reviewed prior reports of workplace violence, consulted with its Fire Marshals, conducted an assessment of employee duties and consulted with different levels of employees from Bureau heads to line supervisors, and has reviewed written correspondence from authorized employee representatives.
- 5.7 After a thorough review of representative physical facilities (as described below) the Department developed a matrix to evaluate risk. The matrix will be reviewed on a yearly basis.
- 5.8 The Fire Department has included authorized employee representatives in facility assessments and has solicited feedback to review this policy. The Fire Department will review its assessments and solicit feedback from employee representatives at least annually.
 - 5.8.1 **FDNY Headquarters - 9 MetroTech Center** - The majority of administrative personnel who work for the Fire Department work at the agency's headquarters, which is located at 9 MetroTech Center, Brooklyn, New York. Additionally, staff from the Bureaus of Fire Operations, Fire Prevention and Fire Investigation, and the Emergency Medical Service Operations, also work from this location.

The building has two entrances that are generally accessible to the public: one on Flatbush Avenue, where the public can come to request records, provide proof of correction of violations, pay fees and take tests for various certificates issued by the Department, and one in MetroTech Center, which serves as the building's main entrance to the administrative offices and the building's auditorium. Security staff monitors both entrances. Members of the public must provide photo-identification to enter the building from either side and must walk through a metal detector before entering. Pursuant to City policy, all persons who intend to access the building through the MetroTech entrance (including FDNY personnel) must show identification to police officers stationed around the building in booths. Non-FDNY or NYPD employees must provide a reason for entry to the police officers.

The entrance on Flatbush Avenue is open to the public from 0800 until 1600 hours. The entrance in MetroTech Center is open to employees and the public during regular business hours. Visitors who enter the building through the MetroTech entrance must be approved for entry by a FDNY employee. Employees who are assigned to work in the building are provided an identification card, which uses biometrics to identify employees at the main entrance. Department employees have differing levels of access to building floors and/or rooms, and such access is based on their job function. Employees who are not assigned to work in the building must show their FDNY photo identification card to the security staff and must walk through a metal detector. Reception desks are staffed on each floor to monitor visitor access.

5.8.2 Training Facilities

- A. **Randall's Island** - Most training for FDNY Firefighters is conducted at the agency's training academy which is located on Randall's Island. The facility contains a total of 15 buildings. Most of the buildings are used for training purposes. Additionally some buildings, or portions thereof, are used for other purposes including, administrative offices, storage, fleet repairs, and mask service. One building is used as a library, containing historical information about FDNY and information regarding fire science. The training facility is located between a Department of Environmental Protection sewage treatment facility and a Department of Parks and Recreation tennis center. Perimeter security is provided at this facility to control access.

- B. **Fort Totten** - Most formal EMS training is conducted at Fort Totten between the hours of 0600 and 2300 hours. Firefighters receive Certified First Responder training at the location. Additionally, other FDNY buildings at Fort Totten contain offices for FDNY's Counseling Services Unit, Quartermaster, Communications, Mobile CPR Training Unit, Bureau of Fire Prevention, Bureau of Fire Investigation, Center for Terrorism and Disaster Preparedness, the Queens Borough Command (for both Fire and EMS Operations), the First Line Supervisor's Training Programs (FLSTP), Research and Development Unit, Scuba Operations, and EMS Station 53. From May through October, Marine Operations docks a fire boat at and responds to emergencies from Fort Totten.

Other governmental agencies that utilize Fort Totten include the United States Coast Guard, the United States Army Reserve, the New York City Police Department, and the New York City Department of Parks and Recreation. Besides government facilities, buildings hold administrative offices for the coordination of the FDNY Ceremonial Unit and the Bayside Historical Society.

Typically, only Department employees access FDNY buildings on Fort Totten, with the exception of the Fire Prevention office. Perimeter security is provided at this facility to control access.

5.8.3 Fire Operations

- A. **Firehouses** - The majority of FDNY Firefighters and Fire Officers are assigned to one of approximately 250 firehouses. Firehouses vary in size and structure, from newly constructed buildings to renovated buildings. Often Fire Companies are the sole occupants of a facility, while others share space with EMS Stations or Fire Prevention offices. All fire houses have a housewatch, which is an office located close to the fire house entrance. When a Fire Company is in quarters, the firefighter assigned to the housewatch is required to monitor incoming requests for emergency assistance, and monitor the telephone and front door, and may restrict visitor access, with certain exceptions. Doors to firehouses are kept locked at all times. All visitors entering into a firehouse are required to sign in and out, or the firefighter in housewatch will sign visitors in and out.

When firefighters are performing operations in the field, each member is assigned a handie-talkie radio for communication. All fire apparatus and other vehicles used by firefighters and/or Fire Officers have a radio in the front cab.

- B. **Marine Operations** - The Fire Department has 3 Marine Companies and a Battalion which operate throughout the year. Each Marine Company has a firehouse located in close proximity to the water. Doors to these facilities are kept locked and a housewatch firefighter monitors entry to the facility when there are firefighters present. Marine 1 is located in Manhattan at the foot of Bloomfield Street and west of the West Side Highway. Marine 6 and the Marine Battalion are located in building 292 at the Brooklyn Navy Yard with the Marine Shops and Marine Operations. Marine 9 is located in a firehouse at the Staten Island Homeport pier in Stapleton.

FDNY Marine Operations also operates 3 additional fire/rescue boats from May until November, which are docked in Brooklyn, Queens and Staten Island, respectively. Marine 3 is located in Brooklyn in a trailer on the grounds of Kingsborough Community College, at the north side, near its pier. Marine 4's facility in Queens is in a FDNY building at Fort Totten, and Marine 8 has quarters at a privately-owned marina on the south east side of Staten Island in Great Kills Harbor.

Perimeter security is provided at each facility to control access.

When Marine personnel are operating on a fire boat, each member is assigned a handie-talkie radio for communications. A cellular telephone is also provided to each Marine Company. All fire boats have radios in the main cabin or wheelhouse.

5.8.4 EMS Operations

- A. **EMS Stations** - The majority of EMS personnel are assigned to EMS Stations. The Fire Department has 37 EMS Stations located throughout the City. EMS stations vary in size and structure, from newly constructed buildings to renovated buildings. Some EMS Stations are the sole occupants of a facility, while others share space with firehouses, Fire Prevention offices, and existing New York City Health and Hospitals Corporation (HHC) hospitals.

EMS Stations operate 24 hours a day, 7 days a week, 365 days a year. There is a Lieutenant working at each facility at all times. The Captain of an EMS Station generally works day or evening tours, on a platoon chart. Typically, the Captain conducts most of his/her work from inside the Station. EMS Stations typically have very few members on-site at any one time because EMS personnel perform most of their duties outside of EMS Stations. The number of personnel within each facility increases during tour changes because personnel are completing a tour and those commencing a tour with the same ambulance unit may be in the facility at the same time.

All EMS facilities are secured by a keyless combination access lock. Approximately 80% of EMS facilities have doors with buzzers to alert those inside the station when people enter/exit the facility. A few facilities are equipped with closed circuit monitoring of the exterior of the facility.

A team of two EMTs or Paramedics are assigned to each ambulance which, if not responding to a call, remains at designated cross street locations (CSL) from which they respond to calls and/or other requests for emergency medical assistance. EMS personnel provide emergency care wherever patients may be located, transport patients to hospital facilities and complete pre-hospital care reports (PCRs). Typically, EMTs and Paramedics only return to their assigned facility to restock supplies, use bathroom and/or kitchen facilities, clean and/or decontaminate equipment on an as needed basis, and at the end of each tour.

EMS members are provided soft body armor (a bullet-resistant vest) upon request. Each EMT and Paramedic is assigned a radio for communication while in the field. Each EMS Officer is assigned 2 or 3 radios for use in the field. All ambulances and other EMS vehicles have a radio in the front cab. In addition, EMS Officers carry cellular telephones.

- B. **Central Booking** - EMS has an office in the New York City Police Department's Central Booking Unit in Brooklyn, Queens, Manhattan and the Bronx. A team of two EMTs are assigned to each Central Booking Office, 24 hours a day, 365 days a year. EMS personnel assigned to these offices conduct an intake medical assessment of persons who have been arrested, under the presence and supervision of a police officer.

5.8.5 Fire Prevention

- A. **District Offices** - Fire Protection Inspectors employed by the Fire Department are assigned to several units and District Offices (DOs). Fire Protection Inspectors (FPIs) conduct inspections of premises for the issuance of Fire Department permits, witness tests, conduct on-site examinations, and visually monitor high-hazard materials and operations. The inspections are performed in the field. FPIs generally work alone and may visit numerous locations in a day. If an FPI finds a deficiency in the premises during an inspection, he/she may issue a violation to the premises owner, which may result in a penalty or suspension of a permit. If all conditions at the premises are satisfactory, that will be reflected in the FPI's report.

There are 10 DOs located throughout the City. Offices for 4 DOs are located in 9 MetroTech Center. One DO is located at Fort Totten. Two DOs are located in the Bronx, one is in Brooklyn, one is in Staten Island and one is located in Queens. The DOs that are in the Bronx and Queens utilize offices located in firehouses. The DO in Staten Island utilizes an office located in an EMS Station. Members of the public may visit a DO for a number of reasons, including requesting clarification on a violation or how to comply with the Fire Code and/or Rules, or to request a copy of their account folder.

- B. **Hazardous Cargo Unit** – The Hazardous Cargo Unit is staffed by Fire Protection Inspectors, whom inspect and issue transportation permits for vehicles (primarily trucks) which transport Hazardous Materials throughout New York City. The unit also issues citywide use permits for equipment that run on or utilize Hazardous Materials (such as emergency generators). Onsite inspections of vehicles are done at the 245 Meserole Avenue (Brooklyn) location, in an open parking lot area located in the rear of the building. Offsite inspections when requested by vehicle owners (at their expense), may take place outside of the City of New York. The office is staffed Monday - Friday from 0730 to 1500 hours. The unit is located in a building that is owned and also used by the New York City Department of Consumer Affairs.

- 5.8.6 Bureau of Facilities Management - The main offices of the Bureau of Facilities Management are located at 48-34 35th Street in the Long Island City section of Queens. The building is open from 0700 to 1700 hours. Trades personnel assigned to the Bureau work exclusively at Fire Department facilities, and generally during regular business hours. However, employees may be designated to be on call 24 hours a day, 365 days a year.

- 5.8.7 Bureau of Fleet Services - Employees who work for Fleet Services are responsible for performing preventive maintenance on and repairs to FDNY's fleet. Presently the fleet is composed of approximately 2,500 vehicles ranging from first line fire apparatus, ambulances, trade vans and other support vehicles and sedans.

FDNY has 2 primary fleet repair shops, which are located at 48-67 35th Street in Long Island City and 30-03 Review Ave in Long Island City. There are 3 additional satellite shops, which are located at the Training Academy at Randall's Island, Coney Island Hospital in Brooklyn, and Seaview Hospital in Staten Island. Reserve apparatus are stored at a facility located at 59 Paidge Avenue in Brooklyn.

The Long Island City Repair shop is the primary fire apparatus repair facility, and is open Monday through Friday 0600 to 2300 hours. The Control Room at 35th Street is staffed by a Roadside Repair Supervisor 24 hours/7 days per week. The Review Avenue facility is a 24 hour operation, but only Monday through Friday. On Saturday and Sunday the shop is open from 0600 to 1500 hours. The satellite repair shops operate between 0700 and 1500 hours Monday through Friday but may be open at any time to meet additional operational needs. Employees assigned to the Paidge Avenue facility work 24 hour tours and the facility is in operation 24 hours a day.

Access to these locations by the general public is prohibited without a scheduled appointment. Perimeter security is provided at the facilities to control access.

- 5.8.8 Bureau of Technical Services - Employees who work for Technical Services are responsible for the issuance of equipment and procurement for Fire Tools and Equipment Unit, Medical Equipment Unit, Medical Supply Unit, and the procurement for the Mask Services Unit. Technical Services operates 2 warehouses in the Long Island City section of Queens. Their primary warehouse (which also serves as their headquarters) is located at 34-11 47th Avenue. The other warehouse is located at 50-11 34th Street. Normal work hours are from 0700 to 1500 hours, Monday through Friday. Perimeter security is provided at the facilities to control access.

5.8.9 Bureau of Communications

- A. **11 MetroTech Center** - All EMS personnel assigned to answer calls for emergency assistance and dispatch ambulances, and Fire dispatch personnel assigned to answer calls from Brooklyn and Staten Island work in this location at the Public Safety Answering Center (PSAC). The New York City Police Department and the New York City Department of Information Technology and Telecommunication also have offices and personnel in this building. Perimeter security is provided at this facility to control access.
- B. **1 MetroTech Center** – Serves as the emergency backup site for EMS Communications. Additionally, 1 MetroTech serves as an interactive training facility for EMS Communications. Building security is provided at this facility to control access.

- C. **Bronx and Queens Fire Communications Offices** - Fire dispatch personnel, assigned to answer calls from Bronx and Manhattan, work in the Bronx Fire Communications office, located at 1129 East 180th Street. Fire dispatch personnel, assigned to answer calls from Queens, work in the Queens Fire Communications office, located at 83-98 Woodhaven Boulevard, respectively. Both of these facilities are located in stand-alone, two-story buildings. The facilities operate 24 hours a day, 365 days a year, and have approximately 8 employees in the office at any time. Additionally, the buildings have locker rooms, a kitchen, and a common area. Perimeter security is provided at this facility to control access.
- D. **Outside Plant Operations** - Is responsible for the maintenance and repair of fire alarm box cables located throughout the City. Most outside plant employees are assigned vehicles, from which they conduct their work. The majority of Outside Plant Operations personnel work from 0630 to 1500 hours. Personnel also work nights, weekends and holidays, to conduct emergency repair work. Outside Plant Operations personnel have radios in their assigned vehicles. Personnel assigned to work on nights and weekends are assigned FDNY cell phones. Personnel are generally assigned to report to assignments from 1 of 5 Outside Plant Operations facilities.

The Manhattan facility is located at 242 East 111th Street. The Bronx facility is at 451 East 176th Street. These facilities are both attached to firehouses, but have separate entrances. Each facility stores approximately 3 vehicles, as well as tools, equipment, and material required to perform work duties. The buildings both have locker rooms, offices and a common kitchen area. The building is protected by locked doors. Typically, one supervisor works at the location in the office.

The Queens facility is located at 65-19 Metropolitan Avenue. The facility is located in a one story building that holds approximately 3 vehicles. Outside Plant Operations also has an office at Fort Totten, in building 316A. Outside Plant Operations supervisors, electricians and an administrative assistant work at this location.

The facility in Staten Island is located at 251 Sommer Avenue. A fence surrounds this one story premise, which also stores approximately 3 vehicles.

The Brooklyn facility, located at 87 Union Street, is a bit larger than the other facilities, holding approximately 8 vehicles. There are typically 4 employees working in the supply room at the facility. There is also an engineering office here, where engineers can meet with outside vendors. Employees assigned to work at this location work from approximately 0630 until 1500 hours. Perimeter security is provided at these facilities to control access.

6. RISKS PERTAINING TO WORKPLACE VIOLENCE

- 6.1 The Fire Department has concluded that the following risks present themselves to Fire Department employees:
- 6.1.1 Working in public settings;
 - 6.1.2 Working late night and/or early morning hours;
 - 6.1.3 Working alone or in small numbers;
 - 6.1.4 Directly interfacing with members of the public;
 - 6.1.5 Serving violations on the public at privately owned and public locations;
 - 6.1.6 Handling cash;
 - 6.1.7 Previous security problems.
- 6.2 All of the listed risks do not apply to all Fire Department employees, as shown in the following examples (which do not include all Department employees). Risks such as working in public settings, late night and/or early morning hours, and directly interfacing with members of the public apply to almost all EMTs, paramedics, EMS Officers, firefighters and Fire Officers. The identified risks faced in working alone or in small numbers apply to EMTs, paramedics, EMS officers and Fire Prevention inspectors. Firefighters, Fire Officers and Fire Prevention inspectors serve violations on the public. Fire Department cashiers and a few other individuals handle cash. There have been very few reports of previous security problems.

7. CONTROL MEASURES

- 7.1 **General Control Measures** - The Fire Department has clearly written codes of conduct for its employees. Reporting of workplace violence has been centralized, as stated in Sections 9 and 10, below. The Fire Department will regularly review and enhance its control measures, where possible.
- 7.1.1 **Fire Department Facilities** - The Fire Department has implemented one or more of the following control measures at Department-operated facilities: the use of access control, security systems, door controls, alarms, lighting, physical barriers between the staff and the public, ID policies and procedures for entry by personnel who do not work at a particular facility and by the public.
 - 7.1.2 **Working in the Field** - Many Fire Department employees work in the field, and have regular dealings with members of the public. The Department recognizes that security within field locations may not be within the control of the employee. If an employee who is working in the field believes that he or she is in danger of being physically assaulted, the employee shall immediately remove himself/herself from the location. If necessary, the employee shall contact 911.

As soon as practicable, the employee shall report the incident to his or her supervisor.

The Fire Department has implemented policies and procedures for personnel to avoid conflict.

7.1.3 **Access to the Workplace** - On-site supervisors shall ensure that only authorized persons are permitted to enter Fire Department Headquarters, Fire Houses, EMS Stations, Dispatch/Communications Facilities, Fleet Services Facilities, Building Maintenance Facilities, and other buildings and/or structures operated by the Fire Department. Limitations on access may include Fire Department employees.

7.1.4 **Prohibition on Firearms and Other Harmful Devices** - Every employee is prohibited from possessing firearms, switch blades, knives, swords, bats, clubs, any explosive, caustic, incendiary or poisonous substance or device, any type of ammunition and any type of device or object designed to harm another, in the workplace including work lockers and/or vehicles used to conduct City business. This prohibition applies even if the employee is licensed to carry firearms or transport a device or substance prohibited herein.

A. This prohibition shall not apply to Police Officers (all Fire Marshal ranks).

B. This prohibition does not apply to personnel who are authorized to handle and confiscate certain prohibited items and devices (including work tools) as part of their work duties. This exception only applies to those items that such personnel are authorized to handle and confiscate.

7.1.5 **Prohibitions on Employee Conduct** - Employees shall not engage in workplace violence, including the assault, and threat of physical assault, of co-workers or members of the public.

7.1.6 **Field Work**

A. Bureau of EMS members shall follow EMS Operating Guide Procedure 106-08 when they encounter patients who are emotionally disturbed.

B. Fire personnel shall follow All Unit Circular (AUC) 271 when they encounter persons who are emotionally disturbed.

8. MANDATES RELATED TO WORKPLACE VIOLENCE

8.1 Fire Department personnel are prohibited from retaliating against any employee because the employee does any of the following:

8.1.1 Files a Workplace Violence Report, or make a verbal report concerning workplace violence;

- 8.1.2 Files a complaint concerning workplace violence with the NYS Department of Labor, and/or accompanies the Department of Labor during an investigation regarding workplace violence.

9. ORDERS OF PROTECTION AND ACCOMMODATION REQUESTS BASED ON SUCH ORDERS

- 9.1 An employee who has secured an Order of Protection and is concerned that the person from whom protection has been sought may attempt to contact the employee at his/her work location should submit a copy of such Order to the Bureau of Fire Investigation.
- 9.2 The Fire Department strongly encourages that any Order of Protection secured by a Fire Department employee be submitted to the Bureau of Fire Investigation, especially where the person from whom protection is sought is a Fire Department employee and/or is likely to seek entry to the protected employee's work location.
 - 9.2.1 Orders of Protection obtained by employees assigned to work at 9 MetroTech Center should be submitted to the Bureau of Fire Investigation, 8th Floor.
 - 9.2.2 Orders of Protection obtained by all other employees should be submitted to the Bureau of Fire Investigation, 16 Hooper Street, 4th Floor, Brooklyn, New York 11211.
- 9.3 If an employee who has secured an Order of Protection is a victim of domestic violence, a sex offense or stalking and is concerned that the person from whom protection is sought may attempt to contact the employee at his/her work location, he/she may request an accommodation from the Equal Employment Opportunity Office.
- 9.4 Employees are encouraged to report all violations of Orders of Protection to the New York City Police Department and the Bureau of Fire Investigation.

10. REPORTING THE POTENTIAL FOR WORKPLACE VIOLENCE AND INCIDENTS OF WORKPLACE VIOLENCE

- 10.1 Reporting Circumstances Which Present the Potential for Workplace Violence
 - 10.1.1 Fire Department personnel shall report circumstances that they believe present a potential for physical violence (assaults and homicides), attempted assaults, threats reasonably perceived to result in physical violence, or other conduct that would be reasonably expected to lead to an assault or a homicide. The employee shall submit a Workplace Violence Report (WPV-1), which is available on the Department Intranet and in hard copy format, to his/her immediate supervisor.
 - 10.1.2 Fire Department employees who have been the victim of domestic violence, a sexual offense or stalking are strongly encouraged to report such incident(s) to the Equal Employment Opportunity Office.

10.2 Reporting Incidents of Workplace Violence

10.2.1 Fire Department employees (or their duly designated employee representative) who have been the victim of, or who have witnessed, a workplace violence incident such as a physical assault shall prepare a Workplace Violence Report and submit it to the reporting employee's supervisor.

10.3 Reporting Imminent Danger of Workplace Violence

10.3.1 Matters involving imminent danger to any employee may be reported verbally to the supervisor and shall be documented on the Workplace Violence Report.

10.4 Reporting Directly to the Workplace Violence Prevention Coordinator

10.4.1 If an employee reasonably believes in good faith that submitting a Workplace Violence Prevention Report to a supervisor would not result in corrective action, the employee may submit the Workplace Violence Report directly to the Workplace Violence Prevention Coordinator. (See Section 12, below, for further information on the Workplace Violence Prevention Coordinator.)

10.5 Privacy Concern Cases

10.5.1 Privacy Concern Cases are those involving (1) an injury or illness to an intimate body part, the reproductive system, or resulting from a sexual assault; (2) mental illness; (3) HIV; (4) needle stick injuries and cuts from sharp objects that may be contaminated with another person's blood or other potentially infectious material; and (5) requests from employees for other reasons.

10.5.2 Employees may submit reports directly to the Workplace Violence Prevention Coordinator if the incident being reported presents privacy concerns.

10.5.3 The Workplace Violence Prevention Coordinator will redact the name of the victim and will enter "Privacy Concern Case" in place of the victim's name in the Workplace Violence Prevention Report before sharing a copy of such report with anyone other than the Commissioner.

11. SUPERVISOR DUTIES

11.1 Forwarding the Workplace Violence Report

11.1.1 Every supervisor who has received a Workplace Violence Report (or a verbal report) shall ensure that it is forwarded via the chain of command to the Workplace Violence Prevention Coordinator. All supervisors within the chain of command shall ensure that the report is forwarded on an expedited basis.

11.1.2 The supervisor shall affirmatively seek the guidance of the Workplace Violence Prevention Coordinator on matters that are very likely to lead to an incident of workplace violence.

11.2 Other Duties

11.2.1 Supervisors (in consultation with their chain of command) may take any measures within their authority to correct a potential for workplace violence or to respond to a workplace violence incident including contacting law enforcement authorities, temporarily re-assigning personnel, or referring personnel for discipline.

11.2.2 When appropriate to ensure the effectiveness of control measures such as lighting or access, supervisors may also request that building repairs be made. This does not relieve supervisors from the duty of completing a Work Order and submitting it to the Bureau of Facilities for required repairs.

11.3 Assessment of Physical Workplace

11.3.1 On-site supervisors shall assess the workplace on a yearly basis. Where corrective measures are required, the supervisor shall report the matter via the chain of command. Matters to be reviewed by the supervisor shall include, but not be limited to:

- A. Whether there is proper lighting outside of entrances/exits regularly used by employees;
- B. Whether existing alarm systems are operational, or if the facility is not equipped with alarm systems, whether there is a need for such systems;
- C. Whether visitor policies are being complied with; and
- D. Whether weapons prohibitions are being complied with.

12. **WORKPLACE VIOLENCE PREVENTION COORDINATOR**

12.1 The Workplace Violence Prevention Coordinator (Coordinator) is the person responsible for ensuring that the risk evaluation is completed; the Workplace Violence Prevention program is available; training is conducted; all Workplace Violence Reports are collected; and that the members of the Workplace Violence Prevention Committee receive all required and necessary documentation regarding reported incidents of workplace violence.

12.1.1 The Coordinator shall ensure that an annual review of physical facilities is conducted and that a matrix is developed to evaluate risk to identify trends in types of incidents in the workplace. The Fire Department will solicit feedback from employee representatives on its review and the resulting matrix at least annually.

12.1.2 The Coordinator shall review the Workplace Violence Incident Reports at least annually to identify trends in the workplace and review the effectiveness of actions taken to mitigate workplace violence. The Fire Department will solicit feedback from employee representatives on its review at least annually.

- 12.2 The Coordinator shall be Pharreaux Nelson of the FDNY OSHA Unit. He may be contacted during normal business hours by phone or fax number provided in the Contact List in Section 16, or by email at WVPCoordinator@fdny.nyc.gov.
- 12.3 In case of emergency outside of normal business hours, the Coordinator may be contacted by email at WVPCoordinator@fdny.nyc.gov or calling the Fire Department Operations Center (FDOC) at the phone number provided in the Contact List in Section 16.

13. WORKPLACE VIOLENCE PREVENTION COMMITTEE

- 13.1 The Workplace Violence Prevention Committee (Committee) shall consist of employees representing each of the following areas: Bureau of Human Resources, the EEO Office, the Safety Command, the Bureau of Legal Affairs, EMS Operations, OSHA, and the Bureau of Fire Investigation.
- 13.2 The Committee shall meet at least monthly to review Workplace Violence Reports submitted the previous month, unless no reports were submitted during the prior month. The Committee may be required to meet more frequently to address reports of imminent danger to personnel. At least three (3) Committee members must be present for the committee to convene. The Committee may consult with Bureau Heads, Commanders, and supervisors on an as-needed basis.
- 13.3 Complaints of imminent danger of the occurrence of workplace violence shall be reviewed within twenty four (24) hours of their receipt and the Committee may meet via telephone to review these complaints.
- 13.4 The Committee shall inform the individual who prepared the Workplace Violence Report of its determination. Such determination shall normally be sent via the chain of command. The Committee may communicate its determination directly with the individual who completed the Workplace Violence Report, if a communication via the chain of command is not appropriate.
- 13.5 Committee Determination
- 13.5.1 The Committee is authorized to make recommendations in response to Workplace Violence Reports, which may include one or more of the following:
- A. Counseling, or providing referrals for counseling, for anyone who has been the victim of workplace violence;
 - B. Referrals for counseling, for any employee who has caused workplace violence;
 - C. Recommendations for changes in existing policies/procedures, which shall generally be made with the input of affected Bureau Heads, Commanders and/or supervisors;
 - D. Referrals for mediation;

- E. Referrals to the Bureau of Investigations and Trials, for further investigation and possible discipline;
 - F. Referrals to law enforcement authorities;
 - G. Referrals to the EEO Office.
- 13.6 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 matters 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. If, following a referral of such matters 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 file a complaint with the NYS Department of Labor. Instruction for filing such complaints may be obtained on the NYS Department of Labor's website or by contacting the phone number provided in the Contact List in Section 16.

14. EMPLOYEE INFORMATION AND TRAINING

- 14.1 A copy of this Workplace Violence Prevention Policy shall be made available on the Fire Department's Intranet. Supervisors shall make a printed copy of this policy available to employees who they supervise, upon request. Requests made by employee representatives shall be referred to the Fire Department Office of Labor Relations.
- 14.2 Training
- 14.2.1 The Fire Department shall administer training, upon initial assignment and on an annual basis that covers the following:
- A. The Workplace Violence Prevention Law;
 - B. The Fire Department Workplace Violence Prevention Policy, including that such policy is accessible to all employees;
 - C. Risk factors identified during the risk assessment;
 - D. Measures employees can take to protect themselves from workplace violence; and
 - E. Measures that the Fire Department has adopted to protect employees from workplace violence.

15. AVOIDING WORKPLACE VIOLENCE

- 15.1 Employees should seek to avoid and de-escalate situations that could result in workplace violence. Employees are strongly encouraged to avail themselves of the following resources:
- 15.1.1 **Training** - Training shall be administered upon initial employment and on a yearly basis.
 - 15.1.2 **Employee Assistance Programs** - Fire and EMS personnel who believe that they may be experiencing situational stress, difficulty controlling anger, violent tendencies or have a substance abuse problem, are strongly encouraged to contact the Fire Department Counseling Services Unit. Fire and EMS personnel may also contact the FDOC and ask to speak to the CSU on call Counselor. Other Department employees should contact the NYC Employee Assistance Program, as well as their respective unions. Unless counseling sessions are specifically authorized or mandated by the Fire Department, employees shall attend counseling sessions on their own time.
 - 15.1.3 **Equal Employment Opportunity Office** - If an employee believes that he or she is the subject of employment discrimination, harassment, or retaliation, that employee is strongly encouraged to file a complaint with the Department's EEO Office. Victims of domestic violence, a sexual offense, or stalking have specific rights under the EEO laws and may be eligible for a work-related accommodation. The EEO Office should be contacted for further details.
 - 15.1.4 **Mediation** - Certain work related disputes may be resolved via mediation. Employees are encouraged to mediate their disputes by contacting the EEO Office.
 - 15.1.5 **Grievance Process** - Certain work related disputes may be appropriate for the filing of a grievance. Employees are strongly encouraged to contact their union representatives for guidance.
 - 15.1.6 **Law Enforcement** - Workplace violence (e.g., physical assaults) is a crime. Employees who believe that they are the victim of a crime should call 911. A secondary notification should be made to the Bureau of Fire Investigation.
 - 15.1.7 For telephone numbers of these resources, please see the phone numbers provided in the Contact List in Section 16.

16. IMPORTANT PHONE NUMBERS

16.1 Call **911** to report threats or physical assault

16.2 Contact List:

| Bureau/Unit | Phone Number |
|--|---------------------------------|
| FDNY Bureau of Fire Investigation | (718) 999-2117*; (718) 722-3600 |
| FDNY Counseling Services Unit | (212) 570-1693 |
| FDNY EEO Office | (718) 999-1446; (718) 999-1447 |
| FDNY OSHA Unit | (718) 784-6554; (718) 784-6555 |
| FDNY Workplace Violence Prevention Coordinator | (718) 784-6554; (718) 784-6555 |
| Fire Department Operations Center | (718) 999-7900 |
| NYC Employee Assistance Program | (212) 306-7660 |
| NYS Department of Labor | (212) 775-3548 |

* - Use only during business hours.

17. OTHER DEPARTMENT POLICIES/REFERENCE MATERIAL

17.1 Fire Operations Procedures

All Unit Circular 271, *Policy Statement Emotionally Disturbed Person(s) (EDP)*

All Unit Circular 317, Addendum 2, *Crimes Observed or Reported to Members*

ERP Addendum 3, *Operations at Explosive and Incendiary and Incidents*

ERP Addendum 3A, *Interagency Response Protocol to Active Shooter Incidents*

PA/ID 1-84, *Substance Abuse and Other Situational Stress: Treatment Policy*

Regulations Chapter 19, *Company Quarters*

Regulations Chapter 20, *Housewatch Duty*

Regulations Chapter 25, *General Department*

Safety Bulletin 7, *Computerized Injury Reporting System (CIRS)*

Safety Bulletin 63, *Warning Motorists and Pedestrians When Apparatus Is Entering or Leaving Quarters*

17.2 EMS Operating Guide Procedures

EMS OGP 101-01, *General Regulations*

EMS OGP 102-01, *Unusual Occurrence*

EMS OGP 105-01, Addendum 3, *Operations at Explosive and Incendiary Incidents*

EMS OGP 105-01, Addendum 3A, *Interagency Response Protocol to Active Shooter Incidents*

EMS OGP 106-03, Addendum 1, *Restraint Asphyxia*
EMS OGP 106-06, *Operations at Public Safety Incidents*
EMS OGP 106-08, *Assignments Involving an EDP*
EMS OGP 106-09, *Initiation of Resuscitative Measures and the Presumptive Diagnosis of Death*
EMS OGP 101-12, Addendum 5, *Soft Body Armor*
EMS OGP 106-19, *Do Not Resuscitate*
EMS OGP 110-01, *Critical Incident Stress Management*
EMS OGP 111-05, *EMS Command Facility Inspections*
EMS OGP 125-02, *Line of Duty Injury*

17.3 Fire Prevention, Civilian and Other Procedures/Manuals

Civilian Code of Conduct
FDNY Equal Employment Opportunity Policy
FDNY Risk Management Plan
Bureau of Fire Prevention Handbook
Security Procedures, 9 MetroTech Center

BY ORDER OF THE FIRE COMMISSIONER AND CHIEF OF DEPARTMENT