

## Workplace Violence (WPV) Prevention Frequently Asked Questions

### Q1. What is WPV?

**A.** Workplace Violence (WPV) is any physical assault or act of aggressive behavior occurring where a public employee performs any work-related duty in the course of his/her employment. These include but are not limited to: (i) An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee; (ii) Any intentional display of force which would give an employee reason to fear or expect bodily harm; (iii) Intentional and wrongful physical contact with a person without his or her consent that entails some injury; (iv) Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

### Q2. Is Bullying considered WPV?

**A.** DEP's WPV Prevention Policy states, "whether perpetrated by DEP employees or others, violence, threats, harassment, intimidation and other threatening behavior not tolerated." Bullying is a form of aggression. It usually consists of verbal comments that intentionally cause emotional hurt to or isolation of a person in the workplace, and it can be considered WPV. It usually involves repeated incidents or a pattern of behavior that is intended to intimidate, offend, degrade, or humiliate a target (person or group).

### Q3. How do I recognize if I or a co-worker is being bullied?

**A.** Some common examples of bullying are: The pervasive and repeated spreading of malicious rumors; excluding or isolating someone socially; unwelcomed and unpleasant name calling; deliberately impeding another person's work; threatening abuse; purposefully giving someone incorrect information or withholding necessary information for a person to do his/her job; yelling or using profanity with the intention to intimidate; belittling another's opinion; and tampering with a person's personal belongings. If you observe bullying, you should report it to your supervisor or the WPV Prevention Coordinator.

### Q4. What is not considered bullying?

**A.** It is not considered workplace bullying when a complaint is based on a reasonable performance evaluation, or an adverse employment action reasonably taken because of poor performance, misconduct, and/or operational or budgetary necessity. A "tough" or demanding manager who, when enforcing high standards, is otherwise respectful and fair is not considered a bully.

### Q5. What about violence or aggression while driving or on the road?

**A.** Aggressive driving behaviors that occur during an employee's work hours are also considered WPV. The best prevention for being a subject of road rage is to be polite and courteous on the road even if the other driver is not and to avoid all conflict as much as possible. If you do find yourself the victim of road rage, take down the license plate number, drive to a safe (populated) place (e.g. a gas station) and call 911; then report the incident to the WPV Prevention Coordinator.

### Q6. What are the reporting requirements for WPV incidents or concerns at DEP?

A. Report all workplace violence incidents, risks or personal safety concerns, breaches in safety or any suspicious activity or behavior to your supervisor; Environmental Health and Safety Liaison, or Workplace Violence Coordinator. Reports to the Workplace Violence Prevention Coordinator may be made in person, via email (WPVConcerns@dep.nyc.gov) or by telephone (718.595.5266). Supervisors and Managers are also responsible for notifying the Workplace Violence Prevention Coordinator (or designee) and/or Bureau EHS representative of any workplace violence allegations or concerns.

### Q7. How do I know if I have been a victim of WPV?

A. You have been a victim of WPV if someone in your workplace has attempted to, threatened to, or actually hurt you physically in the workplace; has given you any reasonable cause to feel threatened or expect bodily harm by some forcible display; has intentionally and wrongfully engaged in physical contact with you to which you have not consented that has resulted in harm or injury; or has stalked or intimidated you with the intent of causing you to fear physical harm. You do not need to be physically harmed to be a victim of WPV. Any DEP employee who is physically assaulted or threatened with physical harm by a member of the public should immediately contact law enforcement and file a police report in addition to all other notifications. Any threatening behavior by members of the public towards employees must be reported to the WPV Prevention Coordinator.

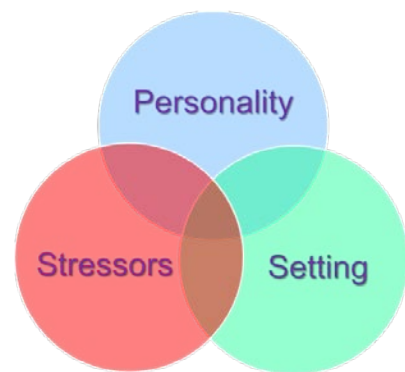
### Q8. When should I report something to WPV rather than to Equal Employment Opportunity (EEO)?

A. When an incident involves physical or verbal assault, aggression, or intimidating behavior, you should report it immediately to the WPV Prevention Coordinator. Sometimes the aggression may be related to discrimination based on an EEO protected categories (i.e. race, gender, color, creed, age, citizenship status, disability, marital status, military status, national origin, partnership status, predisposing genetic characteristics, prior record of arrest or conviction, sexual orientation, unemployment status, victim of domestic violence, victim of sex offenses or stalking). If the incident is associated with one or more these factors, you should report it to EEO. If you are unsure, you can make a complaint to either WPV Prevention Coordinator or EEO. The two offices work together and collaborate on many cases on an as-needed basis.

### Q9. What are some signs that may help me recognize a potential risk of violent behavior in myself or others?

A. It's important to learn to recognize potential risks for violent behavior. Risk factors can be related to **personality**, presence of **life stressors**, or even factors within the **workplace setting**.

Examples include exhibiting changes in behavior or the onset of depression or aggression, or a change in "personality" or demeanor. Unusual behavior or thoughts may include delusions or obsessions with violent themes. The addition of life stressors can further raise the risk for disruptive or violent behavior. Life stressors can include personal and work-related stressors such as: discipline, job performance issues, organizational changes, financial problems, or divorce. Finally, you may recognize aspects within the work organization or culture that are causing stress or fear. A



*confluence of multiple issues increases the risk significantly. Report your concerns to your supervisor and/or to the WPV Prevention Coordinator.*

**Q10. What do I do if I am involved in or witness an incident of WPV?**

**A.** *Get immediate assistance if needed. In the event of a serious act of physical violence or a specific threat to your health and safety, call the police (911) or the Bureau of Police and Security at 718.595.2222. If the incident involves employees throughout the facility, make sure to follow the instructions given by the Facility Emergency Coordinator. When you are safe, notify your supervisor, another manager, Bureau EHS, Emergency Call Center/WSCC, Bureau Administrator, or OEHS as soon as possible. Also, when you are able, put the details about the incident in writing and notify the DEP WPV Prevention Coordinator. Work with your supervisor, manager, Bureau EHS or OEHS to complete a WPV Intake form and submit it to OEHS no later than seven (7) days after the incident. The form can be found on the employee resources center (“The Source”) under Agency Forms. You may also contact the WPV Prevention Coordinator directly to assist you with the form, or you can submit a form to report an incident by email [WPVConcerns@dep.nyc.gov](mailto:WPVConcerns@dep.nyc.gov). When contacted, OEHS will conduct an intake interview.*

**Q11. What are my responsibilities as an employee with respect to the prevention of workplace violence?**

**A.** *You are a critical part of the solution. Stay vigilant and immediately report breaches in safety, suspicious activity or behavior to your supervisor or Security. Do not engage in behavior which can escalate to threats or violence. Report incidents, risks, or personal safety concerns to your supervisor, EHS, and the WPV Prevention Coordinator immediately after they happen – even if the occurrence does not involve you! The most important advice? Treat those around you the same way that you want to be treated.*

**Q12. What are my responsibilities as a supervisor in handling an incident or concern about WPV?**

**A.** *If you, as a supervisor, become aware of an incident, concern or conflict between employees or others, you have an affirmative responsibility to do the following:*

- *Take steps to mitigate the issue, and/or talk with your supervisor about it. Report it to the WPV Prevention Coordinator. You may also seek assistance from your Bureau Administrator, Bureau of Organizational Development & Human Resources, NYC Employee Assistance Program (EAP) or the DC37 Personal Services Unit (PSU).*
- *In the case of a behavioral/conduct concern or escalating conflict, understand that it will not get better on its own! Encourage your employees to reach out for help (EAP, PSU). **(See contact information at the end of this document.)***
- *If you, as a supervisor, actually observe, notice or witness a violent, threatening incident, you should attempt – to the extent you can do so safely – to defuse the situation and get the employees out of harm’s way. In the case of an emergency, you may request assistance from Bureau of Police & Security, local law enforcement authorities or implement appropriate procedures under your facility’s Emergency Action Plan. Do not place yourself at risk of harm!*

**Q13. How does DEP protect me?**

**A.** *DEP is committed to maintaining a safe and respectful workplace. As part of the WPV prevention program, DEP has performance walkthrough assessments at all DEP facilities to identify potential risks for workplace violence and proposed mitigation measures. Information from these assessments is reported and tracked. Any event that is reported to the WPV prevention coordinator that poses a risk of rapid escalation, volatility or other cause for concern is referred to the WPV Prevention Committee, OEHS Threat Assessment Consultant and bureau management (and in some instances local law enforcement/security) for timely evaluation, review and interim action until the case can be more thoroughly investigated. All WPV complaints and concerns are reviewed the DEP WPV Prevention Committee on a monthly basis as well as by the WPV Labor-Management Committee on a quarterly basis to identify risk factors, develop mitigation plans, and WPV prevention strategies. DEP also conducts computer based and instructor lead training as part of its continuing education program to maximize knowledge of WPV prevention strategies and encourage employees to participate in developing preventive measures against violent behavior or activity in the workplace. .*

**Q14. What if I am afraid to report an incident of WPV for fear of being retaliated against?**

**A.** *A WPV concern, report, or incident can be anonymously reported to the WPV prevention coordinator. Also, employee do not have to follow the chain-of-command in reporting a WPV incident. If any employee believes he or she is being retaliated against for reporting a WPV incident or concern, he or she should immediately contact the WPV prevention coordinator. Although WPV reports may be made anonymously, to allow for a thorough investigation as many details as possible must be given to address the concern in question.*

**Q15. What should I expect after I file a WPV complaint with the WPV Prevention Coordinator?**

**A.** *Some cases can be resolved without a full investigation or may be referred to your Bureau Administrator or the Bureau of Organizational Development & Human Resources. If a case is referred, you will be notified of that referral, and progress will be tracked in a central system. If a full investigation is conducted, an OEHS investigator will be assigned and will follow up with you to do an intake interview. Most complaints require some degree of review or investigation by an OEHS investigator.*

*If a case requires a full investigation including interviews and other steps, the process may take between 45 to 90 days depending on the complexity of the case.*

*A final report with findings, conclusions, and recommendations will be provided to your bureau for follow-up. The bureau will have 45 days to implement the recommendations. The respondent (alleged aggressor) and the complainant will be notified in writing about the general outcome of the case, including the determination of whether the WPV Prevention Policy was violated and certain recommendations related to referrals to Discipline, EAP, or training. In the interest of maintaining confidentiality and respect for all involved, it is possible that not all recommendations and findings related to the case will be communicated to involved parties. If during the course of the investigation, you experience ongoing issues, you should contact the WPV Prevention Coordinator.*

**Q16. When there is an investigation and a final report, why aren't other employees in the work unit or facility given a copy of the report or advised of the "concern" or risk?**

**A.** Any information given to the WPV Prevention Coordinator, including investigation reports sent to Bureaus, is kept confidential to the extent practicable. However, if a red flag or significant risk factor for violence is identified, the WPV Prevention Committee will take immediate action to mitigate the scenario and provide debriefings to potentially affected employees.

**Q17. What if I am named as a respondent in a complaint or I don't agree with the outcome of an investigation? Can I appeal the decision?**

**A.** You would be contacted by OEHS for an interview and allowed ample time to get a Union or other representative. The findings of a workplace violence investigation may not be appealed. However, if an employee is the subject of a personnel action (e.g. transfer, demotion or discipline) resulting from a recommendation contained in a report by a WPV investigator, and the employee believes that the personnel action violates their collective bargaining agreement, the employee may file a grievance contesting the personnel action. Additionally, if an employee is disciplined pursuant to a recommendation in a workplace violence report, the employee has rights available to them under the collective bargaining agreement or under Section 75 of the Civil Service Law.

**CONTACT INFORMATION**

Resource	Phone	Email	Intranet/Internet site
DEP WPV Prevention Coordinator	718-595-5266 After Hours 800-897-9677	WPVconcerns@dep.nyc.gov	<a href="http://oehs.dep.nycnet/wpv/SitePages/Home.aspx">http://oehs.dep.nycnet/wpv/SitePages/Home.aspx</a>
NYC Employee Assistance (EAP)	212-306-7660	eap@olr.nyc.gov	<a href="http://www1.nyc.gov/site/olr/eap/eap_home.page">http://www1.nyc.gov/site/olr/eap/eap_home.page</a>
DC37 members - Personal Services Unit (PSU)	212-815-1260	NA	<a href="http://www.dc37.net/benefits/health/personal.html">http://www.dc37.net/benefits/health/personal.html</a>
<b>EMERGENCY</b>	<b>911</b>		