



# Workplace Violence Prevention Program

Office of Environmental, Health and Safety  
Rev. 5

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### TABLE OF CONTENTS

<b>1</b>	<b>INTRODUCTION.....</b>	<b>4</b>
<b>2</b>	<b>PURPOSE.....</b>	<b>4</b>
<b>3</b>	<b>SCOPE.....</b>	<b>4</b>
<b>4</b>	<b>DEFINITIONS.....</b>	<b>5</b>
<b>5.</b>	<b>RESPONSIBILITIES.....</b>	<b>6</b>
<b>6.</b>	<b>WORKPLACE VIOLENCE PREVENTION PROCEDURES.....</b>	<b>7</b>
	6.1 WPV PREVENTION POLICY STATEMENT.....	7
	6.2 REPORTING SYSTEM.....	7
	6.3 TRAINING.....	9
	6.4 RECORDKEEPING.....	9
	6.5 REPORTING AND INVESTIGATION PROCEDURES.....	10
	6.6 APPEALS.....	12
	6.7 WORKPLACE VIOLENCE PREVENTION TASK FORCE (THREAT MANAGEMENT TEAM).....	12
	6.8 CONTINUOUS IMPROVEMENT AND AUDITING.....	13
<b>7.</b>	<b>AGENCY-WIDE (GENERAL) WPV RISK ASSESSMENT.....</b>	<b>13</b>
<b>8.</b>	<b>BUREAU SPECIFIC (FACILITY AND FIELD) WPV RISK ASSESSMENT.....</b>	<b>14</b>
	8.1 UTILITY BUREAUS.....	15
	8.1.1 BUREAU OF WATER AND SEWER OPERATIONS (BWSO).....	15
	8.1.2 BUREAU OF WATER SUPPLY (BWS).....	20
	8.1.3 BUREAU OF WASTEWATER TREATMENT (BWT).....	22
	8.2 BUREAU OF CUSTOMER SERVICES (BCS).....	23
	8.3 CONSTRUCTION BUREAUS.....	24
	8.3.1 BUREAU OF ENGINEERING, DESIGN AND CONSTRUCTION (BEDC) CONSTRUCTION SITES....	24
	8.3.2 OFFICE OF GREEN INFRASTRUCTURE (OGI).....	25
	8.3.3 DIVISION OF FACILITIES MANAGEMENT AND CONSTRUCTION.....	26
	8.4 OFFICE OF ENGINEERING AUDITS (OEA).....	27
	8.5 SUSTAINABILITY.....	27
	8.5.1 BUREAU OF ENVIRONMENTAL COMPLIANCE (BEC).....	27
	8.5.2 BUREAU OF ENVIRONMENTAL PLANNING AND ASSESSMENT (BEPA)/ HAZARDOUS MATERIALS AND SUPERFUND PLANNING AND ANALYSIS.....	29
	8.6 BUREAU OF POLICE AND SECURITY (BPS).....	30
	8.6.1 DIVISION OF EMERGENCY RESPONSE AND TECHNICAL ASSESSMENT (DERTA).....	30
	8.6.2 ENVIRONMENTAL POLICE DIVISION.....	31
	8.7 BUREAU OF PUBLIC AFFAIRS AND COMMUNICATIONS (BPAC).....	33
<b>9.</b>	<b>ADMINISTRATIVE AND OTHER OFFICE SETTINGS.....</b>	<b>33</b>
	9.1 BUREAU OF LABOR RELATIONS AND DISCIPLINE.....	33
	9.2 BUREAU OF ORGANIZATIONAL DEVELOPMENT AND HUMAN RESOURCES.....	34
	9.3 EQUAL EMPLOYMENT OPPORTUNITY (EEO) OFFICE.....	34
	9.4 THE OFFICE OF ENVIRONMENTAL HEALTH AND SAFETY (OEHS).....	35
	9.5 AGENCY CHIEF CONTRACTING OFFICE (ACCO).....	36
	9.6 GENERAL OFFICE LOCATIONS, INCLUDING LEFRAK.....	37

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

<b>10. SECURITY AND COMMUNICATION DEVICES MAINTENANCE.....</b>	<b>37</b>
<b>ATTACHMENT A. SITE CHECKLIST.....</b>	<b>39</b>
<b>ATTACHMENT B. WORKPLACE VIOLENCE INTAKE AND VICTIM / WITNESS REPORT FORMS.....</b>	<b>43</b>
<b>ATTACHMENT D. POLICY STATEMENT.....</b>	<b>51</b>

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### 1 Introduction

DEP employees have the right to a safe and respectful workplace. Whether perpetrated by Department of Environmental Protection (DEP) employees or others, violence, threats, harassment, intimidation and other disruptive or threatening behavior at DEP is not tolerated. All reports of incidents or threats will be taken seriously, reviewed, investigated and mitigated as necessary as DEP strives to maintain the safest work environment possible. It is the Agency's obligation to investigate or review all workplace violence (WPV) complaints. These complaints cannot be withdrawn by the complainant or any other party.

### 2 Purpose

The purpose of this program is to reduce risks for violence in the workplace. It also complies with the Workplace Violence Prevention Law (Section 27-b of the NYS Labor Law and 12 NYCRR Part 800.6), which requires that public employers evaluate the risk of workplace assaults, homicides and other acts of aggression occurring where an employee performs any work-related duty in the course of his or her employment. The DEP program exceeds the scope of the NYS law in many areas of violence prevention. Other Workplace Violence Prevention standards and best practices have been used in the development of DEP's program.

They include but are not limited to the following:

1. ANSI Standard (ASIS/SHRM WPVI.1-2011)
2. OSHA <https://www.osha.gov/SLTC/workplaceviolence/>
3. FEI Behavioral Health: Workplace Violence Prevention – DEP Program Evaluation & Recommendations.
4. U.S. Department of Justice and the Federal Bureau of Investigation. Workplace Violence: Issues in Response; National Center for Analysis of Violence in the Workplace, 2003.
5. New York City Police Department (NYPD). Active Shooter: Recommendations and Analysis for Risk Mitigation; 2012.

### 3 Scope

The Scope of this document includes **facility** specific risks in addition to all other workplace **environment** risks. DEP has evaluated the physical environment of the Agency's operations and facilities and continues to conduct on-site visits and field worker assessments in order to identify the risk factors and control measures implemented to minimize the risk of workplace violence; this Program delineates both the risk factors and the associated control measures implemented to address potential risks. Assessment activities, WPV prevention program reviews and training, all provide for participation by Union representatives.

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

Facility and Field Worker Assessment Checklists and Guides are available (See Attachment A). All completed assessment forms and Action Item Tracking forms are made available to the Union, Facility and Bureau EHS personnel.

In addition to facility based risk, DEP also assesses and addresses risk factors that relate to employee conduct, interpersonal conflict situations, policies and work environments. This evaluation occurs through the ongoing work of the DEP Workplace Prevention Task Force and Labor Management committees.

In addition, this Program requires initial WPV prevention training and annual refresher training for all employees. Additional prevention skills building training course are offered on a continuing basis by both DEP Organizational Development and Human Resources and OEHS. DEP maintains a WPV complaint handling and investigatory process and tracking database which facilitates identification of trends in WPV and opportunities for introducing additional prevention strategies and WPV prevention education.

### 4 Definitions

**Workplace Violence (WPV)** - 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.” (12 NYCRR Part 800.6)

**Workplace** - a location away from an employee’s domicile, permanent or temporary, where an employee performs any work related duty in the course of his or her employment by an employer. (12 NYCRR Part 800.6)

**WPV Incident** – a case of workplace violence, when the direct threat or attack is significant and verifiable by either a witness statement or other compelling evidence/reports. (DEP Program)

**WPV Report** – an alleged case of workplace violence that does not present enough information or evidence or that rises to the level of a direct threat or attack; and cannot be substantiated by witness or other evidence. (DEP Program)

**WPV Concern** - a concern is a case where there are no specific allegations but there are general concerns about another employee, customer’s or contractor’s behavior or other risk factors. (DEP Program)

**WPV Prevention Coordinator** –Assistant Commissioner, Office of Environmental,

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

Health and Safety (OEHS), [WPVconcerns@dep.nyc.gov](mailto:WPVconcerns@dep.nyc.gov); 718-585-5266, After Hours 800-897-9677.

**WPV Prevention Task Force** – a team consisting of members from the Office of Environmental Health & Safety, Chief Administrative Officer, Organizational Development and Human Resources, Office of Equal Employment Opportunity, Police & Security, Legal Affairs and Labor Relations, to address workplace safety and related concerns. The purpose of the Task Force is to identify and evaluate WPV risk factors in the agency; identify effectiveness of existing prevention programs; identify and implement internal and external resources to assess and respond more effectively to emerging threats, risk factors, concerns and emerging issues; and provide ongoing review of current and new cases/complaints that arise and develop and implement the most effective mitigations possible.

**WPV Prevention Labor – Management Committee** – a committee consisting of Union representatives and members of the WPV Prevention Task Force. The purpose of this committee is to review program initiatives, generate and discuss suggestions for violence prevention improvements at DEP and to review types of cases and their resolution.

### 5. Responsibilities

The following responsibilities apply generally throughout DEP, although bureaus and individual facilities may develop more detailed procedures that further clarify or provide alternate approaches to meet the intent, but should not replace or eliminate these responsibilities altogether.

- **All DEP Employees**

*An Employee* is responsible for:

Reporting all workplace violence incidents, risks or personal safety concerns, breaches in safety or any suspicious activity or behavior to his or her **Supervisor**; Environmental Health and Safety Liaison, or Workplace Violence Coordinator.

- **Supervisors/Managers**

A *Supervisor/Manager* is responsible for:

Notifying the **Workplace Violence Prevention Coordinator** or designee and/or **Bureau EHS** representative of any workplace violence allegations or concerns. Supervisors and Managers are also responsible for identifying and addressing conflicts and taking steps to address them before the conflict escalates.<sup>1</sup>

---

Revision 5  
March 02, 2022  
Several resources are available through DEP's HR Department (J. Glotzer @ 718-595-3424 or [jglotzer@dep.nyc.gov](mailto:jglotzer@dep.nyc.gov)). You may also reach out to the DEP WPV Prevention Coordinator, Persis Luke @ 718-595-5266 or [lukep@dep.nyc.gov](mailto:lukep@dep.nyc.gov)), or your bureau administrator.

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

- **Office of Environmental, Health & Safety (OEHS)**  
OEHS is responsible for ensuring conformance with the procedures outlined in this policy, and will monitor the Agency's compliance with this policy through ongoing quality assurance checks and program audits:
  - The *Workplace Violence Prevention Coordinator* is in charge of the implementation, review and assessment of the workplace violence prevention program;
  - The *Reporting & Investigation Unit* conducts investigations into allegations of Workplace violence including violations of this program;
  - The *Performance Measurement & Strategic Planning Section* confirms that Workplace violence Facility Risk Assessments have been conducted as well as review and determine the status of preventative recommendations (e.g., enhanced security measures, installing alarms, cameras, lighting, etc. ) during EHS Assessments/Audits of DEP facilities and divisions; and
  - The *Program Development & Training* conducts initial workplace violence facility risk assessments during all pre-occupancy walk-throughs and oversee all workplace violence program trainings.

## 6. Workplace Violence Prevention Procedures

### 6.1 WPV Prevention Policy Statement

DEP has a written policy statement (Attachment D) which shall be posted at all DEP facilities and communicated to all DEP employees. The Policy Statement contains the following elements:

- Definition of workplace violence.
- General procedures for reporting an incident, report or concern.
- Notification that DEP has a WPV Prevention Program and where a copy may be located and reviewed.
- The name and contact information for the DEP WPV Prevention Coordinator (OEHS A/C).
- What to do in the event of a WPV incident or concern.

### 6.2 Reporting System

Effective May 23, 2011, DEP has established a WPV reporting and complaint handling system which covers the following scenarios which may occur between DEP employees, non-DEP employees, or concerns that may be related to personal behaviors, facilities or field sites.

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

- Assault or other physical attack
  - Hitting, fighting, pushing, punching, shoving, tripping, poking or body blocking, throwing, etc.
  - Use of gun, knife or other weapon
  - Use of object intended as a weapon
  - Other physical action
- Verbal/Written Threat
  - Communicated directly to victim
  - Communicated to third party
  - Other (Cyber threats, social media, voice messages, written postings or graffiti)
- Repeated intimidation or other threatening activity
  - Stalking
  - Engaging in actions intended to frighten, coerce or induce duress (includes bullying)
  - Verbal harassment
  - Showing (but not using) a weapon or an object intended as a weapon
- Concerns regarding the behavior of an employee or contractor that may be perceived as threatening or abnormal in nature; or other concerns related to facility or field safety.
- Other concerns.

The reporting system covers incidents, reports or concerns that have contributing factors that include but are not limited to the following:

- Family/Domestic Dispute (on DEP worksite)
- Personal conflict (outside party or other DEP employee)
- Job-related conflict
- Disciplinary action or performance review
- EEO-related issues
- Use of alcohol/drugs
- Potential Mental Health Issues
- Public Interaction
- Confrontations with public related to issuance of fines, violations or inspections (Enforcement Actions)
- Related to Customer Service
- Road Rage
- Street crime or general crime
- Behavior of concern

A copy of the reporting/intake form and witness statement forms can be found in Attachment B or in the Employee Resource Section on The Source (under “EHS” icon).



# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### 6.3 Training

At a minimum, all DEP employees will be trained on the WPV Prevention Program and provided with an annual WPV prevention refresher. WPV training is included in the New Hire Orientation and satisfies the requirement for initial training as well as offered as part of general supervisory training. The training will include, but will not be limited to the following:

- What is Workplace Violence?
  - Review of regulations
  - Roles and responsibilities
- A description of DEP's WPV Prevention Program
- How to report a workplace violence matter (e.g., incident, report and concern)
- Factors that may indicate an increased risk for violence.
- Behaviors of concern
- How to recognize situations that may escalate into workplace violence
- How to defuse situations that could escalate into violence
- Risks, controls and prevention procedures in place at the facilities in which DEP employees work
- How DEP manages and communicates instances of workplace violence and additional preventive measures put in place as a result
- What is bullying and its role in perpetuating a violent prone workplace

In addition, other training courses may be provided, such as "Stress Management", "Workplace Violence Prevention for Field Workers", "Active Shooter", "Supervisory training", "Conflict Management" and courses to improve communication skills, as deemed appropriate by DEP's WPV Prevention Task Force, OEHS or Organizational Development. Individual trainings or coaching (e.g. "panel" training) may be recommended to mitigate employee behavior in specific cases. Training could also be provided to address specific WPV occurrences or patterns of occurrences.

### 6.4 Recordkeeping

OEHS will maintain all records and documents related to WPV (facility) assessments as well as all complaints/cases including incidents, reports and concerns. The database and case files may be made available during the annual review of the program by DEP and the employee representatives as required by law. Training records will be kept and maintained by Bureau EHS and/or OEHS in the DEP Training Tracking and Reporting System (TTRS).

In addition, the recordkeeping requirements outlined in EHS Reporting Policies will be followed for WPV incidents in which injuries occur.

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### 6.5 Reporting and Investigation Procedures

All DEP employees have the right to report WPV incidents, reports or concerns without fear of retaliation. If any DEP employee believes that he/she has experienced or witnessed workplace violence or has any specific concern, he/she should immediately notify the following:

- **Required** → the DEP Workplace Violence Prevention Coordinator
- As needed:
  - His/her Supervisor
  - Bureau EHS Staff
  - EEO Liaison
  - Bureau Administrator; or
  - Other DEP Responsible Party (e.g. DEP Police and Security, other Manager)
  - Outside law enforcement

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. All threatening by the public incidents must also be reported to the WPV Prevention Coordinator. Complaints can be provided to the Workplace Violence Prevention Coordinator via telephone, email (e.g., regular DEP email or special Workplace Violence Program link found on the Source [wpvconcerns@dep.nyc.gov](mailto:wpvconcerns@dep.nyc.gov)), memorandum, Supervisors, Bureau EHS Staff, Bureau Administrators, Co-workers, in- person at the Office of Environmental Health & Safety (OEHS) or completing a Workplace Violence Intake Form. If a complaint is filed with a workplace violence intake form it, may be completed and submitted to the WPV Prevention Coordinator's Office by email; or obtained as a paper copy from the bureau's EHS representative. The Office of Environmental Health and Safety or Bureau EHS is available to assist with the completion of the intake form and will review it with the complainant if applicable.

Managers, Supervisor, or any of the above who become aware of a concern regarding WPV must immediately contact the WPV Prevention Coordinator and other Bureau members (as applicable by internal policies).

All reported WPV cases will be reviewed and/or investigated in a way that is appropriate to the event. The DEP WPV Prevention Task Force may make recommendations in this regard. These recommendations for preventative action may include participation from bureau personnel, OEHS, Bureau EHS, Bureau of Police and Security, EEO, Office of Disciplinary Counsel, Human Resources, OATH Center for Creative Conflict Resolution, DEP's Threat Management Consultant and/or outside entities such as NYPD and Department of Investigation (DOI).

1. All allegations that are made to the WPV Prevention Coordinator as formal complaints/concerns are considered "cases" and will be reviewed by OEHS and

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

categorized as an INCIDENT, REPORT or a CONCERN. All cases are entered by OEHS into the WPV tracking database. All information disclosed to the OEHS workplace violence unit is kept discreet and all parties involved in an investigation are advised to keep any information confidential.

2. If in the judgment of the bureau, WPV Prevention Coordinator and/or members of the WPV Prevention Task Force, an employee situation is volatile and poses a risk to the safety of the workplace, the bureau may be consulted and/or advised to take some interim action (e.g. separation of employees, additional security etc.) until the matter can be investigated and/or resolved in the longer term.
3. All cases that meet the criteria of a WPV INCIDENT are investigated by OEHS, BPS or DOI (if it rises to a criminal act) and recommendations may be developed with input from other DEP stakeholders (BPS, Labor Relations, Office of Disciplinary Counsel and Organizational Development and Human Resources and/or the WPV Prevention Task Force. OEHS is not directly involved in disciplinary action however; the results of the investigatory process may lead a Bureau to begin the disciplinary process.
4. REPORTS and CONCERNS are reviewed by OEHS and the WPV Prevention Task Force members. Reports and concerns may be investigated as well, although not always. There are times when a concern or a report will be referred to Organizational Development and Human Resources, the DEP Threat Assessment consultant or another division within DEP. Written recommendations may be made by OEHS as a result with input from Bureau. These recommendations may include training, coaching, referral to other employee resources within or outside the Agency, and/or organization/structural changes (e.g. seating, supervision). Refer to Attachment C for the DEP Workplace Violence Complaint/Concern Case Workflow.
5. The general outcome of a WPV incident review or investigation will be communicated to the complainant and respondent by OEHS in writing. Depending on the case and as appropriate, the bureau administrator, manager or supervisor may take part in this communication. Complainants involved in reports or incidents that are investigated will also receive notification in the form of a determination memo at the end of a review or investigation. In cases where it has been concluded that the respondent violated the policy, he/she will receive notification in the form of an advisory memo. There are situations where an employee will be given an advisory memo for behavior that was inappropriate even if it does not meet the criteria for WPV.
6. When a case requires a full investigation, this may involve interviews of the complainant and respondent as well as review of other records. The final report will be distributed by the WPV OEHS Investigator to the Deputy Commissioner of the complainant's and respondent's Bureau, Chief Administrative Officer, the Deputy Commissioner of the Bureau of Police and Security, the EEO Officer, the Deputy Commissioner of Human Resources, the Deputy Commissioner of Labor Relations

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

and Discipline, the Disciplinary Counsel, the Deputy Commissioner of Organizational Development, the Bureau Administrator and Bureau EHS, and others as appropriate.

7. All additional reporting and notifications required by Bureau policies and procedures should take place as usual (e.g. local law enforcement/ Bureau of Police and Security in matters pertaining to potential criminal violations, , respective parties and Bureau Management/for regulatory authorities) independent of the DEP WPV investigation.
8. The affected Bureaus are required to reply in writing within forty-five (45) days of receipt of the investigation report and inform the WPV Prevention Coordinator of the accepted recommendations and action taken to effectuate them.
9. The WPV Prevention Coordinator is responsible to provide a summary of WPV incidents and recommendations to the authorized employee representatives at least annually and quarterly in the DEP WPV Prevention Labor-Management Committee. These will be summaries in order to protect confidentiality and privacy of complainants and respondents.
10. The WPV Prevention Coordinator is responsible to monitor the progress of the cases and investigations to ensure that all recommendations that have been accepted by the Bureau are implemented. Cases will not be closed out until all accepted recommendations have been completed.

### **6.6 Appeals**

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 WPV report, the employee has rights available to them under the collective bargaining agreement or under Section 75 of the Civil Service Law.

### **6.7 Workplace Violence Prevention Task Force (Threat Management Team)**

In 2014, DEP created the WPV Prevention Task Force (Task Force) - a team consisting of members from the Office of Environmental Health & Safety, First Deputy Commissioner, Organizational Development/Human Resources, Office of Equal Employment Opportunity, Police & Security, Legal Affairs and Labor Relations and Discipline to review and address workplace safety and related concerns. The Task Force, with the assistance of external threat assessment and threat management experts, is responsible for identifying WPV risks and taking steps to implement effective

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

preventive measures. The Task Force's efforts are coordinated by the Assistant Commissioner of the Office of Environmental, Health and Safety.

The responsibilities of the Task Force include evaluation of WPV cases and related risk factors in the agency, the effectiveness of implementation of the program, and any barriers to carrying out DEP initiatives related to personnel safety. On a regular basis, the Task Force is involved in reviewing all complaints and in developing appropriate plans for mitigation as indicated.

In addition to the Task Force, a WPV Prevention Labor-Management Committee exists and comprised of some Task Force members in addition to authorized employee representatives. This Labor-Management committee meets on a quarterly basis to discuss WPV-related issues, case summaries, program elements, new concerns and to provide recommendations for prevention strategies.

### **6.8 Continuous Improvement and Auditing**

1. One of the primary roles for both the WPV Prevention Task Force and the Labor-Management Committee is to maintain continuous improvement in DEP's prevention strategies through case review and risk assessment activities.
2. An important part of the incident investigation is for OEHS to work with the reporting bureau or office to identify the effectiveness of control measures, and to make recommendations to prevent the type of incident or condition from recurring.
3. Specific recommendations will be made to the bureau by OEHS in conjunction with the DEP Task Force. OEHS will follow up with the bureau to assess the implementation progress and to determine if the recommendations have been effective.
4. On an annual basis, the WPV Prevention Coordinator will review incidents, trends and the effectiveness of control measures and will make programmatic recommendations to the WPV Task Force and the Commissioner on at least a quarterly basis.
5. The requirements of the DEP Workplace Violence Prevention Policy and Program will be assessed periodically through regularly scheduled EHS Assessments/ Audits of DEP facilities and divisions.

## **7. Agency-wide (General) WPV Risk Assessment**

### Potential Risks

Job related or personal conflicts among employees do arise. Many WPV cases are those

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

that arise between employees. Some common contributing factors may be related to issues, perceptions and/or concerns related to the assignment of overtime, supervisory inconsistencies, out of title work, decisions on grievances, general misunderstandings, poor communication, contractual inequities, bullying, performance and disciplinary matters, personality conflicts, mental health issues, stress and other work related conflicts. In addition, the workplace may be subject to the incursion of domestic violence episodes.

### Control Measures

With respect to incidents among employees, DEP includes information about risk factors for violence and instructions on handling workplace violence concerns or events during site-specific training in addition to the mandated agency-wide WPV Prevention training. The Employee Concerns Hotline (800-897-9677) or the OEHS Workplace Violence Prevention Coordinator (718-595-5266) or [WPVConcerns@dep.nyc.gov](mailto:WPVConcerns@dep.nyc.gov) may be used for reporting threats when an employee does not want to make a report to a Supervisor. The DEP Uniform Code of Discipline and the DEP WPV Prevention Policy prohibit violent, threatening or intimidating behavior between DEP employees, and progressive discipline may be applied as indicated. The DEP WPV Prevention Task Force and the DEP WPV Prevention Labor Management Committee, with outside expert advice when needed, identifies needs and initiates preventive measures of any type which may include, management coaching, education, supervisory coaching/training, development of additional policies and programs, access to EAP or other outside resources, education, communications skill building and facilitation/intervention measures.

## **8. Bureau Specific (Facility and Field) WPV Risk Assessment**

DEP's responsibilities cover four core functions: Utility, Customer Service, Capital Construction, and Environmental Compliance/Sustainability. These core functions subsume operations including water supply, distribution and treatment; handling of hazardous material emergencies and toxic site remediation; enforcement of a city-wide industrial pretreatment program and a pollution prevention program; oversight of asbestos removal; enforcement of the Air and Noise Codes; management of citywide water conservation programs; sustainability and green infrastructure; inspection of water and sewer connections; replacement and repair of water meters; and collection of water and sewer fees including delinquent charges. DEP's operations are implemented through distinct bureaus or offices.

All new DEP facilities and renovated spaces, with the participation of the authorized employee representatives, will be physically evaluated to determine the presence of factors which may place employees at risk for workplace violence. This evaluation may be included as part of a pre-occupancy walkthrough.

DEP is also engaging in the development of violence prevention workshops and training for field and customer service employees who have frequent interactions with the public,

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

some of the interactions being sensitive in nature (inspections, issuing violations, enforcement, resolving complaints, public meetings and events). Any DEP employee who is physically assaulted or threatened with physical harm by a member of the public should contact law enforcement and file a police report in addition to notifying their supervisor. All threatening incidents must also be reported to the WPV Prevention Coordinator.

### 8.1 Utility Bureaus

#### 8.1.1 Bureau of Water and Sewer Operations (BWSO)

BWSO is responsible for the operation and maintenance and protection of New York City's drinking water distribution and wastewater collection systems, the protection of adjacent waterways and natural drainage (wetlands), and the development of the Department's Capital Water and Sewer Infrastructure Program. The Bureau also approves and inspects water and sewer connections performed by licensed plumbers and/or authorized contractors. In addition, BWSO has overall responsibility for the approval and inspection of all public and private construction projects related to the City's water or sewer systems.

#### **BWSO Borough Offices**

- Bronx Borough Record Office
- Brooklyn Borough Record Office
- Manhattan Borough Record Office
- Queens Borough Record Office
- Staten Island Borough Record Office

#### Potential Risks

BWSO Borough Office staff interact with the general public, expeditors and plumbers in performing tasks related to issuing work permits and assisting with related paperwork reviews. The offices do not generally have security cameras or alarms installed.

#### Control Measures

Specific security configurations are detailed in the facility assessment forms which are available through the facility manager, safety officer, bureau EHS or OEHS. Access to offices is restricted to authorized personnel using an ID card which is shown to a security guard upon entry. Sign in procedures are also enforced.

#### **BWSO Divisions with Field Assignments**

#### **BWSO Bureau EHS**

#### Potential Risks

Bureau EHS staff is on call 24 hours a day and respond to emergencies within the five

# **Workplace Violence Prevention (WPV) Program**

## **NYC Department of Environmental Protection**

---

boroughs and Yonkers. Bureau EHS personnel may carry costly field monitoring equipment and may travel alone when they are visiting field locations and during on-call and emergency responses. Staff may travel alone during off-hours while making field visits or responding to emergency calls. Bureau EHS staff, while performing facility audits, may identify findings that may prompt a negative response.

### Control Measures

Bureau EHS staff are equipped with cell phones and a manager is always available for assistance (24/7). Bureau EHS employees are required to contact the BWSO crew supervisor or manager prior to traveling to a site, and their locations are tracked by supervisors throughout the day and on off hours. Necessary support activities are coordinated with the crew supervisor or the manager in charge. All equipment is carried in the locked trunk of the car or in an equipment case and is only exposed when safely at the worksite with BWSO crews.

### **BWSO Engineering and Construction**

#### Potential Risks

Employees of the Division of Engineering and Construction perform inspections and engineering work on NYC sewer and water main networks. This work generally occurs during the day, but evening or weekend coverage is possible. Employees may interact with building owners and contractors, frequently after normal working hours. They issue Notices to Residents for all impending sewer and/or water main repairs, which may include shutdown of water main service during construction. Emergency Construction personnel may use valuable tools, may encounter members of the public and may work off hours.

#### Control Measures

Emergency Construction sites are secured with plates or fencing at the end of the work day, but are not always fenced while work is in progress. Work areas are always delineated to prevent pedestrian entry, but fencing may or may not be the method of delineation. Active areas have additional lighting at night. Engineering and Construction field personnel wear DEP vests, and have cell phones to communicate any problems. Field personnel do not generally work in teams, but do check in on a regular basis with supervisors. The inspector's supervisors are provided with cellphones.

### **BWSO Permitting and Inspections**

#### Potential Risks

The Division of Permitting and Inspections reviews and approves permit applications for water and sewer connection plans submitted by property owners, engineers, and plumbers. Assigned field staff must inspect the work done by plumbers and contractors to verify construction compliance with approved water and sewer connection plans. The Investigation Unit must check properties and sewers; a negative report (mailed) could prevent the investigated entity from further development.



# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### Control Measures

Field staff are issued cameras to document inspection scenes and two-way radios for communication purposes. Supervisors should be aware of the field staff locations throughout the day to insure their safety.

### **BWSO Cross Connections**

#### Potential Risks

The Cross Connection Unit works only on the day shift and must enter businesses unannounced to determine whether a business is operating in a safe manner with respect to backflow prevention compliance. Notice of violations (NOVs) are hand-delivered or mailed to facilities determined to be in violation of rules enforced by the unit. Cross Connection engineers responsible for administering service and maintenance contracts must inspect the work performed by private contractors in the field and stop any work from being done incorrectly.

#### Control Measures

Field Staff are issued two-way radios, and their locations are tracked throughout the day by their supervisors. They have cameras to document inspection scenes.

### **BWSO Field Operations**

#### Potential Risks

Field Operations employees (construction laborers under supervision) carry valuable tools in their vehicles when they conduct leak detection investigations; water main shutdowns and repairs; catch basin and sewer line clean-ups and repairs; and investigations of water supply complaints. Employees may enter private houses or businesses to perform television inspection of sewer line connections. They may issue to landlords or their representatives' 3-day notices for defective water and sewer service connections as well as service terminations for non-payment. Catch basin operators and supervisors investigating complaints may work alone in the field. Field Operations vehicles are equipped with valuable tools.

Employees working in the street during repairs or road shutdowns could be attacked by angry and aggravated motorists or other members of general public. This also applies to our new Green Infrastructure seasonal personnel, who work during the day shift and non winter months. These employees are tasked with the maintenance of Bioswales/Rain Gardens located throughout the city, and are subject to interactions with members of the public while working on the sidewalk, while blocking the parking lane or a traffic lane with their work vehicle.

Field Operations employees engaged in hydrant patrol activities may become targets of objects being thrown at them and/or their vehicles by members of the general public. Repair crews conducting noisy work in the overnight shifts may be subject to noise complaints from the public, verbal harassment and possible physical harm.

# **Workplace Violence Prevention (WPV) Program**

## **NYC Department of Environmental Protection**

---

### Control Measures

Field Operations supervisors have two-way radios with an “alert” button that may be used to send an emergency signal to the Emergency Call Center (ECC); the ECC and/or Field Operations supervision will then investigate. All work crews have an alert button on their two-way truck radios. When necessary, field staff have the option to request NYPD assistance. There are written guidelines and SOPs to supplement employee safety in the field.

### **Groundwater Operations**

#### Potential Risks

Many of the vehicles are equipped with valuable tools (drills, pipe threading equipment, meters, etc.) and on a limited basis, crews work after hours performing inspections of unmanned facilities.

#### Control Measures

On off-hour shifts, field assignments are performed by two person crews. There may be infrequent, emergency, off-hours situations in which one person is sent out. Employees who conduct inspections and rounds at unstaffed facilities have cell phones.

Groundwater vehicles have two-way radios installed in them in the event of an emergency. Unstaffed sites have fences around the perimeters and are equipped with security lighting activated by a photo cell. In addition, these facilities are alarmed and monitored from a central station; any alarm activation triggers a call to the Police Department.

### **Pumping Operations**

#### Potential Risks

The potential risks are limited. Pumping Operations and Richmond Chlorination personnel generally work within staffed facilities. There are unstaffed pumping stations and related chambers that are visited periodically.

#### Control Measures

Pumping Operations facilities are fenced gated, and always occupied by at least two employees; there are high security lock systems, and CCTV monitoring. At least two employees work at outdoor and underground stations. These facilities are not open to the public and have very limited to/from traffic, therefore there are no security guards assigned to the location.

### **Shaft Maintenance Operations**

#### Potential Risks

BWSO Shaft Maintenance consists of project managers/engineers, machinists, plumbers,

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

electricians, and laborers. They are tasked with maintaining remote unstaffed locations, and are dispatched from two staffed locations. Unstaffed locations typically have one means of entrance and exit, while the staffed facilities have several. The facilities are located throughout the City (except Staten Island).

### Control Measures

The public does not have authorized access to the staffed facilities, or access to the unstaffed facilities. The unstaffed facilities are located below street level and special precautions are required when they are visited by authorized personnel. Employees visit the unstaffed facilities, in crews of at least two. Many of the facilities have doors that can be locked behind the workers, but some have hatches that remain unlocked (and protected with standard and portable guardrails). Employees are required to notify office personnel at Shaft Maintenance Headquarters (SM HQ) when they enter and exit a remote unstaffed location. In addition, most of the unstaffed facilities are equipped with cameras.

### **BWSO Staffed Facilities (Operations Headquarters)**

#### Potential Risks

Employees generally start and end their day at these staffed locations. These facilities either have security fences with security guards or roll down driveway entrance gates. Some facilities do not have security at the main entrance doors.

#### Control Measures

Access to facilities without security fences or guards is restricted to persons having identification and is monitored by office staff. Security cameras are installed at these locations.

### **Groundwater Operations Headquarters**

Groundwater Headquarters (GWHQ), where the Groundwater Operations personnel report for work, is staffed 24 hours a day, except from 3:30pm to 7:00am Fridays and Saturdays. There is a guard present during these hours. Also on holidays there is only one shift and three employees are present from 7:00am to 3:30pm. There are four cameras with a remote monitor currently in use and the equipment has recently been upgraded to a DVR with up to 105 days of storage. The 2 driveway entrance gates are controlled by remote activators and by staff assigned at GWHQ who monitor the cameras and the intercom system. The entire property has a 6-foot high chain link fence with barbed wire. The doors to the main building can be locked and opened by using a “Best” system key or a person can be buzzed in by the person monitoring the cameras. All the permanent buildings/trailers on the property have alarms which are connected to a 24-hour monitoring company.

### **Shaft Maintenance Operations Headquarters**

Shaft Maintenance Operations personnel report to work at Shaft Maintenance Headquarters (SM HQ) in Brooklyn. This location is staffed only during the day. It has sign-in procedures for all employees and visitors, which are monitored by the office staff

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

on the first floor of the building. All employees use vehicles equipped with two-way radios when visiting remote shaft locations. Shaft Maintenance employees also use vehicles equipped with remote activators to open a roll-up gate to gain access to SM HQ. Office personnel at SM HQ monitor visitors via a camera and intercom system located at the roll-up gate.

### 8.1.2 Bureau of Water Supply (BWS)

BWS is responsible for delivering a sufficient quantity of high quality drinking water. BWS maintains, develops and oversees infrastructure that leads to the treatment and delivery of drinking water to New York City. The bureau also ensures that water is safe and high quality throughout the system. In addition, BWS is charged with preservation of the watershed, both by acquiring property and acting to preserve and oversee further development on existing Agency land.

#### **BWS Laboratory, Office and Field Operations**

##### Potential Risks

Field staff enters both DEP and non-DEP facilities and grounds, and routinely encounter the public when sampling at non-DEP-owned field stations, including wastewater treatment plants and residential properties. Employees travel to remote locations and may carry expensive surveying, sampling or computer equipment. Homeowners may revoke permission for access while field staff is on site.

Employees responsible for Bureau EHS compliance may travel alone to remote facilities when performing facility and workgroup audits. They may identify findings that implicate a facility or an employee.

Some employees oversee and approve payments to contractors, make construction worksite visits and are responsible for obtaining easements or rights of access from homeowners. They may also deal with watershed construction projects unpopular with the public. Other employees perform inspections of private septic systems and wastewater treatment plants and may issue warning notices, NOVs and stop work orders. Such inspections could also result in fines imposed by DEC.

There is some lingering animosity between DEP and upstate residents because of historical condemnation of lands in the Watershed and because of DEP's regulatory authority over activities on NYC lands and within the Watershed.

##### Control Measures

Most DEP-owned field stations are gate and door access-restricted by key lock, and most staffed facilities are locked. Some facilities have an attended front desk where surveillance cameras and/or alarm systems are in use. BWS has implemented Work Alone Guidelines that prohibit performance of specified high hazard activities, such as chlorine tank changes, by a single individual; require a safety assessment of any newly

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

assigned task requiring an employee to work alone; and establish a variety of safeguards that may include a call-in protocol and use of communication devices for employees working alone. For laboratory employees, the Chemical Hygiene Plan (CHP) delineates precautions for employees who work alone, including notifications and check-in and check-out procedures. All lab staff is trained on communication and emergency procedures as written in the CHP.

Field groups maintain communications using cell phones, land based phones, two-way radios, and SPOT devices (SPOT devices are satellite-based GPS units used to periodically check in with a designated contact or to summon emergency help when needed). SPOT devices work in areas of the watershed where there is no cell phone coverage. The Bureau has installed a Goosetown Communication System (high band radio) which is monitored by BPS and allows communication between groups and with BPS. Depending on need, handheld and/or vehicle-based radios have been made available.

Field staff have been made aware that they can call either DEP Police or Local Police Authorities in case of the unexpected or when they feel unsafe. Employees who visit worksites and anticipate issues with a contractor or the public may enlist the aid of the DEP Police to accompany them. Employees who perform property clean-up and chainsaw operations crews are required to call in every 2 hours or when they are changing locations.

### **BWS Staffed Facilities**

#### Potential Risks

Some BWS facilities are located in communities that have had a historically antagonistic relationship with the City over its administration of the watershed. Some of the facilities may be in lightly populated areas and have limited staffing.

In addition, many facilities utilize chemicals to treat water and wastewater to assure public health and safety. There is a potential for those with nefarious motives to attempt to disrupt these operations via some type of sabotage. As a provider of high quality drinking water to over nine million consumers, BWS remains vigilant in safeguarding our employees, those living in close proximity to our operational facilities, and those further away who rely on our ability to maintain a consistent supply of safe drinking water.

#### Control Measures

BWS has installed security fencing with crash-rated barriers around higher (safety) risk facilities and has performed security upgrades on many facilities which now require the use of card-reader systems for access. Alarm systems are monitored 24 hours a day, and all activations are investigated by the DEP Police. Employee activated evacuation alarm systems or equivalent procedures are in place at all staffed facilities. Facility emergency action plans (EAPs) contain a section on security threats and vandalism at routinely staffed locations. "Authorized Personnel Only" signs are posted at BWS facilities that are closed to the public. In addition, DEP Police periodically conduct walkthroughs of the BWS Upstate facilities where no security guards are present on site.

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

Furthermore, BWS takes steps to safeguard information related to treatment and infrastructure to the extent allowable by law to minimize the possibility for such information to be used to identify vulnerabilities, and to develop plans to disrupt operations, interfere with response activities, and engage in other illegal activities.

### 8.1.3 Bureau of Wastewater Treatment (BWT)

BWT is responsible for the operation and maintenance of all facilities related to the treatment of sewage. This includes wastewater treatment plants, combined sewer overflow retention facilities, pumping stations, sewer regulators, tide gates, wastewater laboratories, a microbiology laboratory, harbor vessels and sludge dewatering facilities.

#### **Field Operations (Industrial Pretreatment Program and Collections)**

##### Potential Risks

The Monitoring Section (Industrial Pretreatment Program – IPP) staff interacts with the public as it investigates illegal discharges into the sewer system, monitors industries permitted to discharge, and issues violations. Collections staff work in the streets and though they do not routinely interact with the public, they are exposed to the public while performing their duties (e.g., traffic work zone set-ups). The Marine Section operates vessels that transport sludge to a variety of locations on the waterways around New York City.

##### Control Measures

BWT Collections staff and IPP staff are equipped with two-way radios with an “alert” button that may be used to send an emergency signal to the Emergency Call Center. The on-call IPP staff also have cell phones. IPP provides informal training for inspectors who issue summons to property owners and has procedures in place to prepare employees for “confrontational or aggressive” situations they may encounter.

The Marine Division has standard operating procedures in place for a variety of circumstances in the operation of their sludge vessels. They include issues such as groundings, fires, collisions, lost propulsion, etc. Emergencies are communicated from the vessels through the dispatch office. Other entities may also be called upon depending on the circumstances. These include the US Coast Guard, 911 and nearby vessels. Staff on vessels also have cell phones as well as VHF radios on each vessel to communicate emergencies.

#### **BWT Staffed Facilities**

- 14 Wastewater Treatment Plants (WWTPs)
- Manhattan (13<sup>th</sup> Street) Pump Station
- Manhattan Grit Chamber

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

- Bronx Grit Chamber
- Paerdegat CSO Facility
- Spring Creek CSO Facility

### Potential Risks

The neighborhoods in which BWT staffed facilities are located throughout the City vary from residential to industrial to commercial. Operations staff may work with expensive equipment, tools and material. On off-shifts (weekends, holidays, 3PM – 7AM), BWT plant staff covers “stations” (work locations) around the WWTP; these employees can be isolated from other employees when staff at the plant is limited.

### Control Measures

BWT staffed facilities all have contracted security at their entrances. Although they cannot detain and arrest, they have procedures in place to request back up as needed. BWT has upgraded outdoor lighting at some plants and utilizes portable radios for communication. BWT also has security cameras at a number of its facilities. On off-hours, supervisors make routine rounds of the “stations” and plant. At remote locations (e.g., grit chambers), BWT also employs a “buddy” (partnered) system for staff. Specific security configurations are contained within the site assessment reports for each BWT facility.

## **8.2 Bureau of Customer Services (BCS)**

BCS is responsible for issuing bills for water and sewer use, enforcing and interpreting the Water Board rules and regulations, collecting delinquent charges, providing professional customer service and developing and administering programs to increase customers’ water conservation efforts.

### **8.2.1 Customer Service Centers**

#### Potential Risks

BCS Clerical staff work one-on-one with customers, some of whom may become verbally abusive, threatening or occasionally violent about their water bills, account errors, appeal determinations or water termination notices.

#### Control Measures

All Customer Service centers have security guards and ID requirements for entry. Some have installed panic alarms and camera surveillance. The payment centers have glass partitions (tempered or safety) and “No cash accepted” signs are posted by the customer service windows. There is a security officer stationed in the waiting area at all times during business hours. When the need arises, clerical staff can call an on-site supervisor and the guard on duty can call for a back-up security supervisor.

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### 8.2.2 Field Operations

#### Potential Risks

Water Use Inspectors, may travel alone to inspect, repair or install water meters at residential and commercial properties, issue Notices of Violation (NOVs), Inspector Warning Notices (IWNs), and notices of water service terminations. Inspectors carry valuable tools, equipment and materials, and emergency responders may work after normal working hours. Inspections to correct estimated charges often lead to greater actual costs to customers, and inspections may uncover conditions in violation of the NYC Water Rules that lead to IWNs, NOVs, fees assessed for no entry or theft of services charges. Inspectors may shut off water service to do work on or to install a meter.

#### Control Measures

Inspectors are trained to identify potential risks and to remove themselves from hazardous or highly confrontational conditions and to stop work until the risks can be eliminated or controlled. They are equipped with cell phones, and there is always an on-call supervisor. During or after normal hours, a second inspector may be dispatched if there is concern about safety. NOVs are mailed to respondents to avoid confrontation at the time of inspection.

## 8.3 Construction Bureaus

### 8.3.1 Bureau of Engineering, Design and Construction (BEDC) Construction Sites

BEDC is responsible for planning, designing and constructing major water quality related capital projects, which focus on the continued delivery of high quality drinking water to the City and the continued improvement of water quality within New York Harbor and estuaries.

#### Potential Risks

BEDC employees oversee construction activity; inspect work performed by contractors; perform quality control and safety-related supervision; and review and approve timesheets, payment to contractors and various contract submittals needed to commence work. Accordingly, BEDC employees are also responsible for evaluations of contractors, stop work orders and withholding of payments to contractors.

Some BEDC employees are or have been involved in “Build-it-Back” or other citywide construction initiatives in which they have contact with members of the public in situations that may be stressful (e.g. dealing with residents who are trying to rebuild after a natural disaster).

BEDC project management employees are responsible for oversight of consultants, sub-



# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

consultants, and construction contractors. They conduct annual performance evaluations of consultants and contractors and interact with them on a daily basis. BEDC staff must, at times, direct contractors to perform contract work which they may dispute, enforce contract provisions in which contractors may not be in agreement, and disallow payments for invoices DEP considers to be outside of the contract.

### Control Measures

Most construction project sites have 24-hour security guards for access and egress for contractor employees and visitors. BEDC employees are required to attend various annual training in EHS, office and facility RTK, workplace violence, EEO policies and procedures and other training tailored to their specific work tasks. WPV and EEO policies are discussed at the EHS Pre-Construction meeting and in the contractor orientation. Contractor employees found to be acting contrary to established policies may be removed from projects at any time.

BEDC and other city employees (under DEP's purview) for temporary "Build it Back" type programs are provided with WPV prevention training and the field centers have security personnel assigned.

### **8.3.2 Office of Green Infrastructure (OGI)**

The OGI designs, administers and reviews the proposals/plans/specifications/designs, grants, construction, monitoring and maintenance of Green Infrastructure Systems funded by DEP. The goal is to create vegetated storm water source control systems in order to improve water quality by reducing combined sewer overflows. Site/field activities include visiting sites of proposed green infrastructure system installation for feasibility and design, for construction activities, and for post construction oversight monitoring.

### Potential Risks

OGI employees perform site visits at locations accessible to the public, locations operated by other city agencies, and private facilities where grants have been awarded. OGI staff oversee construction activities at bio swale installations in the public right of way, at green and blue roof installations, etc. They inspect work performed by contractors; perform contract quality control and review submittals by contractors and applicants. Accordingly, they are also responsible for potentially delivering negative feedback. Visits at off-site locations can include public meetings and gatherings.

### Control Measures

OGI staff receive training in the WPV Prevention Program, Effective Communication, and Field Safety. The importance of not proceeding with an assignment where a potential risk is perceived is stressed during training and in the Field Safety guidelines. The perceived risk can be of workplace violence or any other health and safety concern. Staff does not work alone. Communication while in the field is by cell phone.

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### **8.3.3 Division of Facilities Management and Construction**

The Division of Facilities Management and Construction is responsible for providing facilities management and administrative support services to DEP in the areas of: Asbestos Management and Abatement, Construction Services, Environmental Health and Safety, Real Estate and Space Planning, Mail and Printing Services.

#### **Field Work**

FMC employees from the Asbestos Task Force, Real Estate and Space Planning Unit, Construction Services (Contract supervisors) and Environmental Health and Safety Section oversee construction activities; inspect work performed by contractors; and provide safety-related review and supervision of construction staff at many DEP work locations.

#### **Potential Risks**

Staff generally work within manned and unmanned facilities to oversee contractor activities and may be required to respond to emergencies within the five boroughs and Yonkers. Some employees are on call 24 hours a day seven days a week, in order to provide emergency service when needed. Depending on the work requested, staff may work in teams of two or more or they may work and travel alone.

#### **Control Measures**

Employees are trained to identify potential risks and confrontational conditions and to remove themselves from such situations. Also, employees are equipped with cell phones to maintain communication and be in contact with their supervisor at all times. Additional measures of control are available to staff as detailed in the facility WPV assessments which are available through the facility manager and safety officer at most of the DEP locations/facilities.

#### **Construction Services**

Construction Services is directly responsible for scheduling and managing repairs, alterations and servicing DEP facilities and equipment in the downstate area for facilities such as office buildings, wastewater treatment plants, water tunnels, pumping stations, dewatering facilities and flow regulation chambers.

#### **Potential Risks**

The headquarters of Construction Services is staffed only during the day. However, the Division tradesmen are on call 24 hours a day 7 days a week, in order to provide emergency services when needed. Construction Service's tradesmen provide support and services during water main breaks, blackouts and HVAC emergencies. Depending on the work requested, staff may work in teams of two or more or they may work and travel alone.

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### Control Measures

The perimeter around the building is locked and the facility has closed circuit video surveillance with security cameras. Entry to the building is usually by an employee monitoring the cameras and remotely releasing (door entry buzzing) the entrance door. The building has an alarm system connected to a 24-hour monitoring company. Employees are issued two-way radios to be used in the event of an emergency in the shops. During off-hours, the shop is locked and roll down security gates protect staffed entrances. The supervisors of the tradesmen are equipped with cell phones to maintain communication and can contact the facility manager at all times.

### **8.4 Office of Engineering Audits (OEA)**

OEA independently audits vouchers for payment of construction, expense and construction-related services contracts to ensure that the City has received appropriate value for the work performed.

### Potential Risks

The Office of Engineering Audits conduct audits on capital construction, consultants, expense payments and change order requests. Audits may be conducted in the office or the field. The audit process can adversely affect contractors, consultants and vendors, and may elicit negative or confrontational responses.

### Control Measures

Facilities have security guards on site, ID required entry procedures, and cameras. Auditors only visit sites during normal business hours, and may work in teams of two. OEA employees have appropriate annual training in both RTK and EEO policies and procedures.

### **8.5 Sustainability**

Sustainability includes the Bureau of Environmental Compliance, the Bureau of Environmental Planning and Analysis, and Hazardous Materials and Superfund Planning and Analysis. Sustainability is responsible for the development and implementation of environmental policy and strategy, including water and air quality, the noise code, and other quality of life issues. Several components for the administration of the city-wide SPDES MS4 Permit are assigned to Sustainability and field operating procedures are under development.

#### **8.5.1 Bureau of Environmental Compliance (BEC)**

BEC consists of Air/Noise Policy and Enforcement (ANPEP), Air Engineering and Permitting, and the Asbestos Control Program (ACP). BEC is responsible for the development, implementation and enforcement of the NYC Air Code, the NYC Noise Code, and Federal, State and NYC Asbestos Rules.

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### **Field Operations (Air and Noise/Asbestos Inspectors)**

BEC field operations respond to public air, noise, and asbestos concerns from the public and perform routine field inspections for compliance.

#### Potential Risks

ANPEP and ACP Inspectors enforce applicable NYC and NYS rules and regulations, respond to citizen complaints, perform field inspections, conduct investigations, issue Notices of Violation, and testify at administrative court hearings. Both ANPEP and ACP Inspectors have active daily field operations that include day, night, and weekend schedules. Inspectors may carry valuable equipment, instrumentation, and/or electronic devices. ACP personnel normally work alone; Air/Noise Inspectors work alone or in teams of two depending on the tasks; and ANPEP Engineering staff normally work alone on pre-scheduled appointments. The response to public complaints/concerns and field enforcement activities have inherent personal safety risks.

#### Control Measures

Wide variations exist in the different inspection locations and the settings determine the types of hazards that exist and control measures that will be available and appropriate to reduce or eliminate the workplace violence hazards. Administrative and work practice controls are implemented since by the nature of the assignments engineering controls are not feasible. Field staff is directed to not begin or stop any visit at a field location where they feel hazards are present, including workplace violence hazards. Staff also has the discretion to receive backup assistance from a co-worker, supervisor or NYPD.

### **Daily route sheets and a tracking system are established.**

Enforcement staff are provided with mobile telephone communication. An effort is made to schedule multiple inspectors within the same vicinity (within a couple of blocks) during daylight hours. Inspections for noise code violations are normally conducted in teams for operational reasons, a practice which has security benefits. After daylight hours, inspectors work in a “buddy” (partnered) system. Some assignments involve multi-agency actions and include NYPD. In addition to in-house assistance, the ACP coordinates with NYC Department of Sanitation Environmental Police.

All staff are advised and encouraged to call either a local precinct or 911 when circumstances warrant. Workers are advised and assisted in filing charges if necessary.

Notices of violation are not issued in the field, but are mailed to the respondent to avoid confrontation at the time of inspection.

BEC staff receives training in the WPV Prevention Program, Active Shooter, Effective Communication, Emergency Action Plan and Field Safety. The importance of not proceeding with an assignment where a potential risk is perceived is stressed during training and in the Field Safety guidelines. In addition, OEHS has rolled out a Workplace Violence Prevention Training for Field Workers and staff enrollment will

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

continue.

### Customer Service Areas

#### Potential Risks

BEC has two Customer Service areas within 59-17 Junction Boulevard both with physical partitions. In addition, employees may meet with members of the public one-on-one to review their applications away from the Customer Service area. Highest risk is from encounters with individuals seeking variances or asbestos certifications for which they are not qualified.

#### Control Measures

Customer Service areas are located within 59-17 Junction Boulevard on the 8<sup>th</sup> and 9<sup>th</sup> floors. The building has security access controls including the requirement for photo id and sign-in and cameras are present at strategic locations. BEC Customer Service payment areas have partitions separating the public from BEC employees. Customer Service areas accept money orders, checks, and credit cards only. “No cash accepted” signs are posted. BEC has been transitioning to online submittals reducing the number of customers using locations. In addition to the physical barriers for the Customer Service areas, the areas are separated from other office areas by an access card entry system. BEC Office staff receives training in the WPV Prevention Program, Active Shooter, Emergency Action Plan and Effective Communication

### **8.5.2 Bureau of Environmental Planning and Assessment (BEPA)/ Hazardous Materials and Superfund Planning and Analysis**

The Bureau of Environmental Planning and Analysis (BEPA) provides expertise and guidance on policy, planning and environmental reviews related to DEP’s Strategic Plan, Capital Program and other City initiatives. BEPA coordinates policy issues at the federal, state and local level including those on stormwater management, demand management and water conservation, water quality, air quality and water resource protections. The Bureau serves the engineering and operating bureaus of the Agency by participating in project design and conducting environmental impact assessments for DEP projects and initiatives in accordance with all applicable City Environmental Quality Review (CEQR) and State Environmental Quality Review (SEQR) regulations. In addition, BEPA provides technical assistance to other City agencies for site plan assessments, especially in the areas of air and noise quality, natural resources and hazardous materials.

BEPA also contributes to green infrastructure installation and prepares restoration design plans for the enhancement and preservation of natural resources (e.g., wetlands remediation and development of natural landscaping plans) and combined sewer overflows (CSO) reduction. BEPA designs, administers and/or reviews the proposals/ plans/ specifications/ designs, grants, construction, monitoring and maintenance of Green Infrastructure Systems funded by DEP. The goal is to create vegetated storm water source

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

control systems in order to improve water quality. Site/field activities include visiting sites of proposed green infrastructure system installation for feasibility and design, for construction activities, and for post construction oversight monitoring. Employees perform site visits at locations accessible to the public, locations operated by other city agencies and authorities, and private facilities where grants have been awarded.

### Potential Risks

Field work for BEPA staff can include visiting various locations within the five boroughs and Upstate New York. These include locations operated by other bureaus and other agencies, and locations that are accessible to the public. They inspect work performed by contractors; perform contract quality control and review submittals by contractors and applicants. Accordingly, they may be responsible for potentially delivering negative feedback. Visits to off-site locations can include attending public meetings and gatherings.

### Control Measures

BEPA staff receive training in the WPV Prevention Program, Active Shooter, Effective Communication, Emergency Action Plan and Field Safety. The importance of not proceeding with an assignment where a potential risk is perceived is stressed during training and in the Field Safety guidelines. The perceived risk can be of workplace violence or any other health and safety concern. BEPA staff do not normally work alone and communication, while in the field, is by DEP-issued cell phone.

## **8.6 Bureau of Police and Security (BPS)**

### **8.6.1 Division of Emergency Response and Technical Assessment (DERTA)**

DERTA field operations have three core responsibilities: Right-to-Know (RTK) inspection, response operations, and Bio-watch. RTK inspectors are responsible for enforcing the NYC Community RTK Law and Regulations inspecting facilities involved in the processing, storage, handling, or use of hazardous substances, extremely hazardous substances, and regulated toxic substances. DERTA response personnel are responsible for investigating complaints and emergency incidents involving hazardous materials. Bio-watch personnel are responsible for servicing and replenishing filters from field sampling units throughout the city.

### Potential Risks

The RTK inspections, Bio-watch responsibilities, public complaints investigations, and field enforcement activities have inherently increased risks to personal safety.

The RTK inspectors work alone to inspect diverse facilities. Inspectors may uncover conditions in violation of the NYC Community RTK Law that lead to substantial monetary fines. They also issue Notices of Violations (NOVs) or Commissioner's Orders for non-compliance with NYC RTK and Risk Management Plan regulations.

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

Additionally, inspectors carry valuable equipment.

Factors that place DERTA response and Bio-watch personnel at risk for violence in the workplace include interacting with the public, working late at night or during early morning hours, working alone, and dealing with potentially volatile situations.

### Control Measures

All RTK inspections are pre-scheduled on day shifts only. RTK field staff report back to the office at the end of a shift. Inspectors, response, and Bio-watch personnel are equipped with cell phones and may call for back-up staff if an inspection/response indicates the need for additional resources.

DERTA response to public complaints/concerns is generally done in teams. Some assignments involve multi-agency actions including NYPD and FDNY and may require City Incident Management System (CIMS) implementation.

All DERTA personnel are trained to identify potential risks and to remove themselves from potentially confrontational situations until the risks can be controlled or eliminated. All incidents of threatening behavior, verbal or physical assault toward any DERTA staff member must be immediately reported. If there is a concern about the safety of personnel the supervisor may determine that the circumstances require a team to be deployed to conduct an inspection or complaint investigation.

All DERTA facilities have limited access and are protected by utilizing an alarm system, video monitoring system, or contract security personnel employed by building management.

### **8.6.2 Environmental Police Division**

BPS employs uniformed members of the service and civilian members. Officers work on patrol throughout the watershed; in detective squads; organized crime control; school safety; internal affairs; specialized operations including aviation emergency services, counterterrorism; intelligence; management and budget.

Both uniformed and ununiformed employees work in DEP's precinct houses, at stationary posts and at the Police Academy.

### Potential Risks

1. Working in facilities that are in operation 24-hours, seven days a week and are accessible to the public.
2. Working in facilities where transactions are conducted in the form of document transfers.
3. Working in facilities where perpetrators are brought in after an arrest.
4. Working in facilities with inmates and other persons with a history of violent behavior.
5. Encountering persons who make inappropriate verbal remarks or may exhibit hostile

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

- behavior while disputing violations.
6. Working in facilities where members of the public dispute fines or violations, where members of the public can become agitated occasionally.
  7. Working with individuals who have access to weapons (i.e., firearms).
  8. Working in isolated locations.
  9. Conducting investigations or performing a security detail in potentially unsafe locations.

### Control Measures

If appropriate, commands have implemented engineering risk control measures (closed circuit TV monitoring, motion detector, intrusion panel, monitors) and work practice risk control measures (unobstructed office exits, reception area, counter top to separate client from work area, use of I.D., visitor sign in/out, escort of visitor, well lighted parking lot, security personnel at entrances).

Below are the means and methods of abatement for the hazards listed above:

1. Uniformed employees are constantly present and serve as the primary means of security; security cameras have been installed to monitor activities at all times at the facilities; the facilities are well-lit; visitors are required to identify themselves and announce the purpose/nature of visit.
2. In some facilities a physical barrier (i.e., cashier's window) has been constructed to separate employees from members of the public; uniformed employees provide security at the facilities.
3. Perpetrators are escorted by uniformed employees through the precinct until they are placed into a secure area where they are strictly restricted from coming in contact with civilian employees; perpetrators are searched for any contraband that may be used as a weapon to harm employees; perpetrators are kept in handcuffs. A secured restraint separates the perpetrators from the rest of the facility; no physical barrier has been installed in patrol vehicles to separate the perpetrators from the uniformed employees operating the vehicle.
4. Inmates and other persons with a history of violent behavior are handcuffed and they are escorted by uniformed employees during transport through the facilities; the inmates are strictly restricted from coming into contact with civilian employees.
5. Strategic Communication/Conflict Resolution training are provided to all agents where they learn conflict de-escalation and how to gather peer and management support.
6. In some facilities a physical barrier (i.e., gate or window counter) has been constructed to separate employees from members of the public. Uniformed employees provide security at the facilities; visitors are required to identify themselves and announce the purpose of the visit. Security cameras have been installed in some facilities as deterrents; physical barriers have been installed in some facilities to separate employees from members of the public; uniformed employees provide security at the facilities.
7. All uniformed employees are required to keep their firearms holstered and in a locked position until engaged; lockers have also been provided for storage of such



# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

- items; in facilities where confiscated weapons are stored, access is strictly limited to authorized personnel.
8. Ample lighting, security cameras and lockable gates are installed at isolated locations to act as deterrents; uniformed employees perform regular security sweeps via patrol vehicles to monitor the facilities.
  9. Uniformed employees work in teams during investigations; the canine or other specialized teams (i.e., bomb squad) are sometimes employed when needed; areas of investigation are cordoned off to restrict public access.

### 8.7 Bureau of Public Affairs and Communications (BPAC)

BPA manages the public information, community outreach and legislative affairs of the Agency. It is responsible for all press and media inquiries, environmental education, special projects and events, production of all public information, both print and electronic, and has responsibility for managing the graphic and photographic needs of all the bureaus.

#### Potential Risks

BPA employees frequently interact with the public at public hearings, street fairs and other public events (e.g. “Water on the Go”). Occasionally, those employees come into contact with members of the public who are angry about issues that may or may not be related to DEP or New York City government. BPA is responsible for communicating a consistent and positive message regarding the mission of the Agency. In addition to dealing with the public they may also deal with the Agency’s press matters and intergovernmental affairs.

#### Control Measures

Staff members are given radio equipment when dealing with an emergency situation, natural or otherwise. In addition, staff member who attend public hearings have mobile phones with which to reach out for help should it be necessary. Field WPV prevention Training has been provided to BPA staff.

## 9. Administrative and Other Office Settings

### 9.1 Bureau of Labor Relations and Discipline

This Bureau is comprised of the Agency’s Office of Labor Relations and the Disciplinary Counsel. It advises Agency management on labor and discipline issues, convenes labor-management meetings, processes employee grievances and administers the disciplinary process.

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### Potential Risks

Disciplinary Counsel and the Labor Relations Office staff conduct hearings and render decisions that may cause employees to become upset and convey information to employees that the employees may not want to hear. As such, there is a potential for confrontational and volatile behavior.

### Control Measures

The Disciplinary Counsel has established procedures to coordinate with BPS in the event of an incident involving employees who are the subject of disciplinary action. Decisions are not issued at the hearings. Agency professionals and supervisors including the Disciplinary Counsel and the Labor Relations Office staff receive formal training on Human Resources policies and procedures, effective communications, and WPV Prevention to identify potentially risky situations. The DEP Lefrak Offices have access to ample security resources to respond or to be available ahead of time as needed.

## **9.2 Bureau of Organizational Development and Human Resources**

ODHR oversees the general human resource needs of the Agency. The Bureau is comprised of Personnel, Operations, Benefits and Payroll. Organizational Development oversees a number of projects including workplace development, succession planning, non-EHS training, and employee engagement programs that deal with a host of sensitive issues confronting the workforce.

### Potential Risks

ODHR is responsible for the interpretation, communication, application, and administration of a wide range of sensitive human resource policies that affect every DEP employee. The population that this Bureau staff may deal with is individuals that may be troubled or distraught due to sickness, emotional issues, work related concerns up to and including terminations.

### Control Measures

ODHR works closely with BPS as needed to provide additional security during sensitive human resource activities. WPV preventive measures covered in the DEP Effectuating Terminations SOP. Organizational Development provides formal training to Agency professionals and supervisors on Human Resources policies and procedures, effective communications, and informal conflict resolution.

## **9.3 Equal Employment Opportunity (EEO) Office**

The EEO Office is charged with implementing and enforcing TITLE VII Laws and New York City's EEO Policy for DEP's employees and applicants for employment by ensuring that all workplaces in the Agency are free of illegal discrimination inclusive of sexual harassment, race, gender, national origin, sexual orientation, marital status, religion, military status, disability, age, retaliation, etc. The EEO Office provides an

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

opportunity for employees and applicants for employment to file a complaint of discrimination. The EEO Office is also charged with assessing and overseeing requests for medical and religious accommodations, limited duty assignments and accommodations for victims of domestic violence and stalking.

### Potential Risks

EEO staff may encounter employees with concerns related to the various EEO protected categories which may result in disciplinary consequences up to and including termination.

### Control Measures

In partnership with Bureau of Police and Security (BPS), procedures have been established to coordinate with BPS measures to address events involving employees who are the subject of adverse disciplinary consequences. The EEO Office is also manned by a security camera.

## **9.4 The Office of Environmental Health and Safety (OEHS)**

OEHS is responsible for the Agency's comprehensive Environmental, Health and Safety (EH&S) compliance program, all EH&S training, audits, EH&S employee surveys, WPV prevention program and serves as Agency's internal compliance office.

### Potential Risks

The Office of Environmental Health and Safety and the WPV Prevention Program, which exists under OEHS, regularly conduct investigations and audits of worksites or work situations at a variety of different locations and render factual findings and issue advisory opinions based on their findings on the matters they investigate. They may also conduct employee trainings on a variety of different issues. Occasionally an employee could be engaged in disruptive behavior that is both distracting and potentially threatening to the individuals present.

Audits may take place in offices or at field locations. The audit process can adversely affect contractors, consultants and vendors and may elicit negative or confrontational responses.

Compliance Support provides EHS technical guidance and support to the Bureaus. They also serve as the Agency's EHS liaison to the Union. The group may encounter negative responses if the guidance or decisions are not agreed upon.

OEHS trainers may encounter employees who disrupt training sessions because they are dissatisfied with their work environment and/or assignments.

OEHS employees who are involved in conducting WPV and accident investigations are at risk of retaliatory actions on the part of respondents who do not agree with the report

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

or are subject to discipline as a result of the investigatory conclusions and recommendations.

### Control Measures

Both OEHS and the WPV Prevention Program have established procedures to coordinate with the Bureau of Police and Security in the event that an employee might become volatile. Interviews are not conducted alone and precautions are made when the possibility of concerns exist. In addition, there is limited floor access for DEP employees who do not immediately work for OEHS and access is granted by scheduling an appointment.

Auditors have cellphones to call their supervisors in case of an emergency and OEHS trainers training in Lefrak may call DEP Lefrak Security if needed. Investigators have received formal training in interviewing techniques and do not conduct interviews alone.

OEHS notifies the Bureau of Police and Security in cases where there is a higher risk of retaliatory or unpredictable behavior as a result of an investigation.

### **9.5 Agency Chief Contracting Office (ACCO)**

ACCO is responsible for the procurement activities of the Agency, including: competitive sealed bids, requests for proposals, small purchases, purchases through the Department of Citywide Administrative Services, contract payments, and Labor Law Compliance.

### Potential Risks

The Office of the Agency Chief Contracting Officer (ACCO) consists of seven (7) organizational groups: Contract Management, Operations and Special Projects, Contract Administration, Contract Opportunities, Administrative Services, Purchasing Management and the Payments and Accounting Office. Employees interact with the members of the public such as contractors, engineers, and citizens who are primarily at the office to review and/or deliver bids, proposals, or other procurement-related documents associated with the agency. In addition, ACCO also has field investigators who are assigned to inspect contracting job sites to ensure prevailing wage compliance.

### Control Measures

Members of the public can only gain access to the ACCO office location after bid room personnel, who review the security camera in the elevator bank, give clearance via a secured door.

Inspectors in the Contract Opportunities Office visits job sites to check on Prevailing Wage Compliance. At the site the inspector will observe the work being performed by a particular worker & ensure that they are being paid in accordance with that title.

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

Inspectors are aware that they need to carry with them certain Personal Protection Equipment (PPE) including but not limited to Hard Hats & Safety Vest.

### 9.6 General Office Locations, including Lefrak

In addition to DEP-specific facilities, DEP operates from several office buildings, in New York City and in the Watershed, where DEP shares space with other entities. As such these locations are not covered by a single bureau or department but a host of different entities with a variety of responsibilities. Those buildings are run by DCAS or by private building management companies. The public has access to many of those facilities. Note the other offices under DEP jurisdiction in Lefrak include: Office of Information and Technology (OIT), and Fleet.

#### Potential Risks

In all facilities, issues that arise related to discipline, inter-personal conflict, termination, and other personnel actions, or grievances create a risk of WPV among DEP co-workers. In addition, unauthorized access to facilities by the public is of concern in some areas.

#### Control Measures

General office facilities require the use of card-reader systems for access and some have security cameras; there are security guards stationed in lobbies and at entrances to individual floors.

With respect to public access to facilities, some facilities have installed security fencing with crash-rated barriers. Some facilities have performed security upgrades which now require the use of card-reader systems for access. Alarm systems are monitored at all times, and all upstate activations are investigated by the DEP Police. Employee activated evacuation alarm systems are installed in many facilities. Facility emergency action plans (EAPs) also contain a section on security threats and vandalism at routinely manned locations.

Any employee or facility that has concerns about onsite security has the ability to contact OEHS to record their concern. OEHS can work with FMC and/or BPS to ensure that the security systems are functional and effective.

## 10. Security and Communication Devices Maintenance

All Bureaus and Offices are responsible to ensure that all security and communication devices are operable. All newly installed security cameras should have memory storage capabilities. All devices must be routinely checked for operability. If employees observe non-functional equipment or devices, they should notify their supervisor and/or Bureau EHS and WPV Prevention Coordinator.

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

\*\*\*\*\*

The DEP Workplace Violence Prevention Coordinator is **the Assistant Commissioner for the Office of Environmental Health and Safety**, who will respond to any employee inquiries or complaints regarding WPV issues at any DEP facility or field worksite. Employees can obtain copies of this written program from the OEHS Assistant Commissioner or may access the program on the DEP intranet, Pipeline. In the event of a workplace violence emergency, employees may call 911 or the 24-hour Employee EHS Concerns Hotline at 800-897-9677. Any incident involving workplace violence or the potential for workplace violence should also be reported to the OEHS Assistant Commissioner at **718-595-5266** or [WPVConcerns@dep.nyc.gov](mailto:WPVConcerns@dep.nyc.gov)

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### Attachment A. Site Checklist

Workplace Violence Factors and Controls Checklist  
Walkthrough Assessment Tool Rev. 2 11/18/10

Facility: \_\_\_\_\_ Bureau: \_\_\_\_\_

Location: \_\_\_\_\_ Building: \_\_\_\_\_ Floor/Section: \_\_\_\_\_

Responsible Individual: \_\_\_\_\_ Contact Number: \_\_\_\_\_

---

Hours of Operation:  Day Shift  Day/Evening  24/7  Other

How many employees are assigned to the facility during working hours?

Day Shift (8:00am-4:00pm or equivalent) \_\_\_\_\_

Evening Shift (4:00pm-12:00am) \_\_\_\_\_

Night Shift (12:00am-8:00am) \_\_\_\_\_

Do employees work alone? Yes  No

If yes, Alone in Field?  Alone in the Facility?

---

Physical Properties:  One Floor  More Than One Floor (if so, how many: \_\_\_\_\_)

Elevators on Site

DEP only  Shared space (if so, with whom? \_\_\_\_\_)

Are there other structures within the grounds (sheds, barn-type structures, garages, shops)?  
Please list:

\_\_\_\_\_

\_\_\_\_\_

Public Access:  Yes (if so, is it open access or limited access? \_\_\_\_\_)

No

If yes, please explain frequency and nature of public access: (for example, handling of money or valuable equipment stored on site):

\_\_\_\_\_

\_\_\_\_\_

Do pass cards or other security devices control access?

If Yes, what are they? \_\_\_\_\_

Is there a system to limit the number of entry cards given out? Yes No DK  
Are codes immediately changed or deactivated if lost, stolen, or misplaced? Yes No DK

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### Workplace Violence Factors and Controls Checklist Walkthrough Assessment Tool Rev. 2 11/18/10

Are offices designed so that *open to the public* and *authorized entry only* areas are clearly identified? Yes No DK NA

Describe surrounding environment [ ] Residential [ ] Parks [ ] Commercial [ ] Industrial  
[ ] Mixed use (residential/commercial/industrial) [ ] Other

Are there signs of vandalism? [ ] Yes [ ] No

Precinct zoned for facility and phone number?

---

---

#### A. Policy Statement:

- a. Is the WPV Policy statement posted conspicuously? [ ] Yes [ ] No  
[ ] NA

#### B. Work Practices/Control Measures:

- a. Have the following engineering controls been implemented and operational?

- |   |         |        |
|---|---------|--------|
| i. Door Control(s)  | [ ] Yes | [ ] No |
| ii. Panic Buttons/Alarms  | [ ] Yes | [ ] No |
| iii. Door Detectors   | [ ] Yes | [ ] No |
| iv. Cameras   | [ ] Yes | [ ] No |
| v. Alarms/Motion detectors  | [ ] Yes | [ ] No |
| vi. Stationary metal detectors  | [ ] Yes | [ ] No |
| vii. Fencing  | [ ] Yes | [ ] No |
| viii. Reception area  | [ ] Yes | [ ] No |
| ix. Visitor sign in/out   | [ ] Yes | [ ] No |
| x. Visitor announced/escorted   | [ ] Yes | [ ] No |
| xi. ID badges used  | [ ] Yes | [ ] No |
| xii. One entrance used  | [ ] Yes | [ ] No |
| xiii. Internal phone/intercom system  | [ ] Yes | [ ] No |
| xiv. Two-way radios   | [ ] Yes | [ ] No |
| xv. Parking in parking lot  |         |        |
| Well illuminated?   | [ ] Yes | [ ] No |
| Manned?   | [ ] Yes | [ ] No |
| xvi. Are all points of entry/exit kept locked to prevent unauthorized entrance to facility? | [ ] Yes | [ ] No |
| xvii. If no, are there other controls in place?   | [ ] Yes | [ ] No |
| xviii. What are they?   |         |        |
- 
- 
-



# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### Workplace Violence Factors and Controls Checklist Walkthrough Assessment Tool Rev. 2 11/18/10

- xix. Are shrubs and foliage trimmed to allow for good line of sight at facility location:  Yes  No  NA
- xx. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- b. Are alarm and access control devices tested routinely to ensure they are operational?  Yes  No
- c. If critical control equipment is being repaired, are employees informed?  
 Yes  No  Not Applicable
- i. If Yes, how? \_\_\_\_\_
- d. Areas of concern found during walkthrough:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Are Security Guards used at this facility?  Yes  No
- a. If yes, how many \_\_\_\_\_ and where are they stationed: \_\_\_\_\_
- b. Are they from a contracted security agency?  Yes  No

Are there other personnel on site that have the responsibility/training to respond to workplace violence emergencies/incidents?  Yes  No

- D. Emergency Action Plan
- a. Are EAPs current?  Yes  No
- b. Are floor plans posted showing exits, entrances, etc.  Yes  No
- c. Are emergency evacuation drills conducted annually?  Yes  No
- i. Date of last drill: \_\_\_\_\_
- d. Are emergency phone numbers posted conspicuously?  Yes  No
- e. Do staff have the means to call for help in a crisis?  Yes  No
- f. Are any offices or work areas isolated (not within sight or audible range of another employee)?  Yes  No
- i. If Yes,  
Explain \_\_\_\_\_  
\_\_\_\_\_

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### Workplace Violence Factors and Controls Checklist Walkthrough Assessment Tool Rev. 2 11/18/10

#### E. Incident Investigations:

- a. Have incidents occurred in field locations associated with this facility or at actual facility in the past that required assistance from law enforcement?

Yes  No

Were these incidents documented?  Yes  No

Where are these records kept? \_\_\_\_\_

- i. If Yes, did they involve:

- Supervisor to Employee
- Employee to Supervisor
- Employee to Employee
- Other/Public to Employee
- Employee to Other/Public
- Contractor to Employee
- Employee to Contractor

Additional Comments:

Facility personnel present at walkthrough:

Name \_\_\_\_\_ Title \_\_\_\_\_ Telephone Number \_\_\_\_\_

Union Personnel present at walkthrough:

Name \_\_\_\_\_ Local \_\_\_\_\_ Telephone Number \_\_\_\_\_

EHS Staff present at walkthrough:

Name \_\_\_\_\_ Local \_\_\_\_\_ Telephone Number \_\_\_\_\_

Date of Walkthrough: \_\_\_\_\_

Initial

Recommendations: \_\_\_\_\_

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

### Attachment B. Workplace Violence Intake and Victim / Witness Report Forms



#### WORKPLACE VIOLENCE INTAKE FORM

All DEP employees have a role in preventing workplace violence. Therefore if you have a concern, report or complaint, this form should be completed to the best of your abilities. You may seek assistance in filling out this form from your Supervisor, Bureau Administrator, EHS personal, EEO liaison, or Workplace Violence Prevention Coordinator Persis Luke ((718) 595-5266).

Please return completed form within 7 days following the incident to the Workplace Violence Prevention Coordinator, Persis Luke, Assistant Commissioner, OEHS ([lukep@dep.nyc.gov](mailto:lukep@dep.nyc.gov)). Attach complainant/witness statement(s) to this form.

Report prepared by:	Date of Submission to OEHS:
Title:	Telephone:

Date of Incident:	Time:
Address/Location of Incident:	

**A. Individuals involved in the incident** (Note: If there are multiple employees who are complainant, an incident form must be filled out for each Complainant.

Complainant's Name:	Respondent's Name:
	Relationship to Employee:
Title (if employee):	Title (if employee):
Employee ID Number:	Employee ID Number:
Bureau and Division:	Bureau and Division/Company (Non-DEP Employee):
Phone:	Phone:
Immediate Supervisor:	Immediate Supervisor:

Respondent's Name:	Respondent's Name:
Relationship to Employee:	Relationship to Employee:
Title (if employee):	Title (if employee):
Employee ID Number:	Employee ID Number:
Bureau and Division/Company (Non-DEP Employee):	Bureau and Division/Company (Non-DEP Employee):
Phone:	Phone:
Immediate Supervisor:	Immediate Supervisor:

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

**B. Does this incident involve a sexual assault or an injury to employee's private parts or reproductive system?** If yes, Mark here as a PRIVACY CASE

**C. Was the Complainant/ Respondent involved in any previous incidents involving the same or other DEP employee(s)?**

Complainant:  Yes  No  Unknown  
Respondent:  Yes  No  Unknown

If Yes, please provide date(s) and a short description:

------------------

**D. Apparent Reason for Incident (If known; check all that apply):**

<input type="checkbox"/> Personal Conflict	<input type="checkbox"/> Alcohol/drugs in the workplace
<input type="checkbox"/> Family/Domestic Dispute	<input type="checkbox"/> Potential Mental Health Issues
<input type="checkbox"/> Job-Related Conflict	<input type="checkbox"/> Related to enforcement action
<input type="checkbox"/> Related to poor performance review	<input type="checkbox"/> Related to customer service
<input type="checkbox"/> Related to disciplinary action	<input type="checkbox"/> Street crime/general criminal conduct
<input type="checkbox"/> EEO - related issues	<input type="checkbox"/> Related to restraint of person in custody
<input type="checkbox"/> Other (specify)	

**E. Type of Conduct Engaged in by Respondent (Check all that apply)**

**Verbal/Written Threat**

Communicated directly to Complainant: <input type="checkbox"/> Verbal <input type="checkbox"/> Written Threat <input type="checkbox"/> Mail <input type="checkbox"/> Email
Communicated to third party: <input type="checkbox"/> Verbal <input type="checkbox"/> Written Threat <input type="checkbox"/> Mail <input type="checkbox"/> Email
<input type="checkbox"/> Other (specify):

**Repeated Intimidation or Other Threatening Behavior/Activity**

<input type="checkbox"/> Stalking
<input type="checkbox"/> Engaging in actions intended to frighten, coerce, or induce duress
<input type="checkbox"/> Engaging in other threatening behavior Explain:
<input type="checkbox"/> Verbal harassment
<input type="checkbox"/> Bullying
<input type="checkbox"/> Showing (but not using) weapon or object intended as a weapon

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### Assault/Physical Attack

<input type="checkbox"/> Hitting, fighting, pushing, shoving, tripping, poking or body blocking, throwing, etc.
<input type="checkbox"/> Use of gun, knife, or other weapon (specify)
<input type="checkbox"/> Use of object as weapon (specify)
<input type="checkbox"/> Other (specify)

-----GO TO THE NEXT PAGE-----

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

**F. Was there a physical injury? (Complainant)**

Yes  No physical Injury, skip to F

**If there was a physical injury, was emergency medical services contacted?**

Yes  No

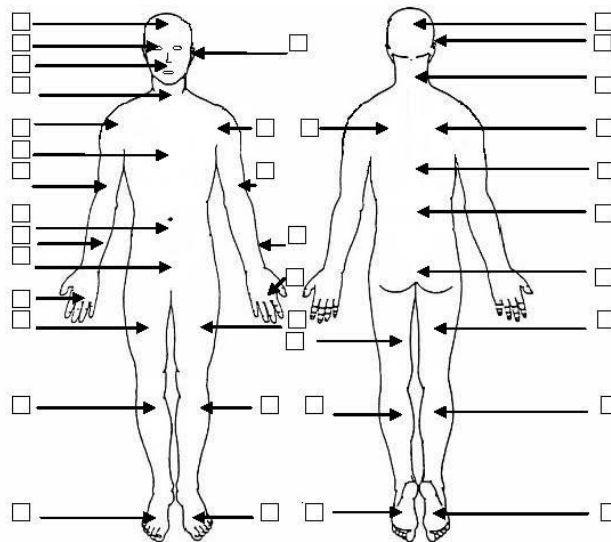
**If there was a physical injury, was an injury and illness report completed?**

Yes  No

**Severity of Injury (check only one)**

<input type="checkbox"/> Slight (medical attention beyond first aid)	<input type="checkbox"/> Severe (permanent impairment or loss of body part)
<input type="checkbox"/> Minor (1-7 lost workdays non-hospital)	<input type="checkbox"/> Critical (total incapacitation or permanent total disability where employee cannot follow any gainful occupation, or loss of use of both hands, feet or eyes, or loss of combination of any listed)
<input type="checkbox"/> Moderate ( 8+ lost workdays or admission to hospital for 1-4 days)	
<input type="checkbox"/> Major ( admission to hospital 5+ days; major fracture, unconsciousness > 5 minutes; dislocation of major joints; internal organ injury; burns over 10% body)	<input type="checkbox"/> Fatal( from work related mishap or complications arising from the mishap)

Indicate approximate location(s) of injury or injuries on the diagrams below.



# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

**G. Provide a thorough description of the incident or concern**

**H. Was any witness(es) present when the incident occurred?**

Yes       No (Skip to I)

**Witnesses Contact Information:**

Name:	Name:
Address/Work Location:	Address/Work Location:
E-mail:	E-mail:
Phone:	Phone:

Name:	Name:
Address/Work Location:	Address/Work Location:
E-mail:	E-mail:
Phone:	Phone:

**I. Initial Response (check all that apply)**

<input type="checkbox"/> Situation defused By Whom: How:	<input type="checkbox"/> Law Enforcement called Time called (Approx) Time responded (Approx) Responding Unit/Name: Badge: Report Number:
<input type="checkbox"/> Security called Time called Time responded Responding Unit/Name: Badge:	<input type="checkbox"/> Other (specify)

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

**J. Follow-up notifications (check all that apply)**

<input type="checkbox"/> Workplace Violence Prevention Coordinator Notified OEHS A/C (required)	<input type="checkbox"/> BPS Notified
<input type="checkbox"/> EEO Notified	<input type="checkbox"/> DOI Notified, date of notification:
<input type="checkbox"/> Bureau Management Notified	<input type="checkbox"/> Other; specify:

**K. Follow-up actions (check all that apply)**

<input type="checkbox"/> Injury and Illness report filled out	<input type="checkbox"/> Disciplinary action initiated
<input type="checkbox"/> Workers Compensation Forms filled out	<input type="checkbox"/> Arrest made/other law enforcement action
<input type="checkbox"/> Referral to Employee Assistance Program (EAP) or other counseling	<input type="checkbox"/> Other; specify:

**This section is to be completed by OEHS WPV Prevention team:**

Case Designation: <input type="checkbox"/> Incident <input type="checkbox"/> Report <input type="checkbox"/> Concern	OEHS Notified by:
OEHS Case Number assigned:	
OEHS Investigator:	



# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

---

### WORKPLACE VIOLENCE INCIDENT STATEMENT

To be completed by the involved party in or witness to the workplace violence incident.

Name	<input type="checkbox"/> Involved party <input type="checkbox"/> Witness	Date of incident	Date of Report
NYC DEP Employee? <input type="checkbox"/> Yes <input type="checkbox"/> No Employee ID Number:		Telephone (required)	
Civil Service Title		Office Title	
Describe incident in detail – how the incident started, who was involved, location of the incident, etc.			

This form may be sent in separately by the person filling it out, to the Workplace Violence Prevention Coordinator, Persis Luke, Assistant Commissioner, OEHS (email: [lukep@dep.nyc.gov](mailto:lukep@dep.nyc.gov) ; fax: 1-718-595-5546; mail: NYCDEP, 59-17 Junction Blvd 14<sup>th</sup> Floor, Flushing, NY11373)

NYC DEP Workplace Violence Incident Statement

# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

### Attachment C. WPV Investigation Flow Chart

#### Workplace Violence Complaint/Concern Case Workflow

**Definitions:**

**Incident** - a case of workplace violence, when the direct threat or attack is significant and verifiable by either a witness statement or other compelling evidence/reports.

**Report** - an alleged case of workplace violence that does not present enough information or evidence or that rises to the level of a direct threat or attack; and cannot be substantiated by witness or other evidence.

**Concern** - a concern is a case where there are no specific allegations but there are general concerns about another employee, customer's or contractor's behavior or other risk factors.

**TAT**- Threat Assessment Team

**EEO**- Equal Employment Opportunity

**OD&HR**-Organizational Development and Human Resources

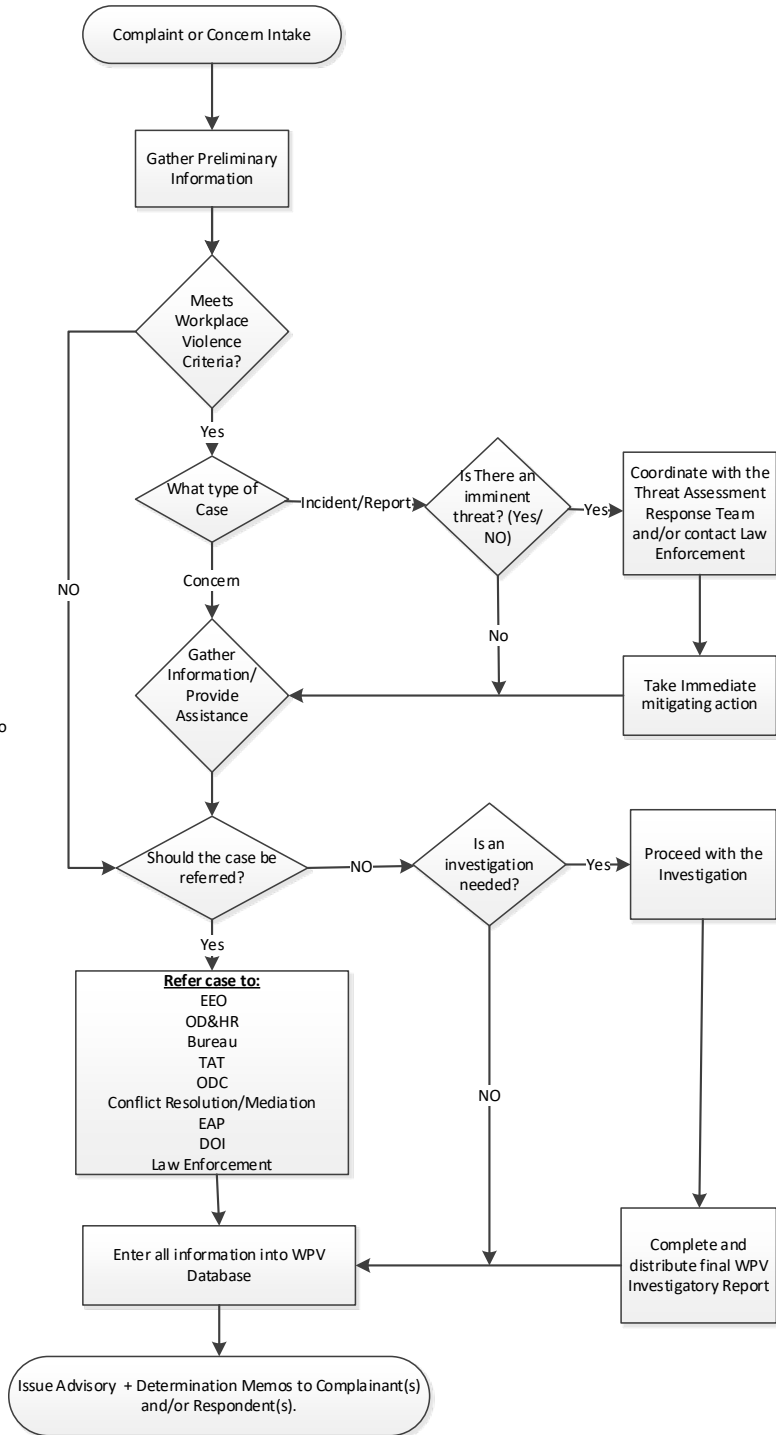
**ODC**-Office of Disciplinary Counsel

**EAP**-Employee Assistance Program

**DOI**- Department of Investigation

**Law Enforcement**- NYPD, BPS, or other Local Law enforcement

**Conflict Resolution/OATH Mediation**-Mediation for City Employees who experience conflict at work.



# Workplace Violence Prevention (WPV) Program

## NYC Department of Environmental Protection

### Attachment D. Policy Statement



## Workplace Violence Prevention Policy Statement

The New York City Department of Environmental Protection (DEP) strives to reduce risks for violence in the workplace. The Office of Environmental Health and Safety (OEHS) has a responsibility, as part of DEP's prevention program, to receive and evaluate complaints or concerns about violence risks, conditions or actions that may exist at the workplace. All reports of incidents, threats or concerns are taken seriously. It is the policy of DEP to evaluate and address risk factors for workplace violence and implement effective preventive measures.

**Whether perpetrated by DEP employees or others; violence, threats, harassment, intimidation and any other disruptive or threatening behavior at DEP is not tolerated.**

Workplace violence is "any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his/her employment including, but 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; and (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 the course of employment." (12 NYCRR Part 800.6)

Employees have the right to report workplace violence incidents or concerns without fear of retaliation. If you believe you have experienced or witnessed workplace violence you are required to notify your supervisor and/or the *DEP Workplace Violence Prevention Coordinator*:

**Persis Luke, Assistant Commissioner, EHS**  
at 718-595-5266 or [WPVconcerns@dep.nyc.gov](mailto:WPVconcerns@dep.nyc.gov)

Additional information and forms related to DEP's workplace violence prevention program can be accessed on *The Source* under Employee Resources/OEHS or by asking your Safety Officer/Liaison. **Individuals who are determined to have violated the policy may be subject to disciplinary action.**

DEP convenes a Workplace Violence Prevention Committee and a Labor-Management Committee. These committees meet regularly to review cases, risks and to inform violence prevention initiatives. OEHS maintains a case management information system that maintains information, case status, corrective actions, and is used to analyze trends to further evaluate and address risks in the workplace.

Employee participation is important. Authorized Employee Representatives are involved in site assessments; Labor-Management meetings and annual program reviews.

A handwritten signature in black ink, appearing to read 'Rohit T. Aggarwala', written over a horizontal line.

Rohit T. Aggarwala, Commissioner