



# Employment and Workforce Solutions

## NEW YORK STATE CAREER CENTER DISRUPTIVE CUSTOMER POLICY

NEW YORK STATE DEPARTMENT OF LABOR

FEBRUARY 2023

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Workforce Development Board

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Adopted by CRWDB 3/30/2023

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## I. Introduction

The New York State Department of Labor (NYSDOL) fully supports universal access for all customers seeking employment and training services through the Career Center System (“System”). However, any behavior that poses a safety risk to employees or customers, or that disrupts the proper functioning of the center, will not be tolerated. Safety measures must be in place for employees, members of the public, and property at all New York State (NYS) Career Centers. The Disruptive Customer Policy was developed to ensure these safety measures. It contains guidance and procedures for handling disruptive customers that come into the System and the mandatory actions required.

## II. Summary of Suspension Process

There are three behavior categories of disruptive customers:

- Violent, or threatening;
- Disruptive; and
- In violation of Career Center rules.

Below is a summary of the suspension process:

The following steps apply to all behavior categories of disruptive customers:

- Notify Security, if applicable;
- Verbally suspend the customer and issue a Notice of Violation in writing;
- Notify the Division of Employment and Workforce Solutions (DEWS) Director by telephone, and follow up with an email, as soon as possible;
- Document the incident in the One-Stop Operating System (OSOS);
- Submit an Unusual Incident Report (UIR); and
- Provide updates to the DEWS Director when new information becomes available and advise when back to normal operations.

**Any customer behavior that is violent or threatening, immediately call 911.** Once 911 has been called, proceed with the steps outlined above.

## III. Categories of Behavior

In the event of a disruptive customer, it is essential to take the appropriate protective and safety measures. To determine next steps, you must first identify the type of disruptive customer in the situation. Disruptive customers fall into three Behavior Categories, as defined below.

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## Definitions of Prohibited Behavior Categories

<b>Behavior Category</b>	<b>Description</b>
<b>Violent or Threatening</b>	<p>Behavior is classified as <b>violent or threatening</b> when the customer's behavior creates a real or reasonably perceived threat of physical harm to the staff, customers, or individuals at or around the Career Center facility.</p> <p>Examples of physically violent or threatening behavior included individuals who:</p> <ul style="list-style-type: none"> <li>■ Commit a physical assault on a customer or member of staff;</li> <li>■ Brandish or wield a weapon;</li> <li>■ Exhibit any violent behavior (e.g., kicking furniture, hitting head on wall, damaging property, etc.) that causes or threatens physical injury or the fear of physical injury to staff or customers;</li> <li>■ Display aggressive behavior, engaging in loud or boisterous speech suggesting retribution or violence; or</li> <li>■ Engage in unwanted physical touching or contact with staff or customers. Threatens violence or bodily harm by telephone or in writing.</li> </ul>
<b>Disruptive</b>	<p>Behavior is classified as <b>disruptive</b> if it interferes with the normal operation of the Career Center facility.</p> <p>Examples of disruptive behavior include individuals who:</p> <ul style="list-style-type: none"> <li>■ Exhibit loud or argumentative behavior; or</li> <li>■ Make harassing or derogatory comments to other customers or staff.</li> </ul>
<b>Violation of Career Center Rules</b>	<p>Behavior is classified as a <b>violation of Career Center rules</b> when the behavior is prohibited by the Career Center Code of Conduct and Use Policy. Note: Behavior under this category may also be classified as <b>disruptive</b> behavior.</p> <p>Examples of behavior that is in violation of Career Center rule include individuals who <i>repeatedly</i>:</p> <ul style="list-style-type: none"> <li>■ Spend too much time on computers while others are waiting;</li> <li>■ Visit pornographic sites, chat rooms, or other non-business-related sites;</li> <li>■ Overstay their time-limits on the telephone or the computer (in offices that have such restrictions); or</li> <li>■ Use equipment (phone, fax, copier, computers, software programs, etc.) for personal use not related to work search.</li> </ul>

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## IV. Required Actions for Disruptive Behavior

### 1. Violent or Threatening Behavior

#### Actions to take:

- **Call 911;**
- **Notify Security**, if applicable;
- **Immediately verbally notify** the customer of a violation of the code of conduct and use policy (see [Verbally Suspending a Customer](#)) and issue a **Notice of Violation** in writing;
- **Contact the DEWS Director** by telephone with a follow- up email including incident description and actions taken;
- **Notify Property Manager** if premise is NYSDOL Leased/Owned or a State Office Building;
- **Document in OSOS;**
- **Submit a UIR** (see [Documenting the Incident](#)); and
- **Provide updates to the DEWS Director** when new information becomes available and advise when back to normal operations.

#### Assaults or threats of bodily harm occurring on the site of the Center

All physical assaults or threats of bodily harm to Career Center workers or customers are serious matters which should be reported to the appropriate law enforcement agency immediately. Building security, if available, should be notified as soon as possible to assist until law enforcement arrives.

#### Threats by telephone or writing

Threats of violence or bodily harm received by telephone or in writing should be reported to the appropriate law enforcement agency. In the case of a threat received by telephone, efforts should be made to obtain as much information as possible about the identity and location of the caller and the content of the call. Threats received in writing, such as letters or emails, should be kept as evidence.

For additional details, refer to the procedures in [Appendix A - GA Manual Topic No. 0504: Security of Persons and Property](#) and [Appendix B - Policy Statement on Workplace Violence](#).

### 2. Disruptive Behavior

#### Actions to Take:

- Give verbal warning to customer.
- If customer persists, notify supervisor and security.
- **If disruption persists, immediately verbally suspend the customer** (see [Verbally Suspending a Customer](#)) and issue a **Notice of Violation** in writing.
- **If a verbal suspension is given, contact the DEWS Director** by telephone with a follow-up email including incident description and actions taken.

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- **Immediately Document in OSOS.**
- Submit an **UIR within 24 hours** (see [Documenting the Incident](#)).

## Disruptive Behavior Details

Employees who encounter a customer engaging in disruptive behavior should advise the customer to refrain from such actions and warn that further such conduct could result in removal from the premises. If a customer continues to exhibit disruptive behavior, staff should contact a supervisor who will attempt to discuss and resolve the problem. Security staff, where available, should also be notified.

## Considerations and Accommodations

Staff should be aware that some customers' disruptive behavior may be a result of underlying reasons, such as intoxication (alcohol or drugs), disabilities, mental health disorders, or other medical conditions. In this case, and if the customer is willing, staff should refer the customer to an appropriate supportive service provider.

Accommodations can also be made that will allow the customer to continue receiving services while minimizing any negative impact on other customers. For example, if a high-activity environment causes the customer to become agitated or unable to focus, the customer could be scheduled to use the Resource Room when the office has a slow period.

## 3. Violation of Career Center Rules

### Actions to Take:

- Give verbal warning to customer.
- If behavior continues, or if this is not the customer's first violation, **verbally suspend the customer** (see [Verbally Suspending a Customer](#)).
- If a verbal suspension is given, **contact the DEWS Director** by telephone with a follow-up email including incident description and actions taken.
- Immediately document in **OSOS** whether the result is a verbal warning or a verbal suspension.
- If a verbal suspension is given, submit an **UIR within twenty-four (24) hours** (see [Documenting the Incident](#)).

### Violation Details

A customer who violates a Career Center rule or policy should first be verbally notified of the violation and issued a Notice of Violation. The customer should be clearly told that any subsequent violation may result in a loss of privileges, specifically the privilege associated with the violated rule. Staff should advise the customer that NYSDOL will send a more detailed written notice in the mail.

## V. Verbally Suspending a Customer

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Customers engaging in disruptive behavior, as defined in the previous section, should be verbally suspended by Career Center management. They must be issued a [Notice of Violation](#) and informed that they will also receive suspension details in the mail.

If the customer leaves the Center before a verbal suspension and Notice of Violation is given, Career Center management must contact the customer via email or by telephone. Management must inform the customer of the suspension and advise the customer that NYSDOL will send written formal suspension details in the mail and shall make certain that OSOS is immediately documented regarding the notification and that staff submit a UIR as described in Section IV.3.

Central Office staff will review the suspension. Once it is determined that the suspension is warranted, staff will initiate the [Written Notification Process](#). If staff believe the suspension is unwarranted, Central Office will notify Career Center management to plan next steps to rectify the situation.

## VI. Documenting the Incident

The verbal suspension must be recorded in OSOS immediately and in an Unusual Incident Report (UIR) within 24 hours of the incident.

**Note: Prior to submitting the UIR, Career Center management must contact the DEWS Director by telephone with a follow-up email, including incident description and actions taken.**

### 1. OSOS

Management must enter a comment in the customer's OSOS record immediately, providing the details of the event, verbal suspension, and email/telephone contact. Management must also record the service suspension via the Non-Service Event button in OSOS. [Instructions for Recording a Service Suspension' in OSOS](#) are provided in the attachments.

### 2. Unusual Incident Reports

UIRs must be filed within twenty-four (24) hours following a customer suspension, as well as for other disruptive incidents. UIRs can only be filed online using the FootPrints system on a NYSDOL networked computer. Therefore, if partner staff need to submit a UIR, NYSDOL staff should assist on a NYSDOL networked computer with FootPrints access.

The FootPrints system can be accessed by clicking on the "Unusual Incident Report" link on the left-hand side of the DOLi Home Page and signing in using a RACF username and password on the following webpage. Once on the FootPrints page, click on "New Unusual Incident" in the upper-left corner of the webpage and complete all required fields on the following webpage to submit a new Unusual Incident Report.

Detailed instructions and screenshots for submitting a UIR are provided in the Disruptive Customer Desk Guide. Further information is also available on the DOLi home page using either the UIR link, or the [How to Submit an Unusual Incident Report Online](#) Intranet Guide.

### 3. Best Practices for Documenting an Incident

- Submit the UIR (and enter OSOS comments) as soon as possible, including the basics (who, what, when, where, and why).

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- Include the customer's OSOS ID in the UIR, if known.
- Any actual statements from staff, witnesses, and/or customers should be enclosed in quotation marks.
- If there are multiple witnesses to the occurrence, each witness should individually and independently record what he or she witnessed.
- Suspensions that are verbally issued to customers should also be recorded.
- The email addresses of the DEWS Director and appropriate Career Center management (if management is not the individual submitting the UIR) should be entered in the cc: box in the "Send Email To" section of the UIR.

The information in the UIR and OSOS comments is used to prepare the suspension letter and develop the record at any future hearings. Therefore, incident descriptions should be as detailed and accurate as possible to thoroughly and objectively document all incidents of disruptive behavior by customers and the actions taken by staff.

## VII. Written Notification Process

The DEWS Director, or designee, will draft suspension letters based on the comments entered into OSOS, UIR incident descriptions, and/or interviewing witnesses. The letter will include the customer's suspension period based on the behavior type (see [Disruptive Customer Action Chart](#)).

Customers with a suspension of 31 days or more will be notified that they may request a hearing (see [Hearing Process](#)). Additionally, Customers with a suspension period of 31 days or more must apply in writing to have Career Center rights restored once the suspension is served in full.

Suspension letters are reviewed by NYSDOL's Counsel's Office. After being cleared by Counsel's Office and the Deputy Commissioner, letters are sent via Certified Mail with return receipt requested. Electronic copies are sent to the Deputy Commissioner, Counsel's Office, OSI, Property Office, NYSDOL Security Unit and applicable location security staff, and the Career Center management.

After the suspension letter is sent, Central Office staff will enter the following in the **Comments Tab** of the customer's OSOS record:

- The dates and length of the suspension from the date of the incidence of prohibited behavior;
- The category of behavior (violent behavior, disruptive behavior, or violation of center rules) that prompted the suspension per the Disruptive Customer Policy;
- Whether the suspension represents a full suspension from any and all access to the System or a limited suspension from a particular type of service activity; and
- The location(s) affected by the suspension.

Once the suspension time is served, Central Office staff will terminate the service suspension using the Non-Service Event button in OSOS, as detailed in the attached [Instructions for Recording 'Service Suspension' in OSOS](#).

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## VIII. Hearing Process

Customers suspended for 31 days or more may request a hearing to appeal the decision (see [Disruptive Customer Action Chart](#)). Instructions for requesting a hearing are provided to the customer as part of the [Written Notification Process](#). In this case, a customer has 15 days to request a hearing. If the customer does not request a hearing within the 15 days, or fails to appear for the hearing, the suspension remains in effect for the specified time.

If the customer requests a hearing within the 15-day time limit, the DEWS Director shall forward a copy of the hearing request to Counsel's Office and the Administrative Adjudication Unit, including copies of all correspondence, reports, records, and files.

A copy of the customer's hearing request must also be forwarded to the Deputy Commissioner, OSI, and the appropriate Career Center management.

The Administrative Adjudication Unit will notify the customer of the date and time of the hearing by certified mail.

Witnesses of the incident(s) may be called to testify at the hearing.

## IX. Settlement

If a customer appeals the suspension, Counsel's Office has the sole authority to settle the matter with the customer after consulting with program management. This would avoid the time and expense of a hearing. Before settling a matter, Counsel's Office will discuss the matter with the appropriate program officials.

In the case of a settlement, the customer must agree to the following:

- The customer must comply with any specific requirements contained in the settlement;
- NYSDOL has sole discretion to determine if the customer has violated any stipulation of the settlement; and
- If NYSDOL does determine a violation has occurred, the original period of the suspension will automatically be imposed, and the customer waives any right to appeal the penalty.

## X. Suspension Violation

A list of suspended customers should be given to building security (where applicable) and/or the reception/greeter desk. If a customer who is suspended from receiving Career Center services attempts to report to any Career Center, staff must:

- Advise the customer that he or she is currently suspended from receiving services and request that the customer leave the building, and
- Document in OSOS the verbal instructions given to the customer and, if any, disruptive or threatening actions that were taken by the customer.

If possible, another staff person should be present during the encounter and should also independently document the encounter.

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If the customer refuses to leave, staff must alert Career Center management and Security (where applicable). Career Center management must explain that remaining on the premises while under suspension may constitute criminal trespass and the next step will be to call the police. Where Security staff is available, Security must escort the customer out of the building.

If the customer continues to refuse to leave, the police must be called to remove the customer.

Some customers may have been suspended specifically from receiving certain services or privileges in a Career Center. For example, the customer may be restricted from using a Resource Room computer but could still use the Resource Room library. If such a customer reports to a Career Center during the suspension and attempts to access the service or privilege from which the customer was suspended, this is considered a suspension violation. Staff should advise the customer that he or she is currently suspended and direct the customer to alternative services if appropriate.

A UIR must be submitted for suspension violations and the incident must be documented in OSOS. Please see [Documenting the Incident](#) for instructions.

An e-mail must also be sent by Career Center management to the DEWS Director with details of the incident, with a follow-up phone call to the DEWS Director's office. The Director will then inform Counsel's Office.

## **XI. Best Practices**

### **1. Codes of Conduct and Use Policies**

Local Career Centers must develop clear guidance for all customers regarding acceptable behavior and use of office resources. This must include a Customer Code of Conduct and a Resource Room Internet and Computer Use Policy.

#### **Customer Code of Conduct**

A Customer Code of Conduct provides customers with acceptable standards of behavior while on the premises of the local Career Center. Customers should sign this document only once at each Career Center visited, as an agreement to abide by the Customer Code of Conduct. The customer should understand that signing the agreement, acknowledges that the customer understands the requirements and that failure to comply with the Code of Conduct can result in loss of privileges or a suspension from the Career Center.

The code of conduct should be given to customers upon their first contact with a Career Center. For example:

- During Orientation;
- Upon checking into the Career Center for the first time, such as for a walk-in appointment; or
- The first time they use Career Center resources such as fax machines or Resource Room computers.

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It is best practice to record a comment in OSOS once the code of conduct is signed by the customer. The Career Center's Customer Code of Conduct shall also be posted in the Resource Room for reference.

[Customer Code of Conduct](#) – Sample of a Customer Code of Conduct that can be modified for each Career Center.

### **Resource Room Internet and Computer Use Policy**

A Resource Room Internet and Computer Use Policy outlines the appropriate use of the computer equipment and technology available in the Resource Room. While these rules are beneficial, NYSDOL's main goal is always to provide the highest level of customer service possible, and staff should never unnecessarily escalate a situation. Therefore, Career Center staff and management should use their judgment when facing possible violations and remain flexible when appropriate. For example, computer use limits may be adjusted as necessary based on usage. Or, cell phones may be allowed if used quietly for work-related activities.

The Career Center's Resource Room Internet and Computer Use Policy should be:

- Provided to customers during orientation;
- Provided to any customer checking into the Resource Room; and
- Posted in the Resource Room for reference.

[Resource Room Internet and Computer Use Policy](#) – Sample of a Resource Room Internet and Computer Use Policy that can be modified for each Career Center.

## **2. Registering Customers in OSOS**

All customers should be registered in OSOS. This is important to maintain an accurate record of customer activity at Career Centers. In addition, it allows staff to record any incidents of behavior that violates the Code of Conduct and Use Policy and easily access details on previous events.

## **3. Suggestions for Quality Resource Rooms**

Resource Rooms are the centerpiece of the Career Center. Many UIRs are submitted due to events occurring in the Resource Room. [Quality Resource Rooms](#) offers suggestions for maintaining an optimum Resource Room environment.

## **4. Additional Resources**

### **How to Handle a Threat or Assault**

GA Manual Topic No. 0504, Security of Persons and Property ([Appendix A](#)), outlines protective and safety measures to be provided to employees, members of the public, and property in all NYSDOL offices.

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## **NYSDOL Workplace Violence Prevention Program & Incident Reporting**

The Policy Statement on Workplace Violence ([Appendix B](#)) establishes NYSDOL's program to promote the safety and well-being of all people in the workplace.

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## XII. Attachments

- **Disruptive Behavior Response Flow Chart**
- **Disruptive Customer Action Chart**
- **Notice of Suspension**
- **Resource Room Internet and Computer Use Policy**
- **Customer Code of Conduct**
- **Quality Resource Rooms**
- **Instructions for Recording 'Service Suspension' in OSOS**

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**Customer Exhibits Inappropriate Behavior**

**FIRST...CALL 911\***

**THEN...**

- Notify building Security, if applicable
- Notify Location Supervisor, Manager and DEWS Director
- Verbally Suspend
- Issue Notice of Violation
- Document in OSOS
- Submit UIR

Is behavior physical, violent or harmful?

Yes

No

Is behavior disruptive?

Yes

No

Is behavior violating Career Center rules?

Yes

- Notify building Security, if applicable
- Notify Location Supervisor and/or Center Manager
- Verbally Suspend
- Issue Notice of Violation
- Document in OSOS
- Submit UIR
- Email the DEWS Director

- Notify Location Supervisor and/or Center Manager
- Verbally Suspend/Issue Notice of Violation
- Document in OSOS
- Submit UIR
- 

IF SITUATION

- Approach the customer to assist and advise him/her of Center rules.
- Firmly communicate what you would like the customer to do or stop doing.
- Advise the customer that he/she will be suspended if he/she does not stop the behavior.

If customer continues to violate Center rules...

**For all categories of behavior, document the incident and decide on appropriate action:**

- Immediately notify the DEWS Director by phone and follow up with an email.
- Enter comments in customer's OSOS record. Include specifics of the incident: who, what, where, when.
- Record Service Suspension as a Non-Service Event in OSOS.
- Submit UIR Include specifics, plus customer's OSOS ID number

## Disruptive Customer Action Chart

The customer's suspension letter contains information regarding their suspension period and whether they are entitled to a hearing upon request. The commencement of suspension periods shall coincide with the date of incident. This chart provides an overview of these terms based on Behavior Type.

Behavior Type	Suspension Period	Right to a Hearing?
Violent or Threatening	Not less than 6 Months	Yes
1 <sup>st</sup> Disruptive - Not removed from premises.	None - Verbal warning, notice of violation and document in OSOS.	No
1 <sup>st</sup> Disruptive - Removed from premises.	10-30 Business Days	No
2 <sup>nd</sup> Disruptive	31-90 Days	Yes
3 <sup>rd</sup> Disruptive	One Year	Yes
1 <sup>st</sup> Center Rule Violation	None. Verbal warning confirmed in writing.	No
2 <sup>nd</sup> Center Rule Violation	5-30 Business Days (Privilege Specific)	No
3 <sup>rd</sup> Center Rule Violation	31-90 Days (All Services)	Yes

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# NOTICE OF VIOLATION

DATE: \_\_\_\_\_

Due to an incident on \_\_\_\_\_, at [insert Career Center location] you are hereby suspended from using the services of **any** Career Center or Department of Labor Office in New York State until further notice.

This incident involved behavior that was

- Violation of Career Center Rules: \_\_\_\_\_  
\_\_\_\_\_
- Disruptive: \_\_\_\_\_  
\_\_\_\_\_
- Violent or threatening: \_\_\_\_\_  
\_\_\_\_\_

You will receive a letter containing further details.

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## Customer Code of Conduct

As a customer of the **Capital Region Career Center System**, I agree to work within the following rules:

- I will conduct myself in a manner that is professional, courteous, and respectful;
- I will work in a manner that is productive to my finding employment, training, or educational opportunities;
- I will dress in an appropriate manner suitable for most work environments;
- I will notify Career Center staff when I am offered or accept employment;
- I will follow the Resource Room Internet and Computer Use Policy;
- I will not use equipment (phone, fax, copier, computers, software programs, etc.) for personal use;
- I will notify Career Center staff when equipment fails to function;
- I will not bring food or drink into the Resource Room;
- I will seek out clarity and thorough understanding of what is expected of me when at the Career Center location;
- I will seek out the appropriate staff for resolution to any problems or disagreements;
- I will not engage in physical or verbal confrontation with staff, or other customers;
- I will use appropriate work place language and refrain from yelling and using profanity;
- I will, when told, cease all inappropriate behavior;
- I will notify Career Center staff when others are acting inappropriately; and
- I understand that failure to abide by this Code of Conduct may result in a loss of privileges or bar me from participation at Career Center locations.

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

OSOS ID: \_\_\_\_\_ Date: \_\_\_\_\_



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## Resource Room Internet and Computer Use Policy

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Welcome to the Resource Room. Our goal is to make the use of these computers easy and accessible for customers. We ask that you be considerate of others by using the computers only for activities directly related to your employment search or other uses approved by staff. Please complete your work as quickly as possible if others are waiting. If you need help using the computer, please ask. We are here to help.

### Appropriate computer usage includes:

- Program registration;
- Accessing job-related resources;
- Researching companies;
- Résumé and cover letter writing;
- Job search, searching job databases; and
- Researching career and educational options.

### Inappropriate computer usage includes:

- Changing or adding settings, formats, bookmarks or favorites;
- Downloading software without explicit authorization of Resource Room staff;
- Receipt, storage, transmission, or viewing of offensive, racist, sexist, obscene, or pornographic information or materials;
- Infringing copyrights or violating software licensing agreements;
- Wagering, betting, selling, or other commercial activities;
- Invading the privacy of others;
- Conducting personal business or research unrelated to program eligibility, job search, or career exploration; and
- Hacking of computers or computerized systems.

### E-Mail Use in the Resource Area

Job searching for many job seekers and businesses routinely requires the use of e-mail. There are several free e-mail sites available for use. You are encouraged to use business-related sites such as: [www.outlook.com](http://www.outlook.com), [www.yahoo.com](http://www.yahoo.com), [www.hotmail.com](http://www.hotmail.com), [www.gmail.com](http://www.gmail.com), etc. E-mail use in the Resource Area can only be used for employment-related activities. For example:

- Transferring résumés;
- Retrieving applications from businesses;
- Seeking additional information regarding employment;

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- Clarifying questions from potential employees and businesses; and
- Notification to the job seeker of job openings

In addition, this System office has put the following rules in place to prevent transmission of viruses from disks and/or flash drives, and we ask that you follow these additional policies:

- Staff has the right to monitor appropriate use of resources and equipment in the Resource Room.
- Misuse of the computer, printer, or any site equipment may result in the loss of privileges or criminal charges.
- The Career Center System office assumes no responsibility for any damage, direct or indirect, that users or anyone else may experience through access to the Internet.

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

OSOS ID: \_\_\_\_\_ Date: \_\_\_\_\_



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# Employment and Workforce Solutions

## Quality Resource Rooms

Resource Rooms are the centerpiece of the Career Center. Many Unusual Incident Reports are submitted due to events occurring in the Resource Room. Below are some suggestions for a quality Resource Room.

**GREET** your customers as they enter the Center and/or Resource Room.

- Be visible, approachable, proactive, and ready to assist.
- Be professional in attire, language, and etiquette.

**REQUIRE** customers to sign in for both self-service and career services using one of the following:

- NY OSOS Number.
- Last Name and Last 4 Digits of Social Security Number.

**EMPATHIZE** – Help your customers navigate the array of self-service tools and resources available. Some customers benefit from more detailed guidelines for using specific self-services, such as instructions for accessing job search information on the Internet.

- Watch for customers who need help.
- Actively listen to the customer's questions.
- Acknowledge waiting customers.

**ACT** – As always, staff should act in a courteous, professional manner while dealing with customers. However, there are times when customers exhibit disruptive, threatening, violent or destructive behavior. Career Center Managers have the right to suspend services to any customer whose behavior falls into one of these categories.

**TELL** – Communicate Resource Room Rules to both staff and customers. Rules are beneficial but may be modified depending on the situation. For example, computer use limits can be adjusted as necessary based on usage or cell phones can be used quietly for work-related activities.

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## Instructions for Recording ‘Service Suspension’ in OSOS

An OSOS Non-Service Event button was established for the purpose of recording a customer suspended from using the services of the Career Center System. For additional information on recording Non-Service Events, please reference the [Non-Service Event Button – OSOS Guide](#). Detailed instructions and screenshots are also provided in the Disruptive Customer Desk Guide.

### Verbal Suspension

After issuing a **Verbal Suspension**, the Career Center Manager/Location Supervisor will:

1. Select the **Pgms/PA** tab in Customer Detail. Click the **Non-Service Event** button. This will open the Customer Non-Service Event webpage dialog.
2. Click the **Add** button at the bottom of the Non-Service Event webpage dialog. Select **Service Suspension** from the **Non-Service Type** drop-down menu at the top of the webpage dialog box. Enter the start date of the suspension in the **Start Date** field. Click the **Save** button.

This will update the customer’s OSOS record with a **Service Suspension – Initiated** activity. It will also cause the word **Disruptive** to display beside the customer’s name in OSOS search results and in the customer’s OSOS record. This provides an easy way to immediately identify that the customer was suspended from service.

3. Using the **Comments** button at the bottom of the **Customer Detail** window, record the general reason for the verbal suspension.

Also include any specific critical information describing the circumstances and/or terms of the suspension that should be known by other office staff.

### Written Suspension

After the suspension letter is sent, Central Office staff will enter the information in an OSOS comment following the guidance in the [Written Notification Process](#).

### Terminating a Suspension

Customers suspended for 31 days or more must apply in writing to reinstate Career Center rights once the suspension is served in full. Directions for submitting this request are provided to the customer during the [Written Notification Process](#). Central Office staff will also update the Service Suspension Non-Service Event with an end date. When the end date is reached, this will lift the Service Suspension in OSOS and update the customer’s record with a **Service Suspension – Terminated** activity.

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## XIII. Appendices

### Appendix A: Topic No. 0504: Security of Persons and Property

Topic description:	This document outlines protective and safety measures to be provided to employees, members of the public, and property in all of the Department offices.
Topic owner:	Division of Equal Opportunity Development (DEOD)
Audience:	All Department of Labor employees, contract employees, and managers
Original publication date:	1/1/1999
Next review date:	11/9/2019
<b>Revision date:</b>	<b>11/9/16</b>
<b>Changes in this revision:</b> [Previous revision when applicable]	<b>Changed Topic Owner and other text.</b> <b>Updated Reporting of Incidents and contact information for reporting an emergency.</b>

#### Security of Persons and Property

The Department has a responsibility to coordinate, maintain, and implement protective and safety measures for department employees, members of the public in department facilities, and for government-owned or personal property.

#### Scope

A. The Division of Equal Opportunity Development, Property Office and Office of Emergency Management are responsible for carrying out the following functions:

1. Assisting in the development of departmental policies relating to security functions.
2. Planning and implementing security, protective and safety procedures to allow for the transaction of official business in department facilities, and that it can be accomplished in an orderly manner.
3. Receiving and evaluating reports from department offices and giving aid and guidance when incidents occur that result in injuries, disruption of services, property losses or unsafe conditions.
4. Providing, in conjunction with Counsel's Office, advice to department employees in the processing of criminal charges that result from actions occurring in department facilities.

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B. Every department office manager or supervisor is responsible for carrying out the following instructions:

1. Protecting employees and other people in department facilities from physical, criminal or other actions that may be harmful or dangerous.
2. Implementation of department directives relative to security and safety functions.
3. Conduct routine safety and health inspections of offices, noting any deficiencies found relating to the security of persons and property, and taking corrective actions. Requests, through regular supervisory channels, can be made for assistance from the Property Office.
4. Reporting to higher authority and requesting guidance and aid when incidents occur that could endanger staff or impede operations.
5. Preparing an evacuation plan and directing any actual evacuation of premises.

To assist in carrying out these functions, location managers, office supervisors or higher-level management may designate employees to act as a safety assistant. (i.e., Fire Marshall, Warden, Searchers and/or Aids) if volunteers are not available.

C. Whenever any incident occurs in department facilities that may result in injury, damage or loss of property or disruption of official activities, the responsible office head should take immediate action to protect the health and safety of employees and the public and enable the continuation of services to the department's clients.

Local police or fire units should be promptly summoned when needed. In Building 12 in Albany, the New York State Police may be summoned by phoning 911. After phoning 911, employees in Building 12 should call the security emergency number 518-457-5557. The safety of employees and the public should be safeguarded by prompt evacuation of premises when the necessity arises by following the Location Emergency Action Plan (LEAP).

The location manager should make prior contact with the local police to establish procedures to call for assistance when needed, and to determine the response that may be anticipated.

D. Every Department location or Career Center must have an emergency action plan, which is based on local conditions, municipal fire codes and existing building management plans. Local fire departments can be a great help in preparing these plans and you are encouraged to request their assistance. If the location is shared with other organizations, evacuation plans should be coordinated with those entities. The evacuation plans should be updated annually (during the months of September and October), posted, and copies of the plan should be sent to the Office of Emergency Management.

The location supervisor has overall responsibility for local office safety and for carrying out evacuation plans. However, security officers and designated safety assistants play an important role in this regard. They shall report unsafe conditions to the location

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supervisor. In addition, certain staff should be trained to assist in an emergency evacuation or other emergency situation.

Each office manager should ensure that all employees have read, discussed and understand the evacuation procedure; and ensure that it is part of the orientation process for all new employees of the office.

For additional information, call the Office of Emergency Management at (518) 457-2573.

### Reporting of Incidents

Every department supervisor, office or location manager, and administrator must be aware of the requirement to notify levels of higher authority whenever any incident occurs that may present any danger to employees or to department clients, and may impede official functions in Labor Department facilities, or when a request for assistance is made that is questionable. This notification should be made as expeditiously as possible, with immediate telephone communication to the next higher supervisory level.

Management at all higher levels should also be notified. Depending on the seriousness of the occurrence, the Executive Deputy Commissioner of Labor should be notified as soon as possible, through appropriate management channels. Problems that should be brought to the attention of the Executive Deputy Commissioner include, but are not limited to, those concerning interagency matters, criminal activities, severe effects on employees and widespread service dislocation.

Following this initial notification, employees **must prepare a fully detailed description of the incident**, by electronically filing Form GA 51, Unusual Incident Report (UIR).

Office managers and supervisors should give every possible aid to law enforcement officers, government investigators, local, state, and federal officials, and other representatives of government agencies in security matters when asked to do so. Such requests for information should be handled promptly and with full cooperation. Requests for information protected by law, such as confidential customer information, should be directed to the Division of Equal Opportunity Development.

The office manager, supervisor, or other department employee, requested by such officials for assistance in contacting a department employee on official business, should exercise good judgment in determining the seriousness and emergency requirements of each request. If feasible, the employee should be requested to come to a reception area, a manager's office, or some location where privacy can be maintained, in order to allow the contact to be made between the officials involved and the employee.

Under unusual circumstances or whenever the appropriateness of the proposed action is in question, advice should be requested immediately from the next level of supervision and/or the Division of Equal Opportunity Development.

Requests for assistance, as described above, and the action taken, should be reported as soon as possible to the next higher supervisory level and to higher management

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through appropriate channels. The Office of the Inspector General (OSIG), Executive Chamber, State Capitol, Albany 12224, shall be notified by the Division of Equal Opportunity Development of any occurrences involving criminal activity or serious misconduct by an employee, and any occurrence that threatens or places employees or resources in serious jeopardy or danger.

## **Security of Persons**

### **A. Disorderly Conduct in Department Offices**

#### **1. Policy**

The location supervisor is responsible for the maintenance of order and protection of persons and property in department facilities. When a disturbance occurs, the policy of the department is to remove the cause of the disturbance. Under the following conditions, however, criminal charges may be justified:

- a. Cases involving a threat to the safety of staff or public, such as flourishing knives and other weapons, physical attacks upon staff members, unwanted physical contact, verbal threats of violence, or indecent behavior, and when decisive action is deemed necessary for the future prevention of such acts.
- b. When it appears to be necessary to free the office from repeated disturbances, occasioned by failure to obey a Court Order requiring that the individual remain away from the office.
- c. Repeated disorderly conduct.

#### **2. Pressing of Criminal Charges**

If criminal charges against any person appear to be in order for an offense against public order or for some other action, the location supervisor must act as complainant on behalf of the department. Offenses of this type are to be distinguished from offenses against the person involving physical injury, since in the latter case, the victim must act as complainant. A member of the Office of Special Investigation will provide necessary assistance and advice when required.

#### **3. Disturbances**

Members of the general public on legitimate business are permitted to remain on department premises during the hours that offices are opened for as long as necessary to complete their business, unless they create a disturbance. If a disturbance (any public commotion that interrupts the normal routine) occurs, a security officer, if assigned, or supervisors or staff members should attempt to quiet the individual(s).

If an initial attempt to quiet an unruly individual fails, the staff member should notify the section supervisor who will attempt to discuss and resolve the problem in the office. The most important action to be taken in handling an unruly person is to isolate the person, if possible, from the rest of the general public. Another designated employee should keep the supervisor or staff member attempting to quiet the person in sight. Should the

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situation appear to become a violent confrontation or uncontrollable, the viewing employee should contact the police, report the incident and request immediate police response to the office.

#### **4. Prevention of Disturbances**

- a. Individuals believed likely to cause a disturbance in an office should be scheduled, whenever possible, for appointments when there is non-scheduled reporting, or on a day and time when there is less activity.
- b. An applicant or claimant reporting in an intoxicated condition, or under the influence of drugs, should immediately be observed to determine if service can be rendered. If the individual is in such condition that service cannot be rendered, the person should be requested to leave the premises. The police should be called for assistance, if needed, by the office supervisor.
- c. Any suspicion from other sources that an applicant or claimant poses a potential threat should be reported to the location supervisor.

### **B. Offenses Against an Employee Involving Physical Injury or Threats**

Either an assault or the making of a threat of bodily harm against an employee is a serious matter and should be reported to the location supervisor immediately. Also, electronic filing of form GA51 UIR must be completed, providing as much detail as possible.

#### **1. Threats Made by Telephone**

An employee who is threatened by telephone should:

- a. Have another employee notify the location supervisor, who will, if possible, take over the call for the employee.
- b. While talking with the caller, be sure to gather as much information as possible. If the caller can be made to state why the call is being made, e.g., disqualification from U.I. benefits, identification may be aided. Use the Telephone Threat Guide, Form GA 743.
- c. The location supervisor, after evaluation, will consider providing the employee with an escort from the office.
- d. A threat against an employee constitutes aggravated harassment, which is a crime. The employee should contact the police and report the incident if there is reason to believe that the threat is of a serious nature.

#### **2. Threats of Assault Made in Writing**

If an employee receives a threatening letter, the person who opens it should immediately place the letter and envelope in a plastic wrapper or bag to preserve it as evidence. The local supervisor should be advised and should call the Division of Equal Opportunity Development for advice. Any information, which may assist in identifying the sender, should be reported.

#### **3. Threats of Assault Made in Person**

##### **a. Verbal Threats**

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1. The location supervisor should placate the person by engaging in calm conversation. A second employee should observe the supervisor and the person who made the threat. Should violence occur, or if the situation appears to be escalating to a physical confrontation, the observing employee should contact the police and report an emergency requiring police response.
2. The location supervisor should telephone the Division of Equal Opportunity Development, if necessary, for advice.
3. If the person refuses to be quieted, a request should be made to the individual to leave the office. If refused, the police should be called and requested to remove the offender.

#### **b. Physical Threats**

When a person threatens bodily harm to an employee by displaying a dangerous weapon, the police should be called immediately, and staff should follow the instructions provided. The location supervisor and security officer (if there is one assigned to the location) should be notified promptly. The location supervisor should then notify the Division of Equal Opportunity Development.

#### **4. Assault Against Employees**

When an assault has been committed on an employee acting within the scope of official duties, the following actions should be taken:

- a. The Security Officer, if assigned, or other staff, should restrain the attacker, using only such physical force as necessary to stop the assault.
- b. Render assistance as needed to the victim.
- c. The location supervisor should call the police, the Division of Equal Opportunity Development, and the appropriate higher supervisory levels. The location supervisor should obtain signed statements from all witnesses to the assault, describing the incident.
- d. Physical evidence, such as weapons, should be secured, identified and preserved. The chain of possession of all physical evidence should be recorded.
- e. The location supervisor should document the events as accurately as possible. Any related documentation and/or police report should be attached to Form GA 51.

In New York State, there is no statute authorizing an employer, public or private, to file a complaint against anyone who harms one of its employees. The law requires that the victim must file such a complaint. Therefore, the decision to file a complaint rests with the assaulted employee. A representative of the Division of Equal Opportunity Development or the Counsel's Office, upon request, will offer advice and assistance.

Physical injuries received in the course of, and arising out of, the performance of official duties are covered by Workers' Compensation.

#### **C. Fire**

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Fire and smoke can cause fear and panic and, in some instances, fatalities, if not handled properly. All employees should realize that their job automatically includes safety and fire prevention. Fires are caused by unsafe actions or unsafe conditions and may frequently be prevented if the unsafe condition or action is removed. The security officer, the safety assistant, or any employee should note any unsafe actions and conditions and bring them to the immediate attention of the location supervisor.

1. It is important that each location supervisor ensures that:

a. The location of the nearest fire alarm call box and its proper operation is known by all employees at the site. The office supervisor should make prior contacts with local fire units and request their aid in promoting fire safety and evacuation procedures.

b. The telephone number for reporting fires is posted. When reporting a fire by telephone, the exact location, including the address, floor and building access routes should be given.

c. All employees know the locations of fire exits and the various ways of reaching them.

d. An emergency evacuation drill is held annually and recorded. Attendance protocols must be in place and attendance taken after every evacuation.

e. It is advised that safety assistants inspect premises for any unsafe conditions, and report any unsafe conditions to the office manager to pursue corrective action.

f. Fire exits are properly identified and that these exits are determined to be in good working order. Fire exits should be of the type that opens in the direction of egress. Alternate exits must be identified for use in the event that the primary exit is not available.

g. All fire extinguishers are inspected by the location supervisor or designee to see that the inspection tags are in place and up-to-date.

h. All fire extinguishers are formally inspected at least annually by the company that maintains them to ensure that they are fully operational

i. In large offices, Tenant Safety Organizations are established to assist in safety and evacuation procedures.

j. In multi-story office buildings, in the event of fires, employees should not use elevators or escalators as a means of leaving the building unless directed to do so by authorities.

k. Stockrooms are organized so as to eliminate possible fire hazards. Keep the space two feet beneath the ceiling clear of any stored material and do not place anything in front of electrical panels.

l. Good housekeeping is encouraged to lessen the chance of fires by eliminating or reducing the fuel necessary to maintain combustion.

2. If it becomes necessary to evacuate the premises because of an actual fire, a fire drill or other emergency, the location supervisor, will:

a. Immediately alert the Tenant Safety Organization to take their posts in order to assist in an orderly evacuation.

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b. Ensure that everyone in the affected area is notified of the evacuation and complies with the order to leave.

c. Ensure that people with disabilities are assisted as appropriate.

d. Special Note: Evacuation of People with Special Needs:

If employees require assistance during emergency building evacuations they are strongly encouraged to report their needs to the Floor Warden and the Fire Safety Director as soon as possible. The employee(s) should be prepared to identify the type of assistance required in order to ensure proper assistance in case of an emergency. The safety need of persons with special needs is determined on a case by case basis because they vary with each individual and building.

Provision of this information is voluntary and will only be shared with personnel who have responsibilities under the emergency evacuation plan. For example, in the event of an emergency, such information might be shared with medical professionals, emergency coordinators (i.e. Firefighters, Police Officers) and emergency personnel who need to confirm that everyone has been evacuated and others who are responsible for ensuring safe evacuation. (Examples: Special assistance may involve a permanent disability such as a respiratory issue that will inhibit the individual from using the stairs and the individual may require a respiratory device or a temporary disability such as a broken leg that would inhibit the individual from using the stairs).

In most instances, employees are not required to provide the details of their medical condition to obtain evacuation assistance. If there is a need however, the information will be kept confidential. Please refer to the Special Needs checklist on the Emergency Management page on the Department's Intranet. Also, see U.S. Equal Employment Opportunity Commission (EEOC) Guidelines on Confidentiality Fact Sheet on Obtaining and Using Employee Medical Information as Part of Emergency Evacuation Procedures at: <http://www.spu.edu/Emergency and Crisis Management Plan>.

e. Notify the Regional Director or appropriate division management of the evacuation and the Office of Emergency Management at (518) 457-2573.

When temporary office space is obtained, the location supervisor will be responsible for carrying out the foregoing fire safety precautions.

In buildings occupied by the department and other state agencies and private concerns, the location supervisor should confer with representatives of the other offices to establish uniform actions to be taken during a fire or other emergency.

#### **D. Bomb Threats**

Any employee whose attention is called by telephone or any other means to a bomb, suspected bomb or other explosive, must immediately notify the local supervisor and the security officer or safety assistant. When a threat is made by telephone, the person receiving the call should use the Telephone Threat Guide, Form GA 743, to:

1. Record exact time the message was received and/or length of call.
2. Record exact wording of the message.

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3. Record the caller's name, social security number and address.
4. Record the caller's description of the exact location of the bomb by building, floor, stairway or room.
5. Write down any additional information that may possibly be of use in identification.

The location supervisor must consider the threat as a real possibility that an actual bomb is present. Therefore, the supervisor should:

1. Notify the nearest local police department and follow the direction provided. In Building 12, Albany, dial 911. Also, notify the Division of Equal Opportunity Development at (518) 457-1984.
2. If directed to do so by authorities, cause the premises, or area in which the explosive or suspected explosive is thought to be located, to be evacuated. Evacuation procedure is outlined in Section C above.

In determining the extent of the evacuation required, it is to be assumed that a bomb may cause serious personal injury or damage to property within an area of at least 300 feet from the point of explosion.

The police will assume control of all activities regarding a bomb or bomb threat when they arrive at the location. Upon the arrival of the police, the location supervisor will confer with them in order to furnish all available information.

3. Instruct employees and the public not to touch or move any suspicious package, box, etc. The police, upon their arrival, will examine the items.
4. Follow instructions for reporting incidents as in Section III above.
5. Prepare electronically Form GA 51, UIR, and include all details, such as:
  - a. The time of day the message was received.
  - b. Name of the person who received the message.
  - c. Exact wording, if possible, of the message.
  - d. Possible identification of caller, e.g., name, social security number, address
  - e. Procedure followed.
  - f. Damage and injuries, if any.

The completed GA 743 Threat Guide should be scanned and attached to the GA 51.

## **E. Disaster Preparedness**

The location supervisor's prime responsibility in the event of any disaster preparedness emergency is the safety of all individuals at the official station. To assist with this responsibility, the location supervisor may call upon the Supervisor of the Office of Emergency Management, (518) 457-2573.

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The supervisor should encourage all staff to join the GEARS program, which provides 24-7 emergency notification directly to the employee's cell phones or other electronic communication media. Information on GEARS is available at <http://hris.labor.ny.gov/>.

The location supervisor, or alternate, will be advised by the local authorities when to evacuate employees and the general public. Any evacuation should be carried out as in Section C.2 above.

1. The location supervisor is responsible for the security of department equipment, petty cash funds, tokens or postage funds on department premises. To safeguard offices against theft, the supervisor will:

a. Control number of office keys.

b. Alert employees to question anyone in an unauthorized area, and:

1. If a legitimate explanation is furnished, direct the individual to the proper section for service, or

2. If the reason given is not satisfactory, notify the location supervisor who is to take precautions to assure that there has been no tampering with means of ingress and egress, e.g., doors and windows, and to assure that no suspicious parcels have been left. Any other precautions deemed advisable should be taken.

a. Alert all employees to their responsibilities for inspecting their work areas at the close of business to see that nearby windows and doors are locked, electrical equipment is unplugged, etc.

b. Employees issued Department laptops must bring those laptops home at the end of each day, except as required for routine maintenance.

c. Report unsafe or defective conditions immediately to the Property Office of the Administrative Finance Bureau, and/or the landlord for appropriate remedial action (e.g., broken windows, faulty locks on outside doors or on windows, etc.).

2. Location Workplace Violence Prevention Teams will:

a. Evaluate whether windows at street level need protection by screening or bar grating.

b. Evaluate whether flood lighting (external lighting) is necessary to illuminate front, rear and side alleyways of the office location.

c. Evaluate the need for bar lock devices for valuable equipment.

d. Evaluate the need of keeping internal lights, including the front vestibule lights, illuminated during the hours of darkness.

e. Evaluate whether suitable bar grating adequately protects skylights.

f. Evaluate the need for burglar alarms.

g. Recommend reconstruction of outer doors so that hinge pins cannot be pulled or broken, and assuring that outside door locks adheres to standards.

3. The security officer or the safety assistant should ensure that:

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a. Everyone, except those duly authorized, has left the premises and that all doors and windows are secured at the close of business.

### **Security of Personal Property**

To safeguard personal property, the following precautions should be taken:

- A. Employees must be cautioned not to keep any valuables in their desks.
- B. Employees should not leave their personal belongings on the desktop or in any exposed area. Female employees should place their purses in desk drawers, and, if keys are available, lock their desks when they leave; otherwise, take their belongings with them when they leave the work area.
- C. Employee lockers should have keys so that employees may secure their personal belongings.
- D. Coat racks are to be located away from the general public in an area accessible only to employees.
- E. Valuable items should not be left overnight.

**NOTE:** The department is not an insurer of, nor is it responsible for, the personal property of employees brought into department premises. In addition, the State Finance Law does not provide for the reimbursement of administrative claims filed by department employees for theft of their personal property.

### **Security of Field Staff**

The Department of Labor has various units that send employees into the field to advance our mission. Investigators and auditors go to businesses to examine books and records and interview employees and employers, inspectors examine a myriad of equipment and work practices from mines and explosives to carnival rides and restaurants. Each field activity has its own unique safety challenges.

- A. Standard operating procedures (SOP) are to be written for all aspects of the fieldwork to be performed by Department of Labor employees. The supervisor will determine the specific health and safety risks and the level of risk associated with each phase of the SOPs for the particular field investigation or inspection. These risks must be detailed, and guidelines to protect the employee from the risk must be written and acknowledged by the employee prior to commencing the field activity. These SOPs for specific work must be reviewed and updated annually by the supervisor and acknowledged by the employee.
- B. Employees must follow the SOP for the fieldwork performed. The SOP lists the potential safety and health hazards and the preventive work practices and personal protective equipment needed based on the risk. If specialized training is required to perform the fieldwork, this should be noted. Employees must not conduct fieldwork unless they have the personal protective equipment and the training required by the SOP.

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C. Employees must notify a supervisor of the locations where they will be investigating / inspecting. The notification must have the address, a phone number of the site (if available), and the approximate time of day the employee will be at the site. Employees must carry a cell phone in case of an emergency, and give their supervisor the cell number. Microsoft Outlook calendars are the preferred means of notifying the supervisor of the field schedule by the employee scheduling the visit on a shared calendar with the pertinent information on the appointment.

D. If an employee is concerned about the safety of the area, the employee should notify the supervisor both before and after completing their work at the location.

E. If threatened with violence while performing their duties, employees must leave the scene, notify their supervisor immediately, and with the concurrence of their supervisor, notify law enforcement. If the employee is a victim of an assault or other hostile physical contact, the employee should notify law enforcement immediately.

F. In the event of any incidents encountered during the field work that warrant first aid, medical care or police action, the employee must notify the supervisor as soon as possible. The employee or supervisor must complete an UIR in accordance with this policy. A SH 900 must also be completed for injuries. All injury claims that involve more than simple first aid should be filed within 24 hours. For serious injuries or death, the injuries must be reported to the Division of Equal Opportunity Development and to the appropriate Deputy Commissioner as soon as practically possible, but no longer than 8 hours after the employee or supervisor knows or, with diligent inquiry, would have known of the death or serious injury or illness.

G. Make a copy of the SOP's emergency plan with all the emergency numbers and take it with you each time you go out to the field. Go over the checklist to make sure you have protective equipment etc. with you before beginning your field assignment.

## Training

Every location manager and/or supervisor is responsible for conducting, or providing, training for employees. Such training should include, but not be limited to, reporting of incidents, security of persons, fire protection, and security of department and personal property. Training must be completed immediately with new hires and annually with all staff.

## Appendix B: Policy Statement on Workplace Violence

### NYS DOL Model Program on Workplace Violence Prevention Policy Statement on Workplace Violence

#### Workplace Violence Prevention Program & Incident Reporting

The New York State Department of Labor, regardless of location, is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on a NYSDOL worksite will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. **All** employees are responsible for actively participating in their workplace violence prevention program by creating an environment of mutual respect for co-workers and clients. Employees are directed to adhere to procedures and program requirements, which will provide for a safe and secure work environment.

This program is designed to meet the requirements of NYS Labor Law 27b, “12 NYCRR Part 800.6 Public Employer Workplace Violence Prevention Programs”. Our program includes an ongoing workplace evaluation that is designed to identify the workplace violence hazards employees may be exposed to. In addition; it includes establishing a committee made up of management and Authorized Employee Representatives who will have an ongoing role of participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this program is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. NYSDOL has identified response personnel that include a member of management and an employee representative. If appropriate, the NYSDOL will provide counseling services or referrals for employees.

#### Reporting Workplace Violence

All NYSDOL personnel are responsible for the timely reporting of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

The Department of Labor has a longstanding policy of zero tolerance for assaults or threats against its employees. To effectuate this policy the Department has in place a rule requiring employees to report any such incident to their manager and to the Office of Special Investigations.

The procedure for reporting incidents is described in GA Manual.

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**Topic 0504 follows:**

Every Department supervisor, office or location manager, and administrator must be aware of the requirement to notify levels of higher authority whenever any incident occurs that may present any danger to employees or to Department clients in Labor Department facilities that may impede official functions, or when a request for assistance is made that is questionable. This notification should be made as expeditiously as possible, with immediate telephone communication to the next higher supervisory level, which could be to a District, Regional, or main office location. Management at higher levels should also be notified. Depending on the seriousness of the occurrence, the Executive Deputy Commissioner of Labor should be notified as soon as possible, through appropriate management channels. Problems that should be brought to the attention of the Executive Deputy Commissioner and/or the Deputy Commissioner of Administration will include, but are not limited to, those concerning interagency matters, criminal activities, severe effects on employees, and widespread service dislocation.

The Office of the State Inspector General (OSIG), Executive Chamber, State Capitol, Albany 12224, shall be notified of any occurrences involving criminal activity or serious misconduct by an employee, and any occurrence that threatens, or places, employees or resources in serious jeopardy or danger. The OSIG may be contacted by telephone at 1-800-367-4448. The Counsel's Office shall be notified of any occurrences that present a danger to Department clients.

Following this initial notification, Department supervisors must prepare a fully detailed description of the incident, utilizing Form GA 51, Unusual Incident Report (UIR), and transmit the original to the Office of Special Investigations, and other copies to the appropriate supervisory office (Division Director, Bureau Head, Board Chair, or appropriate Regional Director), and to the AFB Property Office, Room 536, Building #12, Albany. In cases of damaged, missing, or stolen equipment, a copy of the UIR should be sent to the AFB Purchase and Contracts Unit, Room 454, Building #12, Albany.

Every Department supervisor, office or location manager, or administrator shall also be responsible for notifying the local employee representatives when an incident of workplace violence has occurred. This notification shall be made as expeditiously as possible taking into account the nature of the 3 event.

**Reporting Form - GA-51**

The form used by the Department of Labor is maintained on the Department's web site. The GA-51 - E form is an electronic fillable form that once completed can be e-mailed to the appropriate offices. The form can be accessed here at: <http://dol0a1fptsprod2/footprints>.

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The instructions on using the form are also available online at:  
<https://doli.labor.ny.gov/content/4103/how-to-file-an-unusual-incident-report>.

### **Types of Incidents Reported**

The Department of Labor requires reports on the following classes of incidents. Assault, Bomb Threat, Breaking and Entering, Theft, Fire, Personal Injury/Medical Emergency, Power Failure, Property Damage, Smoke/Fumes/Odors, Disruptive Conduct/Harassment, and Vandalism. Any other category of incident is reported in an “Other” category. All employee misconduct is reported both to the State Inspector General and to the Office of Employee Relations.

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