



## NEW JERSEY PUBLIC EMPLOYEES OCCUPATIONAL SAFETY AND HEALTH

# NJ PEOSH ALERT #42



## Safety & Health Alert

### WORKPLACE VIOLENCE PREVENTION AND RESPONSE

To ensure a safe workplace free from recognized hazards, New Jersey public employees are encouraged to engage with their employers in developing comprehensive violence prevention programs, which should include risk assessment, training in conflict resolution and crisis response, and utilize resources from state and federal agencies to enhance preparedness and safety.

#### FOR MORE INFO:

**HOTLINE: 800-624-1644**  
**WEB: [nj.gov/labor/safetyandhealth](http://nj.gov/labor/safetyandhealth)**

#### CONSULTATION

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In the interest of the occupational safety and health of New Jersey's public employees, PEOSH is providing this summation of workplace violence prevention and preparedness information. Public employers are reminded that the PEOSH Act, through the General Duty Clause (N.J.S.A. 34:6A-33) requires that public employees be provided a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm. The following information can be used to ensure that public employers meet this important obligation.

#### General Workplace Violence Prevention/ Hostile Event Preparedness

- All Public Employers in New Jersey are encouraged to develop a written violence prevention program that establishes procedures for employees to report potentially dangerous situations to supervision and that sets forth appropriate risk identification and risk reduction measures paying attention to factors such as working late at night or early in the morning, exchanging money, working alone or in small numbers, security history of the work location, maintenance of existing security features and working in an area with uncontrolled public access to the workplace.
- The Public Employer's Violence Prevention Program should include training for public employees in conflict resolution, how to report acts of violence or threats, responding to active shooter/hostile events and education for employees on emerging topics such as "first amendment auditors" which has led to serious confrontations including verbal aggression, emotional and behavioral outbursts, disruptive behavior, and physical intimidation to employees in the public sector workplace.



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- Sources of information that can be used by New Jersey public employers to prepare for workplace violence include the National Fire Protection Association's "Standard for an Active Shooter/Hostile Event Response (ASHER) Program," the American Society for Industrial Security (ASIS) / Society for Human Resource Management (SHRM)'s "Workplace Violence Prevention and Intervention," the New Jersey Joint Insurance Fund Municipal Excess Liability Safety Institute's **"(Workplace Violence Prevention – MEL Safety Institute)"**, and guidance from the New Jersey Office of Homeland Security and Preparedness. Federal OSHA has also published a Fact Sheet, "Workplace Violence," available at [osha.gov/publications](http://osha.gov/publications).

## Schools

- Educational occupancies are encouraged to work with the New Jersey Department of Education's Office of School Preparedness & Emergency Planning to establish and maintain a school safety and security plan that addresses all hazards and follows the phases of crisis management planning – mitigation, preparedness, response, and recovery.
- The New Jersey Division of Fire Safety, through enforcement of the Fire Prevention Code (N.J.A.C. 5:70-1 et. seq.), requires emergency planning and evacuation drills along with N.J.A.C. 6A:16-5.1 and N.J.S.A. 18A:41-1 et. seq. which set rules for specific school safety and security planning as well as school security drills.
- Assaults and violence directed against school employees is regulated by N.J.S.A. 18A:37-2 et. seq. School districts should work closely with the New Jersey Department of Education to ensure that all assaults/violence-related incidents are reported and/or recorded in accordance with applicable law.

## Two categories of NJ Public Employers have specific legislation addressing Violence Prevention:

### • VIOLENCE PREVENTION IN HEALTHCARE FACILITIES ACT

Requires covered healthcare facilities to ensure that:

- » A Violence Prevention Committee is established that is comprised of at least 50% health care workers who provide direct patient care or otherwise have contact with patients.
- » A Written Violence Prevention Plan is in place that identifies workplace risks and provides specific methods to address them.
- » Annual Violence Prevention Training is conducted on the facility's relevant policies; techniques to de-escalate and minimize violent behavior; appropriate responses to workplace violence, including use of restraining techniques, reporting requirements and procedures; location and operation of safety devices; and resources for coping with violence.
- » The covered health care facility has sufficiently trained personnel to identify aggressive and violent predicting factors and the ability to appropriately respond to and manage violent disturbances.
- » The covered health care facility keeps a record for five years of all violent acts against employees while at work.

### • MOTORBUS AND PASSENGER RAIL SERVICE EMPLOYEE VIOLENCE PREVENTION ACT

Requires operators of autobuses to ensure that:

- » Each autobus is equipped with a communication system that allows the operator of the autobus to alert the owner of the autobus and appropriate law enforcement agencies when the operator is in distress.
- » The owner or operator of an autobus has coordinated with local law enforcement and transit police to allow law enforcement officers or transit police officers to ride along on an autobus during high volume periods or on routes where the owner of the autobus anticipates the possibility for violence against the operator of an autobus.
- » The owner of an autobus shall establish a program to assist and support operators of autobuses that have been a victim of assault.
- » The owner of an autobus shall periodically provide violence and mental health training to autobus operators, which shall include training in techniques to deescalate situations to avoid violence.

### REQUIRED:

- Employers must report all work-related fatalities to PEOSH **within eight (8) hours**
- Employers must report all work-related in-patient hospitalizations, amputations, and losses of an eye to PEOSH **within twenty-four (24) hours**.

### 24-HOUR PEOSH REPORTING HOTLINE:

 **(800) 624-1644**  
 **FAX: (609) 292-3749**