

DEPARTMENT WORKPLACE VIOLENCE PREVENTION POLICY

INTRODUCTION

In addition to stating the Department's policy and procedures with regard to preventing and addressing workplace violence, this policy appends guidance to support employees in maintaining the highest level of safety possible when working in the field. Appendices address the Commonwealth's policy against domestic violence, safety in the field and safety planning and reporting incidents.

I. POLICY

In accordance with the Commonwealth's Executive Order #442 (Workplace Violence Prevention Policy – see Appendix A), it is the policy of the Department to have zero tolerance for workplace violence in any form. The Department seeks to be a violence-free workplace for all employees by establishing preventive measures, by providing support and assistance to victims and by holding perpetrators of workplace violence accountable for their actions. *NOTE: With regard to prevention of and response to incidents of domestic violence and sexual assault in the workplace, see Executive Order #491.* (See Appendix B)

Perpetrators of violence on a public employee may be subject to criminal and civil proceedings. (See MGL c. 265, § 13D) An employee who engages in workplace violence or threatens to commit acts of workplace violence may be disciplined up to and including dismissal, according to Department personnel policies. Offending employees may also be subject to criminal and civil complaints.

II. PRINCIPLES

Professionalism and respect for clients and co-workers are fundamental tenets of sound social work practice. It is through professionalism that employees extend respect to every individual regardless of the difficulties he/she may bring to the relationship with the Department. The Department regards maintaining safety for children, their families and Department staff as essential to establishing a solid foundation for achieving productive, professional relationships between families and staff. While recognizing that most families do not present threats of violence to Department staff and that staff rarely present a threat to other staff, the Department maintains the following principles with regard to workplace violence:

- Zero tolerance for workplace violence shares an equal priority with the Department's mission to protect children and strengthen family life.
- Workplace violence is not to be accepted as "just part of the job."
- The Department recognizes that workplace violence threatens the health and safety of all employees and visitors to Department workplaces.
- The Department seeks to create an open, risk-free dialogue about violence prevention that fosters each employee's personal commitment to workplace violence prevention and promotes establishment of effective policies and programs.
- Every Department employee commits to: "**Practice Personal Safety at All Times.**"

III. DEFINITIONS

For purposes of this policy, the following terms have the following meanings:

Workplace: Any Department owned or leased property, location where Department business is conducted or "site/location" where an employee is considered "on-duty." Workplace violence can occur at any location or at any time from an act or decision made during the course of conducting Department business. Safety planning will address all places where workplace violence might occur, including but not limited to courts, schools, medical settings and vehicles that belong to the Commonwealth or are privately owned or rented and are being utilized for Department business.

Workplace Violence: May occur during work hours or after, in the workplace or outside it, and includes, but is not limited to: intimidation or threats communicated by any means; physical assault and/or battery; property damage; or other disruptive or aggressive behavior that causes a reasonable person to be in fear of her/his own safety or that of a colleague or that causes the disruption of workplace productivity. Violent behavior can include actions or communications in person, by letter or note, telephone, voice mail message, fax, or electronic mail. Incidents of workplace violence may be acted out individually or take place between employees; employees and clients; employees and acquaintances/partners; and employees and the general public. [See Appendix B, "Policy of Zero Tolerance for Sexual Assault and Domestic Violence," issued by the Massachusetts Human Resources Division on October 31, 2007]

Employee: Any person employed by the Department full or part-time, including volunteers, student interns and contracted employees. *NOTE: Employees of contracted providers are covered by and held accountable to this policy when they are working on the premises of a Department office and when they are working in the field on behalf of the Department, not when they are working on the premises of the contracted provider by whom they are employed or in the field on the provider's behalf.*

Employer: The Department.

IV. DEPARTMENT WORKPLACE VIOLENCE PREVENTION PROGRAM OVERVIEW

Department employees confront challenging risks of harm on a daily basis, which are inherent in the nature of child welfare services. The Department employee intervenes in the domestic lives of families at volatile and conflicted times, when emotions are heightened. While recognizing that most families do not present a danger to Department staff, the Department acknowledges that the situations the organization is statutorily required to address involve child abuse, domestic violence, substance abuse and mental illness and may occasionally expose an employee to aggression or violence. The Department is committed to providing guidance for supporting safety planning that adequately anticipates and addresses such circumstances and for reducing and responding to incidents that might occur.

Working to minimize the risks associated with workplace violence requires a commitment to health and safety that begins with the Department Commissioner and extends to every employee. The **Commissioner/designee** administers the Department Workplace Violence Prevention Program, under which responsibilities for statewide efforts and resources are shared as described below:

Management Responsibilities

- Establish a statewide Worker Safety Committee.
- Participate in workplace violence prevention training as mandated in Executive Order #442.
- Respond quickly (and encourage others to do the same) to all reports involving workplace violence.
- Review and analyze Incident Reports from the field and make recommendations increasing safety.
- Identify and share practices with demonstrated effectiveness from the field with the field.
- Offer technical assistance to Area and Regional Offices.
- Develop and maintain safety plans, protocols, guidelines and reports for each Department workplace.
- Advocate for and work towards the allocation of resources to the field to support workplace violence prevention.
- Administer an annual agency-wide CQI (Continuous Quality Improvement) safety review of the Workplace Violence Prevention Program to commence in September and be concluded by November. [See Section IX below]

Office/Unit Directors (Area, Regional and Central) will be responsible for administering the Workplace Violence Prevention Program for their particular workplaces. Each will:

- In accordance with the Human Resources Division Workplace Violence Prevention Program, develop site-specific Workplace Violence Prevention guidelines with maximum employee involvement and feedback.
- Participate in workplace violence prevention training as mandated in Executive Order #442.
- Provide for all employees under their managerial supervision to have a comprehensive working knowledge of the Workplace Violence Prevention Program and understand their obligations to workplace violence prevention.

- Maintain an ongoing dialogue with employees regarding worker safety and violence prevention, utilizing staff meetings, supervisory meetings, training, appreciative inquiries and any other appropriate forums.
- Sponsor a workplace Safety Committee that meets at least quarterly to identify and address workplace risks of harm and interfaces with the workplace's CQI efforts (see bullet below).
- In response to incidents/reports of workplace violence, take reasonable steps to minimize workplace safety risks. This may include, but is not limited to, arranging an alternative workplace for an affected employee.
- Provide to employee(s), information regarding the Department's voluntary Employee Assistance Program (EAP), including that master's level counselors are available via telephone for confidential, individual consultation to the employee and her/his family members 24 hours-a-day, 7 days-a-week.
- Develop, revise or expand a safety plan with any employee who has been threatened or victimized once the initial crisis has been resolved. In the circumstance that a workplace risk extends to other employees or Department-served family members, consider the implementation of office or agency-wide alerts.
- If the incident involves a member of a Department-served family, transfer case responsibility, unless the assigned employee, in consultation with her/his supervisor and manager, determines that this step is not warranted.
- Conduct an annual CQI Safety Review of the Workplace Violence Prevention Program to commence during the second quarter of the fiscal year.
- Develop and maintain working relationships, by designating liaisons and developing inter-organizational protocols (including notification about dangerous situations in the community), with local police departments and District Attorneys.
- Work towards a workplace culture that fosters a personal commitment to violence prevention and safety by every employee in the agency.

Supervisor Responsibilities *(in addition to those for all employees listed below)*

- Report workplace violence incidents to the appropriate manager promptly and accurately (and encourage others to do the same).
- Work with supervisees to identify potentially violent situations and develop and implement safety plans to address them.
- Support employees in carrying out safety plans.
- Identify and share practices with demonstrated effectiveness from the field with the field.

Employee Responsibilities

- Maximizing safety requires that **every employee** makes a commitment to:
- Understand and comply with the Workplace Violence Prevention Program and all other safety and security measures.
- Participate regularly in workplace violence prevention training as mandated in Executive Order #442.
- Participate in the discussion of safety procedures and security concerns.
- Report workplace violence incidents promptly and accurately.
- Make suggestions and recommendations for corrective strategies.
- **Practice personal safety at all times.** (See Appendix C, "Field Safety and Safety Planning")

V. SITE SAFETY

Each Department work site presents its own unique engineering challenges to minimizing risk and maximizing safety. Each will need to conduct its own evaluation and develop an appropriate plan based on the site's particular circumstances, functions, available personnel and fiscal resources. Each site must consider and evaluate its exposure to workplace violence. Administrative Managers are responsible for auditing, recommending and, when possible, implementing building and workspace enhancement plans.

Each site will work toward the development of plans, administered by the Administrative Manager under the direction of the site Director, for controlling access to the building and tracking entries. The plans will

address such issues as access to keys, obtaining approval of a site manager prior to accessing the building at times other than established business hours, and access to alert information during non-business hours as well as during normal business hours. When a situation at a particular site escalates to the point of raising continuing risks of harm, the Administrative Manager develops strategies for maintaining site safety.

Family Service Area

Administrative Managers will work with Department staff to identify and, when possible, implement workplace safety enhancements focusing on family service areas.

A family service area (defined as the waiting rooms, rest rooms, visitation rooms, interview rooms, teen rooms, children's rooms, Foster Care Review rooms and other areas where Department employees work with families) is located in a section of the site which is **physically secured by a locked door** from the main employee office area. In family service areas, the Department will work to implement the following goals:

- Single access to the workplace for the general public.
- Capability for reception staff to manage the family service area from the enclosed receptionist area without having to give access to the employee office area.
- Prominent display of Department identification cards by employees dealing with families or the general public in the family service area.
- Minimized waiting time for families to reduce stress.
- Comfortable family service areas that are friendly, respectful, and project a positive atmosphere to minimize stress for families.
- Furnishings for the family service area that are selected with safety in mind and are arranged to avoid entrapment.
- Inclusion of objects in the family service area that encourage safe and healthy play.
- Maximized visibility of the entire family service area by the receptionist and/or other observers.
- Workplace **alert systems** that provide the capability to notify staff and others quickly and appropriately when a dangerous situation arises, such as pre-programmed emergency telephone numbers at the reception desk, email alert templates, plus staff training to ensure proper use and response. The alert system should have the capability to distinguish the following types of situations and the response that should be provided to each:
 - A potentially volatile situation exists in the family service area; any available assistance is requested.
 - An emergency exists in the family service area that requires police assistance; request 911 assistance.
 - A medical emergency exists in the workplace; request 911 assistance.
 - Evacuate. An imminent life-threatening danger exists in the workplace. Exit via the nearest egress using extreme care and caution. Life-threatening danger could be a fire, other environmental hazard or an individual with a weapon.
- Workplace systems for preventing and responding to incidents, including but not limited to: procedures for requesting a 911 police response, use of a team response, and a pre-arranged "Evacuation Plan."
- Signs that respectfully articulate the Department's policy of zero tolerance for violence and clearly state that violence is not permitted or tolerated.

Employee Office Areas

All employee office areas must be physically secured from the family service area at all times. All access to employee office areas must be through a single point of entry controlled by receptionist staff. All other site exits are to be locked and alarmed. Department employees are to prominently display their Department identification cards when in a Department employee office area. All visitors allowed permission to enter the secured employee office area must sign in with the receptionist and display a visitor's pass. Each workplace will establish its own protocols for visitor access to the areas of the building beyond the family service area.

Some offices maintain an “Approved Visitors List” for reception staff. This is a list of known professionals or office service/delivery people who are regular visitors to the office and have routine approved access to enter the employee office area.

VI. RESPONDING TO A THREAT OR ATTACK

The Department maintains a “**zero tolerance**” policy regarding threats against and attacks on its staff.

REPORTING:

Emergency – In all situations involving a physical assault and battery, and/or a serious threat of physical violence, a request for a 911 police response is required. The emergency nature of the incident always takes precedence over other reporting protocols.

Every incident, including an emergency for which a police response is requested, should be immediately reported to a supervisor or any member of the management team. The supervisor may contact any member of the management team. The manager will arrange for any employee who is the target of a threat to be notified immediately so that a safety plan can be developed and implemented.

In response to all reports of workplace violence, the following procedures are followed:

- The Director/designee will take immediate steps to minimize the risk associated with a reported threat/incident. A written safety plan will be drafted that reflects the specific risks of harm for both the employee and the Department.
- Employee, supervisor, manager or an individual of the employee’s choice will complete an **Incident Report** and share the information according to the Department’s established incident reporting procedures. *Any employee who feels that her/his workplace violence concerns have not been adequately addressed in a written safety plan may also complete an Incident Report.* (See Appendix D, “Incident Report Purpose and Uses”) Any employee who feels that her/his Incident Report has not received an adequate response may forward the Incident Report to a higher authority. In addressing the concerns identified in an Incident Report, management will contact the members of the workplace Safety Committee, when necessary. An employee will not be required to respond to a situation until a safety plan acceptable to her/him has been developed.
- Management will review all Incident Reports involving workplace violence and, when appropriate, will conduct investigations.
- Filing criminal and/or civil charges is at the discretion of the individual employee, who has been threatened and/or attacked. The Department will support staff who decide to file criminal and/or civil charges and will not discourage, in any way, staff from doing so.

OFFICE-WIDE ALERT: Particular situations may necessitate issuance of an office-wide safety alert. These situations may arise out of a specific threat to an office or from the dynamics of an intervention such as an emergency child removal, issuance of a court decision or a domestic violence response involving a serious workplace threat. In all circumstances, particularly those involving domestic violence, these alerts are designed to preserve the privacy of targeted victims.

Office-wide alerts are approved and issued by the workplace Director/designee and may include any or all of the following:

- An office-wide **email alert** (see Section V above).
- Descriptive information posted at the reception area.
- A meeting with supervisors to further alert staff, particularly staff who may be in the field.
- A staff meeting.
- A physical walk through of the office to verbally alert staff.
- Notice to the appropriate police authority.

An office-wide alert should also specify a response plan in the event that the certain emergency circumstances occur, which may include requesting for 911 assistance.

In the case of **threats, bomb scares and other hostile actions** against the office-at-large, the workplace Director/designee will immediately assess the need to evacuate the office (a bomb scare would mandate an immediate evacuation which is maintained until an “all-clear” is provided by appropriate safety

personnel), issue an office alert and/or call 911. Emergency responses will take precedent. Once the emergency has been resolved, the workplace Director/designee will file an Incident Report in accordance with Department procedures. (See Appendix D, "Incident Report Purposes and Uses")

VII. POST-INCIDENT RESPONSE AND THE EMERGENCY ASSISTANCE PROGRAM

Post-incident evaluation and response are essential components of an effective Workplace Violence Prevention Program. The Director/designee in the Department workplace offers employees who are victimized personally or may be traumatized by witnessing a workplace violent incident information regarding the Department's EAP and assists the employees in accessing the EAP if requested by the employee. An affected employee or group of employees should be offered prompt assistance whenever an incident takes place regardless of its severity. The assistance is offered on a confidential and **voluntary**, not mandatory, basis.

VIII. ACHIEVING SAFETY AND PREVENTING VIOLENCE THROUGH TRAINING AND EDUCATION

In accordance with Executive Order #442 section 2.5, Department management, in coordination with the Commonwealth's Human Resources Division's Workplace Violence Prevention Director, will implement an agency-wide workplace and domestic violence prevention training program targeting all managers and staff. All managers, directors, EAP providers and employees are expected to participate in this training.

- Managers will arrange for every new employee to receive an overview of the Workplace Violence Prevention Policy during her/his first 2 weeks of employment. Additionally, every pre-service training program will include curriculum on workplace violence prevention.

IX. WORKPLACE ANALYSIS AND ANNUAL CQI SAFETY REVIEWS

Continuous Quality Improvement (CQI) Safety Reviews should be conducted annually in each workplace that utilize a comprehensive approach to identify and minimize existing or potential hazards for workplace violence. Such reviews should be completed in coordination with the workplace Safety Committee during the second quarter of the fiscal year and result in a CQI Safety Report. Review and action on the Report will follow the standard agency command structure: Area Directors reporting to Regional Directors and Regional Directors reporting to Central Office. The Statewide Safety Committee will review all the CQI Safety Reports for the Department.

The CQI Safety Review includes, but is not limited to:

- Reviews of incident reports and the identification of high risk trends.
- Reviews of current policies and procedures related to workplace safety and security.
- Reviews of the protocols developed as the result of specific traumatic incidents that have occurred within a workplace.
- Surveying staff and conducting appreciative inquiries to identify ideas for improving safety, especially practices that have achieved success and may be replicable.
- Conducting a worksite walk-through and inspection for safety issues that identifies conditions, activities and situations that could lead to violence.
- Identifying and addressing preventively job functions and/or locations with the greatest risk of violence as well as policies and procedures that may put employees at risk of assaults, including how often and when.
- Identifying and addressing preventively high-risk factors such as types of clients; physical risk factors related to building layout or design; lack of communication ability; field location risk factors; and any other common themes with pervious security problems.
- Evaluating the effectiveness of the existing security and safety measures and developing recommendations for improvements.

Appendix A

EXECUTIVE ORDER NO. 442

ESTABLISHING A POLICY OF ZERO TOLERANCE FOR WORKPLACE VIOLENCE

WHEREAS, incidents of workplace violence are of major concern for our state and nation: and

WHEREAS, according to the Bureau of Labor Statistics Census of Fatal Occupational Injuries, there were 674 workplace homicides in 2000, making homicide the third leading cause of fatal occupational injury in the United States; and

WHEREAS, according to the National Crime Victimization Survey, between 1993 and 1999 in the United States, an average of 1.7 million violent crimes were committed against people at work per year; and

WHEREAS, the fear created by workplace violence, whether real or imagined, translates into distraction, loss of morale, loss of productivity, increased absence and increased employee turnover; and

WHEREAS, according to insurance industry statistics, in addition to the trauma inflicted upon victims and their families, such incidents cost employers billions of dollars annually in damage awards and business costs and expenses; and

WHEREAS, all employers both public and private have a general duty to provide a work environment that is safe from all forms of violence for all employees while in the workplace; and

WHEREAS, the Commonwealth of Massachusetts will not tolerate harassment of state employees within state offices, facilities, work sites, or vehicles, or the display of violent, aggressive, or threatening behavior that results in physical injury or emotional trauma to any employee; and

WHEREAS, the executive department of the Commonwealth is the largest employer in the state and has a responsibility to set an example for other employers through a policy of zero tolerance for workplace violence; and

WHEREAS, I intend that the executive department of the Commonwealth be a violence free workplace for all of its employees by establishing preventative measures, providing support and assistance to victims and holding perpetrators of workplace violence incidents accountable for their actions.

NOW, THEREFORE, I, Jane M. Swift, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me as Supreme Executive Magistrate, do hereby order as follows:

ARTICLE I. DEFINITIONS

For purposes of this executive order, the following terms shall have the following meanings:

"Workplace", any Commonwealth owned or leased property, location where the Commonwealth business is conducted, or site where an employee is considered "on-duty." Commonwealth vehicles or private vehicles being utilized for Commonwealth business are included in this definition. Additionally, workplace violence can occur at any location if the violence has resulted from an act or decision made during the course of conducting Commonwealth business.

"Workplace violence", includes, but is not limited to the following: intimidation or threats communicated by any means; physical assault and/or battery; property damage; or other disruptive or aggressive behavior that causes a reasonable person to be in fear of their own safety or that of a colleague or that causes the disruption of workplace productivity. Violent behavior can include actions or communication in person, by letter or note, telephone, fax, or electronic mail. Incidents of workplace violence may be acted out individually or take place between employees, employees and clients/customers, employees and acquaintances/partners and employees and the general public.

"Employee", any person employed full time or part-time by a the Commonwealth;

"Employer", the Office of the Governor and any state agency as defined in section 1 of Chapter 6A of the General Laws;

ARTICLE II. STATEMENT OF POLICY

2.1 It is the policy of the Commonwealth to have zero tolerance for workplace violence in any form.

2.2 All employers are directed to establish a policy of zero tolerance for workplace violence within their agencies. Such policies shall include the following elements:

- (i) a definition, description, and examples of workplace violence;
- (ii) a statement that any use of work time or workplace facilities to commit or threaten to commit acts of workplace violence is cause for discipline up to and including dismissal;
- (iii) a clear description of procedures for reporting acts of workplace violence; and
- (iv) information indicating where victims and perpetrators can go for help.

Employers are directed to designate an agency workplace violence coordinator and response team and provide those names to the Human Resource Division of the Commonwealth. Employers are directed to exercise their best efforts to include principles of zero tolerance of workplace violence in future collective bargaining agreements.

2.3 The Commonwealth recognizes that exposure to threats from, or the violent acts of persons in the Commonwealth's care or custody, or the public at large, is an unavoidable component of certain occupations. This policy is not intended to replace or supersede agency or department policies relative to the lawful use of force. Agencies are encouraged to develop

policies that provide the best possible protection for employees as well as the individuals with whom they must interact through the implementation of appropriate safety programs.

2.4 Employers shall create an environment that encourages discussion of workplace violence issues, and where emergency and reporting procedures are made known to employees.

2.5 Employers are directed to implement a workplace violence awareness and prevention training program developed by the Human Resource Division in coordination with the Executive Office of Public Safety. This training shall include an emphasis on workplace security and safety, workplace violence identification and awareness, and appropriate reporting procedures. Employers are directed to provide this training to all employees, including supervisory, human resource, labor relations, legal, and security personnel.

2.6 Employers are directed to respect the privacy of victims and to preserve confidentiality, to the extent possible, in dealing with situations involving workplace violence.

ARTICLE III. RESPONSE TO INCIDENTS OF WORKPLACE VIOLENCE

3.1 Employers are required to promptly respond to reports of workplace violence and, upon notice of a serious incident, take immediate action to ensure the safety of employees. Employers shall report incidents of workplace violence to appropriate public safety personnel when incidents involve potential criminal conduct.

3.2 Employers, after ensuring the safety and well being of all those involved in an incident of workplace violence shall take further steps to provide victims with appropriate support and services.

3.3 After investigation, where a determination has been made that an employee has committed an act of workplace violence or other violation of agency rules, regulations or policies, the employee may be disciplined by the employer when appropriate and pursuant to the terms of a collective bargaining contract if applicable. Discipline may include the successful completion of counseling, anger management education or other equivalent programs. Employers may consider acts of workplace violence, along with an employee's success in completing a counseling program, in promotion and other work related determinations.

3.4 Retaliation by alleged offenders or Employers against an employee for reporting an incident of workplace violence is prohibited.

Given at the Executive Chamber in Boston this 30th day of October in the year of our Lord two thousand and two.

Jane M. Swift
Acting Governor

William Francis Galvin
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS

Appendix B

EXECUTIVE ORDER NO. 491

Policy of Zero Tolerance for Sexual Assault and Domestic Violence

Policy

The Commonwealth has a zero-tolerance policy for sexual assault, domestic violence, and stalking occurring within or outside the workplace. Effective immediately, it is the policy of the Commonwealth that all employees work in an environment free from all forms of sexual assault and domestic violence. Sexual assault and domestic violence undermine the integrity of the work place and the personal safety of the individual.

Authority

Executive Order 491 establishes a zero tolerance policy for sexual assault, domestic violence and stalking and requires state agencies to issue written policies and to provide copies of the policy to all employees. The Executive Order applies to all individuals employed on a full-time or part-time basis by the Office of the Governor or any state agency under the Executive Department.

The Human Resources Division (HRD) is requesting agencies adopt this policy as written in order to comply with the Executive Order. This policy does not prevent agencies from adopting more stringent policies or continuing more stringent policies currently in effect, such as those implemented by public safety agencies.

Definition of Domestic Violence

Chapter 209A of the Massachusetts General Laws defines domestic violence as a form of abuse among family or household members, which includes those individuals who are or have been involved in a substantive dating relationship. Abuse is defined as the occurrence of one or more of the following acts between family or household members:

- attempting to cause or causing physical harm; or
- placing another in fear of imminent serious physical harm; or
- causing another to engage involuntarily in sexual relations by force, threat of force, or duress.

Family or household members are persons who:

- are or were married to one another;
- are or were residing together in the same household;
- are or were related by blood or marriage;

- have a child in common regardless of whether they have ever married or lived together; or
- are or have been in a substantive dating or engagement relationship.

Chapter 209A provides a victim protection from an abuser through the issuance of a restraining order. Such an order may order the abuser to refrain from abuse, to vacate the home, to comply with temporary custody and support orders, and/or to have no contact with the victim at all times. Although Chapter 209A orders are civil in nature, violations of certain provisions constitute criminal in nature for which arrest is mandatory.

For the purposes of initiating disciplinary action against an employee accused of abuse, there must be a judicial finding of probable cause that the employee committed an act of abuse against a family or household member. The employer may require an employee who is an abuser to accept reassignment to a different geographic location, if the employer determines that such reassignment will help better ensure the safety of the victim or others in the workplace. While maintaining confidentiality to the extent practicable, agencies are encouraged to consult with appropriate legal staff, human resource/labor relations directors and/or domestic violence professionals for guidance in these matters.

Definition of Sexual Assault and Stalking

“Sexual assault” includes any action causing another to engage in sexual relations by force, threat, or duress in violation of Chapter 209A or chapter 265 of the General Laws, or any other applicable law of the Commonwealth.

“Stalking” includes any pattern or series of acts, conduct or threats causing or intended to cause alarm or fear in violation of chapter 209A or chapter 265 of the General Laws, or any other applicable law of the Commonwealth.

The Commonwealth’s view of sexual assault, domestic violence, and stalking reflects, but is not limited to, the following considerations:

- A man as well as a woman may be the victim of sexual assault, domestic violence, or stalking, and a woman as well as a man may be the abuser.
- The victim does not have to be the opposite sex from the abuser.

Roles and Responsibilities:

The Human Resources Division shall:

- Issue and update the statewide policy addressing sexual assault and stalking to all Agency Heads, Cabinet Secretaries, Human Resource Directors, and other designated Employers;
- Assist agency personnel in how to effectively implement the statewide Sexual Assault and Domestic Violence Policy;
- Through the Director of Domestic and Workplace Violence Prevention, provide and/or approve training curriculum and delivery initiatives developed by the Human

Resources Division in conjunction with the Executive Office of Public Safety and Security to agencies on the Commonwealth's policy and domestic violence and sexual assault awareness;

- Disseminate informational materials for all employees, managers and supervisors.

Employers shall:

- Ensure that the policy of Zero Tolerance for Sexual Assault and Domestic Violence is adopted and implemented;
- Review their existing personnel policies and procedures and to revise them as necessary to ensure they are responsive to the needs of victims;
- Forward a copy of their department policy to the Director of Domestic and Workplace Violence Prevention within the Human Resources Division;
- Designate an employee to coordinate the policy dissemination, training, and benefits provided through this policy.
- Ensure that each employee receives:
 - A copy of the Commonwealth's policy and Executive Order No. 491.
 - Notification of any changes to the policy as soon as administratively possible.
- Foster a climate in which victims can be comfortable disclosing abuse, including posting resource information where victims and abusers can go for assistance;
- Strongly encourage employees to report behavior which occurs in the workplace which they believe to be domestic violence, sexual assault or stalking;
- When appropriate, ensure written workplace safety plans are completed in response to reports of domestic violence, sexual assault, and stalking;
- When appropriate, while maintaining confidentiality to the extent practicable, work with victims in consultation with agency domestic violence coordinator(s), HR personnel, and/or Legal Counsel in addressing workplace safety and security plans that may impact victims and/or co-workers.
- Determine the nature of disciplinary action to be taken against employee abusers;
- After receiving approval from the Director of Workplace Violence Prevention, implement the Domestic Violence and Sexual Assault in the Workplace Prevention Training curriculum and delivery program developed by the Human Resources in coordination with the Executive Office of Public Safety.
- Respect the privacy of victims and preserve confidentiality at all times, to the extent possible, in dealing with situations involving sexual assault, domestic violence or stalking;
- When notified of a restraining order in effect, utilize all reasonable efforts to address the employee's concerns about safety and report any workplace violations of such order to the police.

Employees shall:

- Ensure that they do not participate in any form of domestic violence, sexual assault, or stalking either within or outside the workplace;
- Cooperate in the investigation of alleged domestic violence, sexual assault, and stalking by providing information they possess concerning such matters;

- Report behavior in the workplace which they believe to be sexual assault, domestic violence, or stalking to their supervisor, or the police when appropriate.

Protection to domestic violence, sexual assault, and stalking victims

The Commonwealth recognizes that victims of domestic violence, sexual assault, and stalking may suffer from physical, mental, emotional, and sexual abuse. In an effort to afford victims of domestic violence, sexual assault, and stalking the ability to protect themselves and their families, and to ensure the safety of all employees, the Commonwealth has established the following policies:

- An employee who is a victim of domestic violence, sexual assault or stalking or whose children are victims and the employee is not the abuser shall be entitled to up to fifteen (15) days of paid leave per calendar year for the purposes of counseling, obtaining medical treatment, attending legal proceedings, or carrying out other necessary activities resulting from domestic violence, sexual assault, or stalking.
 - The fifteen (15) days of paid leave will not be charged to sick, vacation or personal leave accrual.
- An employee who is a victim of sexual assault, domestic violence, or stalking and/or whose children are victims and the employee is not the abuser may be granted up to six (6) months of unpaid leave, where the employee requests such leave as a result of domestic violence, sexual assault or stalking. Leave accruals and insurance benefits shall be handled in the same way as is done for any other type of leave without pay. Upon the employee's return from leave, the agency shall restore the employee to the same position or to an equivalent position, with equivalent employment benefits, pay, and other terms and conditions of employment, provided that the employee has not been displaced from his/her position in the interim due to a reduction in force.
- Due to the emergency nature of leave requests, the employee may not be able to provide such documentation. However, when appropriate, agencies may request the following documentation:
 - A judicial finding of domestic violence, such as a 209A restraining order or pending criminal charges;
 - Signed letter from a district attorney's office, police department, or district, probate, or superior court;
 - Signed affidavits from third parties having knowledge of the abuse.
- To the extent possible, all documentation submitted shall be kept in a secure and confidential manner so as to respect the employee's right to privacy.
- A victim of domestic violence, sexual assault, or stalking is strongly encouraged to notify his or her agency of the existence of a restraining order protecting the employee. Upon such notification, the agency shall make all reasonable efforts to enforce the restraining order in the workplace. Such efforts may include:
 - Notifying security personnel of the identity of the person against whom the order is issued (defendant);
 - Providing security personnel with a photograph or other identifying information, such as motor vehicle information;
 - After notifying the employee, having the employee's calls screened;

- Moving the employee's workstation away from an unsecured entrance.
- If an agency becomes aware that an active restraining order protects an employee, the agency may offer that employee a reassignment to a different geographical location. Where the victim has requested reassignment, the agency shall give the request top priority.
- Agencies shall immediately notify the police if a violation of a restraining order occurs at the workplace.
- Agencies should provide the attached list of "domestic violence, sexual assault assistance programs", including the state-wide Safe-Link Hotline emergency hotline number to employees who are victims of domestic violence, sexual assault and/or stalking to assist them in finding available services.

Procedures for Investigating and Disciplining Abusers

All agencies are mandated to take all instances of sexual assault, domestic violence, and stalking seriously. The following are guidelines for disciplining abusers:

- All agencies shall immediately report any incident of domestic violence, sexual assault or stalking that occurs in the workplace, including violation of 209A restraining orders, to the appropriate law enforcement authorities.
- Agencies must follow existing provisions in the collective bargaining agreements when disciplining abusers.
- Agencies are encouraged to consult with appropriate legal staff, human resource/labor relations directors and or domestic violence professionals for guidance in these matters.
- All investigations of domestic violence, sexual assault, or stalking policy violations within the workplace will be conducted in a manner to protect the confidentiality of the victim, the alleged abuser and all witnesses. All parties involved in the proceedings will be advised to maintain strict confidentiality.
- Acts of domestic violence, sexual assault, or stalking, regardless of where they occur, will not be tolerated and may result in discipline, including, but not limited to:
 - An oral warning or reprimand;
 - A written warning or reprimand to be placed in a personnel file;
 - Required completion of a certified batterer intervention program;
 - Suspension or termination; or
 - Any combination of the above.
- Incidents of domestic violence, sexual assault, or staking resulting in the conviction of a felony within the past five years, may be used as a factor in hiring determinations.
- As with all other such actions, disciplinary actions taken against abusers become part of their work history and will be considered when selecting employees for promotion, new work assignments and other types of personnel actions.

Appendix C

Field Safety and Safety Planning

PURPOSE: To support, reinforce and sustain attention to maintaining workplace safety for employees working in the field.

Safety in the field presents a particularly difficult challenge for the Department. No Department employee will be sent into a situation in which identified risks have not been addressed in a safety plan acceptable to her/him. Under no circumstance should a Department employee jeopardize her/his safety when a hostile situation presents itself. Staff should immediately leave any location or environment that presents a risk of harm.

For any family or child contact in the field where a risk or threat of harm to an employee has been identified, the employee should consult with her/his supervisor and a manager to develop a **SAFETY PLAN which must be submitted with an Incident Report to local managers and forwarded to the Deputy Commissioner of Field Operations' designee**. Updated Safety Plans regarding the same incident should also be forwarded to the Deputy's designee.

Requesting police assistance should be considered in all instances where safety during a specific contact is in question. **All requests for police escorts must be taken seriously by supervisors and managers**. If the employee or supervisor finds the police to be unresponsive, a workplace manager must be notified and appropriate action taken. An employee who determines that the safety plan developed in consultation with her/his supervisor and/or manager is inadequate to address her/his concerns about risks of harm may file an Incident Report with a higher authority prior to carrying out the plan (see Appendix D – Incident Report Purpose and Uses). The employee need not carry out the contact until a safety plan acceptable to her/him has been developed.

It is of paramount importance that all risks of harm and related safety plans with specific families be documented in the family's dictation. When a family is transferred to a new social worker, the sending social worker or supervisor updates the record prior to the transfer, identifying in the required Case Transfer Summary historical and current risks of harm and describing any plan that has been developed to maintain employee safety. The sending manager who transfers the case is responsible for communicating to the receiving manager the historical and current risks of harm and the plan that has been in place to maintain employee safety. The receiving manager is responsible for reviewing this information with the social worker who is being assigned to the family.

Risk Factors: The following identifies some of the circumstances employees face that may give rise to risk of harm. When staff encounter these circumstances, supervisors and managers will work with the employee to develop and document in dictation a **plan for maintaining safety** that may include a use of a **police escort or a team response** during child/family contacts in the home, the office, court, placement or elsewhere in the field:

- **Domestic violence involving Department families** – The severity of the incident based on reports, CORI checks and local police checks. What is the accessibility of the “batterer”? Have threats been made against the Department? Can staff meet the non-offending parent and child(ren) safely without provoking, or giving access to, the batterer?
- **Domestic violence involving Department employees** – The Department's response is guided by the Commonwealth's “Policy for the Prohibition of Domestic Violence” (see Appendix A), when domestic violence occurs within the families of Department employees.
- **Emergency removal** of children due to a 51B, C&P or court order has the potential to be unpredictable and volatile and is typically responded to with a team. Police will be involved if requested by the social worker, supervisor or manager.
- **Home and office visits** may give rise to concerns about employee safety.
- Vehemently contested **child custody battles** in Probate courts.
- Individuals with known **violent history or volatile history** – Assess by reviewing CORI checks, local police checks, Department records check and any available mental health profile.

- **Transporting child or adult family members and other planned activities** present circumstances when use of a team response (see Item G below) or other safety plan might need to be considered with a supervisor and manager. Safety planning may be indicated if the child or adult family member has exhibited behaviors (such as agitation, violence or running away) or has history (such as sexual abuse, gender issues or sexual offending behavior) that raise concerns about safety or threatening behavior, including verbalizations that may be accusatory in nature.
- **Individuals with history of substance use** – Staff must consider the danger inherent within the home environment, such as the possibility of drug trafficking in the home, especially when CORI or local police checks raise concerns.
- **Weapons thought or known to be in the home**, especially in combination with other factors.
- **Cults and anti-Department groups** that present an adversarial or threatening perception towards the Department.
- While **past behavior** may provide the **best predictor** of an individual's future behavior, there is no substitute for exercising **caution in every situation**.

A. FIELD WORK SAFETY AND COMMUNICATION

In order to support workers in maintaining workplace safety, supervisors must have sufficient awareness of the field activities of their staff that they can reach them and/or dispatch personnel to assist her/him in case of an emergency. Supervisors also continually evaluate field activities for staff safety issues. Managers will provide supervisors with their cell phone or pager numbers and after hours contact numbers to be shared with staff as needed.

SAFETY PLANNING: The supervisor and employee identify and review any cases where safety is a concern. Together they develop a plan for maintaining worker safety that may include, but is not limited to: the need for a team response; telephone calls before, during and after the visit; or police escort. If the Director/designee needs to be included in the plan, the supervisor or employee brings the situation to the Director/designee's attention.

BEFORE AND AFTER HOURS WORK: The employee must have prior approval of her/his supervisor and Director/designee to perform field activities before the workplace is open and after the workplace is closed. The employee makes her/his supervisor aware of any field activities involving hours outside the normal office hours, and discusses any concerns about risk of harm. If necessary, a safety plan is developed to address those concerns involving the Director/designee as appropriate. The employee must be able to contact the supervisor or Director/designee by telephone until the after hour activities are completed.

B. THREAT OR VERBAL/PHYSICAL CONFRONTATION

If a Department employee receives a threat or experiences a verbal or physical confrontation, she/he should:

- Attempt to de-escalate the situation using de-escalation techniques, only to the degree that the employee feels confident that safety can be maintained.
- Leave immediately, return to the office or other safe location and notify the supervisor of the incident. If after hours, contact the supervisor or manager at home or via cellular telephone, or the after hours hotline.
- Call 911 for assistance.

If the threat involves another employee, the employee who learns of the threat notifies her/his manager or the after hours hotline if during non-business hours, so that the employee can be informed and so that a safety plan can be developed and implemented.

C. ALTERNATIVES TO HOME VISITS DUE TO SAFETY REASONS

A Department employee who, in consultation with her/his supervisor, identifies risks that have been or may be encountered in visiting a family in a home setting may consider developing, with supervisory and management approval, an alternative plan for meeting with the family. Under this plan, she/he might:

- Visit children at school/day care.
- Schedule office visits for parents and children.

- Consider other neutral community sites.

D. STREET SAFETY

The most effective way to maximize safety while working in the field is through community connected practice in which Department employees become known in the community and the community becomes familiar to them. Area managers will take the initiative in forging such connections. The following guidelines are suggested for reducing the possibility that employees might experience harm while working in the community.

- Minimize after hours visits.
- Before leaving by car for a visit, lock all valuables in the trunk (e.g., purse, laptop, brief case and other bags).
- Use reliable means of transportation. If the car becomes disabled, contact the Department office to arrange a safe return.
- Be aware of surroundings. Plot any new address location on a map prior to leaving the office, to minimize the likelihood of appearing lost or confused.
- Try to park the car close to the home being visited. Also, avoid parking in unsafe areas (e.g., dark alleys).
- Keep car doors locked and windows rolled up as far as possible when driving, and upon arriving, secure the car by locking all doors and windows.
- When walking to the home to be visited, walk with confidence and demonstrate purposefulness and knowledge of the surroundings, even if lost or unfamiliar with the location of the home.
- Acknowledge groups or individuals without appearing confrontational; offer a greeting, if appropriate.

Specific - Walking on the Streets

- Walk assertively and make eye contact.
- Know what and who is around.
- Don't be boxed in.
- Don't walk near bushes or where people can hide; take corners wide.
- Conceal money and jewelry (if not previously secured in car trunk). Carry only a small amount of cash.
- Keep hands available for self-protection.
- Change directions if being followed.
- Carry change for a telephone call (ideally, carry a cellular telephone), a whistle or hand-held panic alarm to make noise with.

Specific – Car Safety

- Maintain car in good working order, and the gas tank filled.
- Keep your doors locked and windows rolled up as much as possible.
- Look in the back seat of the car before entering.
- Look around before exiting the car.
- Be especially careful in parking garages and lots.
- Don't park near vans; a person can be pulled in through the sliding doors.
- Have keys ready before reaching the car, home or office.
- If car breaks down, stay in the car and wait for police or tow truck. Place a "Call Police" sign in the window.
- If being followed, drive to the nearest police, fire or gas station; honk; turn on emergency flashers.
- Carry a working flashlight with spare batteries and an emergency roadside kit (containing flares or reflective warning signs, jumper cables, extra rubber belts) in the car.

Specific – Dress

- Do not wear jewelry or other conspicuous valuables, as the possibility of assault/robbery increases.
- Wear clothing appropriate to the work.

E. SAFETY DURING HOME VISITS

The following guidelines are suggested for reducing the possibility that employees might experience harm while meeting with a family in the home.

- Upon knocking at the door of the home, step back from the door or to the side, to allow a respectful and safe distance from client. Also, listen at the door to assess activity inside.
- Upon entering the home, note doors/windows for the purpose of identifying an immediate exit.
- Avoid conducting the interview in the kitchen, because of the danger that knives, skillets and other items there can be used as weapons.
- When inside the home, position self near an unobstructed door/exit route.
- Do not bring unnecessary belongings into the home, which may distract and become cumbersome. Use a manila folder or clipboard to organize paperwork. These steps may avoid an unnecessary return to the home to claim a lost item.
- Scan the home for the presence of weapons and ask family if these items are in the home.
- Assess whether any persons in the home are under the influence of alcohol or drugs, noting whether any drug paraphernalia are present. If so, leave immediately.
- Leave the premises if a dangerous animal or pet is encountered that the family is unable or unwilling to restrain adequately, especially a presumptively dangerous dog, i.e., Rottweiler, Pit Bull or German Shepherd dog or a dog which mixes at least 2 of these 3 breeds.
- Conduct the interview in a calm, non-threatening and professional manner.
- Avoid engaging in power struggles/confrontations.
- If caused to feel uncomfortable or unsafe, leave immediately, even if in the process of removing a child.

F. TRANSPORTATION SITUATIONS

The following guidelines are suggested for minimizing the possibility that employees might experience harm or threatening behavior, including verbalizations which may be accusatory in nature, if they transport family members in a Department case. Employees are not required to transport family members, including children who are in Department care or custody, when concerns exist. Employees who have concerns about risks of harm, threats or false accusations should consult their supervisor and manager to develop a plan for safe transportation that is acceptable to the employee. Any plan to transport child or adult family members should address both safety and clinical issues. Such a plan may include non-Department personnel such as police, court, parents or ambulance. If the employee determines that the safety plan developed with the supervisor and/or manager is insufficient to protect her/him or the child from harm, the employee can refuse to transport the child and/or family member and must discuss with the supervisor and manager an alternate plan of action. She/he may also file an Incident Report and escalate it to a higher level if necessary to obtain an acceptable plan for safe transportation. In an effort to support employees and clients, the Department establishes mechanisms by which alternative transportation may be accessed on the local level by family members.

Factors to Consider in Assessing Transportation Risks

The following factors should be considered when assessing the risk of harm to the employee or family member during transport and the need for a safety plan, which might include a team response (see Item G below):

- Logistical needs that can be anticipated for the specific individual such as a car seat or adequate space for adaptive or health maintenance equipment.
- Whether the individual has a known history of violence and how it has been addressed in the past. To determine this regarding a child in Department care or custody, staff should ask the current caregiver (e.g., hospital staff, police, court personnel, school staff, foster/birth parents,

therapist or other providers): When was child's last violent episode? Were restraints required? How long did the incident last? What method of intervention was effective in managing the behavior?

- Whether the individual has exhibited volatile behavior, has sexual abuse and/or sexual offender history or has boundary issues.
- The individual's current condition, presenting problems, emotional and behavioral stability.
- The genders and gender identities of the employee and individual.
- The likelihood that a situation will escalate in a manner that will place the employee and/or individual at risk of harm.
- The ability to provide immediate, additional support should the situation escalate suddenly and present a risk of harm to the employee or individual.

Suggested Practices for Safe Transportation

The following guidelines may be helpful in planning for the safe transportation of individuals, especially children in Department care or custody, to/from such destinations as: **residential programs** (admissions/visits/discharges), **schools** (early dismissals due to behavioral concerns/placement), **courts** (Department placements due to CHINS or C&P, runaway or juvenile delinquency proceedings), **diagnostic centers** (admissions/discharges), **shelters** (admissions/discharges), **psychiatric hospitals** (admissions/discharges), removals from **parents** or placements with **foster/pre-adoptive families**:

- Transporting family members should always be planned for and considered carefully.
- Use of a 2-person or team response is one option. (See item G below)
- Maintain the car's interior, including glove compartment and space beneath seats, free from possible weapons, such as ice scrapers, spray containers, matches, lighters, sharp objects. Store these items in the trunk along with any purses or brief cases (which also reduces the threat of robbery). Consider removing car's cigarette lighter as an extreme measure of caution.
- Consider the safety and practical implications of allowing transported individuals to drink beverages, especially hot coffee, in the car and smoking rules.
- Through observation and direct questions, determine if the individual is carrying any potential weapons (e.g., pocketknives or other sharp objects, lighters, certain toys). Store any item of concern in trunk while en route.
- When transporting children, Massachusetts state laws require proper use of car seats and safety belts. Infant and toddler car seats are provided by/and located in Department offices. Training in their installation and use is available from the Administrative Manager.

If a Threatening Situation Occurs While Driving

- Try "de-escalation techniques" to calm an agitated individual.
- Consider stopping the car in a public area and exiting or driving to the nearest police station, hospital, or fire station.
- Use a cellular telephone to call for assistance.

G. 2-PERSON OR TEAM RESPONSE AND/OR POLICE ESCORT

Staff safety is paramount. Situations that raise risks of harm but cannot be avoided must be planned for with the employee so that safety is maintained. Workplace supervisors and managers must assist the employee in developing a safety plan regarding any client contact about which concerns are raised. Such safety plans may involve completing contact with the potentially dangerous client in the office with security present or requesting a police escort to complete contact in the field. The Director/designee facilitates the resolution of any conflicts that may be identified during safety planning.

The team members are thoroughly briefed by the supervisors and/or managers who delineate the functional role of each before they leave the office. **Cellular telephone communication** from the field with the office is **required**. (See item I below) Communication with the office is maintained until the intervention has been concluded.

H. SAFETY DURING COURT VISITS

An employee scheduled to attend a court hearing who believes a threatening party will be present should notify the supervisor who will notify a manager, other Department staff involved including the Department Attorney, the Probation Office and other appropriate personnel prior to the court date. Together, the employee, supervisor and manager will develop a safety plan for the employee prior to the hearing. If an employee is threatened in court, she/he should notify the court officer immediately and the Department Attorney (when she/he is not the Department Attorney). The court officer and Department Attorney will determine what steps should be taken regarding the legal proceeding. Upon returning to the Department office, the employee should notify the supervisor and file an Incident Report.

I. CELLULAR TELEPHONE ACCESS

Workplace cellular telephones are for use in emergency situations and where communication with the workplace is essential for critical service coordination activities. In emergency situations, it is important that communication is maintained with a supervisor and/or Director/designee until the emergency activities are brought to complete closure. Office cellular telephones are available through workplace Administrative Managers who are responsible for providing the telephones to staff in fully operational condition with the batteries fully charged.

J. EMPLOYEE IDENTIFICATION CARDS

Employees are required to wear Department identification cards. The Department identification card is a photo ID that will be provided by Department upon initial hiring and must be updated every 5 years with a new photo. The workplace Administrative Manager is responsible for arranging for every employee at the workplace to have a current photo ID card. The Department ID card may be displayed by the employee by either a clip-on or a "breakaway" lanyard provided by the agency.

- Employees must wear (or have easy access to) their Department ID card at all times while in the commission of their jobs.
- Employees are to prominently display their Department ID card when working with family members or the public in the Department family service area.
- Employees may use discretion about displaying their Department ID card when working in the field to avoid being "targeted" in an unsafe or volatile area and/or situation. Department ID cards must be easily accessible when in the field.
- Employees must prominently display their Department ID card when working in other public community settings, such as, courts, schools, hospitals, correctional facilities, private agencies and other public agencies.
- Employees must report a lost or stolen Department ID card immediately to their workplace administrative manager and a new Department ID card will be issued. *[NOTE: Incidents have occurred where an individual has impersonated a Department social worker with the criminal intent of abducting a child. Therefore, a lost or stolen Department ID card requires immediate police notification if criminal intent is suspected.]*

K. PUBLIC RECORDS AND EMPLOYEE'S PERSONAL INFORMATION

Distraught clients may obtain personal information from the public record about Department employees and use that information in attempts to intimidate, stalk and/or threaten staff. Such information can be obtained from many sources and is very difficult to restrict completely. Employees should consider implementing the following procedures to limit access to their personal information:

- Request an unlisted and unpublished home telephone listing.
- Always use the Department office address for professional business, such as when visiting correctional facilities or registering with the Social Work Licensing Board.
- Do not leave personal mail or other documents containing personal information in the car used to transport clients.
- Never share personal information in public forums.
- Wherever possible, limit access to personal information on the Internet.

- If concerned that a client's knowledge of personal information raises concerns about possible risk of harm, inform the local police.

I. SAFETY DURING PRISON/JAIL VISITS

Employees who must visit a family member in prison or jail should consult the appropriate memorandum of understanding which will provide measures for maintaining safety during the visit.

Appendix D

Incident Report Purpose and Uses

The Incident Report form located on the Department Intranet Site (Library/Forms/Non-FamilyNet Forms/Administrative) is used to document situations such as accidents, injuries, threats and/or damage to property that occur while an employee is performing job duties. The form should be filed whenever an incident is work-related, even if it occurs after work hours or outside the performance of job duties. The form may also be completed when an employee determines that the safety plan developed with her/his supervisor and/or manager is not adequate to maintain safety.

The information contained in the Incident Report is CONFIDENTIAL and is handled sensitively. The Incident Report provides the Department with information that may help address risks of harm surrounding the incident or situation as well as other area or statewide concerns about risk.

The Area/Regional Director (as assigned) sends the original report to the Deputy Commissioner of Field Operations with a copy each to the Regional Director and employee and files a copy in the office. Bargaining unit employees may also send a copy of the Incident Report to their union (see contact information below). Any sensitive personal information may be deleted from the copy she/he submits to the union; confidential client information must be deleted. The reports are reviewed by the Statewide Safety Committee which monitors and addresses safety issues that arise.

Part A of the form collects information related to the incident itself. Part B is used by the manager to develop a plan for addressing the employee's workplace safety. Part C is used to report damages or losses that may be compensable.

Part A of the form must be submitted to the Deputy Commissioner of Field Operations within 3 working days but it is recognized that extenuating circumstances may cause a later submission.

Bargaining Unit Contact Information

Bargaining Unit 8: SEIU Local 509, Building 313, 2nd Floor, 100 Talcott Avenue, Watertown, MA 02472

Bargaining Units 1 and 6: NAGE, 159 Burgin Parkway, Quincy, MA 02169-4213

Bargaining Unit 2: AFSCME, 8 Beacon Street, Boston, MA 02108

Bargaining Unit 7: Massachusetts Nurses Association (MNA), 340 Turnpike Avenue, Canton, MA 02021