

1 H.635

2 Introduced by Representatives Pugh of South Burlington and Donahue of  
3 Northfield

4 Referred to Committee on

5 Date:

6 Subject: Human services; social and mental health workers; safety protocols

7 Statement of purpose of bill as introduced: This bill proposes to require  
8 departments and programs within or under contract with the Agency of Human  
9 Services to create safety protocols for social workers, mental health workers,  
10 volunteers, interns, and all other employees providing direct services to clients.

11 An act relating to safety protocols for social and mental health workers

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 33 V.S.A. chapter 80 is added to read:

14 CHAPTER 80. SAFETY PROVISIONS FOR WORKERS

15 § 8001. SAFETY PROTOCOLS FOR SOCIAL AND MENTAL HEALTH  
16 WORKERS

17 (a) The Agency of Human Services shall require that programs providing  
18 direct services to clients and that are administered, licensed, certified, or  
19 funded in part by a department of the Agency of Human Services establish a  
20 workplace violence prevention and crisis response protocol for the benefit of

1 social workers, mental health workers, volunteers, interns, and all other  
2 employees working directly with clients.

3 (b) A program annually shall assess workplace factors that may put social  
4 workers, mental health workers, volunteers, interns, and all other employees at  
5 risk of workplace violence in the course of their work-related duties. The  
6 program director or his or her designee shall consider the following factors:

7 (1) working outside normal business hours;

8 (2) working alone;

9 (3) conducting home or community visits;

10 (4) appropriate staffing;

11 (5) health and safety training;

12 (6) requirements regarding notification, including guidelines for  
13 notifying others of the workers' whereabouts;

14 (7) use of technology, and what types of technology should be provided  
15 to workers;

16 (8) working with people in crisis; and

17 (9) working with people with known histories of violent behavior.

18 (c)(1) Based on the annual assessment conducted pursuant to subsection (b)  
19 of this section, the program director or his or her designee shall create a  
20 specific protocol to address the safety of the social workers, mental health

1 workers, volunteers, interns, and all other employees in the course of their  
2 work-related duties. Each protocol shall contain:

3 (A) a system to record all incidents of workplace violence or threats  
4 of workplace violence against social workers, mental health workers,  
5 volunteers, interns, and all other employees; and

6 (B) written violence prevention and crisis response provisions that  
7 include measures the program intends to take to respond to any incident of  
8 workplace violence against social workers, mental health workers, volunteers,  
9 interns, and all other employees.

10 (2) The program director or his or her designee shall:

11 (A) provide each employee with a copy of the violence prevention  
12 and crisis response protocol;

13 (B) train social workers, mental health workers, volunteers, interns,  
14 and all other employees about workplace violence and ways to reduce  
15 risks; and

16 (C) develop and maintain a violence prevention and response team to  
17 monitor ongoing compliance with the violence prevention and crisis response  
18 protocol and to assist any social workers, mental health workers, volunteers,  
19 interns, and all other employees victimized by or threatened with workplace  
20 violence.

1       Sec. 2. 18 V.S.A. § 7114 is added to read:

2       § 7114. SAFETY PROTOCOLS FOR SOCIAL AND MENTAL HEALTH

3               WORKERS

4               Programs providing direct services to clients and that are administered,  
5       licensed, certified, or funded in part by a department of the Agency of Human  
6       Services must establish a workplace violence prevention and crisis response  
7       protocol for the benefit of social workers, mental health workers, volunteers,  
8       interns, and all other employees working directly with clients, pursuant to  
9       33 V.S.A. § 8001.

10      Sec. 3. EFFECTIVE DATE

11           This act shall take effect on July 1, 2014.