

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred House Bill No.  
3 74 entitled “An act relating to safety protocols for social and mental health  
4 workers” respectfully reports that it has considered the same and recommends  
5 that the bill be amended by striking out all after the enacting clause and  
6 inserting in lieu thereof the following:

7 Sec. 1. 33 V.S.A. chapter 82 is added to read:

8 CHAPTER 82. SAFETY PROVISIONS FOR WORKERS

9 § 8201. SAFETY POLICIES FOR SOCIAL AND MENTAL HEALTH

10 WORKERS

11 (a) The Agency of Human Services shall ensure that programs providing  
12 direct services to clients and that are administered, licensed, designated, or  
13 certified by a department of the Agency have a workplace violence prevention  
14 and crisis response policy that meets or exceeds the requirements of this  
15 chapter in place for the benefit of employees working directly with clients.

16 This section shall not apply to hospitals licensed pursuant to 18 V.S.A. chapter  
17 43.

18 (b) A workplace violence prevention and crisis response policy shall meet  
19 the following minimum requirements:

20 (1) Each workplace shall have a committee to address workplace safety,  
21 monitor ongoing compliance with the workplace violence prevention and crisis

1 response policy, and assist any employees that may have been victimized by or  
2 threatened with workplace violence. The committee shall include employees  
3 working directly with clients.

4 (2) The policy shall include provisions for regular, periodic review of  
5 the policy, including consultation and input from impacted employees.

6 (3) The policy shall address workplace safety concerns, including the  
7 following factors as appropriate:

8 (A) work conducted alone;

9 (B) home or community visits;

10 (C) appropriate staffing;

11 (D) health and safety trainings;

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

14 (F) use of available communication technology;

15 (G) work conducted with people in crisis; and

16 (H) work conducted with people with known histories of violent  
17 behavior.

18 (4) The policy shall include a system to record and respond to incidents  
19 of workplace violence or credible threats of workplace violence against  
20 employees who work directly with clients.

21 (c) A workplace's committee shall provide:

1           (1) Each employee with a copy of the workplace violence prevention  
2           and crisis response policy.

3           (2) Training to new employees who are deemed at risk due to their  
4           direct work with clients who are potentially engaged in dangerous behaviors.

5           (3) Training each year on strategies to reduce workplace risks to all  
6           employees.

7           (d)(1) Critical incident records kept pursuant to subdivision (b)(4) of this  
8           section shall include at least the following:

9                   (A) the date and time of the incident or credible threat;

10                   (B) a description of the person responsible for the incident or credible  
11           threat;

12                   (C) a detailed description of the incident or credible threat; and

13                   (D) a description of the actions taken in response to the incident or  
14           credible threat.

15           (2) Critical incident records shall be kept for at least five years  
16           following the reporting of the incident or credible threat during which time  
17           they shall be available for inspection upon request by the Agency.

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

2       § 7114. SAFETY POLICIES FOR SOCIAL AND MENTAL HEALTH

3               WORKERS

4               Programs providing direct services to clients and that are administered,

5               licensed, designated, or certified by a department of the Agency of Human

6               Services shall establish a workplace violence prevention and crisis response

7               policy for the benefit of employees working directly with clients pursuant to

8               33 V.S.A. § 8201.

9       Sec. 3. EFFECTIVE DATE

10           This act shall take effect on July 1, 2016.

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19           (Committee vote: \_\_\_\_\_)

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Representative \_\_\_\_\_

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FOR THE COMMITTEE