

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred House Bill
3 No. 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)(1) The Agency of Human Services and each department of the Agency
12 shall establish and maintain a workplace violence prevention and crisis
13 response policy that meets or exceeds the requirements of this chapter in place
14 for the benefit of employees working directly with clients.

15 (2) The Agency shall ensure that its contracts with programs that
16 provide direct services to clients and that are administered or designated by a
17 department of the Agency require the programs to establish and maintain a
18 workplace violence prevention and crisis response policy that meets or exceeds
19 the requirements of this chapter in place for the benefit of employees working
20 directly with clients.

1 (b) A workplace violence prevention and crisis response policy shall
2 minimally include the following:

3 (1) preparation of a written violence prevention and crisis response
4 policy with input from employees working directly with clients that includes
5 measures the program intends to take to respond to an incident of workplace
6 violence or credible threat of workplace violence against employees providing
7 direct services to clients;

8 (2) the establishment of a system for centrally recording all incidents of
9 workplace violence or credible threats of workplace violence against
10 employees providing direct services to clients;

11 (3) implementation of a training program to educate employees
12 providing direct services to clients about workplace violence and ways to
13 reduce the risks; and

14 (4) the development and maintenance of a violence prevention and
15 response committee that includes employees working directly with clients to
16 monitor ongoing compliance with the violence prevention and crisis response
17 policy and to assist employees providing direct services to clients.

18 (c) In preparing the written violence prevention and crisis response policy
19 required by subdivision (b)(1) of this section, the Agency, each department of
20 the Agency, and programs identified in subdivision (a)(2) of this section shall
21 ensure the policy is consistent with the U.S. Occupational Safety and Health

1 Administration's Guidelines for Preventing Workplace Violence for
2 Healthcare and Social Service Workers or any subsequently adopted federal
3 regulations or State rules governing workplace safety.

4 (d) A workplace violence prevention and crisis response policy shall be
5 evaluated annually and updated as necessary by the violence and prevention
6 response committee and provided to employees who work directly with clients.

7 (e) The requirements of this section shall neither be construed as a waiver
8 of sovereign immunity by the State, nor as creating any private right of action
9 against the State for damages resulting from failure to comply with this
10 section.

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

12 § 7114. SAFETY POLICIES FOR SOCIAL AND MENTAL HEALTH
13 WORKERS

14 (a) The Agency of Human Services and each department of the Agency
15 shall establish and maintain a workplace violence prevention and crisis
16 response policy for the benefit of employees working directly with clients
17 pursuant to 33 V.S.A. § 8201.

18 (b) The Agency shall ensure that its contracts with programs described in
19 33 V.S.A. § 8201(a)(2) require the programs to establish and maintain a
20 workplace violence prevention and crisis response policy for the benefit of
21 employees working directly with clients pursuant to 33 V.S.A. § 8201.

1 Sec. 3. EFFECTIVE DATE

2 This act shall take effect on January 1, 2017.

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5 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE