

WORKPLACE SAFETY AND SECURITY

Number 11.11

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Supersedes: None

Applicable To: All employees of the Executive Branch of the State of Vermont

Issued By: Department of Human Resources

Approved By: Susanne Young, Secretary of Administration



PURPOSE AND POLICY STATEMENT

Vermont State government is committed to protecting the security of State employees, customers, and facilities while maintaining open access to government services. No single policy or process will effectively address the needs of all agencies, departments and facilities. This policy provides a framework for agencies and departments to create procedures specific to their security needs, in coordination with the Department of Buildings and General Services (BGS). This policy is not intended to create legal duties or responsibilities of the State of Vermont beyond those that exist under current law.

DEFINITIONS

Threats to Security. Threats to security include any direct, conditional or implied threat of violence, physical assault, damage to personal or state property or other conduct which is accomplished with the intent to cause fear, hostility, intimidation, or harm in the target person(s) or witnesses.

Threats to Safety. Threats to safety include matters defined as threats to security, but also include incidents such as physical hazards from unsafe conditions in State facilities, such as lack of heat, or the presence of dangerous chemicals, which are not intentionally caused.

Security Response Team. A team of personnel, responsible for developing a safety and security plan to a particular threat to the safety or security of a state employee, comprised of agency or department leadership, BGS Security and the Department of Human Resources (DHR).

State of Vermont Security Incident Reporting System.

The online system that includes pre-approved forms to register a threat incident with the Office of Security within BGS.

Designated Official

The designated official is the highest-ranking official of an Agency, Department or Office of State government or another employee so designated by the appointing authority, who is responsible for ensuring that the Emergency Procedures Plan for each State Office building is completed, employees are trained on the plan and emergency drills are conducted. The Designated Official may have responsibilities for a single building or multiple buildings.

Emergency Coordinating Manager

The Emergency Coordinating Manager (ECM) in each State Office building is responsible for coordinating messages and instructions to other departments and other emergency responders in the event of an emergency. In this role, the ECM will be the primary point of contact as the liaison between emergency responders when they arrive, and State employees involved in the incident.

Reviewing Official

An individual designated by the Commissioner of Buildings and General Services to review the basis for an appeal to a no trespass order.

RESPONSIBILITIES

1. Department of Buildings and General Services shall:

- A. In accordance with 29 V.S.A. §§ 171; 172, maintain a Security Division which shall be responsible for the safety and security of State facilities, lands, and occupants thereof. The Security Division shall lead the effort, in coordination with agencies and departments, to develop all State security plans and protocols, update plans as necessary, and coordinate responses to all security needs.
- B. Serve as the single point of contact for State Agencies and Departments, to receive reports of threats to the safety or security of State personnel and facilities, assess threats, determine appropriate protective measures, and coordinate the implementation of protective measures.

2. Appointing Authorities shall:

- A. In accordance with this policy, appointing authorities shall develop in coordination with BGS Security, specific agency/department/facility plans to ensure the safety and security of their employees, clients, and facilities. Plans will be proactive in nature by focusing on ways to prevent and reduce the risk that an incident may occur. All plans must be approved by both the Agency or Department appointing authority and by the BGS Commissioner or designee.
- B. Require staff to report all emergent threats to safety and security to BGS Security, and coordinate the response to threats in accordance with this policy.

THREATS TO SAFETY AND/OR SECURITY

1. Notification

- A. When an imminent threat to safety or security is detected, all personnel should follow facility security procedures and immediately call 911.
- B. Employees must immediately report threats and incidents to their supervisors.
- C. Supervisors and managers must immediately report threats to the BGS Office of Security at 802-828-0777, the Designated Official, internal agency or department safety personnel and the Emergency Coordination Manager.
- D. BGS Security must immediately notify Commissioners of the Departments of Human Resource and Buildings and General Services.
- E. The BGS Commissioner shall immediately notify the Secretary of Administration and any other Secretaries or Commissioners of affected employees at the facility to provide information and request action if necessary.

2. Response

BGS security shall:

- (a) Evaluate reported threats to safety and security.
- (b) Refer the threat to the appropriate law enforcement entity when indicated.
- (c) Coordinate with the Security Response Team for that incident to assess the threat and to develop a safety/response plan to protect the employees or facility.
- (d) Coordinate messaging to employees, affected departments and agencies and DHR.
- (e) Maintain records of threats to safety and security.

3. No Trespass Orders

- A. All requests for No Trespass Orders must be made to the BGS Security Department. BGS Security will consult with the BGS Assistant Attorney General, and a recommendation on the issuance of the No Trespass Order will be made to the BGS Commissioner. The BGS Commissioner will make the final decision on the issuance of the No Trespass Order. BGS Security will work with local law enforcement to have the order served notifying DHR when such an order is issued. Initial No Trespass Orders will be issued for five (5) days and the Commissioner shall confer with the Attorney General's Office and the affected department to determine whether it is appropriate for the No Trespass Order to be extended.

B. In appropriate circumstances, BGS will issue a No Trespass Order to an individual who:

(1) poses an imminent threat to the safety, health, or welfare of state employees or state property; or

(2) causes significant disruption in the provision of state services or causes or threatens harm to users of state services or state property.

Individuals who engage in such behavior may be denied access to part or all of a state building through a written No Trespass Order.

Each No Trespass Order shall be in writing and shall specify:

(a) the reason for the order;

(b) a description of the specific behavior(s) leading to the order;

(c) the scope and duration of the prohibition;

(d) the potential consequences of violation of the order,

(e) alternative means of accessing relevant state services wherever possible, and

(f) a process in which to appeal the order and a contact for initiating an appeal.

C. The scope, duration, and other provisions of a No Trespass Order will be proportional to the underlying misconduct, and such orders will interfere with the right to access state property and services to the minimum extent necessary to effectuate the purpose of the order. Most No Trespass Orders will expire no later than six months from date of issuance. No Trespass Orders may be renewed upon request and approval of BGS, and orders of a longer duration may be considered in appropriate circumstances. If and when a No Trespass Order is under consideration for renewal, the subject of the order will receive notice of such consideration and an opportunity to contest the renewal per the requirements of paragraph E of this section.

D. A copy of all orders will be maintained by the BGS Office of Security and will be maintained at the facility. All violations of trespass orders must be immediately reported to local law enforcement and the BGS Office of Security.

E. Appeal Procedure

A No Trespass Order may be appealed by submitting an appeal, in writing, within fifteen (15) days of the Order issue date, to the Department of Buildings and General Services, Commissioner's Office, 2 Governor Aiken Avenue, Montpelier, VT 05633-5801. The reason for the appeal should be written as precisely as possible and should include the rationale for rescinding the No Trespass Order. The written appeal must also include the appellant's current contact information.

F. Consideration of Appeal

The BGS Commissioner, or his or her designee (Reviewing Official), shall review the basis for the appeal. The Reviewing Official may consider whether there has been a clear abuse of discretion by the official who authorized or who issued the No Trespass Order. The Reviewing Official may also consider any new information related to the incident that triggered the No Trespass Order.

The Reviewing official may consult with other State officials as needed in order to gather information or advice, and to review the impact that the appeal may have on the affected State employees and or agencies.

The Reviewing Official shall render a written decision within thirty (30) days of receipt of the appeal. The appeal decision may: uphold, modify or vacate the No Trespass Order. The decision of the Reviewing Official shall be final.

4. Safety Alerts

The State of Vermont has established the following protocols concerning Safety Alerts.

- A. Building level Safety Alerts shall be issued by the Designated Official (DO) at the request of leadership from any Agency, Department, or Division. Safety Alerts shall be disseminated by the DO to all employees, in all Agencies, Departments, and Divisions located within the State Office Building where the alert is issued. BGS Security and DHR must also receive all safety alerts as they are issued.
- B. In the event of an emergency the DO shall issue a building wide safety alert if in their opinion notification to employees will increase employee safety. The alert will inform facility occupants of the nature of the emergency and what immediate action to take. The DO is responsible for developing a facility communication plan for alerting all State employees, regardless of departmental affiliation, to emergency situations in their building. This plan can include the use of VTAAlert, Email, phone trees, Public address systems, text messages.
- C. Safety alerts which are deemed to be appropriate to disseminate beyond a single building to an entire department or agency shall be first approved for dissemination by the Commissioner or the Secretary of the requesting department or Agency.
- D. Safety alerts which are deemed to be appropriate to disseminate to all State employees shall be approved for dissemination by the Secretary of Administration or his/her designee.
- E. When notified of an emergency situation, the BGS Office of Security shall notify the DO of the building and assist the DO in developing a communication for building employees.

5. Restraining Orders

An employee who receives a protective or restraining order or civil abuse prevention order (abuse prevention, stalking or sexual assault orders) may provide the BGS Office of Security with a copy of such order and, if provided, BGS Security will coordinate with relevant appointing authorities in accordance with the applicable Department's safety plan and DHR. For additional information, please refer to DHR Policy for abuse prevention, stalking or sexual assault orders.

http://humanresources.vermont.gov/sites/humanresources/files/documents/Labor_Relations_Policy_EEO/Policy_Procedure_Manual/Number_17.7_DOMESTIC_AND_SEXUAL_VIOLENCE_POLICY.pdf

6. Post Incident Review

- A. The BGS Office of Security will periodically coordinate with the Agency or Department Security Response Team to review and evaluate the need for continued protective measures and complete a post-incident review.
- B. The BGS Office of Security will prepare an after-action statement in the investigation report to include how the investigation was closed out, what risk/security abatement plan was put in place and what support was provided to the employee/s.
- C. If required, the BGS Office of Security shall work with the States Attorney's Office on casework for prosecution.

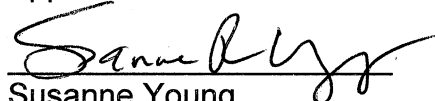
7. Reporting

All threats must be reported to the BGS Office of Security via the State of Vermont Security Incident Reporting System as soon as possible after the immediate threat has subsided or by phone at (802) 828-0777 if online reporting is not possible. An online report should be completed within 48 hours on a BGS Security Incident Reporting System incident report <https://sov.d3securityonline.com/VSOC/ealert/>. Supervisors must assist employees, when necessary, in providing complete details for the Security Incident Reporting System incident report.

8. Waivers

Agencies and Departments with BGS-approved security and threat response plans may carry out those plans with notification to and in consultation with BGS Security and DHR. Waivers will be reviewed and issued by BGS Commissioner and will be reviewed annually at a minimum or more frequently at the Commissioner's discretion.

Approved:



Susanne Young
Secretary of Administration

11/17/17
Date