

**Executive Order #3 of 2008-
Code of Conduct**

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RECEIVED

EXECUTIVE ORDER NO. 3 OF 2008

MAY -7 2008

TIMOTHY C. IDONI

COUNTY CLERK
COUNTY OF WESTCHESTER

WHEREAS, the County of Westchester is committed to serving the citizens of the County and therefore the residents of Westchester County are entitled to fair, ethical and accountable County government which has earned the public's full confidence for integrity; and

WHEREAS, public service is a public trust, and as an organization entrusted with public funds, it is critical that every County employee be committed to the highest standards of ethical behavior.

WHEREAS, all County employees must perform their duties in a manner that maintains and enhances public confidence and trust in the integrity, objectivity and impartiality of the County; and

WHEREAS, trust and mutual respect are the cornerstones of any relationship between the public and its government and as an organization entrusted with public funds, the County is obligated to ensure the protection and appropriate use of all its resources and assets; and

WHEREAS, the County recognizes that it is only through the commitment and effort of each employee in its large workforce that the excellent quality of these services is achieved and public trust is maintained in this level of government.

WHEREAS, as its most valuable and important asset, County employees are therefore expected to demonstrate the highest standards of behavior; and

WHEREAS, implementing a Westchester County Code of Conduct for all employees will ensure that the County continues to act in the best interest of it's citizens and uphold the public trust; and

WHEREAS, this Code clarifies the County's expectations of its employees, and re-affirms our commitment to caring for our community's needs and maintaining fiscal responsibility on behalf of the public and our employees; and

WHEREAS, it is in the best interests of the County to continue to implement policies and procedures to ensure that County government is accountable to the residents of Westchester County;

NOW THEREFORE, I, ANDREW J. SPANO, County Executive of the County of Westchester, in light of the aforementioned and in accordance with my statutory duties, do hereby order that:

- (1) the following Code of Conduct be implemented;
- (2) the policies and procedures set forth therein be complied with;

- (3) the Code of Conduct shall be provided to all County employees as follows:
 - a. new employees at the time of commencement of such employment;
 - b. all County employees on an annual basis;
- (4) Upon receipt of the Code of Conduct all County employees shall review such Code and sign an acknowledgement indicating that that they have read, understand and are in compliance with such Code;
- (5) the County's Code of Conduct shall take effect immediately.

WESTCHESTER COUNTY CODE OF CONDUCT

AIM

Westchester County exists to serve the public interest. All employees of Westchester County must conduct themselves in a manner that promotes respect, trust, ethics, honesty, transparency and confidence in County government. Westchester County employees should avoid engaging in any activity that appears to be a violation of the public trust.

The purpose and intent of this Code is to establish guidelines for ethical and individual standards of conduct for all Westchester County employees (full time, part time and seasonal). This Code of Conduct is not intended to replace the Westchester County Code of Ethics rather, it should be interpreted in conjunction with the Code of Ethics.

This Code of Conduct is not intended to be applied in a vacuum. The absence of a reference to specific conduct does not mean that such offense is condoned or permissible.

EQUITY AND FAIRNESS

All Westchester County employees must refrain from all forms of discrimination or harassment against a co-worker, supervisor, vendor, contractor or member of the public. All Westchester County employees should provide courteous, efficient and impartial service to the public and should treat all persons with dignity and respect and in line with the County's Affirmative Action Program.

PRIVATE AND PERSONAL INTERESTS

A Westchester County employee must not use his/her official position to secure a benefit or advantage for either him/herself personally, nor shall a County employee use his/her official position to secure a benefit or advantage for someone with whom you have a relationship.

Example: If the Department of Finance is auctioning off County vehicles, an employee of the Department of Finance, or an immediate family member or domestic partner of that employee should not be permitted to bid on auction items.

Example: A Westchester County official must not use his position with the County to secure a job for an immediate family member or domestic partner with a company that currently does business with the County or wants to do business with the County.

A Westchester County Commissioner should not hire an employee in his Department or another Department to perform a service for that Commissioner of a personal nature. Additionally, someone in a supervisory position should not hire a subordinate County employee to perform a service for that supervisor of a personal nature.

Example: It would be inappropriate for a Commissioner to hire one of his employees, during off hours, to power wash his house, or complete renovations on his house. Similarly, it is inappropriate for a Commissioner to hire an employee who does not work in his Department, to perform that same type of service during off hours, because the appearance of impropriety is present.

A Westchester County employee shall not use his/her position with the County or any board or agency to, in any way coerce or give the appearance of coercing, any person to provide financial gain for the County employee, immediate family member of that employee, or domestic partner.

Example: A Westchester County employee cannot say to a company that transacts business with the County or wants to transact business with the County that his/her daughter is looking for a job, and if they want to continue to do business with the County, they should hire her.

A Westchester County employee must not transact, conduct or solicit business for their private interests while on County premises and on County time.

The use of County time and County resources must be limited to serving the public rather than a private interest.

Example: A County employee may not use his County time or resources, such as County office space, a County telephone, County computer or other office equipment to conduct private business.

Example: A County employee may not book a job for his private photography business on County time.

Some employees have conditions of employment which require them to obtain written consent to take outside employment. All employees are obligated to familiarize themselves with Executive Order 1-2007 as well as any Departmental rules or regulations regarding outside employment.

PROHIBITION AGAINST USE OF COUNTY PROPERTY

Westchester County supplies, equipment, computers, personnel and other resources may not be used for non-governmental purposes, including personal purposes or for outside activities of any kind. This prohibition includes, but is not limited to, the following:

Official County stationery may not be used for non-governmental purposes.

County government resources may not be used to mail personal correspondence.

Example: A County employee may not use County envelopes or stationary to pay personal bills or send out other personal mail.

Under no circumstances may government postage, mail, internal office mail, or inter-County mail be used for non-governmental purposes.

Example: A County employee cannot use County postage for personal mail. A County employee cannot use the internal office mail to circulate a wedding invitation.

Absent a family emergency, County telephones may not be used for non-governmental long-distance calls, excessive or lengthy personal telephone calls, collect calls or calls billed to a personal telephone number.

County telephones may be used for incidental and necessary personal local calls that are of limited duration and do not interfere with the proper exercise of the employee's duties.

Example: An occasional local brief telephone call to make an appointment or check on a family member is a permissible use of County resources.

County computers may be used for incidental and necessary personal purposes, provided that such use is of a limited amount and duration and does not interfere with the proper exercise of the employee's duties.

The use of email or the internet for private commercial purposes (including but not limited to gambling, pornography, online auction sites and computer games) is forbidden.

All computer files are the property of the County of Westchester regardless of their physical location or the form in which they are maintained.

Example: A County employee may not use a County computer to conduct or further his own personal business.

Example: A County employee uses the County computer to burn DVDs or CDs because the employee has a business on the side. That is an inappropriate use of the County system because the employee is using County equipment to pursue a private interest on County time.

Example: A County employee may use a County vehicle to make a stop for lunch on the way back to the office immediately following a meeting, but a County employee is not authorized to use a County vehicle to attend a meeting and then, after the meeting, run a series of personal errands.

County vehicles may only be driven by a County employee with a valid driver's license. If an employee drives a County vehicle as part of his job duties, and while employed by the County, his license is suspended or revoked, that employee may not operate a County vehicle and must immediately report the suspension/revocation of his/her license to Risk Management and his/her Commissioner.

Example: If a Public Works employee who is required to operate a County vehicle as part of his job, loses his license because of a traffic conviction, such employee is no longer authorized to operate a County vehicle and is responsible for immediately reporting the loss of his/her license to Risk Management and his/her Commissioner.

GIFTS

A County officer or employee is prohibited from directly or indirectly soliciting any gifts, or accepting a gift that has a value of \$75 or more regardless of the form of the gift, if it could reasonably be expected to influence the employee in the performance of his official duties. A County officer or employee is also prohibited from directly or indirectly soliciting or accepting a gift in excess of \$75.00 if it is intended as a reward for performing an official act.

The gift does not have to be cash or a check. The gift could be a meal, theatre tickets, tickets to a sporting event, a trip, some type of service-limousine, boat ride, etc.

Example: A County employee cannot accept a dinner invitation or tickets to a sporting event from a person or company who currently transacts business or wants to transact business with the County if the value of the dinner or the tickets is in excess of \$75.00, if the gift could reasonably be expected to influence the County employee in the performance of his duties.

Comment: If you are unsure if it is appropriate to accept a gift, the gift should be declined.

A gift could even include something that is intangible, such as a promise to do something in the future which could reasonably be expected to influence a County official in the performance of his official duties.

Example: A County official may not vote to approve a contract with a certain contractor because that contractor promised the County official season tickets to the New York Yankees.

Comment: Compensation for performing public duties is to limited an employee's salary and benefits. An employee must decide whether to accept a gift or favor, but in doing so, that employee must also realize that the public will judge that employee on his actions and will decide if there is an appearance of influence on the County employee's action by accepting the gift.

County employees are permitted to accept plaques, souvenirs or mementos of nominal value associated with a given event.

DONATIONS

A donation by a person to someone seeking public office or party office, or to a committee in support of a candidate is not considered a gift. County employees may make monetary contributions to political campaigns.

AVOIDANCE OF APPEARANCE OF IMPROPRIETY

An employee's conduct in both his/her official and private affairs should be above reproach to ensure that his/her public position is not used or perceived as being used for personal gain.

Example: A County employee is a voting member of the Board of Health. The Board of Health needs to vote on whether to hire a consultant. The consultant happens to be a cousin of the County employee. The County employee must disclose the relationship and not participate in either the discussion or vote to hire the consultant.

HONESTY

County employees should be completely honest in their dealings with the public, elected officials, appointing authorities, supervisors and fellow employees.

REPORTING FRAUD AND OTHER UNUSUAL ACTIVITIES

County employees should be alert to situations in which other employees commit or are about to commit acts which violate the law, County policy or this Code of Conduct. Illegal, unethical or dishonest actions harm us all. Each County employee has a responsibility and duty to report a co-worker's illegal or unethical conduct to the Office of Professional Responsibility on the County hotline number which is 864-7850 or any other County designated number.

When reporting any illegal or unethical conduct to the Office of Professional Responsibility, the employee may remain anonymous. There is no obligation for an employee to identify him or herself when making a report. Also, all reports of illegal conduct or unethical conduct by an employee will remain confidential.

The Office of Professional Responsibility protocol is as follows:

In order to enhance the County's ability to conduct an appropriate investigation into allegations of wrongdoing, either criminal or administrative, and to ensure that all County employees perform their services in accordance with the highest standards of integrity and professionalism, the following protocol is in effect:

When an employee is either suspected of committing, committing or has committed an act that may constitute serious or criminal misconduct, the County employee with knowledge of the illegal or unethical conduct shall contact the Office of Professional Responsibility at 864-7850 as soon as practicable, or any other number designated by the County. Any evidence or materials related to the investigation should be secured and possible witnesses should be identified. No interviews, either formal or informal, should be conducted with the suspected employee. If an urgent circumstance exists that requires immediate notification during non-business hours, notification should be made to the Westchester County Police Desk. The officer at the Westchester County Police Desk shall immediately make notification to the Commissioner of the Department of Public Safety, through appropriate channels, who may then make notification to the County Attorney.

Upon being advised of the nature of the conduct and the facts or information substantiating the suspicion, the Deputy County Attorney shall consult with the Commanding Officer of the Department of Public Safety's Special Investigations Unit to determine the investigative steps, either criminal or administrative, that will be initiated in furtherance of the investigation.

A County employee may also report the illegal or unethical conduct to his or her supervisor, appointing authority or Department head.

Example: If you observe a co-worker taking County equipment or supplies and loading it into a personal vehicle, you should report this conduct immediately.

Example: If you observe your co-worker falsifying his time card to reflect that he was at work when he was not, that conduct should be reported immediately.

Example: If one of your co-workers is out of work because of a job injury, and you observe that co-worker engaging in activities that are inconsistent with his injury, that conduct should be reported immediately.

ALCOHOLIC BEVERAGES

Except for approved functions, Westchester County prohibits the sale or consumption of alcoholic beverages on County premises.

A Westchester County employee is prohibited from reporting to work or working while under the influence of alcohol.

ILLEGAL DRUGS

A Westchester County employee shall not possess, use, sell, distribute or be under the influence of any unauthorized substance on County premises. An unauthorized substance is any illegal drug or illegal controlled substance, or any drug which has been legally obtained but is not being used in the prescribed dosage for prescribed purposes.

FIREARMS/HAZARDOUS MATERIALS

The possession or use of a firearm or other lethal weapon, ammunition, explosive or hazardous material by an employee on County premises who is not authorized to possess such weapons is prohibited.

A County employee is prohibited from applying for a pistol license on the basis of County employment in the absence of a written authorization from the employee's Appointing Authority.

CONFLICT OF INTEREST

An employee must not engage in any business or transaction, and must not have a financial or personal interest (direct or indirect) that is incompatible with his/her official duties or would impair his/her independence, judgment or action in the performance of his/her duties.

County employees should avoid situations where their official actions may affect or appear to affect their private interests, financial or non-financial.

Example: If a County employee is an officer of an organization that conducts business with the County, that County employee may not vote or participate in a vote to decide if that same organization should be awarded a contract with the County.

Example: A County employee may not evaluate a contractor's performance on a contract if the County employee's spouse, immediate family member, or domestic partner works for the contractor and receives a monetary benefit based upon the success of the County contract.

Comment: Hiring, supervising or disciplining a relative must be avoided because it is a special type of conflict of interest, which can effect employee morale and compromise a manager's ability to effectively manage a department.

Example: A County manager or supervisor should not ask a subordinate employee who has a talent for fixing computers to take a look at his personal computer as a personal favor.

Example: A County manager or supervisor should not ask a subordinate employee, who works in another department, to take a look at a friend's computer as a personal favor to him because the subordinate employee has a talent for electronics.

DISCLOSURE OF CONFIDENTIAL INFORMATION

County employees shall maintain the confidentiality of information obtained in the course of their employment. They shall not disclose information not made available to the general public or use any such information to obtain, directly or indirectly, financial benefit for themselves, members of their families, their business associates or friends.

PARTICIPATION IN POLITICAL ACTIVITIES

No County employee is permitted, during regular working hours of employment, to take an active part opposing or supporting any candidate in any political campaign. Further, an employee is not permitted to seek signatures for any petition which seeks to advance the candidacy of any person for any municipal office on County time.

No County employee may be threatened or negatively affected for not contributing to a political campaign, nor may a County employee be rewarded for contributing to a political campaign.

Comment: County employees are not prohibited from seeking election or appointment to public office or from being active in political campaigns; however, a County employee may not do so on County time.

FAVORITISM

A supervisory or management employee may not participate in the appointment or recommend the appointment of an immediate family member, domestic partner, and/or a person with whom the employee has a close personal or business relationship to a position in any department, office, bureau or division over which he/she has control.

Example: A Commissioner may not recommend or participate in the appointment of a spouse or domestic partner to a supervisory position in his/her department.

Example: An employee's use of his or her position to influence or pressure a contractor or vendor with Westchester County to hire a relative or domestic partner creates a circumstance ripe for a conflict of interest.

FUTURE EMPLOYMENT

A Westchester County employee is not permitted to discuss or negotiate for future employment with any person, firm or organization that currently does business with the County concerning matters within the employee's area of responsibility, or upon which

the employee will be required to make a recommendation, when that person's employment status would create an advantage not available to other organizations.

No County official or employee shall, upon termination of his/her employment with the County, become employed or accept employment with the county or as a paid consultant to the County or any agency of the County in the absence of a waiver approved by the Board of Legislators. It is the former employee's responsibility to obtain the waiver.

Example: A Deputy Commissioner cannot resign from County employment and then accept a position as a consultant to the County, unless that employee has sought and obtained a waiver from the Board of Legislators.

Comment: County employees should be aware that they are vulnerable to offers of a job with a company that does or desires to conduct business with the County if they share confidential information. County employees cannot share information or do favors for a company that does or desires to conduct business with the County as this may lead to an appearance of impropriety. Offers of future employment in return for information or favors is clearly improper.

DOCUMENTATION

Appointing authorities are required to issue a copy of the Code of Conduct to every employee under their authority. Issuance of the Code must be documented by having the employee sign the "Acknowledgment" below.

ACKNOWLEDGMENT

I _____, have read, understand and am in compliance with the provisions of the Code of Conduct. I have also read the summary of policies attached to the Code of Conduct and have read, understand and in compliance with those policies mentioned as well.

I am not aware of any violations of the Code of Conduct or attached policies at this time. Should I become aware of any violations of this Code of Conduct, I understand it is my obligation to notify the Office of Professional Responsibility, my supervisor, appointing or department head.

Signed: _____ Date: _____

Department: _____

Summary of Policies

Below is a summary of the policies mentioned in the Code of Conduct. Each and every County employee is expected to be familiar with these policies. In addition to the summary, if you have any questions about the policy, you can read it by going to the links listed below. Also, you may consult your Department Head on questions regarding County policies.

Code of Ethics The purpose of the Code of Ethics is to establish guidelines of ethical conduct on the part of County officers and employees to maintain the public trust, confidence and integrity in County government.

www.web009/PersonnelDoc/CodeofEthics

Alcohol and Drugs This Executive Order prohibits County employees from reporting to work while under the influence of drugs or alcohol, or using drugs or alcohol while at work. This Executive Order also prohibits the operation of a County vehicle while under the influence of drugs or alcohol. This Executive Order also advises County employees that if they have a problem with drugs or alcohol, they can have access to Employee Assistance and get assistance in treating this condition in a confidential manner.

cww.westchestergov.com/executiveOrders/EO199806.htm

Firearms This Executive Order prohibits County employees, who have a license to carry a firearm without regard to place of possession, from carrying or possessing a firearm while performing their duties or while on County property. This Order does not apply to those County employees required to possess a firearm for the performance of their official duties.

cww.westchestergov.com/executiveOrders/E00004.htm

Acceptable Computer Use Policy This policy advises County employees that the computer equipment provided to you by the County is owned by the County and that an employee has no expectation of privacy when using a County computer. Additionally, County computers are to be used primarily for business related purposes. County computers may be used for personal purposes as well, provided it does not interfere with the employee's work performance. Most importantly, this policy advises County employees that County equipment is not to be used to access inappropriate websites, such as a pornographic website or a gambling website.

www.web009/PersonnelDoc/AcceptableComputerUsePolicy

Executive Order 1-2007-Outside Employment This Policy provides that any County employee who is in a Job Group 10 or above is prohibited from holding two positions with the County and receiving two paychecks. Additionally, any County employee who is a Job Group 10 or above and who has outside employment with a company that conducts business with the County must immediately inform their Commissioner or Appointing Authority to determine if a conflict of interest between the two positions exist.

cww.westchestergov.com/executiveOrders/2007

Executive Order 3-2007-Workplace Violence Policy Westchester County will not tolerate violence in the workplace. All incident of violence or threats of violence or harassment or intimidation or other disruptive behavior should be reported and investigated to ensure that Westchester County can provide its employees with a reasonably safe and secure work environment.

www.westchestergov.com/executiveOrder/2007

Executive Order 8-2005-Equal Employment Opportunities and Anti-Discrimination Policies This Policy reaffirms Westchester County's commitment to providing an equal opportunity to all individuals in employment practices and actively seeks to employ and advance qualified individuals without regard to race, color, national origin, religion, age, alienage or any other basis prohibited by law.

This policy also reaffirms Westchester County's commitment to a zero tolerance towards all forms of harassment or discrimination toward its employees by co-workers, supervisors or other persons having a relationship with the County and prohibits any conduct that creates an intimidating, hostile or offensive work environment or which is otherwise inappropriate or unprofessional

www.westchestergov.com/executiveOrder/2005

This Executive Order shall take effect immediately and shall remain in effect until otherwise superseded or revoked.



ANDREW J. SPANIO

County Executive

Dated: ~~April~~ ^{May} 7, 2008

White Plains, New York

EXECUTIVE ORDER NO. 3 of 2007

WHEREAS, workplace violence, which the New York State Department of Labor has defined as any physical assault, threatening behavior or verbal abuse occurring in the work setting, presents a serious occupational safety hazard for workers; and

WHEREAS, in 2002, the Occupational Safety and Health Administration of the U.S. Department of Labor reported that two million American workers are victims of workplace violence annually; and

WHEREAS, workplace violence is the fourth leading cause of fatality in the workplace for all workers; it was the cause of 564 deaths in 2005; and

WHEREAS, in a 2005 U.S. Department of Labor Bureau of Labor Statistics survey, it was found that approximately 54% of local government employers with more than 1,000 employees reported an incident of workplace violence within the prior 12 months; and

WHEREAS, the County of Westchester is committed to working with its employees to maintain a work environment free from violence and disruptive behavior to the greatest degree possible; and

WHEREAS, the County of Westchester presently has a number of workplace violence prevention policies, procedures and programs in place, including, among other things, Domestic Violence in the Workplace Policy (Executive Order No. 2-2003), Anti-Harassment and Discrimination Policy (Executive Order Nos. 6-2002 and 8-2005), County Work Badge Policy (Executive Order No. 4-2002), Drug-free Workplace Policy (Executive Order No. 6-1998), Firearm Prohibition Policy (Executive Order No. 4-2000), pre-employment screening, Employee Assistance Program (EAP), and workplace security enhancements; and

WHEREAS, on June 7, 2006, New York State enacted legislation creating a new Section 27-b of the New York State Labor Law that requires every public employer (other than schools covered under the school safety plan requirements of the New York State Education Law) to perform a risk evaluation of their workplace to determine the presence of factors or situations that might place employees at risk from occupational assaults and homicides and to develop and implement programs to prevent and minimize workplace violence caused by assaults and homicides; and

WHEREAS, the New York State Workplace Violence Prevention Law is designed to ensure that the risk of workplace assaults and homicides are regularly evaluated by public employers and that workplace violence protection programs are implemented to prevent and minimize the hazard to public employees;

WHEREAS, this Law requires every public employer to perform a risk evaluation of their workplace to determine the presence of factors or situations that might place employees at risk from occupational assaults and homicides, prepare a workplace violence prevention program and inform and train employees on the requirements of the Law and the workplace risk factors that were identified; and

WHEREAS, this Law also requires public employers with a combined total of 20 or more full-time permanent employees to develop and implement a written workplace violence prevention program and provide employee training on workplace violence prevention measures and other information contained within the employers' written program; and

WHEREAS, such employers are also required to inform employees of the location and availability of the written workplace violence prevention program; and employee workplace violence training must be provided at the time of job assignment and annually thereafter; and

WHEREAS, I have determined that it is in the best interests of the County to formally enact policies and procedures to address this important issue; and

NOW THEREFORE, I, ANDREW J. SPANO, County Executive of the County of Westchester, in light of the aforementioned and in accordance with my statutory duties, do hereby order that: (1) the following Workplace Violence Prevention Program be implemented; (2) the policies and procedures set forth therein be complied with; (3) the Workplace Violence Prevention Program be posted and disseminated to all County officers and employees; and (4) the County's program take effect immediately.

COUNTY OF WESTCHESTER
WORKPLACE VIOLENCE PREVENTION PROGRAM

Westchester County will not tolerate violence in the workplace. All incidents, complaints, and/or reports of violence, threats of violence, harassment, intimidation, and other disruptive behavior will be taken seriously because Westchester County is committed to providing its employees with a reasonably safe and secure work environment.

A. Purpose of Program

Violence in the workplace is a leading cause of fatal and non-fatal occupational injury throughout the U.S. that may affect an organization at any time. The purpose of this program is to address the issue of potential workplace violence, prevent workplace violence from occurring to the fullest extent possible, and set forth procedures to be followed when such violence has occurred.

B. Statement of Program

Violence, threats of violence, harassment, intimidation, and other disruptive behavior in the workplace will not be tolerated by Westchester County. Examples of disruptive behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of harm. Such behavior will be taken seriously and will be dealt with appropriately.

C. Scope of Program

All Westchester County employees are required to comply with this Program. In addition, since visitors of Westchester County-owned property and facilities are required to conduct themselves in a non-violent manner in conformity with existing law, employees who

observe or experience visitors of County-owned property engaging in violent behavior should follow the procedures in this Executive Order for the reporting such behavior .

D. Application of Program

Violence and other disruptive behavior by or against any employee of Westchester County or member of the public in a County-designated workplace are unacceptable. A County-designated workplace includes offices, work sites, vehicles, field locations, and any other location where County business is conducted. Individuals who commit such acts may be removed from the premises and may be subject to appropriate disciplinary action, including, where legally appropriate, termination of employment and/or criminal penalties.

E. Training

All Department Heads shall ensure that employees of their particular Department are informed of the requirements of the law, the risk factors in their workplace, and the location of the written workplace violence prevention program. Training is also required for employees on the measures employees can take to protect themselves from risks and the details of the written workplace violence prevention program. Employee workplace violence training is to be provided at the time of job assignment and annually thereafter.

In addition to the training required by law, the Department of Public Safety shall provide additional training on a per request basis to County departments and offices to address the potential for violence in the workplace.

F. Reporting of Violence

At the core of this Workplace Violence Prevention Program is the County's commitment to work with its employees to maintain a work environment free from violence and other disruptive behavior to the greatest degree possible.

- Any County employee, upon becoming aware of an instance of physical assault, threatening behavior or verbal abuse occurring in the work setting, must immediately report the facts and circumstances of said incident to their supervisor. In the event that employees observe or experience violent behavior from County employees or visitors of County-owned property in which there is an immediate threat to their safety or the safety of others or where an injury has occurred, the employee should immediately obtain police and medical assistance and in addition notify their supervisor.
- The supervisor will immediately conduct a preliminary inquiry into the facts and circumstances of the incident and make a prompt report to the Department Head/Commissioner (or designee).
- The Department Head/Commissioner (or designee) will determine if there is:
 - (a) an immediate threat of violence. If so, the Department Head/Commissioner will ensure that local or County police and emergency medical personnel have been notified and thereafter follow the procedures outlined in subparagraph (b) or (c) below.

(b) serious misconduct or criminal behavior by County employee. If so, the Department Head shall immediately notify the Department of Public Safety's Office of Professional Responsibility Hotline at 864-7850 and Law Department at 995-2660 and take no further action.

(c) no immediate threat of violence and no serious misconduct or criminal behavior by a County employee. In that event, the Department Head/Commissioner will:

- continue the investigation;
- resolve/mediate matter;
- initiate disciplinary action, if appropriate;
- and make referrals to the EAP and/or Department of Human Resources, as appropriate.

NOTE: In all instances, a written summary report of the incident and all actions taken will be prepared and submitted within three business days to the Commissioner of Human Resources, the County Attorney and the Department of Public Safety's Office of Professional Responsibility.

Retaliation against an employee who makes a good faith report of violence or other disruptive behavior is strictly prohibited and shall be subject to appropriate corrective or disciplinary measures. An employee who, in bad faith makes a false report, is also subject to disciplinary action.

G. County Workplace Violence Prevention Manual

The County has developed a *Workplace Violence Prevention Program and Procedures Manual* to provide information to managers, supervisors, and employees about preventing and responding to incidents of workplace violence or threats of violence and about the New York State Workplace Violence Prevention Law. The goals of the program and manual are:

1. To reduce the probability of threats or acts of violence in the workplace, and
2. To ensure that any incident, complaint, or report of violence is taken seriously and dealt with appropriately.

The manual outlines the major components of the effort to meet these goals: policy, procedures, workplace security risk evaluation, prevention, training, and other support services. The *Workplace Violence Prevention Program and Procedures Manual* can be downloaded from the County intranet system at [\\web009\Personnel\Doc](#).

H. Program Consistent with Collective Bargaining Agreements

This Executive Order is intended to be consistent with, and not to modify, any and all County agreements made with the collective bargaining units.

I. More Stringent County Department Workplace Violence Prevention Program Will Govern

Whenever the provisions of a Workplace Violence Prevention Program promulgated by a County Department are more stringent or impose higher standards than are required by this Executive Order, such Program shall govern and prevail.

J. Effective Date

This Executive Order shall take effect immediately and shall remain in effect until otherwise superseded or revoked.

Andrew J. Spano
County Executive

Dated: March 5, 2007
White Plains, New York

25 / 2008

EXECUTIVE ORDER NO. 4-2008

WHEREAS subdivision "2" of Section 400.00 of the New York State Penal Law authorizes the issuance of a license to have and carry a firearm without regard to place of possession; and

WHEREAS only certain law enforcement personnel who work for the County are required to carry a firearm as part of their official duties; and

WHEREAS with the exception of certain law enforcement positions, County employment does not require the use of a firearm for the performance of official duties; and

WHEREAS other County employees not required to possess a firearm for the performance of their official duties may also hold firearm licenses; and

WHEREAS the maintenance of a safe workplace is of paramount importance; and

WHEREAS the New York State Attorney General has opined that a municipality may prohibit its employees from carrying firearms while on duty;

NOW THEREFORE, I, ANDREW J. SPANO, County Executive of the County of Westchester, do hereby order that:

1. Executive Order No. 4 of 2000 is hereby revoked.
2. Employees of the County of Westchester not required to possess a firearm for the performance of their official duties who are applying for a license authorizing the carrying of a firearm without regard to place of possession, shall not use County employment in any application to obtain a pistol permit as a basis to establish proper cause for the issuance of such license, without the written approval of their Commissioner/Department Head.
3. Employees of the County of Westchester not required to possess a firearm for the performance of their official duties, who hold any license authorizing the carrying/possession of a firearm, shall not possess such a firearm while performing their duties or while present upon any real property of the County of Westchester, unless such an employee has secured the prior written consent of the Commissioner of Public Safety.
4. This Executive Order shall not apply to the employees of those County departments that have adopted a formal, written firearm policy.

RECEIVED
 MAY 14 2008
 TIMOTHY C. IDONI
 COUNTY CLERK
 COUNTY OF WESTCHESTER

This Executive Order shall take effect immediately.

A handwritten signature in cursive script, appearing to read "Andrew J. Spano", written over a horizontal line.

ANDREW J. SPANO

County Executive

Dated: ~~April~~^{May} 13, 2008

White Plains, New York