Subject: CDO Workforce New York One-stop Career Center Policy
        Handling Disruptive Customers

Purpose: To communicate CDO Workforce New York Career Center policy and
        procedures for dealing with disruptive or threatening customers.

Policy

The CDO Workforce New York One-stop Career Center Policy fully supports the
concept of universal access for all customers seeking employment and training services
through the One-Stop system. However, any behavior that poses a safety risk to
employees or customers, or that disrupts the proper functioning of the One-stop Career
Center will not be tolerated. Protective and safety measures must be provided for all
One-stop Center staff, members of the public, and property in or about all CDO
Workforce New York One-stop Career Center.

Overview

Communicate Policy Guidelines

Guidelines will be communicated in by:

- Posters
- Handouts

The One-stop Career Center Manager or location supervisor must post and have
available handouts detailing the Disruptive Customer Policy.

The Procedure outlined below will be adopted fully as the CDO Workforce One-stop
Career Center policy and procedure for all One-Stop locations.

Occurrences

If the One-stop Center Manager of record believes staff or customers are at risk of
bodily harm and that police intervention is necessary, he/she should call the police for
assistance in ensuring the violent individual is removed from the premises (Attachment
for local Police Department contact procedures). In all instances, if an assault is
committed on a staff person acting within the scope of his/her official duties, the
immediate agency supervisor of the involved employee must follow their
organization/agency procedures manual, and the procedures under GA Manual, Section
0504, IV (B)(4) must be followed by the Center Manager.
Documentation

All incidents of disruptive behavior by customers, and actions taken by staff, so that it will be available as evidence to support administrative actions that need to be taken if the matter is later subject to due process. When an incident occurs, staff should describe the event in writing, noting the specific behavior and conduct of the customer, the date and time of the incident, and the action(s) taken by staff. If there are multiple witnesses to the occurrence, all staff involved should record what they witnessed. Verbal warnings that are issued to customers should also be recorded.

For each customer incident, the Center Manager and immediate Program Supervisor must:

- Establish and maintain confidential files stored in a locked filing cabinet or in a secure office (all documents to, from or about customers should be filed).
- Center Manager and DOES Manager must prepare NYS Form GA-51, Unusual Incident Report.
- Ensure that the customer’s OSOS record is flagged for a “service suspension” under the NYS-only activity section. A note should be made on the customer’s record of the date and description of the incident (see Attachment A for instructions).
- Note the date when the suspension ends on his/her personal calendar and ensure that the ‘service suspension’ on OSOS is removed.
- Alert local office staff to the actions taken.

Supervisory Review

Before any administrative action is formalized (i.e. notice sent to the customer), review and approval must be given by the next higher level of authority. At a minimum the CDO Workforce Investment Board Executive Director must be advised. In an instance where a DOES staff is involved or occurrence takes place in a DOL leased site, the supervisor would seek review from the cluster Manager; in a Center with an on-site Manager, the Manager would seek review from the Regional Administrator.
Procedure

The procedure for handling disruptive customers is organized into three levels of behavior: violent or harmful behavior, disruptive behavior, and violation of Center rules.

**Violent or Harmful Behavior:** A customer is considered violent when he or she commits, or threatens to commit, an act of violence against persons or property in the Center. Any customer brandishing or wielding a weapon or exhibiting indecent behavior is to be treated as violent (because of the potential for bodily harm to individuals). A customer who attempts to, or succeeds in, introducing a virus onto Center computers or a customer conducting unwanted physical touching or contact should also be considered to be engaging in violent or harmful behavior.

**Disruptive Behavior:** Behavior is classified as disruptive if it interferes with the normal operation of the office or Center, making it difficult for staff to deliver, or customers to benefit from, the services that are available. Examples of disruptive behavior would include individuals who are loud or argumentative or who make harassing or derogatory comments to other customers or to staff. Repeated disruptive or disorderly conduct may elevate the behavior to being categorized as violent or harmful.

**Violation of Center Rules:** These are situations where customers ignore or disobey the reasonable rules or guidelines that have been established to ensure effective and cost efficient Center operations (e.g., don’t spend over 30 minutes on the computer if there are others waiting, don’t visit pornographic sites or conduct personal business on Resource Room computers).

Within each of these three areas, policy guidelines are suggested, and required action by staff is outlined.

A. Violent Behavior

1. **Policy Guideline**

   Any customer that threatens or commits any acts of violence against persons or property will be removed from the Center immediately. Violators will be referred to the appropriate law enforcement authorities for criminal investigation and prosecution.
2. **Required Action**

Follow the procedures outlined in the GA Manual, Section 0504, subsection IV, “Security of Person,” which prescribes specific steps to be followed in dealing with violent customers. If a customer exhibiting violent or threatening behavior is in or around the DOL office in violation of a court order that has been imposed prohibiting such presence, security and the police must be contacted immediately.

3. **Notification to the Offender**

   a. Customers who are removed for violent behavior should be barred from returning to any One-stop Career Center for a period of not less than six months. The time frame for the suspension may vary according to the severity of the incident. The One-stop Center Manager must consult with the WIB Executive Director and appropriate next level of supervision within his/her organization to determine the period of suspension to be imposed.

   Consistent with the guidance provided in the GA Manual under Section 0504, criminal charges may be justified when:

      i. the incident involves a threat to the safety of staff or public, such as flourishing knives and other weapons, physical attacks upon staff members, or indecent behavior, when decisive action is deemed necessary for the future prevention of such acts;

      ii. it appears to be necessary to free the office from repeated disturbances, occasioned by failure to obey a Court Order requiring that the individual remain away from the office; or

      iii. repeated disorderly conduct.

   b. The One-stop Manager should notify the customer of this suspension in writing and mail the notice: Return Receipt Requested. The wording for this letter may vary depending on the particular circumstances of the incident. There may be situations where the customer will not be advised to apply for reinstatement. Where applicable, Legal Counsel may be utilized to prescribe the content of the notice to be issued (See Letter Template #1).

   c. If the customer fails to respond to the suspension notice within the 15 days, or fails to appear for the review, the suspension remains in effect for the specified time frame.

   d. If the customer requests a review within the prescribed time limit, the One-stop Manager shall forward a copy of the hearing request to Counsel’s office and the Administrative Adjudication Unit with copies of all correspondence, reports, records and files. A copy of the customer’s hearing request should
also be forwarded to the Regional Administrator (or local office Manager), DoES Director, and the Office of the Inspector General.

New York State Department of Labor
Counsel's Office
Building 12, Room 509
Albany, New York 12240

New York State Department of Labor
Office of the Inspector General
Building 12, Room 573
Albany, New York 12240

New York State Department of Labor
Administrative Adjudication Unit
Building 12, Room 183
Albany, New York 12240

e. The Administrative Adjudication Unit will notify the customer of the date and time of the hearing by certified mail.

4. Required Action if Offender Violates Suspension

a. If the offender attempts to report to a One-stop Career Center during the suspension period, staff should advise the customer that he/she is currently suspended from receiving services and request him/her to leave. Staff should document that they gave verbal instructions to the customer. If possible, another staff person should be present during the encounter and also document what transpired during the encounter.

b. If the customer refuses to leave, the One-stop Manager should be alerted. The Manager should explain that remaining on the premises while under suspension may represent criminal trespass and, as such, the next step will be to call the police.

c. If the customer continues to refuse to leave, the police should be called and requested to remove the offender.

d. Form GA 51 should be sent to the Office of the Inspector General.

e. An e-mail should be sent to the WIB Executive Director and appropriate next level of supervision per the Managers organizational chain of command alerting them of the incident.
B. Disruptive Behavior

1. Policy Guidelines
   a. Customers are to treat each other and employees of the Center with respect.
   b. Disruptive behavior will not be tolerated.
   c. The use of derogatory or offensive language or behavior is prohibited.

2. Required Action
   a. Employees that encounter customers that are unruly or who subject them to harassing or abusive treatment should advise customers to refrain from such conduct and warn them that further such conduct will result in their removal from the Center. The observed behavior and subsequent warnings should be noted in customers’ OSOS records. If customers continue to exhibit disruptive behavior, employees should contact their Supervisor who will attempt to discuss and resolve the problem in his/her office. Security staff should also be notified.
   
   b. Staff should be alert to possible underlying reasons for customers’ disruptive behavior such as intoxication (alcohol or drugs), disabilities or other medical conditions that may result in specific disruptions. If the customer is receptive, the Manager or Location Supervisor should try to counsel the individual and refer them to an appropriate supportive service provider. Or, after discussion, there may be accommodations that can be made that will allow the customer to continue receiving services, yet minimize any negative impact on other customers. For example, disruptive behavior may be quelled by scheduling the customer to use the Resource Room when the office has a slow period if a high-activity environment causes the customer to become agitated or unable to focus.
   
   c. The procedure outlined in the GA Manual under Section 0504, subsection IV (A) (3) should be followed.

3. Notification to the Offender
   a. Customers that are removed for disruptive behavior (they would not cease their behavior upon request, there was no extenuating circumstance discovered that prompted the behavior, they refused referral for further assessment or assistance) should be barred from returning to the local office for a period of ten business days. They should immediately be notified of this suspension verbally and advised that they will receive a written notification of the suspension in the mail.
b. The One-stop Manager after consultation with the next higher level of authority, will send the written notification. (See Letter Template #2).

c. Another occurrence of the offending behavior will result in a 90 day suspension, with the customer having the right to request a hearing (See Letter Template #3).

d. Any subsequent occurrence of the behavior will result in a suspension of one year, with the customer having the right to a hearing (See Letter Template # 4).

e. Follow steps 3 (c) through 3 (f) as indicated under the Notification to Offender section under Part A as appropriate.

4. Action to be Taken if Offender Violates Suspension

   a. Follow instructions under A.4.
C. Violations of One-Stop Rules

1. Policy Guidelines

The “Violations of One-Stop Career center Rules” is a category to cover situations where customers abuse their privileges, particularly their Resource Room computer use privileges. For example, there may be customers who frequent pornographic websites or conduct personal business (e.g., shopping) on Resource Room computers. As such, many One-Stops and local offices across the state have posted Resource Room rules or developed a customers’ “code of conduct” to be handed out to communicate behavioral expectations for customers (See Attachment B for a sample).

2. Required Action

   a. Any customer that violates a rule or policy of the local office should first be verbally notified of the violation and informed that any subsequent infraction will result in a loss of privileges (the privileges associated with the particular rule that is being violated (e.g. use of the computer, telephone, fax machine, etc.). Staff should document that they gave verbal instructions to the customer.

   b. In the event a customer is found to have a pattern of violating any rule, the employee should inform the customer that his/her privileges will be revoked. Staff should ensure the customer closes out operations on the computer, if appropriate, and advise the customer that he/she will receive a written notice of their suspension in the mail. The suspension period may range from five (5) to 10 business days.

3. Notification to the Offender

   a. The One-stop Manager after consultation with the next higher level of authority, shall determine the appropriate revocation period (5 – 10 business days) and send the written notification (See Letter Template #5).

   b. Any third occurrence of the behavior resulting in the initial loss of privileges will result in a debarment for 90 days (See Letter Template #6).

   c. Follow steps 3 (c) through 3 (f) as indicated under the Notification to Offender section under Part A as appropriate.

4. Action to Be Taken If Offender Violates Suspension

   a. If the offender attempts to report to a One-stop Career Center during the loss of privileges, staff should advise the customer that he/she is currently barred
from using those specific privileges and direct them to alternative services if appropriate. For example, the individual may be restricted from using a Resource Room computer, but could use the Resource Room library.

b. If the offender attempts to report to a One-stop Career Center during a period of suspension, follow the instructions under A.4.

Letter Templates
Attachment A: Instructions for Recording a ‘Service Suspension’ in OSOS
Attachment B: Workforce New York Customers’ Code of Conduct and Resource Area Internet and Computer Use Policy
Instructions for Recording ‘Service Suspension’ in OSOS

New OSOS Activities have been established for the purpose of recording in OSOS that a customer has been suspended from using the Services of a One-Stop Career Center. These activities are under the Activities pop-up window in Customer Detail under Labor Exchange – Other Services. Click on “Initiate Service Suspension” when imposing the suspension, and “Terminate Service Suspension” when the suspension has ended.

When initiating a suspension, In addition to recording the activity, the following additional steps in OSOS should also be taken:

- Using the Post a Note button at the bottom of the Activities screen, record the general reason for the suspension. Include in the comments the period of time of the suspension, the ending date of the suspension period, the category of behavior that prompted the suspension per the Directive (violent behavior, disruptive behavior, or violation of Center rules), whether the suspension represents a full suspension from any/all access to the office or a limited suspension from a particular type of service activity. Also include any specific critical information describing the circumstances and/or terms of the suspension that should generally be known by other office staff. Limit the content of the OSOS comment to essential information, keeping in mind that the full details are to be documented and maintained by management in a secure location in the office.
- Change the Job Seeker Status found on the General Info Tab of the OSOS Customer Detail from active to inactive. This will suspend the customer from job match activity.
- Change the Employment Objective found on the Objective Tab of the OSOS Customer Detail to identify the Service Suspension and the dates of the suspension on the first line of the Objective field. Since the Objective is one of the limited data fields related to the customer that is displayed in any listing of Search Results in OSOS, it provides an easy way to immediately identify that the customer has been suspended from service.

Record the activity, Terminate Service Suspension, to record the lifting of the Service Suspension in OSOS.

In addition to recording the activity, the following additional steps in OSOS should also be taken:

- Delete the Service Suspension information added to the first line of the Employment Objective found on the Objective Tab of the OSOS Customer Detail so that this will no longer appear on the Search results and/or the customer’s resume. It is critical to make sure this information is deleted prior to re-activating
the Job Seeker Status, so that it does not appear on the customer’s resume. This is an especially critical step if the customer resume is one that is marked for posting on the Internet.

- Change the Job Seeker Status found on the General Info Tab of the OSOS Customer Detail back to Active if previously inactivated as a result of the service suspension and the customer is still interested in seeking employment.
CUSTOMERS’ CODE OF CONDUCT

As a customer of the Workforce New York Career Center, I agree to work within the following rules of the Center:

- I will conduct myself in a manner that is professional, courteous and respectful.
- I will work in a manner that is productive to my finding employment, training or educational opportunities.
- I will dress in an appropriate manner suitable for most work environments.
- I will notify Career Center staff when I am offered and/or accept employment.
- I will follow the Workforce New York Resource Area Internet and Computer Use Policy (attached).
- I will not use equipment (phone, fax, copier, computers, software programs, etc.) for personal use.
- I will notify Career Center staff when equipment fails to function.
- I will not bring food or drink into the Resource Room.
- I will seek out clarity and thorough understanding of what is expected of me when at the Career Center.
- I will, if I disagree, seek out the appropriate staff for resolution to any problems.
- I will not engage in physical or verbal confrontation with staff.
- I will use appropriate work place language and refrain from yelling and profanity.
- I will, when told, cease all inappropriate behavior.
- I will notify Career Center staff when others are acting inappropriately.
- I understand that failure to abide by this Code of Conduct may result in a loss of privileges or bar me from participation at the Workforce New York Career Center.
Welcome to the Workforce New York Career Center Resource Room. Our goal is to make the use of these computers easy and accessible for customers. We ask that you be considerate of others by using the computers only for activities directly related to your job search or other uses approved by staff. Please complete your work as quickly as possible if others are waiting. If you need help using the computer, please ask. We are here to help you.

**Appropriate computer usage includes:**

- Program registration
- Accessing job-related resources
- Researching companies
- Resume and cover letter writing
- Job search, searching job databases
- Researching career and educational options

**Inappropriate computer usage includes:**

- Changing or adding settings, formats, bookmarks or favorites
- Downloading software without explicit authorization of Resource Room staff for business-related purposes
- Receipt, storage, transmission or viewing of offensive, racist, sexist, obscene, or pornographic information or materials.
- Copyright infringement or violation of software licensing agreements
- Wagering, betting, selling or other commercial activities
- Invading the privacy of others
- Conducting personal business and/or research unrelated to program eligibility, job search or career exploration.

**E-Mail Use in the Resource Area**

Job searching for many job seekers and employers routinely requires the use of e-mail. There are several free e-mail sites available for use. You are encouraged to use business-related sites such as:

www.yahoo.com

www.hotmail.com
E-mail use in the Resource Area can only be used for job search related activities, for example:

- Transferring resumes
- Receiving applications from employers
- Seeking additional information regarding employment
- Clarifying questions from potential employees and employers
- Notification to the job seeker of job openings (used with Job Scout, Monsterboard, etc.)

In addition, this Workforce New York Center asks that you follow this process to prevent transmission of viruses from disks, and follow their additional policies:

- Please bring your disks to the Service Desk in the Resource Room for instructions
- Staff has the right to monitor appropriate use of resources and equipment in the Resource Room
- Misuse of the computer, printer, or any site equipment will result in the loss of privileges and/or criminal charges
- The Workforce New York Center assumes no responsibility for any damage, direct or indirect, that users or anyone else may experience through access to the Internet.
Letter Template # 1 (Violent or Harmful Behavior)

NOTICE

On (date of the latest incident), you (describe the customer’s behavior). In accordance with CDO Workforce One-stop Career Center policy and procedure, behavior that either threatens or places employees and/or customers of the CDO Workforce One-Stop Career Center at risk of bodily harm is not acceptable; therefore service to you at Workforce New York One-stop Career Centers operated by CDO Workforce is suspended until (insert appropriate date). After this date, you may apply to (Manager/Location Supervisor’s name(s)) to have this suspension removed. CDO Workforce reserves the right to impose specific requirements for reinstatement to ensure adequate protections are afforded employees and customers at its Centers.

If you do not agree with this decision, you may request a hearing by writing this office within 15 days of the date of this letter. You will be notified of the date and location of the hearing by certified mail. You may be represented by counsel and bring witnesses.

Your failure to answer this letter within 15 days, or your failure to appear at the date specified for the hearing, will result in a confirmation of this suspension.

Note: Depending on the One-stop Manager affiliation and site of incident, the DoES Regional Administrator in addition to the WIB Director should be copied on the letter.
Letter Template #2 (Disruptive Behavior)

NOTICE

On (date of incident), after having been warned on (insert date) that future occurrences of (describe the customer’s behavior) would result in a suspension of service, you (describe the customer’s behavior). In accordance with the stated policy and procedure of this office, behavior that is disruptive or disrespectful toward staff and customers is not acceptable; therefore, you are suspended from receiving services at this office until (insert date).

Another occurrence of this or similar behavior will result in a suspension of 90 days.

Note: Depending on the One-stop Manager affiliation and site of incident, the DoES Regional Administrator in addition to the WIB Director should be copied on the letter. The ten business days should be counted from the day after the occurrence of the disruptive incident (effective the next business day) and the suspension ending date would equal the 11th business day. Given the short time frame for this suspension, the notice should be approved and mailed as quickly as possible (i.e., by the next business day).
Letter Template #3

N O T I C E

On (insert date), you were suspended from receiving services for ten business days at the (insert office name) for (insert summary of customer’s behavior). You were advised that a repetition of this behavior would result in a 90-day suspension from receiving services.

On (insert date) you (insert summary of customer’s behavior). This behavior violates established local office rules prohibiting disruptive behavior or behavior that is not respectful of staff or customers. Since this is your second infraction, you are suspended from receiving services for 90 days or until (insert date).

Another occurrence of this or similar behavior will result in your being barred from service at this Center for one year.

If you do not agree with this decision, you may request a hearing by writing this office within 15 days of the date of this letter. You will be notified of the date and location of the hearing by certified mail. You may be represented by counsel and bring witnesses.

Your failure to answer this letter within 15 days, or your failure to appear at the date specified for the hearing, will result in a confirmation of this suspension.

Note: Depending on the One-stop Manager affiliation and site of incident, the DoES Regional Administrator in addition to the WIB Director should be copied on the letter. The 90 days (not business days) should be counted effective the day after the second occurrence with the suspension ending effective the 91st day.
Letter Template #4

N O T I C E

On (insert date), you were suspended from receiving services for ten business days at the (insert office name) for (insert summary of customer’s behavior). On (insert date) you were suspended from receiving services for 90 days for (insert summary of customer’s behavior) and advised that further incidences of disruptive behavior would result in a year’s suspension.

On (insert date) you (insert summary of customer’s behavior). Since this is your third infraction, you are suspended from receiving services for one year or until (insert date). After this date, you may apply to (One-stop Manager’s name) to have this suspension removed. The Department of Labor reserves the right to impose specific requirements for reinstatement to ensure adequate protections are afforded employees and customers at its Centers.

If you do not agree with this decision, you may request a hearing by writing this office within 15 days of the date of this letter. You will be notified of the date and location of the hearing by certified mail. You may be represented by counsel and bring witnesses.

Your failure to answer this letter within 15 days, or your failure to appear at the date specified for the hearing, will result in a confirmation of this suspension.

Note: Depending on the One-stop Manager affiliation and site of incident, the DoES Regional Administrator in addition to the WIB Director should be copied on the letter.
Letter Template #5 (Violation of Center Rules)

NOTICE

On (insert date) you violated the [Resource Room] rule prohibiting (insert rule). You (insert description of customer’s infraction). You had previously been warned that this activity was a violation on (insert date), and that a second occurrence would result in a loss of privileges.

As such, you are barred from (insert privilege(s) that are barred) until (insert date). A third infraction will result in your being suspended from accessing any privileges for 90 days.

Note: Depending on the One-stop Manager affiliation and site of incident, the DoES Regional Administrator in addition to the WIB Director should be copied on the letter. Because of the short duration of the suspension, the notice should be sent out as quickly as possible (i.e., by the next business day).
Letter Template #6

N O T I C E

On (insert date) you (insert description of customer’s infraction). On (insert date) you were warned about similar activity and on (insert date) you received a (insert the length of revocation imposed) loss of privileges for this behavior.

Since this is your third infraction, you are suspended from accessing any services through CDO Workforce One-stop Career Center for 90 days or until (insert date).

If you do not agree with this decision, you may request a hearing by writing this office within 15 days of the date of this letter. You will be notified of the date and location of the hearing by certified mail. You may be represented by counsel and bring witnesses.

Your failure to answer this letter within 15 days, or your failure to appear at the date specified for the hearing, will result in a confirmation of this suspension.

Note: Depending on the One-stop Manager affiliation and site of incident, the DoES Regional Administrator in addition to the WIB Director should be copied on the letter.
Local Police or Sheriffs Department contact procedures

Delaware One-stop Career Centers

Delhi - a “red button” is located under the computer keyboard area of the desk in Reception as well as behind the Director’s desk. Both can be depressed without the knowledge of the disruptive individual. When pushed, an alarm goes both to the Police Department as well as officers in their vehicles.

Sidney - Sidney One-stop Career Center

The Sidney Police Department recommends that in case of emergency One-stop Career Center staff should call the Sidney P.D. directly rather than the 911 Dispatch Center.

The emergency call number for the Sidney Police Department is 561-2301 or *11 on the speed dial.

A coded message will be broadcast over the office intercom by any staff person to notify all staff of a situation requiring an emergency response by the police without alerting the threatening individual that police assistance is being requested.

Therefore, the office intercom will be used to broadcast the following coded message. “This is _____ Bring me the Special Phone Contact File”. This message will be heard at all phones, and will be interpreted as a signal to call the police. A staff member will call the police and let them know there is a problem.

Oneonta One-stop Career Center

The Oneonta Police Department recommends that in case of emergency One-stop Career Center staff should call the Oneonta P.D. directly rather than the 911 Dispatch Center.

The emergency call number for the Oneonta Police Department is 432-1111.

The Oneonta Police Department also recommended that a coded message be broadcast over the office intercom by any staff person to notify all staff of a situation requiring an emergency response by the police without alerting the threatening individual that police assistance is being requested.

Therefore, the office intercom will be used (by pushing the “Speaker” button on the phone and Dial 51) to broadcast the following coded message. “This is _____ Bring me the Special Phone Contact File”. This message will be heard at all phones, and will be interpreted as a signal to call the police.
FOR POLICE ASSISTANCE DIAL 911

Norwich City Police Department 334-1212
Chenango County Sheriff’s Office 334-2000
NYS Police (Norwich) 334-3296

TO REPORT A FIRE DIAL 911

Norwich Fire Department 334-3411

CIVIL DEFENSE (Emergency Management) 334-3728

CHENANGO COUNTY DOMESTIC VIOLENCE HOTLINE 334-1101

NATIONAL POISON CONTROL CENTER 1-800-222-1222

NEW YORK STATE TERRORISM TIPS LINE 1-866-SAFE-NYS (1-866-723-3697)