

PATRICK K. RYAN
County Executive



SHEREE CROSS
Personnel Officer

JAMES FARINA
Director of Employee Relations

2021 Mandatory Training

WORKPLACE HARASSMENT

WORKPLACE VIOLENCE PREVENTION

ACTIVE SHOOTER

COMPLIANCE UPDATE

HIPAA

CYBER SECURITY

BENEFIT REMINDERS

Ulster County is committed to providing a safe workplace for all employees. This mandatory training serves as a reminder of the policies and procedures that are put in place to ensure the safety and security of you and your coworkers.

Staying safe at work requires all of us to keep our eyes open and to be aware of our environment. If you notice something that doesn't belong or something that just appears to be off, say something.

Remember, retaliation is illegal, don't allow your fear of retaliation to keep you from reporting any incidents whether it is compliance, harassment or violence. Speaking up will make the workplace better for everyone.

ULSTER COUNTY PERSONNEL DEPARTMENT
244 Fair Street, PO Box 1800, Kingston, New York 12402-1800
Main: (845) 340-3550
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ULSTER COUNTY WORKPLACE VIOLENCE PREVENTION POLICY

The Public Employer Workplace Violence Prevention Act as set forth in Section 27-b of the New York Labor Law and Code Rule 800.6 (12 NYCRR § 800.6) requires public employers to develop and implement programs to prevent and minimize workplace violence. Ulster County is committed to providing a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence prevention policy.

Prohibited Conduct

Ulster County does not tolerate any type of workplace violence committed by or against employees. Employees and non-employees are prohibited from making threats or engaging in violent activities. This list of behaviors, while not inclusive, provides examples of conduct that is prohibited.

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;
- Committing acts motivated by, or related to, workplace harassment or domestic violence.

Employment Situations at Higher Risk of Violence

While workplace violence can occur in any workplace setting, some employment situations pose a greater risk than others, including:

- Duties that involve the exchange of money;
- Delivery of passengers, goods or services;
- Duties that involve mobile work assignments;
- Working with unstable or volatile persons in health care, social service, or criminal justice settings;
- Working alone or in small numbers;
- Working late at night or during early morning hours;
- Working in high crime areas;
- Duties that involve guarding valuable property or possessions; or
- Working in community-based settings.

Reporting Procedures

Any potentially dangerous situations must be reported immediately to a supervisor, department head, security officer or the Personnel Department. Reports can be made anonymously and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. All parties involved in a situation will be counseled and the results of investigations will be discussed with them. Ulster County will actively intervene at any indication of a possibly hostile or violent situation.

Risk Reduction Measures

Hiring: Individual hiring agencies will take reasonable measures to review candidates' backgrounds to reduce the risk of hiring individuals with a history of violent behavior.

Safety: The Ulster County Sheriff's Department, along with an employee representative designated by each of the County's bargaining units, will conduct regular inspections of the worksites to evaluate and determine any vulnerabilities to workplace violence or hazards. Corrective action will be taken to reduce all risks.

Training and Information: This policy statement will be distributed to all existing employees, will be included in new employee orientation, and will be publicized in internal employee publications. Training on the requirements of the NYS Workplace Violence Prevention Law, risk factors and prevention measures will take place at the time of job assignment and annually, thereafter.

Individual Situations: While Ulster County does not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their supervisor, department head, security officer or the Personnel Department if any employee or non-employee exhibits behavior which could be a sign of a potentially dangerous situation. Such behavior includes:

- Displaying overt signs of extreme stress, resentment, hostility, or anger;
- Making threatening remarks;
- Sudden or significant deterioration of performance; or
- Displaying irrational or inappropriate behavior.

Employees at Risk: The Personnel Department, along with an employee representative designated by each of the County's bargaining units, will identify and maintain a list of employees who have been determined to be at risk for becoming victims of violence because they are subject to harassment, violence, or threats from a non-employee. The Personnel Department, in collaboration with the Sheriff's Department and an employee representative designated by each of the County's bargaining units, will design a plan with at-risk employees to prepare for any possible emergency situations.

Dangerous/Emergency Situations

Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm, make constant eye contact and talk to the individual. If a supervisor can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, cooperate and follow the instructions given.

Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action pursuant to his or her respective collective bargaining agreement. Non-employees engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

How to Obtain Post Incident Crisis Counseling

Ulster County Sheriff's Office Critical Incident Stress Management (CISM) is available upon request to assist any Ulster County employee experiencing stress as a result of their exposure to a threat or other traumatic workplace incident. The primary objective of the CISM team is to help ensure employee wellness. The team may be accessed by contacting the Sheriff's Office at (845) 340-3640.

Employee Assistance Program (EAP) is also available to Ulster County employees as a part of the Ulster County benefit package. EAP is a free, confidential service offering short-term assistance in dealing with problems that may become a part of many of our lives at one time or another such as: job pressures, stress, anxiety, grief, relationship/marital problems, depression, parenting issues and substance abuse. EAP may be accessed by calling (845) 338-5600.

Ulster County Crime Victims Assistance Program is specifically designed for recognizing the special needs, concerns and problems associated with being a victim of crime. Any Ulster resident who has been the innocent victim of a crime (past or present) can seek services. Assistance is available whether or not you choose to report the crime to the police. The program offers a 24 hour confidential crisis hotline for victims of sexual assault and domestic violence. Hotline # (845) 340-3442. Crime Victims is located at 1 Pearl Street, Kingston and the phone number is (845) 340-3443.

Plan Development and Review

This policy statement was developed by the Personnel Department in collaboration with an employee representative designated by each of the County's bargaining units. The plan will be reviewed by the parties at least annually, or immediately following the occurrence of a workplace violence incident and, if necessary, updated within a reasonable period of time after such review is completed.

ULSTER COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER
Ulster County Website: www.co.ulster.ny.us

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ULSTER COUNTY SEXUAL HARASSMENT PREVENTION POLICY

Revised January 2019

I. POLICY STATEMENT

Ulster County is committed to maintaining a safe workplace free from sexual harassment, and has a zero-tolerance policy. Sexual harassment, which includes harassment on the basis of sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status, is a form of workplace discrimination. Sexual harassment is a serious form of employee misconduct. All employees, interns, volunteers, and non-employees are required to work in a manner that prevents sexual harassment in the workplace. Any employee, intern, volunteer, or non-employee in the workplace who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination. This Policy is one component of Ulster County commitment to a discrimination-free work environment.¹

Sexual harassment is against the law. All persons have a legal right to a workplace free from sexual harassment. This right can be enforced by filing a complaint internally with Ulster County that will be investigated promptly and confidentially, and/or with a government agency or in court under federal, state or local antidiscrimination laws.

Sexual harassment is an offensive violation of our policies, unlawful, and will not be tolerated. Harassers may also be individually subject to liability. Those who engage in sexual harassment, and managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be subject to remedial action or discipline in accordance with law or an applicable Collective Bargaining Agreement.

This Policy also prohibits retaliation against individuals who report or complain of sexual harassment or participate in the investigation of a sexual harassment complaint, as further described herein.

Complaints of sexual harassment must be submitted to the Personnel Officer.² The Personnel Director or their Designee will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever an individual or managerial personnel receives a complaint about sexual harassment or retaliation, or otherwise knows of possible sexual harassment occurring. Ulster County will keep the investigation confidential to the extent possible, and will seek to protect and keep confidential the identities of alleged victims and harassers during investigations. Effective corrective action will be taken whenever sexual harassment or retaliation is found to have occurred. All persons covered by this Policy, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

¹ Note that other forms of discrimination, as well as harassment based on protected classes or characteristics other than those covered under this policy are covered separately under Ulster County's Discriminatory Harassment Policy.

² In the event that the Personnel Officer is the subject of the complaint, complaints must be made to one of the Deputy County Executives

Ulster County Sexual Harassment Prevention Policy

We are all responsible for creating a safe and harassment free work environment. All employees, interns, volunteers, and non-employees are to report any harassment or behaviors that violate this Policy. Reports of sexual harassment may be made verbally, or in writing. Ulster County provides a complaint form for the reporting of harassment and filing of complaints. Managers and supervisors are required to report **any** complaint that they receive, or any harassment that they observe or become aware of in the workplace. Such reporting should be in written form to the Personnel Officer.

Anyone subject to and/or covered by this Policy who feels harassed, or is concerned about potential harassment should inform their supervisor or the Personnel Officer so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy. Ulster County encourages all who believe they may have been a victim of, or witness of any form of sexual harassment to report.

II. SCOPE

- A. **Who is covered by this Policy?** This Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, volunteers, non-employees and persons conducting business with Ulster County³.
- B. **Who can be a target of sexual harassment?** Sexual harassment can occur between any individuals, regardless of their sex or gender, or standing within Ulster County. Federal and State Law protects employees, paid or unpaid interns, volunteers, and non-employees who provide services in the workplace.
- C. **Who can be a sexual harasser?** A harasser can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor, or anyone with whom the person interacts while conducting their job duties.
- D. **Where can sexual harassment occur?** Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees, interns and/or volunteers are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage can constitute or contribute to unlawful workplace harassment, even if occurring away from the workplace premises or not during work hours.

III. DEFINITIONS OF PROHIBITED CONDUCT

A. **What is sexual harassment?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status.

Sexual harassment includes unwelcome verbal or physical conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- o Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- o Such conduct is made either explicitly or implicitly a term or condition of employment;

³ Non-employees, as defined by law, includes contractors, vendors and consultants or those who are employees of the contractor, vendor or consultant.

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or

- o Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, and/or which can interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to offer job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

B. Examples of sexual harassment

Sexual harassment under the law and prohibited by this Policy will include, but is not limited to, the following prohibited conduct:

- Physical assaults of a sexual nature, such as:
 - o Touching, pinching, patting, grabbing, brushing against another person's body or poking another person's body; rape, sexual battery, molestation or attempts to commit these assaults (which should be reported to local authorities as promptly as is possible).
- Unwanted sexual advances or propositions, such as:
 - o Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other employment benefits or detriments; subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which can create a hostile work environment.
- Sex stereotyping, which occurs when conduct or personality traits are considered inappropriate or treated negatively simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should look or act.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - o Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace or in a work-related gathering or setting.
- Hostile actions taken against an individual because of that individual's sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status, such as:
 - o Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - o Sabotaging an individual's work;
 - o Bullying, yelling, name-calling.

C. Retaliation

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In addition to sexual harassment, retaliation for opposing or complaining of sexual harassment or participating in investigations of sexual harassment is prohibited by law and prohibited under this Policy. No person covered by this Policy shall be subjected to such unlawful retaliation. Unlawful retaliation can be any adverse employment action, including being discharged, disciplined, discriminated against, or any action that would keep or discourage anyone covered by this Policy from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

The New York State Human Rights Law and this Policy protect any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under this Policy, the State Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to Ulster County (including a supervisor or manager) or by simply informing a supervisor or manager of harassment;
- reported that another employee, intern, volunteer or non-employee covered by this Policy has been sexually harassed; or
- encouraged a fellow employee, intern, volunteer and/or non-employee covered by this Policy to report harassment.

Employees, interns, volunteers, and non-employees who believe they have been subjected to retaliation should report this conduct in accordance with the same reporting procedures as are outlined below. These complaints of retaliation will be investigated in accordance with the same procedures utilized to investigate a complaint of sexual harassment. Individuals also may file complaints of retaliation with the federal or state enforcement agencies (EEOC or New York State Division of Human Rights).⁴ Any individual found to have engaged in retaliation as defined in this Policy will be subject to disciplinary action up to and including termination, and/or other corrective or remedial action as necessary.

IV. REPORTING PROCEDURES AND RESPONSIBILITIES

A. Reporting Procedures

Preventing sexual harassment is everyone's responsibility. Ulster County cannot prevent or remedy sexual harassment unless it knows about it. Any employee, intern, volunteer or non-employee who has been subjected to behavior that may constitute sexual harassment is strongly encouraged to report such behavior to a supervisor, manager, or the Personnel Officer. Anyone who witnesses or becomes aware of potential or perceived instances of sexual harassment should also report such behavior to a supervisor, manager, or the Personnel Officer.⁵ Managers and supervisors who have received reports are required to report the alleged harassment to the Personnel Officer.

Although encouraged, note that neither this Policy nor state or federal law requires that an individual tell an alleged harasser to stop his/her actions. Failure to do so does not preclude the individual from filing a complaint of sexual harassment. Individuals should feel free to keep written records of any actions which may constitute sexual harassment, including time, date, location, names of others involved, witnesses (if any), and who said or did what to whom.

⁴ Contact information provided in §IX of this document.

⁵ In the event that the Personnel Officer is the subject of the complaint, complaints are to be made to one of the the Deputy County Executives.

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Reports of sexual harassment may be made verbally or in writing. If made verbally, to a supervisor or the Personnel Officer, the complaint must be reduced to writing by the individual who it was reported to. A form for submission of a written complaint is attached to this Policy. Individuals who are reporting sexual harassment on behalf of others may report verbally to a supervisor or the Personnel Officer, or should use the complaint form and note that it is on another person's behalf.

Employees, interns, volunteers or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

B. Supervisory Responsibilities

All managerial and supervisory personnel of Ulster County shall be responsible for enforcing this Policy and shall have particular responsibility for ensuring that the work environment under their supervision is free from sexual harassment and retaliation. In addition to being subject to discipline or other remedial action if they engaged in sexually harassing conduct themselves, all supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report the same in writing, to the Personnel Officer. Supervisors and managers will be subject to discipline (or other remedial and appropriate action) for failing to take corrective action and report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Appropriate and attentive action to prevent the occurrence of sexual harassment is an expectation of all supervisors.

Supervisors and managers will also be subject to discipline or other appropriate remedial action for engaging in retaliation.

C. Ulster County Responsibilities

Ulster County will be responsible for ensuring that this Policy is provided to employees, interns, and volunteers, and that training on this Sexual Harassment Prevention Policy is conducted annually.

V. INVESTIGATION AND RESPONSE PROCEDURES

All complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner and will be confidential to the extent possible.

During an investigation of any complaint, the information and knowledge gathering of suspected sexual harassment will be prompt and thorough, commencing immediately and completed as soon as possible. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded appropriate due process to protect their rights to a fair and impartial investigation.

Any employee, volunteer, intern or non-employee may be required to cooperate as needed in an investigation of suspected sexual harassment. As further set forth herein, Ulster County will not tolerate retaliation against those who file complaints, support another's complaint, or participate in the investigation of a complaint.

All investigations will be conducted by the Personnel Officer or their designee. The nature of an investigation may vary on a case by case basis dependent upon the circumstances and extent of the

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allegations. Generally, investigations should be conducted by the Personnel Officer or their designee in accordance with the following steps:

- Upon receipt of complaint, the Personnel Officer or their designee will conduct an immediate review of the allegations, and take interim actions, as appropriate. If the complaint is oral, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form or other write up of the complaint based on the oral reporting.
- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create (at a minimum) written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - Recommendation(s) for the final resolution of the complaint, together with any recommendations for corrective or remedial actions to be taken.
- Keep the written documentation and associated documents in a safe secure location within the employer's records.

Once the investigation is completed, the Personnel Officer or their designee will make a Final Determination as to whether the Policy has been violated.

The Personnel Officer or their designee shall promptly notify the complainant of the Final Determination, and also inform the complainant of their right to file a complaint or charge externally as outlined below.⁶

If and when a complaint of sexual harassment or retaliation is determined to be founded, Ulster County will take disciplinary and/or corrective action. The Personnel Officer will be responsible for overseeing the implementation of any corrective or remedial actions.

VI. FURTHER CONFIDENTIALITY AND DISCLOSURE

In recognition of the personal nature of discrimination complaints and the emotional impact of alleged discrimination, Ulster County shall keep complaints as confidential as is consistent with a thorough investigation, applicable collective bargaining agreements, and other laws and regulations regarding employees and the workplace setting. For the protection of all individuals who make complaints or are accused of prohibited discrimination, every witness interviewed during an investigation under this Policy will be advised of the confidentiality requirement and instructed not to discuss the complaint, the investigation, or the persons involved. To the extent complaints made under this Policy implicate criminal conduct, Ulster County may be required by law to contact and cooperate with the appropriate law enforcement authorities.

The terms of any settlement or other resolution are subject to disclosure UNLESS the Complainant seeks confidentiality. This request for confidentiality may be revoked within a certain time period in accordance with State law.

⁶ Where a complaint was filed regarding sexual harassment against an individual other than the person making the written complaint, the person against whom the harassment was directed will be treated as the complainant for purposes of this Policy.

VII. FALSE REPORTS

Reporting of a false complaint is a serious act. In the event it is found that an individual bringing the complaint has knowingly made false allegations, Ulster County will take appropriate remedial action and/or disciplinary action in accordance with the provisions of applicable collective bargaining agreement and/or state law.

VIII. LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Sexual harassment is not only prohibited by Ulster County but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Ulster County, individuals may also choose to pursue legal remedies with the following governmental entities **at any time**.

A. New York State Division of Human Rights (DHR)

The Human Rights Law (HRL), codified as N.Y. Executive Law, Art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, interns and non-employees. A complaint alleging violation of the Human Rights Law may be filed either with Division of Human Rights or in New York State Supreme Court. Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged discrimination. An individual may not file with DHR if they have already filed an HRL complaint in state court.

Complaining internally to Ulster County does not extend the time for filing a complaint with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

An individual does not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate the complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring the employer to act to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

B. United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within **300 days** from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is

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found to have occurred.

If an individual believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

C. Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

D. Contact your Local Law Enforcement Agency

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact your local law enforcement agency.

ULSTER COUNTY HARASSMENT COMPLAINT FORM
(Submit to Personnel Officer)

This form may be used to file a complaint of harassment which is a form of discrimination prohibited by federal law, the New York State Human Rights Law, and Ulster County Policy.

Filing this complaint form with Ulster County in no way deprives you of the right to file a complaint with the US Equal Employment Opportunity Commission, New York State Division of Human Rights, and/or the Federal/State courts.

(PLEASE PRINT OR TYPE)

- Name _____

Phone Number _____

Residence _____

Mailing Address (if different from residence) _____

City _____ State _____ Zip Code _____
- Department _____

Position _____

3. Alleged Discrimination Occurred on or about:

Month: _____ Day: _____ Year: _____ Time: _____

Is this alleged discrimination continuing: YES _____ NO _____?

Are you personally the subject of the alleged harassment? YES _____ NO _____?

If not, please state the name of the person(s) who are the subject of the alleged harassment:

Describe the alleged act of harassment. Use additional sheets if necessary.

4. Indicate the name(s) of the alleged harasser(s) and their position in relationship to the harassed:

5. State the name(s) of any potential witness(s):

6. Has this conduct been reported to any other individuals, if so to whom and when ?

7. Have you filed this charge with a Federal, State or local government agency?

YES/NO: _____ When _____ Where _____
(Month/Day/Year)

Have you instituted a suit or court action on this charge?

YES/NO: _____ When _____ Where _____
(Month/Day/Year)

(AN AFFIRMATIVE REPLY TO THIS QUESTION WILL IN NO WAY STOP A REVIEW OF YOUR COMPLAINT)

8. I swear or affirm that I have read the above related facts and that the statements are true and correct to the best of my knowledge, information and belief.

Date: _____

(Signature)

-INFORMATION PROVIDED HEREIN WILL BE CONFIDENTIALLY MAINTAINED WITHIN THE ULSTER COUNTY
PERSONNEL DEPARTMENT -

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ULSTER COUNTY DISCRIMINATORY HARASSMENT PREVENTION POLICY
AND COMPLAINT PROCEDURE
Revised January, 2019

I. POLICY STATEMENT

It is the policy of Ulster County to provide and maintain a safe work environment which is free from all unlawful discrimination based on sex (with or without sexual conduct, and including gender identity, gender expression or transgender status), race, color, religion, national origin, age, disability, genetic information or predisposing genetic characteristic, marital status, familial status, military status, domestic violence victim status, and any other class protected by law. Harassment based on these protected characteristics (collectively referred to as "discriminatory harassment") is a form of unlawful discrimination and is prohibited in each and every work environment and situation which directly impacts the work environment.

Sexual harassment is covered separately under Ulster County's Sexual Harassment Prevention Policy. Refer to the Ulster County Sexual Harassment Prevention Policy, available on Ulster County's Intranet and Website (ulstercountyny.gov). This Discriminatory Harassment Prevention Policy and Complaint Procedure (the "Policy") can also be accessed and is available on County's Intranet and Website (ulstercountyny.gov).

Ulster County will take appropriate steps to prevent and correct unlawful discriminatory harassment and discrimination as defined by federal, state and local law (if applicable.) This includes federal laws such as Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act and the Genetic Information Non-Discrimination Act, as well as the New York State Human Rights Law.

Ulster County considers discrimination, discriminatory harassment and other conduct prohibited by this Policy to be a form of employee misconduct. Ulster County considers this type of misconduct to be a serious offense which will not be tolerated. Allegations of discrimination and discriminatory harassment will be investigated thoroughly and if substantiated, will be met with appropriate corrective and/or disciplinary action commensurate with the seriousness of the offense(s), and in accordance with the parameters of applicable collective bargaining agreements and/or state law.

Retaliation against any individual making a discrimination or harassment complaint or assisting in the investigation of such a complaint is forbidden. Retaliation is a serious violation of this Policy which may result in disciplinary action.

II. SCOPE

- A. **Who is covered by this Policy?** This policy applies to all applicants, employees, interns (paid or unpaid), volunteers, contractors, and other non-employees conducting business with the Ulster County.
- B. **What does this Policy prohibit?** This Policy prohibits discriminatory harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the Ulster County (e.g., an outside vendor, consultant, other non-employee or citizen).

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- C. **Where can discrimination or discriminatory harassment occur?** Conduct prohibited by this Policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.
- D. All information gathered during an investigation of a complaint will be handled in a confidential manner, to the extent possible.
- E. This Policy does not preclude the filing of discrimination, discriminatory harassment or retaliation complaints with the New York State Division of Human Rights (DHR), the Federal Equal Employment Opportunity Commission (EEOC), or the pursuing of any other remedies as permitted by law.

III. DEFINITIONS OF PROHIBITED CONDUCT

A. Discrimination

Discrimination on the basis of any protected characteristic is prohibited. Discrimination includes any adverse employment action (termination, failure to hire, demotion, failure to promote, etc.) taken on the basis of sex (with or without sexual conduct, and including gender identity, gender expression or transgender status), race, color, religion, national origin, age, disability, genetic information or predisposing genetic characteristic, marital status, familial status, military status, domestic violence victim status, and any other class protected by law.

B. Discriminatory Harassment

Harassment on the basis of any protected characteristic is prohibited. Under this Policy, prohibited discriminatory harassment is verbal or physical conduct that is offensive to or shows hostility or aversion toward an individual because of a protected class or characteristic, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

NOTE: Sexual harassment, including harassment on the basis of sex (including gender identity or transgender status) and sexual orientation is covered separately under the Ulster County Sexual Harassment Prevention Policy.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace (including through e-mail) of written or graphic material that denigrates or shows hostility or aversion toward an individual or group, based on an individual's protected class.

C. Retaliation

Retaliation against any individual for making a discriminatory or any harassment complaint or assisting in the investigation of such a complaint is prohibited by law and under this Policy. Unlawful retaliation can be any adverse employment action, including being discharged, disciplined, discriminated against, or any action that would keep or discourage anyone covered by this Policy from coming forward to make or support a claim of discrimination or discriminatory harassment. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Any employee, intern, volunteer, and non-employee who believes they have been subjected to retaliation should report this conduct in accordance with the same reporting procedures as are outlined below. These complaints of retaliation will be investigated in accordance with the same procedures utilized and described below. Individuals also may file complaints of retaliation with the federal or state enforcement agencies (EEOC or New York State Division of Human Rights.)

Ulster County Discriminatory Harassment Policy

Any individual found to have engaged in retaliation as defined in this Policy may be subject to disciplinary action up to and including termination, and/or other corrective or remedial action as necessary and permitted by an applicable collective bargaining agreement or state law.

IV. REPORTING PROCEDURES AND RESPONSIBILITIES

A. Reporting Procedures

Preventing harassment is everyone's responsibility. If an employee, intern, volunteer, or non-employee who witnesses or is subjected to a situation which he/she believes constitutes discriminatory harassment in violation of this Policy, Ulster County recommends that the person confront the harasser directly and advise the harasser that his/her behavior is not welcomed and will not be tolerated.

If an employee, intern, volunteer or non-employee who witnesses or is subjected to a situation which he/she believes constitutes discrimination or discriminatory harassment, he/she should file a complaint with the Personnel Office as set forth below. Anyone who witnesses or becomes aware of potential instances of discrimination or harassment should also report such behavior to the Personnel Office.

- o **Personnel Office:** Personnel Officer
- o **In the event that the Personnel Officer is the subject of the complaint, complaints are to be made to a Deputy County Executive.**

Although encouraged, note that neither this Policy nor state or federal law requires that an individual tell an alleged harasser to stop his/her actions. Failure to do so does not preclude the individual from filing a complaint of discriminatory harassment. Individuals should feel free to keep written records of any actions which may constitute harassment, including time, date, location, names of others involved, witnesses (if any), and who said or did what to whom.

Complaints may be made verbally or in writing. **If made verbally, the complaint must be reduced to writing by the individual to whom it was reported.** The written report must be given to the Personnel Officer. A form for submission of a written complaint is attached to this Policy, and all employees, interns, volunteers, and non-employees conducting business in the workplace are encouraged to use this complaint form. Individuals who are reporting discrimination or harassment on behalf of other employees, interns, volunteers or non-employees should use the complaint form and note that it is submitted on another person's behalf.

B. Employee Responsibilities

All employees, interns and volunteers are responsible for refraining from discrimination, discriminatory harassment or retaliation in the workplace. Anyone who witnesses discrimination, discriminatory harassment or retaliation may notify the person responsible that their behavior is inappropriate, and in any and all events, should notify the Personnel Officer.

C. Supervisory Responsibilities

All managerial and supervisory personnel of the Ulster County shall be responsible for enforcing this Policy and shall have particular responsibility for ensuring that the work environment under their supervision is free from discrimination, discriminatory harassment, and retaliation. Failure of a manager or supervisor to comply with this responsibility may result in disciplinary action.

All managerial and supervisory personnel who receive complaints of, observe directly, or otherwise become aware of or suspect that discrimination, discriminatory harassment or retaliation is occurring, will be responsible for immediately forwarding such complaints, in writing, to the Personnel Officer.

Ulster County Discriminatory Harassment Policy

Supervisors and managers will be subject to discipline (or other remedial or appropriate action) for failing to report suspected discriminatory harassment or otherwise knowingly allowing the harassment to continue. Supervisors and managers will also be subjected to discipline (or other remedial or appropriate action) if found to have engaged in discrimination, discriminatory harassment, or retaliation.

D. Employer Responsibilities

Ulster County will conduct periodic mandatory training on the issues surrounding discrimination, discriminatory harassment, its effects and its appearances, and the role and responsibility of employees and managerial/supervisory personnel in preventing incidents of discrimination and harassment.

Ulster County will also distribute this Policy to all employees, interns and volunteers, and ensure that it is distributed to new employees as they are hired.

V. INVESTIGATION AND RESPONSE PROCEDURES

Discrimination and discriminatory harassment complaints will be investigated. The Personnel Officer and/or their designee(s) will conduct a prompt and thorough investigation commencing immediately and completed as soon as possible. The investigation will be confidential to the greatest extent possible.

Any employee, volunteer, intern or non-employee may be required to cooperate as needed in an investigation of suspected discriminatory harassment. As further set forth herein, Ulster County will not tolerate retaliation against those who file complaints, support another's complaint, or participate in the investigation of a complaint.

The nature and extent of an investigation may vary on a case by case basis dependent upon the circumstances and extent of the allegations. Generally, investigations should be conducted in accordance with the following steps:

- Upon receipt of complaint, the Personnel Officer or their designee will conduct an immediate review of the allegations, and take interim actions, as appropriate. If the complaint is oral, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form or other write up of the complaint based on the oral reporting.
- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses.
- Create (at a minimum) written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - Recommendation(s) for the final resolution of the complaint, together with any recommendations for corrective or remedial actions to be taken.
- Keep the written documentation and associated documents in the employer's records.

Once the investigation is completed, the Personnel Officer or their designee will make a Final Determination as to whether the Policy has been violated.

Ulster County Discriminatory Harassment Policy

The Personnel Officer or their designee shall promptly notify the complainant of the Final Determination, and also inform the complainant of their right to file a complaint or charge with the DHR or EEOC, or in an appropriate court.

If a complaint of discriminatory harassment, other harassment, or retaliation is determined to be founded, Ulster County will take disciplinary and/or corrective action in accordance with law and/or an applicable collective bargaining agreement. The Personnel Officer will be responsible for overseeing the implementation of any corrective or remedial actions.

If disciplinary charges are filed against an employee on the grounds that Ulster County has determined the employee is guilty of discrimination, discriminatory harassment or retaliation, the accused employee may exercise his/her rights through the disciplinary procedure provided for in his/her collective bargaining agreement, or state law, if applicable.

VI. FALSE REPORTS

Reporting of a false complaint is a serious act. In the event it is found that an individual bringing the complaint has knowingly made false allegations, Ulster County may take appropriate remedial action and/or disciplinary action in accordance with the provisions of applicable collective bargaining agreement and/or state law.

Ulster County Discriminatory Harassment Policy

ULSTER COUNTY DISCRIMINATORY HARASSMENT PREVENTION COMPLAINT FORM
(Submit to Personnel Officer)

This form may be used to file a charge of discriminatory harassment which is a form of discrimination prohibited by federal law, the New York State Human Rights Law, and Ulster County Policy.

Filing this complaint form with Ulster County in no way deprives you of the right to file a complaint with the US Equal Employment Opportunity Commission, New York State Division of Human Rights, and/or the Federal/State courts.

(PLEASE PRINT OR TYPE)

1. Name _____
Phone Number _____
Residence _____
Mailing Address (if different from residence) _____
City _____ State _____ Zip Code _____
2. Department and Position _____
(Month/Day/Year)

(AN AFFIRMATIVE REPLY TO THIS QUESTION WILL IN NO WAY STOP A REVIEW OF YOUR COMPLAINT)

3. Alleged Discrimination Occurred on or about:
Month: _____ Day: _____ Year: _____ Time: _____
Is this alleged discrimination continuing: YES _____ NO _____
Describe the alleged act of harassment. **Use additional sheets if necessary.**

Ulster County Discriminatory Harassment Policy

4. Indicate the name(s) of the alleged harasser(s) and their position in relationship to the harassed:

5. State the name(s) of any potential witness(s):

6. Has this Conduct been reported to any other individuals, if so to whom and when? :

7. Have you filed this charge with a Federal, State or local government agency?

YES/NO: _____ When _____ Where _____

(Month/Day/Year)

Have you instituted a suit or court action on this charge?

YES/NO: _____ When _____ Where _____

8. I swear or affirm that I have read the above related facts and that the statements are true and correct to the best of my knowledge, information and belief.

Date: _____

(Signature)

-INFORMATION PROVIDED HEREIN WILL BE CONFIDENTIALLY MAINTAINED-

Who may attend?

Only those directly involved in or affected by the event are permitted to attend. To record is made of what occurs and all discussion is strictly confidential.

When and where are CISM sessions held?

Formal CISM sessions are held at places and times determined by the CISM team members. They may be held off site and/or during off hours.

How can arrangements for a CISM response be made?

Requests for Critical Incident Stress Management services can be made by contacting one of the CISM Team Coordinators, contact numbers are listed on the following page, or by contacting your supervisor for assistance. The CISM Team Coordinators will determine what level of response, if any, is needed and will work with the other CISM Team members to schedule the appropriate intervention.

ULSTER COUNTY SHERIFF'S OFFICE Critical Incident Stress Management Team Members

Coordinators

George Hill, UCCSO Team Coordinator
845-901-4158

Cynthia King, UC Probation

Team Coordinator
Work # - 845-340-3480
Cell # - 845-901-2844

Team Members

Maggie Anderson, LCSW, volunteer/schools
Kelvin Antonelli, LCSW, volunteer
Robin Bisinger, Health Dept.
Louise Bonanno, LCSW, volunteer
David Brechter, D.Div., LCSW, volunteer
Scott Burke, Sheriff's Office
John Dickson, volunteer
Terry Elia, volunteer
Christopher Farrell, LCSW, Probation
Margaret Garvita, LCSW, SUNY/Ulster
Cheryl Hecht, LCSW, volunteer
Richard Levenson, PsyD, volunteer
Matt Maher, Ph.D., volunteer
Valerie Naccarato, Probation
Sharon Potter, volunteer
Wilbur Prutzman, Sheriff's Office
Allen Rowe, retired Team Leader
Nancy Schmidt, LMSW, Probation
Chad Storey, Sheriff's Office
Brian Turner, City of Poughkeepsie PD

OFFICE OF THE SHERIFF ULSTER COUNTY



CRITICAL INCIDENT STRESS MANAGEMENT TEAM

*A crisis intervention and
wellness program for Ulster
County Public Servants.*

Juan Figueroa
Ulster County Sheriff

What is a critical incident?

A critical incident is any event which overwhelms the normal coping mechanisms used by staff to deal with time occurrences. Critical incidents can include deaths, serious office health situations, incidents involving death, captive or hostage events, officer involved shootings, attempted suicide, escape or other traumatic events. Persons involved in such incidents may suffer the effects of a syndrome known as "Critical Incident Stress".

What is Critical Incident Stress?

Even though an incident may be over, a person can undergo strong emotional reactions which have the potential to interfere with his/her ability to function now or some time in the future. It is very common, in fact quite normal, for people to experience emotional aftershocks when they have participated in traumatic events.

"THESE ARE NORMAL REACTIONS TO ABNORMAL EVENTS".

What are some of the symptoms of Critical Incident Stress?

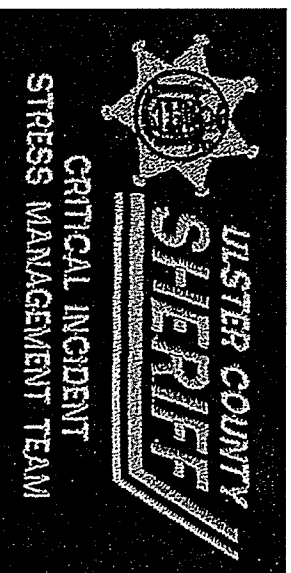
Symptoms of Critical Incident Stress may include the following:

Physical—nausea, tremors, sweating, chills, or increased pulse rate.

Cognitive—Impaired thinking or concentration, confusion or memory loss.

Emotional—anger, fear, grief, anxiety, frustration, withdrawal, or numbness.

These symptoms may not be evident right away. They may begin to occur hours, days, or even weeks later. Critical Incident Stress sufferers can also experience a loss of sleep, nightmares, flashbacks, loss of desire to perform normal functions, and/or depression. Many of these symptoms normally subside and disappear in time. However, with understanding and support from peers, loved ones or friends, these reactions usually pass more quickly.



What is the Ulster County Sheriff's Office Critical Incident Response Program

The Ulster County Sheriff's Office Critical Incident Stress Management Program is a service which exists to assist all Public Servants, upon request, who are experiencing Critical Incident Stress.

How did the program get started?

In 1996, the Ulster County Sheriff's Office created a CISM team after receiving training in Critical Incident Stress Debriefing (CISD). In April 1998, the team expanded when Deputy Allen Rowe and Corrections Officer Joseph Murray were trained as CISM Team members. In January 1999, the team was again expanded as the Sheriff's Office and the Ulster County Workplace CISM Team merged the two teams. The team is made up of Sheriff's office staff, County employees and a few volunteers. The team is now in place to assist all Public Servants in understanding, coping, and overcoming stress related incidents.

What does the Sheriff's Office CISM Team offer?

The CISM Team is a team of members selected for their skills and experience in handling emergencies. Each member of the CISM Team has been specially trained to respond to workplace critical incidents.

The primary objective of the CISM-Team is to help ensure employee wellness. This can be accomplished through interventions known as Crisis Management Briefing (CMB), Peer Support and Critical Incident Stress Debriefing (CISD). Interventions are provided by a team of CISM trained peers and mental health professionals.

What is a Crisis Management Briefing (CMB)?

A Crisis Management Briefing is a group intervention designed to provide information to a large group that has been affected by a critical incident or crisis situation. The meeting will include those directly and indirectly affected by the incident. A brief review of the incident will be provided to dispel rumors and reduce misinformation, followed by educational information about critical incident stress responses, resources and self help.

What is Peer Support?

Peer Support is individual counseling by one or two team members to an individual impacted by a critical incident. It is the CISM intervention most frequently used and is often offered in conjunction with other interventions.

What is a debriefing?

A debriefing is a group process, group meeting, or discussion about the traumatic event designed to reduce stress, and enhance recovery from stress. During the debriefing, CISM Team members provide participants with the telephone numbers of the Employee Assistance Program, appropriate community resources, and stress awareness intervention and self help information.

Case Studies and Related Materials for Additional Reference and Training

NYS Sexual Harassment Training Part 1:

<https://www.youtube.com/watch?v=sL7LwBsV9bM>

NYS Sexual Harassment Training Part 2:

<https://www.youtube.com/watch?v=1za7gs9S2H0>

#ThatsHarassment: The Boss: <https://www.youtube.com/watch?v=ljDO70TveLw>

#ThatsHarassment: The Politician:

<https://www.youtube.com/watch?v=HnLfMYBsetM>

Quid Pro Quo Sexual Harassment:

<https://www.youtube.com/watch?v=gmFyzVIBiR4>

Group Message Harassment: <https://www.youtube.com/watch?v=-0OLkYgHCNs>

Public Humiliation: <https://www.youtube.com/watch?v=dTd298kNLmY>

Men Sexually Harassed: <https://www.youtube.com/watch?v=LkqcOLP1h7Y>

Retaliation Example: <https://www.youtube.com/watch?v=NPgoGShj9yY>

Ulster County Compliance Program Annual Employee Training Update

The purpose of this training update is to ensure that all Ulster County government employees continue to have the information needed to contribute to the effective operations of the County's compliance program.

Employees must be aware of the following:

1. All employees are required to be familiar with and conform to the policies, procedures and guidance found in the County's Standard Operating Procedures, Compliance Program Procedures, Standards of Conduct for Ulster County Employees, Ethics and Disclosure Law, and Compliance Plan, and must seek clarification from supervisors, when needed. Links to these documents may be found on the Ulster County Intranet Home Page under "Frequently Used Documents" and on the Ulster County website: <http://ulstercountyny.gov/personnel/workforce-information>.
2. The County's Compliance Officer is Thomas Gibney. He reports to the County Executive concerning compliance matters and is responsible for the day-to-day operations of the program. The Compliance Officer may be reached at 845-340-8771.
3. Employees are mandated to participate in compliance trainings, including but not limited to:
 - New employee (compliance) orientation
 - Standards of Conduct for Ulster County Employees
 - Ulster County Compliance Plan
 - Specialized training for departments that bill Medicaid
 - Compliance updates
4. In the interest of providing departmental supervisors an opportunity to take corrective action, employees are required to bring compliance questions and concerns to the attention of their departmental supervisors. When it is not possible to report compliance concerns directly to departmental supervisors, employees may seek assistance from the Compliance Officer. In addition, Ulster County government maintains a Whistleblower Hotline for anonymous and confidential good faith reporting of compliance issues. All Hotline reports will be directed to the Compliance Officer, reviewed by the County's Compliance Committee and corrective action will be taken, if appropriate. The Hotline telephone number is 1-877-569-8777 and is accessible 24/7.

Ulster County Compliance Program Annual Employee Training Update

5. Employees are mandated to report known and perceived compliance violations and to assist in their resolution, and are subject to discipline for failure to do so. Employees must not participate in, encourage, direct, facilitate or permit non-compliant behavior. In order to encourage good faith participation in the compliance program, New York State Civil Service Law defines the disciplinary procedures that must be followed. The County's disciplinary policies will be fairly and firmly enforced.

The Federal False Claims Act and the New York State False Claims Act, as well as various other laws, prohibit intimidation and retaliation against anyone who makes good faith reports of compliance violations. In addition, Ulster County has several local laws (County Policy on Sexual Harassment in the Workplace, County Policy on Workplace Harassment, and the Whistleblower Employee/Agent Protection Policy For Ulster County Employees/Agents) which prohibit harassment of individuals in the workplace.

6. There are numerous Federal and New York State laws that establish the requirements for compliance programs. There are terms such as Fraud, Waste and Abuse that you should be familiar with. More detailed information concerning these laws may be accessed in the Standard Operating Procedures on the Ulster County Intranet. Employees should also be aware that:

- The Federal False Claims Act and the New York False Claims Act prohibit anyone from intentionally or unknowingly submitting false or misleading claims to the government. While the specific penalties under each law vary, they provide for thousands of dollars of penalties and possible criminal charges for each claim submitted. In addition, each law contains a "Qui Tam" or whistleblower provision, which encourages individual citizens to report False Claims Act violations. If the lawsuit is successfully prosecuted, and provided certain legal requirements are met, the whistleblower may receive a monetary award ranging from 15% to 30% of the amount recovered. The False Claims Acts prohibit harassment of Qui Tam reporters.
- 18 NYCRR Section 521.1 requires that Medicaid reimbursable service providers (subject to certain thresholds) operate compliance programs that are qualified as "effective", as defined by various criteria.
- Deficit Reduction Act of 2005 requires Medicaid reimbursable service providers (subject to certain thresholds) to establish written policies and procedures informing and educating their employees, contractors and agents about the federal and state false claim acts and whistleblower protections.

Ulster County Compliance Program Annual Employee Training Update

Attestation

I have been advised that I can access the Ulster County Compliance Program Standard Operating Procedures, Compliance Plan and Standards of Conduct for Ulster County Employees on the Ulster County Intranet or may ask for a hard copy of the document. The purpose of these documents is to inform employees of the Ulster County Government's expectations regarding ethical behavior and to ensure compliance with Federal, State and local laws, regulations, policies, procedures and rules.

I understand that it is my responsibility to:

1. Read the documents;
2. Understand its contents and immediately ask my supervisor for clarification(s), if there is anything I am unclear about;
3. Fully comply with its directives.

I acknowledge that I know how to obtain a copy of the Compliance Plan and Procedures and the Standards of Conduct for Ulster County Employees. Also, as applicable, I have received a copy of the Ethics and Disclosure Law. (UC Intranet or ask your Supervisor/Department Head)

I understand that I must comply with the Compliance Plan and Procedures, the Standards of Conduct for Ulster County Employees, all laws, regulations, policies and procedures, and guidance provided.

I understand that I must report any instances of possible violations of the Compliance Plan and Procedures, the Standards of Conduct for Ulster County Employees, Ethics and Disclosure laws, regulations, and policies and procedures to my supervisor, or, if that is not possible or appropriate, to the Ulster County Personnel Director or Compliance Officer.

I understand that Ulster County maintains a Compliance Hotline (1-877-569-8777) for confidential or anonymous reporting of possible violations of the Compliance Plan, the Code of Conduct, laws, regulations, and policies and procedures.

I understand that my failure to comply with the Compliance Plan, the Standards of Conduct for Ulster County Employees, laws, regulations, and policies and procedures or to report possible violations may result in disciplinary action, up to and including termination.

By signing the Attendance sheet you have Attested to receiving the Annual Compliance Training.

Ulster County Compliance Program Annual Employee Training Update

- **Fraud, Waste and Abuse**

Many of the services provided by the County are funded by federal, state or County funds. Fraud, waste and abuse can occur in any of the County's services or programs.

- **Fraud** can be committed by employees or recipients and is defined the intentional deception of a person or entity by another made for monetary or personal gain. Fraud offenses always include some sort of false statement, misrepresentation, or deceitful conduct. Some examples include making a false statement, concealing facts or events which affect eligibility for services or funds, and misuse of benefits or funds.
- **Waste** involves the taxpayers not receiving reasonable value for money in connection with any government funded activities due to an inappropriate act or omission by those with control over or access to government resources.
- **Abuse** involves behavior that is deficient or improper when compared with behavior that a prudent person would consider reasonable and necessary business practice. Abuse also includes misuse of authority or position for personal financial interests or those of an immediate or close family member or business associate.

Ulster County Compliance Program Annual Employee Training Update

Compliance Plan Reminders

1. Compliance Officer for Ulster County is Thomas Gibney, Deputy Director, ACE unit of Finance.
2. There is a compliance committee that involves various County personnel who assist the Compliance Officer in duties of the Compliance Program. Each year a Work Plan is developed that incorporates direction from the OMIG and OIG. (Office of Medicaid Inspector General and Office of Inspector General)
3. A consultant, June Crawford, from the Bonadio Group participates as part of the Compliance Committee. Her firm is considered practiced in the field of Corporate Compliance.
4. The Compliance Hotline phone number is 1-(877)-569-8777. This number can be found on the Intranet phonebook under Compliance Hotline.
5. The Compliance Officer phone number is (845)-340-8771. This number can be found on the Intranet phonebook under Compliance Officer.
6. The Compliance Plan, Standards of Conduct and Whistleblower Policy can be found on the Intranet and Internet. The internet web address is: <http://ulstercountyny.gov/personnel/workforce-information>
7. The Compliance Hotline phone number and the Whistleblower Hotline phone numbers are the same number.
8. Changes to the Compliance Plan Program and reminders about the program will be sent via email throughout the year.
9. It is important to Report. If you have reason to believe that there is a compliance issue/situation, it is important to report what you know or what you think you know to your supervisor or the Compliance Officer or Hotline. An investigation will be conducted. There is a no retaliation clause in this program and there will not be retaliation when you make a report.
10. It is important to comply with the Compliance Plan. Each employee has a duty to comply with the program's policies and conduct oneself in an ethical manner while an Ulster County employee. There are consequences for failure to comply.

Thomas P. DiNapoli, State Comptroller

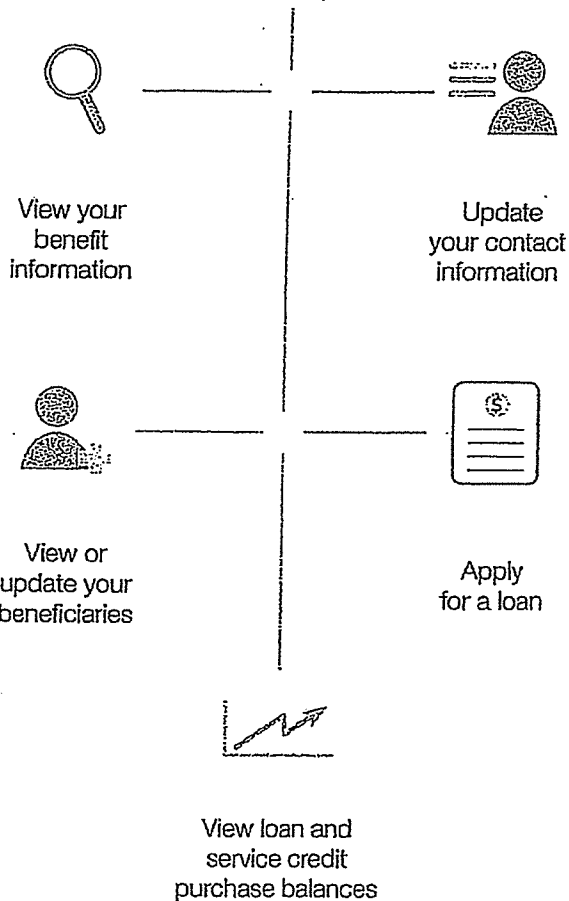


Retirement Online

Now, it's easier than ever to do business with NYSLRS. *Retirement Online* gives you a convenient and secure way to review your benefits and conduct transactions in real time.

In many cases, you'll be able to use *Retirement Online* instead of mailing forms or calling the Retirement System. And it's safe to use — NYSLRS has incorporated several security measures similar to those used by financial institutions.

With Retirement Online You Can



Over time, we will introduce additional features that allow you to estimate your projected pension benefit, purchase service credit, and more.

Creating an account is easy:

Go to www.osc.state.ny.us/retire and look for the *Retirement Online* logo. Click "Register Now."

Tools and Tips:

For help on how to create your account, set up security questions and reset your password, visit www.osc.state.ny.us/retire/retirement_online/customers.php and see our step-by-step user guides.

Current Online Availability:

Monday — Friday: 6:30 am — 8:00 pm

Saturday & Sunday: 6:30 am — 5:00 pm

Having trouble?

If you have trouble with *Retirement Online* or are unable to register for an account, please call our Contact Center at 1-866-805-0990 or 518-474-7736 in the Albany, NY area. You may also email us at www.emailNYSLRS.com.

Retirement Online

Frequently Asked Questions

Your employees/members may come to you for help with *Retirement Online*.
Here are some commonly asked questions about the self-service system:

Q: Where can I register for *Retirement Online*?

A: NYSLRS members can go to www.osc.state.ny.us/retire and look for the *Retirement Online* sign-in area. The Register Now link is under the Sign In button. Please note that online availability is not yet 24/7; the link displays the current hours that *Retirement Online* is available.

Q: When using *Retirement Online*, what internet web browser should I be using?

A: The recommended web browser for *Retirement Online* is Internet Explorer, but you may also use Google Chrome. Other web browsers aren't supported at this time. Internet Explorer or Google Chrome can be downloaded by following the links below or typing them into a browser.

Internet Explorer: <https://support.microsoft.com/en-us/help/17621/internet-explorer-downloads>

Google Chrome: <https://www.google.com/chrome/browser/desktop/index.html>

Q: I already registered for a *Retirement Online* account a few years ago. Do I have to register again?

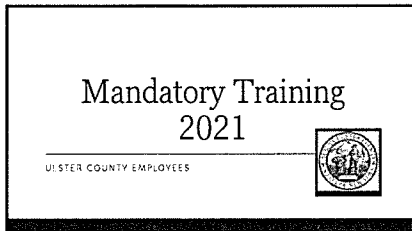
A: If you registered for a *Retirement Online* account before January 2017, you'll have to re-register. The old *Retirement Online* system has been replaced with a new system with enhanced security standards, so your previous user ID and password are no longer active.

Q: Can I use the same user ID and password that I used for the old *Retirement Online* system?

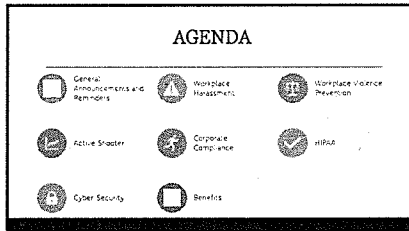
A: You may select the same user ID and password as long as they meet the security criteria.

Q: While trying to register, I got an error message stating I'm unauthorized after I put in my name, date of birth, ZIP Code and email address. What does it mean?

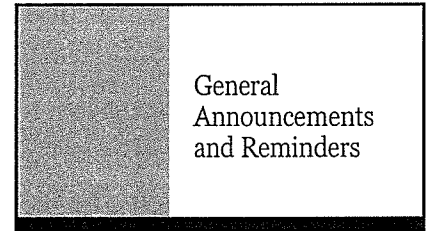
A: This error message may mean that one of the identifiers you provided while trying to register does not match what is currently on file with NYSLRS. You can refer to the information found in your most recent Member Annual Statement, or your Retiree Annual Statement if you are a retiree. If you still can't proceed with the registration process, please call the NYSLRS Contact Center at 1-866-805-0990 or 518-474-7736 in the Albany, New York area and select option 1 to get help for *Retirement Online*. The Contact Center is available Monday through Friday from 7:30 am – 4:15 pm and can assist you in completing the registration process.



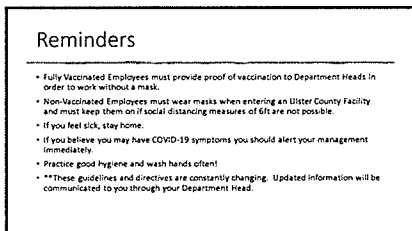
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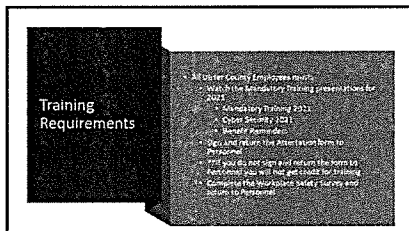
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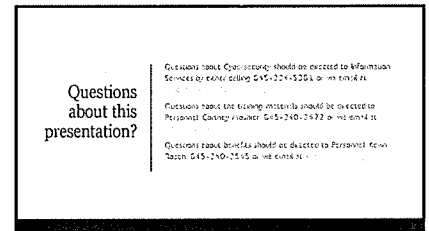
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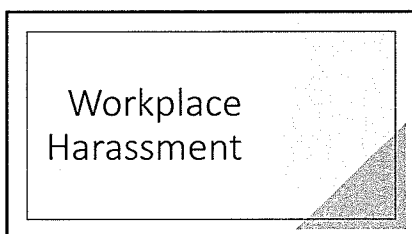
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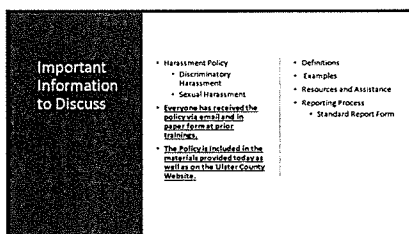
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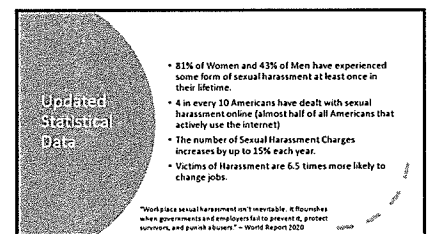
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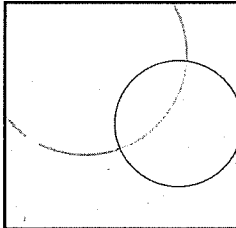
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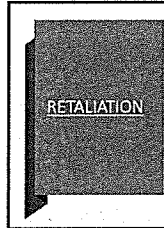
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What are Protected Activities?

- Making a complaint about harassment
- Testifying or assisting in a proceeding involving harassment
- Making a complaint of observed harassment or making a report of harassment to management/supervisors
- Assisting someone else that is completing a harassment

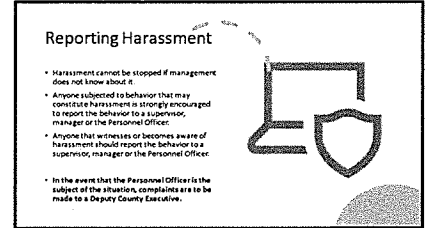
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RETALIATION

- Retaliation is punishment for engaging in any protected activity
- Ranges from demotion, discipline, firing, salary reduction, job shift reassignment, etc.
- Can have the effect of discouraging a reasonable worker from making a complaint about harassment or discrimination
- ***Retaliation is not a negative employment action simply because it happened after the employee participated in a protected activity.
- Every employee is still subject to all job requirements and disciplinary rules after engaging in a protected activity.

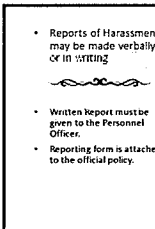
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Reporting Harassment

- Harassment cannot be stopped if management does not know about it
- Anyone subjected to behavior that may constitute harassment is strongly encouraged to report the behavior to a supervisor, manager or the Personnel Officer
- Anyone that witnesses or becomes aware of harassment should report the behavior to a supervisor, manager or the Personnel Officer
- In the event that the Personnel Officer is the subject of the situation, complaints are to be made to a Deputy County Executive.

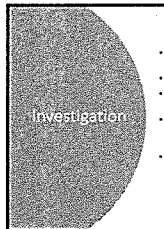
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SUPERVISOR RESPONSIBILITY

- Reports of Harassment may be made verbally or in writing
- Written Report must be given to the Personnel Officer.
- Reporting form is attached to the official policy.
- Supervisors must report any harassment that they observe or know of, even if no one is objecting to the harassment.
- Supervisors and managers will be subject to discipline for failing to report harassment or for engaging in any retaliatory behaviors.

22



Investigation

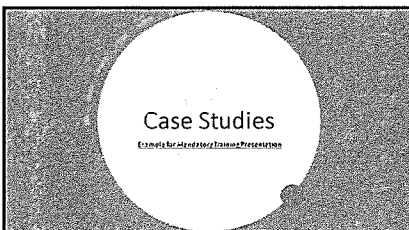
- All complaints or information about harassment will be investigated.
- Investigations will be conducted in a timely manner.
- All investigation will be confidential to the extent possible.
- Any employee, volunteer, intern or non-employee may be required to cooperate as needed in an investigation of suspected harassment.
- Retaliation against those who file complaints, support another's complaint or participate in the investigation of a complaint will not be tolerated.

23

Resources and Additional Information

- If an employee chooses, one can pursue outside legal remedies as well as filing a formal complaint with Ulster County
- New York State Division of Human Rights
 - Filed within one year
 - <http://dhr.ny.gov> for additional information
- United States Equal Employment Opportunity Commission
 - Filed within 300 days
 - <http://eeoc.gov> for additional information
- Reminder of Resources in Ulster County:
 - Ulster County Human Rights Commission
 - Ulster County Workplace Sexual Harassment Hotline
 - 1-833- ENDSNOW
 - Ulster Helps Website
 - www.UlsterHelps.org

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Case Studies

Examples for Harassment Training Presentation

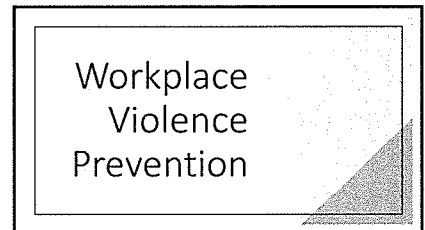
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Additional Case Studies:

1. A female employee was harassed by a male supervisor. The supervisor made inappropriate comments about her appearance and sexual orientation. The employee filed a complaint with the Personnel Officer. The supervisor was disciplined and the employee was promoted.

2. A male employee was harassed by a female supervisor. The supervisor made inappropriate comments about his appearance and sexual orientation. The employee filed a complaint with the Personnel Officer. The supervisor was disciplined and the employee was promoted.

26




Workplace Violence Prevention

27

An Active Shooter Event Can Happen Anywhere

- Most commonly occur in businesses, schools or government facilities.
- Recent examples bring attention to include churches and outdoor concert venues.



37

If you SEE something, SAY something

If something doesn't belong, say something.


If something appears off, say something.

Our collective safety depends on our vigilance.

38


If you hear a sound that you believe is a gun shot...

- What you do from that point forward counts!
- You need to **IMMEDIATELY** get into the mindset of Personal Security.
- You need to decide how you will respond...



39


Run



- Find an escape route and a path to exit.
- Leave all belongings behind.
- Run at the sound of gunfire.
- Run down stairs if necessary.
- Don't turn around.
- Warn others if you can do so without putting yourself in danger.
- Call 911 when you are safe.

40

HIDE



- Find somewhere that is safe.
- Lock the doors.
- Hide behind large items.
- Silence all electronics.
- Be as quiet as possible.


41

FIGHT

- As a last resort if your life is in immediate danger.
- Act with aggression, yell as loud as you can.
- Improvise weapons and throw items.
- Commit to your actions.

42


Reacting to Law Enforcement



- Stay calm.
- Put down items you are carrying.
- Avoid quick movements, pointing, screaming or yelling.
- Pay attention and follow all Police instructions.

43

Critical Incident Stress Management




- A critical incident is any event which overwhelms the normal coping mechanisms used to deal with routine occurrences.
- This can include threats, serious office health situations, incidents involving death, captive or hostage situations, officer involved shootings, attempted suicide, escape or other traumatic events.
- Critical incidents can trigger strong emotional reactions that interfere with a person's ability to function. These emotional actions are considered "A normal reaction to an abnormal situation."

44

Mission of CISM Team

- The Ulster County Sheriff's Critical Incident Stress Management Team (CISM) is a team dedicated to ensure the wellness of all county employees, and emergency services workers.
- The prevention and mitigation of this disabling stress is accomplished through interventions known as Crisis Management Briefings (CMB), Peer Support and Critical Incident Stress Debriefs (CISD).



ULSTER COUNTY SHERIFF
CRITICAL INCIDENT STRESS MANAGEMENT TEAM

45

Reporting issues of Non-Compliance

- If you have reason to believe that there is a compliance issue/situation, it is imperative that you report what you know or think you know to any of the following:
 - Your immediate Supervisor
 - Tom Ganev, Compliance Officer
 - The Compliance Hotline
- An investigation will be conducted by the Compliance Committee
- Ulster County shall protect qui tam reporters in accordance with Federal and State statutes relative to Whistleblower protections.
- Retaliation is against the law.
- From the Ulster County Compliance Plan

55

Compliance Hotline

1-877-569-8777


- Answered through the consulting firm.
- Secure
- Confidential

Report it!

IF YOU SEE SOMETHING, SAY SOMETHING.

56

Whistleblower Hotline



The Compliance Hotline is the Whistleblower Hotline as the same number:

1-877-569-8777


This number can be found on the Ulster County Website

57

Where to find Compliance Information

The Compliance Plan, Standards of Conduct and the Compliance/Whistleblower Hotline number can be found on the Internet

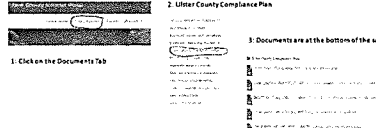
- GO TO THE ULSTER COUNTY WEBSITE
- CHOOSE THE COMPLIANCE TAB
- CLICK ON COMPLIANCE INFORMATION



58


Information can also be found on the INTRANET

- Click on the Documents Tab
- Ulster County Compliance Plan
- Documents are at the bottom of the screen



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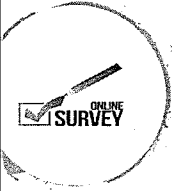
Compliance Updates



- Changes to the Compliance Plan Program and reminders about the program will be posted and emailed throughout the year. If you do not have an email address the updates will be posted in a common area.

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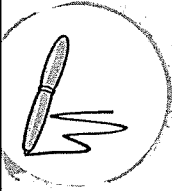
Annual Compliance Survey



- In the fall of each year a survey is sent by email or post to the employees of Ulster County. This survey assists the Compliance Committee with administering the program.
- Please answer the survey by the date indicated each year.

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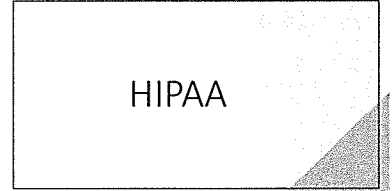
Attestation



- By signing the Attestation form you have Attested to receiving the Annual Compliance Training and our Sexual and Discriminatory Harassment Policies.
- You are also Attesting to the fact that you understand the components of the policies, your obligations to abide by the policies and know where to find the policies if you have questions.
- You must sign the Attestation form and it must be sent to Personnel Attn: Courtney Mosher in order to get credit for training.

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HIPAA



63

Use and Disclosure



USE - Occurs when the covered entity examines, uses or applies PHI information (usually for treatment, provide services, payment or operations)

DISCLOSURE - Occurs when PHI is released by the Covered Entity and transferred to or received by a Business Associate.

Use and Disclosure is permitted if the Covered Entity:
Has a signed Authorization form.
The information is needed for patient treatment.
Needed for payment or service.

It is important that you keep PHI you receive only for the purpose for which it was disclosed to you. If you receive PHI for a purpose other than that for which it was disclosed, you must obtain a signed Authorization from the patient. Any unauthorized or improper disclosure of PHI in either intentional or accidental must be promptly reported to the Privacy Officer.

73

A "Breach" is any unauthorized acquisition, access, use, or disclosure of unsecured or unencrypted PHI.

Common examples:
- A person who is not authorized to view PHI (e.g., a family member, friend, or neighbor) accesses PHI.
- A person who is not authorized to view PHI (e.g., a family member, friend, or neighbor) accesses PHI.
- A person who is not authorized to view PHI (e.g., a family member, friend, or neighbor) accesses PHI.



Important: Report any actual or potential breach immediately to your Supervisor, Privacy Officer, Security Officer or Compliance Officer.

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Your Responsibilities

1. Always safeguard patient information (oral, written & electronic)
2. Follow Minimum Necessary Rule - Is the information necessary for your job? ONLY USE/ACCESS WHAT YOU NEED TO KNOW
3. Refer complaints and patient requests immediately to Privacy Officer, Security Officer, or Compliance Officer
4. Report any actual or potential violations of policies and procedures and practices promptly to the Privacy Officer, Security Officer, or Compliance Officer
5. Be familiar with and adhere to our HIPAA Policies and Procedures



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Where do you find more info?

1. Call or e-mail the Privacy Officer
2. Visit the Health and Human Services (HHS) Website and FAQ - <http://www.hhs.gov/ocr/privacy/>
3. Watch the full HIPAA presentation on the Ulster County Intranet
<http://ulster-net/intranet/HIPAA-continuous/story.html>

76

Please contact the Personnel Department if you have any questions about the policies and procedures we have gone over today.

77

Please watch the Cyber Security Presentation now...

78


Cyber Security Awareness

Ulster County
Information Services
2021

1

Agenda

- What is Cyber Security?
- Information Services' Role
- Why Cyber Security?
- Becoming More Cyber Aware, Stop, Think, Connect.
- Common Cyber Threats
- Defense-in-Depth
- Available Resources and Assistance
- Questions



2

What is cyber security?

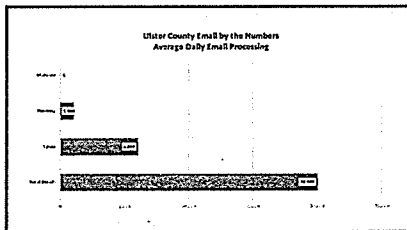
- The practice of protecting systems, networks, and data from unauthorized access and from digital attacks that are aimed at maliciously accessing, changing, disrupting or destroying sensitive information; extorting money from users; or interrupting normal business processes
- Consists of defense strategies that include sophisticated network hardware and software, but **YOU** play a critical role by being "Cyber Aware" and following cyber best practices

3

Ulster County Information Services (UCIS)

- The technology division of Ulster County government responsible for desktops, servers, web sites, software systems, phones, email, and network infrastructure for all county departments
- Responsible for the county's cyber security strategy and cyber awareness education for the county's constituents
- Available to assist you through our customer support portal at ulstercounty.net/ucis or by calling 845-3111

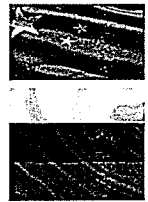
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Why Cyber Security?


- The Internet was not originally designed with security in mind.
- Hackers and state-sponsored cyber terrorists exploit vulnerabilities to steal information and money and are developing capabilities to disrupt, destroy, or threaten the delivery of essential services.
- A range of traditional crimes are now being perpetrated through cyberspace. This includes banking and financial fraud, intellectual property violations, and other crimes, all of which have substantial human and economic consequences.



6

Cyber Incidents


- Colonial Pipeline - April 2021 Colonial Pipeline was the victim of ransomware attack that crippled gas distribution on the East Coast. It paid a \$4.3M ransom to get operations back online.
- JBS Foods - Spring 2021 JBS's major meat processing company fell victim to a ransomware attack by a Korean-based hacking group. It paid \$11M dollars to get operations back online.
- Acer Computers - March 2021 Acer Computers is currently negotiating payment due to a ransomware attack causing payments of \$100M.



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Cyber Incidents...continued


- Microsoft, March 2021 - Global government leaders expressed their support for a proposed ban of all software (OSes) and a few days later Microsoft announced a major security update for Windows, Office, and other products, which was widely expected to address the exploit.
- County of Dutchess, NY Ransomware Attack - The county reported an email phishing attack that led to installing ransomware on several workstations and the county's email had been completely locked by the ransom.
- Ransomware Attack, September 2020 - The New York State Office of General Services (OGS) reported a ransomware attack on its email system that caused a significant disruption of services.



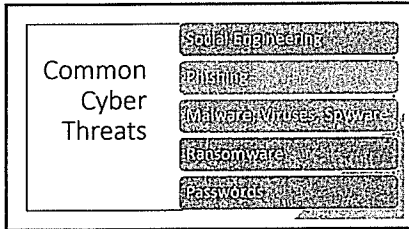
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Becoming more cyber aware

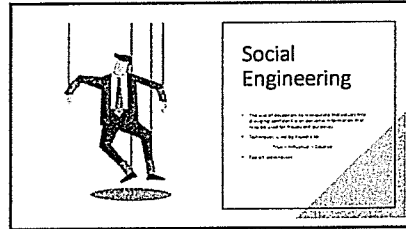
- Department of Homeland Security's national "Stop, Think, Connect" Campaign:
- **Stop:** Before going online, take time to understand the risks and learn how to spot potential problems
- **Think:** Take a moment to be certain the path ahead is clear. Watch for warning signs and consider how your actions online can affect your safety.
- **Connect:** With greater confidence, know you've taken the right steps to safeguard yourself and your organization.



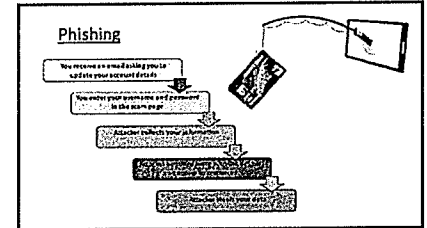
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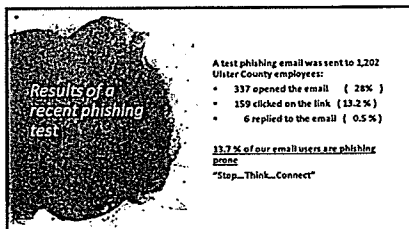
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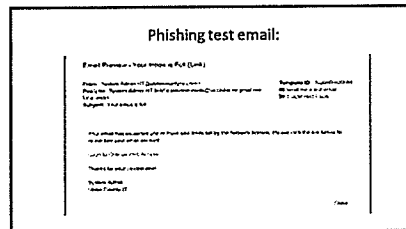
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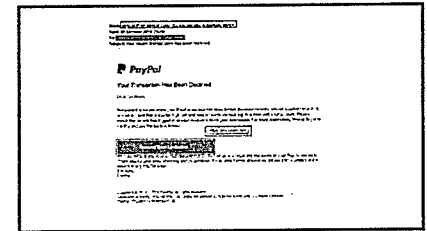
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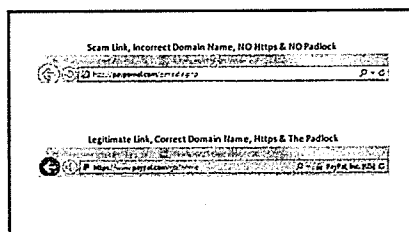
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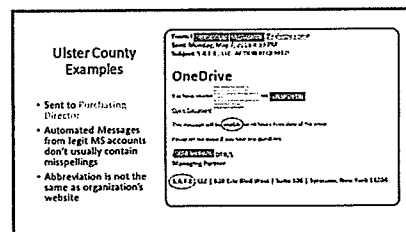
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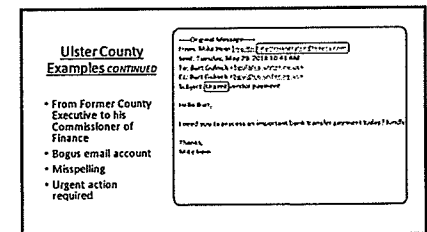
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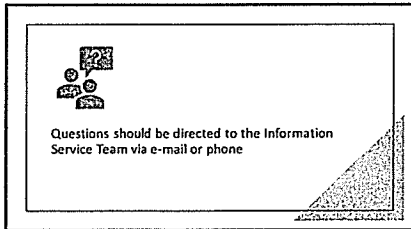
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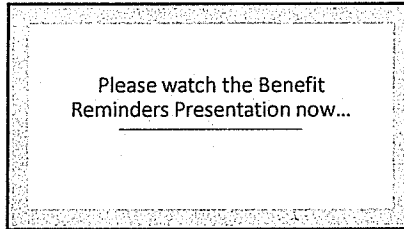
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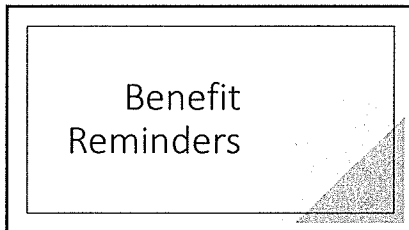
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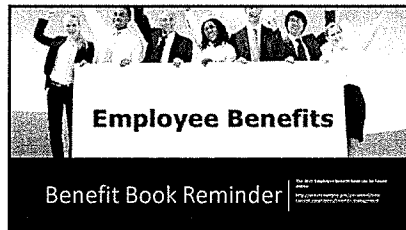
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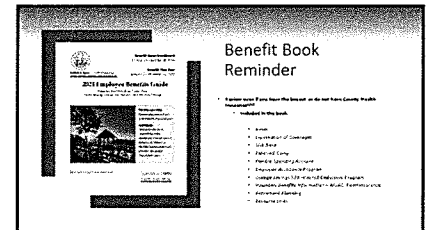
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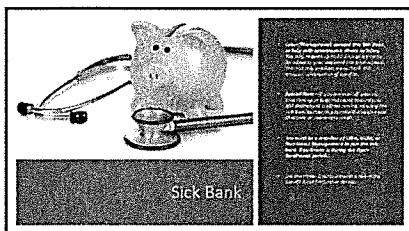
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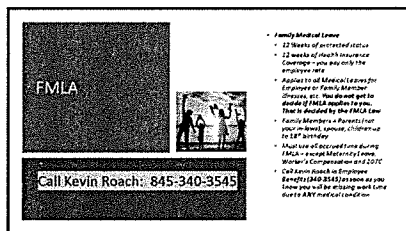
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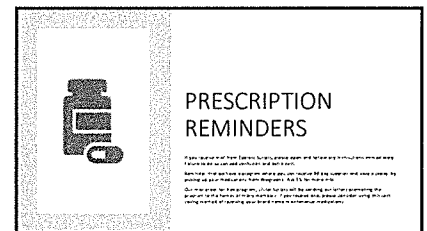
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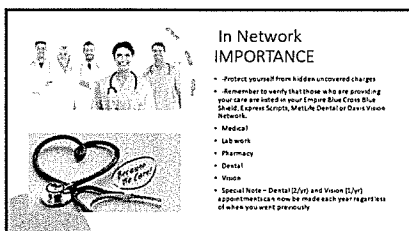
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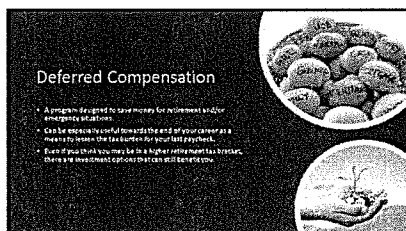
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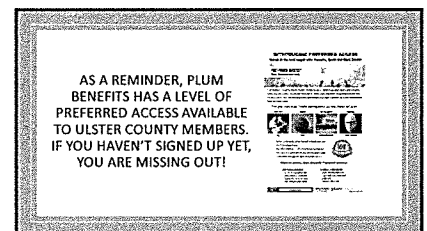
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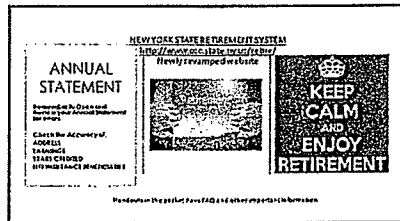
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Ways to \$ave Money on Your Health Care Expenses

For those who pay 10% 15% or 20% and are currently enrolled in the PPO20 you may want to consider choosing the PPO25 this year. This plan offers less money out of your paycheck. Pay for what you need at time of service.

The PPO25 plan provides same benefits as the PPO20 except that there are copays for some services and the provider office visit copayments are \$25/\$40. The PPO25 plan gives you access to the same local and national network of providers and provides lower co-pays on prescription coverage.

Benefit Feature	POS20	PPO20	PPO25
Deductible	In Network: N/A OutNetwork: \$2,000/\$5,000	In Network: N/A OutNetwork: \$500/\$1,250	In Network: N/A OutNetwork: \$500/\$1,250
Out of Pocket Maximum	InNetwork: \$3,880/\$9,700 OutNetwork: \$8,000/\$20,000	InNetwork: \$3,880/\$9,700 OutNetwork: \$1,000/\$2,500	InNetwork: \$3,880/\$9,700 OutNetwork: \$1,000/\$2,500
Coinsurance	InNetwork: N/A OutNetwork: 40%	InNetwork: N/A OutNetwork: 20%	InNetwork: N/A OutNetwork: 20%
In Network Copays Out of Network: Deductible & Coinsurance Apply			
Office Visit	\$20 Copay	\$20 Copay	\$25 Copay Primary Care \$40 Copay Specialist Care
OutPatient Surgery	\$0 Copay	\$0 Copay	\$100 Copay
MRI/CAT/PET Scans	\$0 Copay	\$0 Copay	\$75 Copay
Urgent Care	\$20 Copay	\$20 Copay	\$25 Copay
Emergency Room	\$100 copayment (waived if admitted w/in 24-hrs)	\$100 copayment (waived if admitted w/in 24-hrs)	\$200 copayment (waived if admitted w/in 24-hrs)
Hospital Admission	\$0 Copay	\$0 Copay	\$200 Copay
Prescriptions (30-day Supply)	\$5 / \$20 / \$40	\$10 / \$25 /\$40	\$10 / \$25 /\$40