

# The Vermont Statutes Online

The Vermont Statutes Online have been updated to include the actions of the 2023 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

## **Title 33 : Human Services**

### **Chapter 082 : Safety Provisions for Workers**

(Cite as: 33 V.S.A. § 8201)

#### **§ 8201. Safety policies for employees delivering direct social or mental health services**

(a)(1) The Secretary of Human Services, in consultation with each department of the Agency, shall establish and maintain a written workplace violence prevention and crisis response policy that meets or exceeds the requirements of this chapter in place for the benefit of employees delivering direct social or mental health services.

(2) The Secretary shall ensure that the Agency's contracts with providers whose employees deliver direct social or mental health services and that are administered or designated but not otherwise licensed by a department of the Agency include the requirement that providers establish and maintain a written workplace violence prevention and crisis response policy that meets or exceeds the requirements of this chapter in place for the benefit of employees delivering direct social or mental health services.

(b) A written workplace violence prevention and crisis response policy prepared with input from an employee delivering direct social or mental health services shall minimally include the following:

(1) measures the provider intends to take to respond to an incident of or credible threat of workplace violence against an employee delivering direct social or mental health services;

(2) a system for centrally recording all incidents of or credible threats of workplace violence against an employee delivering direct social or mental health services;

(3) a training program to educate employees delivering direct social or mental health services about workplace violence and ways to reduce the risks; and

(4) the development and maintenance of a violence prevention and crisis response committee that includes employees delivering direct social or mental health services to monitor ongoing compliance with the violence prevention and crisis response policy and to

assist employees delivering direct social or mental health services.

(c) In preparing the written violence prevention and crisis response policy required by this section, the Secretary and providers identified in subdivision (a)(2) of this section shall consult the U.S. Occupational Safety and Health Administration's Guidelines for Preventing Workplace Violence for Healthcare and Social Service Workers, as amended.

(d) A written workplace violence prevention and crisis response policy shall be evaluated annually and updated as necessary by the violence and prevention response committee and provided to employees delivering direct social or mental health services.

(e) The requirements of this section shall neither be construed as a waiver of sovereign immunity by the State nor as creating any private right of action against the State for damages resulting from failure to comply with this section. This section shall not be construed to limit or eliminate any legal remedy available to an employee prior to the enactment of this section. (Added 2015, No. 109 (Adj. Sess.), § 1, eff. Jan. 1, 2017.)