



DOMESTIC VIOLENCE WORKPLACE POLICY

I. PURPOSE

[Insert Company] is committed to promoting the health and safety of our employees, interns, and volunteers. Domestic violence is a leading cause of injury to women in this country. The purpose of this policy is to heighten awareness of domestic violence and to provide guidance for employees and management to address the occurrence of domestic violence and its effects in the workplace.

II. DEFINITIONS

- A. **DOMESTIC VIOLENCE:** A pattern of coercive behavior that is used by one person to gain power and control over another, which may include physical violence, sexual, emotional and psychological intimidation, verbal abuse, stalking, and economic control. Domestic violence occurs between people of all racial, economic, educational, religious backgrounds, in heterosexual and same-sex relationships, living together or separately, married or unmarried, in short-term or long-term relationships. Domestic violence is a major cause of injury to women although men also may be victims of such violence.
- B. **BATTERER, PERPETRATOR, OR ABUSER:** The individual who commits an act of domestic violence as defined above.
- C. **BATTERERS' INTERVENTION PROGRAMS:** Programs batterers attend that are designed to eliminate violence in intimate relationships, stop other forms of abusive behavior and increase victim safety. Inappropriate batterers' intervention programs include, but are not limited to couples, marriage or family counseling and anger management courses. These have proven to be ineffective in stopping domestic violence.
- D. **SURVIVOR OR VICTIM:** The individual who is the subject of an act of domestic violence.

III. POLICY

- A. **EARLY INTERVENTION AND EDUCATION PREVENTION STRATEGIES**
 - 1. It is the policy of [Insert Company] to use early prevention strategies to avoid or minimize the occurrence and effects of domestic violence in the workplace. [Insert Company] will provide available support and assistance to employees/interns/volunteers who are survivors of domestic violence. This support may include: confidential means for coming forward for help, resource and referral information, additional security at the work-place, work schedule adjustments or leave necessary to obtain medical, counseling, or legal assistance, and workplace relocation. Written resource and referral information should be available in all the languages spoken by employees. Other appropriate assistance will be provided based on individual need. In all responses to domestic violence, [Insert Company] will respect the confidentiality and autonomy of the adult survivor to direct her or his own life, to the fullest extent permitted by law.
 - 2. [Insert Company] will attempt to maintain, publish, and post in locations of high visibility, such as bulletin boards and break rooms, health/first aid offices, company phone directories, and on-line information data bases, a list of resources for survivors and

perpetrators of domestic violence, including but not limited to: the National Domestic Violence Hotline number (1-800-799-SAFE, the California Partnership to End Domestic Violence (1-800-524-4765), the phone number and description of local domestic violence resources (Support Network at 1-800-572-2782), and a list of local batterers' intervention programs (Turning Point Counseling & Educational Services at 408-739-2171).

B. LEAVE OPTIONS FOR EMPLOYEES/INTERNS/VOLUNTEERS WHO ARE EXPERIENCING THREATS OF VIOLENCE

1. At times, an employee/intern/volunteer may need to be absent from work due to domestic violence, and the length of time should be determined by the individual's situation. This time period shall be determined through collaboration with the employee and supervisor/manager.
2. The manager/director in collaboration with the employee/intern/volunteer, are encouraged to explore whether paid options can be arranged which help the employee cope with a domestic violence situation without having to take a formal unpaid leave of absence. Depending on the circumstances this may include:
 - Arranging flexible work hours so that the employee can handle legal matters, court appearances, housing, and childcare.
 - Considering sick, annual, shared, leave, compensatory time, or leave without pay, especially if requests are for relatively short periods.

C. PROCEDURES FOR EMPLOYEES/INTERNS/VOLUNTEERS WITH PERFORMANCE ISSUES RELATED TO DOMESTIC VIOLENCE

1. While the employer retains the right to discipline employees/interns/volunteers for cause, [Insert Company] recognizes that victims of domestic violence may have performance or conduct problems such as chronic absenteeism or inability to concentrate as a result of the violence. When an employee subject to discipline confides that the job performance or conduct problem is caused by domestic violence, a referral for appropriate assistance should be offered to the employee.
2. The manager/director in collaboration with the employee/intern/volunteer, should allow a reasonable amount of time for the employee to obtain assistance regarding the domestic violence. Managers should be mindful that the effects of domestic violence can be severe and may take extended periods of time to address fully.

D. DISCIPLINARY PROCEDURES FOR EMPLOYEES/INTERNS/VOLUNTEERS WHO COMMIT ACTS OF THREATS OF DOMESTIC VIOLENCE

1. [Insert Company] is committed to providing a workplace in which the perpetration of domestic violence is neither tolerated nor excused. Any physical assault or threat made by an employee/intern/volunteer while on [Insert Company] premises, during work hours, or at a Center sponsored social event is a serious violation of [Insert Company] policy. This policy applies not only to acts against other employees/intern/volunteers, but to acts against all other persons, including intimate partners. Employees found to have violated this policy will be subject to corrective or disciplinary action, up to and including discharge.
 2. Employees/interns/volunteers who are convicted of a crime as a result of domestic violence may be subject to corrective or disciplinary action, up to and including discharge, when such action affects the work performance of the employee or affects the normal operation of [Insert Company].
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IV. GUIDELINES REGARDING ASSISTANCE FOR SURVIVORS AND PERPETRATORS

E. GENERAL GUIDELINES

1. The following information is provided to help employees/interns/volunteers of [Insert Company] who are survivors of domestic violence obtain the services they desire and to enhance the safety of [Insert Company] workplaces.
2. [Insert Company] seeks to create a supportive workplace environment in which employees/interns/volunteers feel comfortable discussing domestic violence and seeking assistance for domestic violence concerns. If an employee discloses that he or she is a survivor of domestic violence, it is important to send the following messages and avoid victim blaming:
 - You are not alone.
 - You are not to blame.
 - There is help available.
 - You do not deserve to be treated this way.
3. If a supervisor believes that an employee/intern/volunteer is a victim of relationship abuse, but the employee has not disclosed this to their supervisor, the supervisor should address any job performance issues and refer the employee to the Director and/or community resources.
4. Recognizing the absence of services and support for survivors of domestic violence and that survivors of domestic violence may face threats of violence or death when they attempt to end a violent relationship, supervisors will make efforts to provide a nonjudgmental and supportive environment for the employee/intern/volunteer which is not dependent on the employee's decisions regarding the relationship.
5. A successful workplace intervention may consist of providing the employee/intern/volunteer with a non judgmental place to discuss the violence and information to begin accessing resources in the community, or assisting the employee to formulate a plan to increase that employee's safety.
6. It is important that all employees know how best to respond to the effects of domestic violence on the workplace. The following clarifies roles for all staff:

MANAGERS/SUPERVISORS/DIRECTOR:

- Participate in domestic violence training as provided.
 - Be aware of physical or behavioral changes in employees/interns/volunteers and consult with your supervisor for advice. Your role is not to diagnose or counsel the employee, but to refer to appropriate resources. The following behaviors may be associated with domestic violence: chronic absenteeism, inappropriate/excessive clothing, obsession with time, repeated physical injuries, chronic health problems (e.g. chronic pain), isolation, emotional distress, depression, distraction, and excessive number of personal phone calls.
 - Managers/Supervisors must be respectful of the employee/intern/volunteer's personal choices. If the manager or supervisor observes the signs of violence, it is appropriate to convey concern regarding signs and to educate the employee regarding resources available. It is critical that the manager/supervisor respect the employee's privacy and not pressure the employee to disclose any personal information.
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- Be responsive when an employee/intern/volunteer who is either the survivor or the perpetrator of domestic violence asks for help. Immediately contact the Director or local resources for assistance. Contact law enforcement if requested.
 - Maintain the confidentiality of domestic violence circumstances and any other referrals under this policy to the extent permitted by law. Inform others of the domestic violence circumstances on a need to know basis only. Wherever possible, give advance notice to the employee/intern/volunteer who is experiencing domestic violence if you need to inform others about the domestic violence situation.
 - Work with the victim, available Security staff, law enforcement, and community domestic violence programs, if necessary, to assist the victim to develop a workplace safety plan and make reasonable accommodation of that plan. When assisting an employee/intern/volunteer to develop a workplace safety plan, ask what changes, if any, could be made at the workplace to make the employee feel safer. Survivors of domestic violence know their abusers better than anyone else. When it comes to their own safety, offer to assist them in developing a workplace safety plan, but allow them to decide what goes into the final plan. However, if it is determined that other employees or customers are at risk, it is essential to take measures to provide protection for them.
 - If possible, the supervisor will make efforts to adjust the survivor/employee/intern/volunteer's work schedule and/or grant leave [sick, annual, shared, leave, compensatory time, or leave without pay] if the employee needs to take time off for medical assistance, legal assistance, court appearances, counseling, relocation, or to make other necessary arrangements to enhance her or his safety. Be sure to follow all applicable personnel policies and procedures and statutes. This approved leave should not be held against the employee.
 - The employee/intern/volunteer should maintain communication with her or his manager during the absence. The employer should maintain the confidentiality of the employee's whereabouts.
 - Work with director/manager to relocate employee/intern/volunteer to an alternate worksite, whenever feasible, if the employee requests to relocate for safety reasons. If relocation is offered, it should not produce any reduction in pay, status or benefits.
 - Review the safety of parking arrangements. Make sure that parking areas are well lit. When possible, provide security escorts to parked cars and priority parking near building entrance for employees/interns/volunteers who fear an attack at work.
 - Post information about domestic violence in your work area. Also, have information available where employees/interns/volunteers can obtain it without having to request it or be seen removing it. Some suggestions are: restrooms, lunchroom, health and/or first aid offices, or where other employee resource information is located.
 - Comply with all civil protection orders. If both the plaintiff and defendant in a civil protection order are employees/interns/volunteers of [Insert Company] , managers must work with the director, the board, and Security to ensure that the Defendant is relocated to a workplace in which the defendant will have no contact with the plaintiff. If you observe violations of the protection orders, document these violations and call the police.
 - Respect the employee/intern/volunteer's boundaries and privacy, even if you disagree with the decisions she/he is making regarding the relationship. A survivor of domestic violence may make numerous attempts to leave before she/he is finally able to leave her/his batterer. It is often difficult to leave because of financial and childcare responsibilities, or threats of violence.
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- After consultation with the board, take any appropriate corrective or disciplinary action consistent with policy and procedure, up to and including termination, against employee/intern/volunteer who commit acts of violence at [Insert Company] worksites as outlined in the policy or who are convicted of a crime as a result of domestic violence when such action affects the work performance of the employee or affects the normal operation of [Insert Company] .
- Inform employees/interns/volunteers on a periodic basis about the employer's policy and procedures on encouraging work environments free from violence, threats and harassment.

OPTIONS FOR EMPLOYEES WHO ARE SURVIVORS OF DOMESTIC VIOLENCE:

- Talk with a trusted co-worker, supervisor or manager about your situation.
- Contact the National Domestic Violence Hotline number (1-800-799-SAFE, the California Partnership to End Domestic Violence (1-800-524-4765), or the local domestic violence agency, Support Network (1-800-572-2782).
- Call the local police if you are in immediate danger.
- Notify your supervisor of the possible need to be absent and find out your leave options. Be clear about your plan to return to work and maintain communications with your supervisor during your absence. If necessary and available, make alternate arrangements for receiving your paycheck.
- If you are concerned about your safety at work, submit a recent photograph of the abuser and a copy of your protection order to your supervisor, the Legal department, Security, and the police department this assists your employer in identifying the abuser should he/she appear in the workplace.
- Work with your supervisor to develop a safety plan.
- Obtain assistance for and documentation of any physical and/or mental health consequences of the abuse (including old injuries) from your primary care provider.

OPTIONS FOR EMPLOYEES/INTERNS/VOLUNTEERS WHO ARE PERPETRATORS OF DOMESTIC VIOLENCE:

- Contact a batterers' intervention program, Turning Point Counseling & Educational Services at 408-739-2171.

OPTIONS FOR OTHER EMPLOYEES/INTERNS/VOLUNTEERS WHO HAVE CONCERNS ABOUT DOMESTIC VIOLENCE:

- If you know or believe that a co-worker is a victim of domestic violence, communicate your concerns for her or his safety. Be clear that your role is to help and not to judge. Refer the employee to a local domestic violence agency, Support Network at 1-800-572-2782, or the National Domestic Violence Hotline at 1-800-799-SAFE. Maintain the confidentiality of the domestic violence circumstances and any other referrals under this policy to the extent permitted by law. Discuss the employee's situation with the director, or a local domestic violence program for further guidance.
 - Report any threats or violence that you experience or witness to your supervisor.
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