



**safealliance**<sup>™</sup>  
WHERE HOPE & HEALING BEGIN

---

# Company Guidebook





“

Domestic violence is absolutely a workplace issue. When a victim of domestic violence leaves their abuser, where is the one place the abuser knows the victim will be every day? Work.”

– Domestic Violence Advocate

## Introduction

**Despite its name, domestic violence refuses to “stay at home.”** In fact, domestic violence is transformed into a workplace threat when an abuser is intent on controlling all aspects of his or her partner’s life, including the workplace. Studies suggest that 74% of working female victims of domestic violence are harassed by their abusers while at the workplace. A report authored by the Department of Labor in 2000 found that homicide was the second leading cause of death on the job.

Put another way, domestic violence has no boundaries.

What does domestic violence at work look like? The victim of domestic violence is late for meetings or work, appears anxious or distracted, may have excessive absences, or produces a poor work product. To the untrained eye, the victim of domestic violence might appear to be lazy or incompetent. Once this behavior is put in context, it makes more sense. A perpetrator of domestic violence will often take away car keys to make a victim late for work; call, email, or text harassing messages during a workday; show up unannounced at the victim’s place of employment; and discourage the victim from socializing with co-workers. Unfortunately, other employees are likely to resent the victim employee if his or her performance is suboptimal, especially if they have to take on more work as a result of the victim employee’s situation.

Because these personal issues affect the way that employees work, good employers cannot and should not treat domestic violence as a private issue. Although it is difficult to discuss, it is vital to the morale and productivity of any business to handle issues related to domestic violence professionally and confidentially. Moreover, efforts by employers to raise awareness about domestic violence can make a difference for victims and survivors in our community at large.

This guide has several purposes. First, it will help employers understand the contours of domestic violence, thus building awareness. Second, the guide will teach employers how to talk about domestic violence with employees. Third, it will help employers create policy that ensures safety and health for all employees.



# The Problem of Domestic Violence

**Domestic violence is a pattern of behavior largely defined by power and intimidation.** Generally speaking, domestic violence exists when a current or former intimate partner exercises control over his or her partner through a pattern of disturbing behaviors. Domestic violence happens to people of all ethnicities, socio-economic classes, religions, educational levels, and sexual orientations.

Unfortunately, there is just no good way to tell if someone is a perpetrator or a victim of domestic violence. People who are well respected in our community and who have positions of authority are sometimes perpetrators of domestic violence. Similarly, people who are well respected in our community are also victims. There's literally no way to tell what's happening inside an intimate relationship. The important thing to remember is that perpetrators, and perpetrators alone, not victims, are responsible for the violence that occurs in these relationships.

Domestic violence is never a one-time occurrence. Multiple behaviors occur together to reveal patterns of violence. These behaviors often include, but are not limited to:

## Verbal Abuse

- Yelling to frighten a partner
- Using language to humiliate a partner
- Verbally "freezing out" a partner

## Emotional Abuse

- Insults
- Putdowns
- Unpredictability
- Withholding affection
- Criticism

## Isolation

- Preventing contact with family and friends
- Refusal to let partner leave the house
- Refusal to let partner have a job

## Intimidation & Threats

- Threatening violence
- Physical threats (like raised fists)
- Destroying property
- Hurting pets

## Stalking & Surveillance

- Obsession with partner
- Following partner; "tailing" partner with GPS
- Sending unwanted communications and gifts
- Sexual abuse
- Sexual assault
- Involuntary sexual acts
- Inappropriate touching
- Forcing pornography on a partner
- Unwanted "sexting"

## Physical Violence

- Use of physical force

## Financial Control

- Withholding a paycheck
- Controlling money
- Forging financial documents
- Not permitting partner to work
- Forcing partner to work







## Making The Domestic Violence/Workplace Connection

Domestic violence comes to work with both perpetrators and victims every day. Generally speaking, a victim is abused by someone outside of the company where the victim is employed. Occasionally, but less frequently, a victim is abused by someone who is employed

workplace can be a respite for a victim, a place where relationships or friendships can be built.

From the abuser's perspective, these opportunities for the development of other relationships create a loss of control of the victim.

Fearing this loss, the abuser who permits his victim to work at all will often try to control the victim while the victim is at work.

This behavior has many different ramifications for an employer. Both perpetrators and victims of domestic violence are less productive employees.

“ The behavior and resulting fallout may affect co-workers as the co-workers are drawn into a situation that involves domestic violence.”

by the same company. In both situations, the abusive behavior affects work environments.

Abusers establish a pattern of control over their victims' lives. That pattern of control extends to all facets of a victim's life, including employment. Oftentimes, an abuser won't permit a victim to work at all. The reason is intuitive: the

Additionally, abusers frequently use workplace resources, such as computers and phones, to monitor or contact their victims. If domestic violence leads to law enforcement involvement, both abusers and victims may have missed work time for various mandatory court appearances.

# What Does Domestic Violence at Work Look Like?



“...victim/survivor of domestic violence might appear to be lazy or incompetent.”

## READING THE SIGNS

### The Victim of Domestic Violence at Work:

Oftentimes, the victim of domestic violence is late for meetings or work, appears anxious or distracted, may have excessive absences, or produces a poor work product. The victim could seem "stressed out," or appear to be lazy or incompetent to the untrained eye. Once this behavior is put in context, it makes more sense. A perpetrator of violence will often take away car keys to make a victim late for work; call, email, or text harassing messages during a workday; show up unannounced at the victim/survivor's place of employment; and discourage the victim/survivor from socializing with co-workers. Unfortunately, other employees are likely to resent the victim/survivor employee if his or her performance is suboptimal, especially if they have to take on more work as a result of the victim employee's situation.

### The Perpetrator of Domestic Violence at Work:

This person may be less productive, may be more "stressed out," and may have difficulty concentrating at work. This person could be more frequently absent due to court appearances and incarceration. Attention should also be paid to this person's use of company resources like phones and computers, as this person may be using these technologies to harass his or her victim.







## What's an Employer to Do?

Fifty years ago, employers often took the position that domestic violence was a private, family issue. That point of view failed to consider that personal issues affect the workplace. Because these personal issues affect the way that employees work, good employers cannot and should not treat domestic violence as a private issue.

Keeping employees healthy is crucial to a company's bottom line, as employees are at the heart of every business. Without happy, healthy employees, morale can suffer, productivity can decrease, and health care costs may surge. For all these reasons, it is vital to handle issues related to domestic violence professionally and confidentially. Moreover, efforts by employers to raise awareness about domestic violence can make a difference for victims and survivors in our community at large.

“ Keeping employees healthy is crucial to a company's bottom line, as employees are at the heart of every business.”

How does an employer balance all the competing concerns of safety and effectively address domestic violence? It's a tricky balance of professionalism, privacy, and confidentiality when

Most employers today genuinely care about their employees' well-being and for that reason want to address domestic violence in the workplace. In addition to those concerns, it makes good business sense to pay attention to domestic violence that may be affecting the workplace.

reaching out to employees in crisis. Education, awareness, and a thoughtful, carefully implemented workplace domestic violence policy are the three key elements necessary to “move the needle” on this sensitive issue.





# Taking A Stand: Developing an Effective Domestic Violence Workplace Policy

The first step that a company needs to take is to adopt a formal policy with respect to the issue of domestic violence. Put another way, the company makes a commitment to its employees with respect to how domestic violence issues will be handled.

Effective policies usually begin with a blanket statement articulating that an organization will not tolerate domestic violence, and will offer assistance and resources to the victims of domestic violence. These types of policies, generally referred to as “Victim-Focused” are a great starting point for companies because they don’t require many company resources to implement, and require little to no monitoring by employers.

Additional policies should be considered and adopted, as well. For example, a company that wants to take additional steps to prevent domestic violence should implement policies that prohibit acts of domestic violence in the workplace. These policies, typically called “Not At Work” policies restrict actions by perpetrators in the workplace. For example, effective “Not At Work” policies often prohibit employees from using any workplace

resources, including – but not limited to, work time, computers, or email, to threaten or harass another person.

Finally, effective companies often take the final step of implementing a “Zero Tolerance” policy with respect to domestic violence. These policies are the most comprehensive, and require that the employer monitor employees and discipline perpetrators of domestic violence, whether or not the domestic violence occurs in the workplace. This discipline may include everything from counseling through an Employee Assistance Program up to termination of employment.

“The first step that a company needs to take is adopting a formal policy with respect to the issue of domestic violence.”







# Policy Into Action

Once your organization has decided which policies to adopt, the next step is to give the policy a structure. You will find samples that you can use in Appendix A.

## Policy Statement

Typically 1-2 sentences long, the statement explains your company's position on domestic violence. Put another way, it's the statement of the stand that your company is taking against domestic violence. Employers are held accountable to their employees and to the greater community through their policy statements.

## Procedures

Procedures describe the course of action needed to implement and support policy. They are actions taken throughout the workplace. Procedures typically outline what is required of all employees to uphold the policy statement. Examples of procedures include: posting the domestic violence policy in all common spaces; the ability for all phones in the facility to dial 911; security personnel escorts to the parking garage.

## Guidelines

These are recommended actions that support your policy and can be adapted to specific situations. Guidelines can help ensure a uniform response to individual situations across the entire organization. They limit guesswork when responding to domestic violence situations, and give staff a plan to follow regardless of their personal feelings about an employee or situation.

## Policy Guidelines Examples

- Identify which employee is responsible for training employees on the domestic violence policy.
- All staff are to be trained on how to identify warning signs of domestic violence in the workplace and how to properly respond.
- Manager/Supervisor's appropriate role is referral to resources, not diagnosis or counsel.
- Follow all applicable personnel policies.
- If an employee requests to relocate to an alternate work station or site, managers should work to honor the request.
- Review safety of parking arrangements, and as appropriate, provide security escorts to vehicles.



# Talking About It: Employee Training



“Teaching staff about domestic violence is essential to the effective implementation of a workplace domestic violence policy.”

Teaching staff about domestic violence is essential to the effective implementation of a **workplace domestic violence policy**. Staff must understand the causes and origins of domestic violence so that they can respond appropriately and fully support a policy. The trainings can be led by any qualified human resources professional or manager. This type of training doesn't need to take long: 30 minutes to an hour should be sufficient.

## Each training should include these points:

- Acknowledge that domestic violence is a difficult policy to discuss. Emphasize that the trainer can answer questions one-on-one if employees don't feel comfortable in a large group training.
- Give a comprehensive definition of domestic violence.
- Explain why the workplace is fertile ground for perpetrators.
- Discuss the critical need for a workplace culture of tolerance and respect, one that empowers employees to address the issue of domestic violence.
- Outline your organization's domestic violence policy.







# “Are You Okay?”: Talking to Victim-Employees

A simple question can make all the difference. Asking after an employee’s well-being is the single best question an employer can ask. The concern behind the words is often more important than the words themselves. Domestic violence is no different from other difficult situations where the victims seek compassion, care, and options. Employers shouldn’t expect to have all

open conversations comes the painful reality some employees will make the decision to stay in a relationship with an abuser. This is the most difficult part of being involved in a support team. There are no “wrong” things that an employer can say to the victim of domestic violence if the statements are made with genuine concern. There are, however, comments that can make the victim feel as though he or she is to blame. Unfortunately, if the victim feels that he or she is blameworthy, the victim will often re-enter the relationship with the feeling that he or she deserves the abuse.

For these reasons, it is probably a good idea to avoid comments such as:

1. Why do you stay with this person?
2. You love the drama; you love the attention.
3. Why do you let this person do this to you?
4. What are you doing to your partner that they react this way?
5. This is your fault.

A victim takes tremendous risk when he or she talks about what is happening to him or her. It means taking a step away from the abusive partner, and betraying the trust of the abusive partner. It means potentially triggering threats that the abusive partner has made in the past. It means changing the way that colleagues view him or her (from “co-worker Mary” to “victim Mary”). It is a concession that help is needed. It airs the “dirty laundry” of private life.

“ The truth is that silence makes the situation that much easier for perpetrators...”

the answers or even any answers to the thorny questions presented by domestic violence. If an employer is willing to listen to the victim, help an employee connect to resources, and talk through options, that employer is going the extra mile to meet the employee’s needs.

Sometimes, employers are hesitant to discuss domestic violence with employees, mostly because employers believe it is a private, family matter. The truth is that silence makes the situation that much easier for perpetrators, who count on silence and secrecy as they abuse their victims. If employers choose to be open to conversations about domestic violence, that can change the paradigm for victims of domestic violence. Of course, with these





## Workplace Threats: Quantifying Risk

Threats happen in relationships that constitute domestic violence. A threat is an intent to cause harm. A threat can take many forms: verbal, written, or even a gesture. Sometimes they are obvious and overt. More troublingly, sometimes they are not.

One thing that a good, thoughtful employer should seek to do is assess the validity of a threat made against an employee. Effective risk analysis will help in the efficient implementation of safety precautions in the workplace.

“Every threat should be taken seriously by management. Every threat should be treated separately. Every threat should be subject to individual assessment.”

Every threat should be taken seriously by management. Every threat should be treated separately. Every threat should be subject to individual assessment. As an employer considers each threat, the following elements must be considered: the nature, context and target of the threat, the motivation, ability, and background of the threatener. A comprehensive analysis must include information related to the threatener's criminal, work, mental health, and past

behavioral history. The victim is often a good source of this information.

After assessing the different elements presented in the threat, an employer can determine whether the threat level is low, medium, or high. The level of risk will inform what safety protocols the employer should put into place for the protection of the victim and the other employees in the workplace.





# Safety Planning



“ Employers should work with all resources, both internal and community based, to design a comprehensive safety plan...”

Employers should work with all resources, both internal and community based, to design a comprehensive safety plan upon which all members of the organization can rely in a domestic violence emergency event. Every safety plan should consider immediate response, post incident response, and assessment.

The immediate response when an act of domestic violence occurs in the workplace is that it should be treated like an ordinary act of violence. Normal emergency procedures should apply. 911 and employer security should be called.

After the event is over, security personnel should continue to monitor the situation for a period of time to determine whether there is resolution or not. Moreover, after such an event, the employer leadership team should consider whether or not the safety plan proved to be effective in the emergency.

**As your organization considers its safety plan, the following items should be considered:**

- Location of alarms.
- Access Control: are work areas secured?
- Locations of safest places for employees in event of emergency – escape or shelter in place.
- Identities of those in the facility on any given day.



# Raising Awareness



“Effective employers have raised awareness about domestic violence enough so that it doesn't feel taboo when it does impact the workplace.”

## READING THE SIGNS

No one likes to think about domestic violence. It conjures images of both broken families and broken property. Most people don't like to think about it. This means that domestic violence can become a topic that gets ignored. In the context of the workplace, it makes even more sense that it is something that's not up for discussion. Images of broken families and broken property aren't appropriate in the workplace.

How, then, does a good employer raise awareness about this issue? A good place to begin is the month of October, which is Domestic Violence Awareness Month. A presentation with factual, respectful language about the problem of domestic violence is an excellent way to start. Some employers let their employees wear jeans on Fridays in exchange for a small contribution to a local

domestic violence shelter. Another way to consider raising awareness through education is to piggyback a short presentation on domestic violence onto another scheduled training, such as a leadership training.

Effective employers have raised awareness about domestic violence enough so that it doesn't feel taboo when it does impact the workplace.





# Restraining Orders & How to Handle Them

Restraining orders can be issued by a court to limit the behavior of someone who harms another person. For many victims, seeking a restraining order is absolutely essential to his or her safety and well being. If an employee is seeking a restraining order, that employee may need to miss work for the day.

Many states have enacted laws that specifically protect the rights of an abused person to seek such an order. For example, North Carolina law currently provides that “[n]o employer shall discharge, demote, deny a promotion, or discipline an employee because the employee took reasonable time off from work to obtain or attempt to obtain relief” with a Domestic Violence Protective Order.

Victims can obtain many different types of relief. Most courts have broad authority to restrain the behavior of the abuser. If an employer knows that an employee is protected by a restraining order and it includes the workplace, it is important for the employer to have a copy of the order so that an expedited police response can occur if there is a violation.

If you realize that an employee is the victim of a domestic violence situation after seeing a restraining order, ask the employee how you can be of assistance and offer ways that the workplace can help. Changes in seating assignments, escort to vehicles, and schedule changes can “move the needle” on the quality of life of a domestic violence victim.

Occasionally, employers will find themselves in an unenviable position: one employee will have a restraining order against another employee. Extra care must be taken in these situations, because the victim employee’s restraining order is still in full effect against the perpetrator employee, even when they are employed at the same place. In such cases, the employer may have to allow time off for the individual against whom the order applies. Advice of qualified legal counsel should be sought in these situations.

“Many states have enacted laws that specifically protect the rights of an abused person to seek such an order.”





# Employer Best Practices

## When a Victim is an Employee:

1. Pay a living wage.
2. Implement meaningful domestic violence policies that prohibit victim discrimination and support perpetrator accountability. When appropriate, refer perpetrators to certified intervention programs.
3. Recognize and respect an employee's right to privacy and the need for confidentiality. Maintain the confidentiality of an employee's disclosure regarding violence to the extent allowed by law, unless to do so would result in physical harm to any person and/or jeopardize safety within the workplace.
4. Provide leave (paid) for time off to address the violence, both in court and therapeutically. North Carolina law currently provides that "[n]o employer shall discharge, demote, deny a promotion, or discipline an employee because the employee took reasonable time off from work to obtain or attempt to obtain relief" with a Domestic Violence Protection Order.
5. Provide workplace accommodation to survivors of domestic violence. These accommodations could include change in workspace, the installation of locks on doors, and flexible scheduling.
6. Train Human Resources professionals. Consider paying a local domestic violence program to train Human Resources professionals regarding issues related to domestic violence. Establish referral sources for survivor/employees.
7. Provide space for local programs and resources to post information and hotline numbers. Show your employees that you believe that domestic violence is a real problem and that your organization is serious about addressing the problem.
8. Donate time and money to local domestic violence programs and shelters. Again, this demonstrates to your employees that this is an issue that the organization believes is important.
9. Talk about domestic violence. Don't be afraid to address the issue, but at the same time be thoughtful and careful about how you talk about it.
10. Don't forget that every survivor of domestic violence deserves respect and dignity.

## During The Recruitment Process:

1. Consider reasons for gaps in employment history. Survivors may not have been permitted to work outside the home. Consider other relevant volunteer work history, including volunteer work in a school or church setting.
2. Consider seemingly overqualified candidates. Often, any employment is better than no employment for survivors of domestic violence.
3. If you ask questions related to convictions during the hiring process, consider domestic violence situations sometimes result in mutual arrests/convictions and may not be a reason to exclude the applicant from employment.
4. Consider adding career empowerment resources to Human Resources handouts at hiring. An excellent website is [www.clicktoempower.org](http://www.clicktoempower.org).

## **I. Purpose**

[Employer] institutes this policy as part of its commitment to a healthy, safe organizational climate and to the prevention and reduction of the incidence and effects of domestic violence, sexual violence, dating violence and stalking [hereinafter "violence"]. [Employer] recognizes that domestic violence, sexual violence, dating violence and stalking present unique issues for the workforce.

Incidents of domestic violence, sexual violence, dating violence and stalking are workplace issues even if the incidents occur elsewhere. These incidents cross economic, educational, cultural, age, gender, racial, and religious lines and occur in a wide variety of contexts. Therefore, [Employer] will take every appropriate measure to prevent and address such violence in the context of subordinate/superior relationships; heterosexual and same sex intimate partner relationships, including marital, cohabiting, or dating; heterosexual or same sex non-intimate partner relationships, such as between coworkers or perpetrated by supervisors; parent/child relationships; and the violent acts of strangers that potentially could occur within the organization's workplace.

The purposes and goals of this policy are to:

- Support a comprehensive workplace education and training program to prevent violence and promote healthy relationships for employees and their families;
- Create a healthy, supportive, organizational work environment that helps employees avoid the use of violence in any context;
- Provide assistance to employees who are perpetrators of violence and take disciplinary action to hold them accountable for violent behavior;
- Institutionalize responsive policies and procedures to assist employees who are impacted by violence, including the provision of training on this policy to employees and management; and
- Provide immediate assistance and support to victims of violence, especially information and referrals to community resources, to ensure safety and support for victims and fellow employees.

## **II. Definitions**

### **1. Survivor or Victim**

An individual who is currently subject to, or has in the past been subjected to, domestic or sexual violence, dating violence, stalking or other forms of violence.

### **2. Perpetrator**

An individual who commits or threatens to commit an act of domestic violence, sexual violence, dating violence, or stalking.



### **3. Domestic Violence**

Domestic violence is a pattern of coercive behavior, including acts or threatened acts, used by a perpetrator to gain power and control over a current or former spouse, family member, intimate partner, or person with whom the perpetrator shares a child in common. Domestic violence also includes but is not limited to physical violence, injury, or intimidation, sexual violence or abuse, emotional or psychological intimidation, verbal abuse, threats, harassment, stalking, and economic control.

### **4. Sexual Violence**

Sexual violence is a range of behaviors, including but not limited to, sexual harassment, a completed nonconsensual sex act (i.e., rape), an attempted nonconsensual sex act, abusive sexual contact (i.e., unwanted touching), and non-contact sexual abuse (e.g., threatened sexual violence, exhibitionism, verbal harassment). Some or all of these acts may also be addressed in [Employer]'s Sexual Harassment Policy. Sexual violence is any sexual act or behavior that is perpetrated against someone's will when someone does not or cannot consent. Survivors of sexual violence may know the perpetrator(s), such as a coworker or a supervisor, and/or may be involved in a dating or marital relationship with the perpetrator, or the perpetrator may be unknown to the survivor. Consent is not given when a perpetrator uses force, harassment, threat of force, threat of adverse personnel action, coercion, or when the survivor is asleep, incapacitated, or unconscious.

### **5. Dating Violence**

Dating violence is an act of violence threatened or committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a "romantic or intimate" relationship is determined based upon the survivor's perspective and can include the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

### **6. Stalking**

Stalking refers to harassing, unwanted or threatening conduct that causes a person to fear for his or her safety or the safety of a family member, or would cause a reasonable person in a similar situation to fear for his or her safety or the safety of a family member. Stalking conduct includes, but is not limited to: following or spying on a person, appearing at a person's home or work, showing up at a place where the person is where the perpetrator has no reason to be, waiting at places in order to make unwanted contact with the person or to monitor the person, leaving unwanted items, presents, or flowers for the person, and posting information or spreading rumors about the person on the internet, in a public place, or by word of mouth. Stalking may occur through use of technology including, but not limited to e-mail, voice-mail, text messaging, and use of GPS and social networking sites.

## **7. Protection or Restraining Order**

Protection orders, sometimes called restraining orders, stay away orders, or no-contact orders, are a mechanism where a victim can petition the court for protection from a perpetrator, as well as establish custody and visitation guidelines and provide for other forms of economic security, like rent or mortgage payments, which last for the duration of the order. Protection orders may also issue in criminal cases as a condition of probation or condition of release particularly in a domestic violence, sexual violence, dating violence, or stalking related crime.

## **8. Workplace-Related Incidents**

Workplace-related incidents of domestic violence, sexual violence, dating violence, and stalking include acts, attempted acts, or threatened acts by or against employees, the families of employees, and/or their property, that imperil the safety or well-being of any person associated with an employee of [Employer], regardless of whether the act occurred in or outside the organization's physical workplace. An employee is considered to be in the workplace while in, or utilizing the resources of the employer, including but not limited to facilities, work sites, equipment, or vehicles, or while on work related travel.

## **9. Non-Workplace Incidents**

Non-workplace incidents of domestic violence, sexual violence, dating violence, and stalking include acts, attempted acts, or threatened acts by or against any person or animal that occur anywhere outside a company physical workplace.

## **10. Workplace Safety Plan**

A strategy developed in collaboration with a victim to implement workplace safety options, including but not limited to: handling of court protection orders, procedures for alerting security personnel, temporary or permanent adjustments to work schedules and locations, change in parking spots, and requests for escorts to and from workplace facilities.

## **III. Persons Covered by this Policy**

Persons covered by this policy include full and part time employees, interns, contractors, volunteers, or temporary workers engaged by [Employer] or in any workplace location.

## **IV. Statement of Confidentiality**

[Employer] recognizes and respects an employee's right to privacy and the need for confidentiality and autonomy. [Employer] shall maintain the confidentiality of an employee's disclosure regarding violence to the extent allowed by law and unless to do so would result in physical harm to any person and/or

jeopardize safety within the workplace. When information must be disclosed to protect the safety of individuals within the workplace, [Employer] shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employee and others and to comply with the law. [Employer] shall provide advance notice to the employee who disclosed information if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere. [Employer] shall also provide the employee with the name and title of the person to whom [Employer] intends to share the employee's statements, and shall explain the necessity and purpose regarding said disclosure.

## **V. Employer Responses to Violence**

### **A. Responses to Victims/Survivors**

#### **i. Nondiscrimination and Non-Retaliation**

[Employer] will not discharge or in any manner discriminate or retaliate against an employee because of the employee's status as a victim/survivor of domestic violence, sexual violence, dating violence, or stalking, if the victim/survivor provides notice to the organization of the status or the organization has actual knowledge of the status.

[Employer] will not retaliate against a victim/survivor of domestic violence, sexual assault, dating violence, or stalking for requesting leave or a reasonable accommodation (see Section 5(A)(ii)), regardless of whether the request was granted.

#### **ii. Leave and Other Reasonable Accommodations and Assistance**

[Employer] recognizes that victims/survivors of domestic violence, sexual assault, stalking or dating violence may need time off to obtain or attempt to obtain a restraining order or any other legal assistance to help ensure his or her health, safety, or welfare or that of his or her child. [Employer] will comply with all relevant state laws regarding leave options in such situations. [Employer] will work in collaboration with the employee to provide reasonable and flexible leave options when an employee or his or her child is a victim/survivor of domestic violence, sexual assault, dating violence and/or stalking. [Employer] will work with employee to provide paid leave first before requiring an employee to utilize unpaid leave if state law does not require that leave for this situation be paid.

An employee must provide reasonable advance notice to the employer of the need to take time off unless advance notice is not feasible. [Employer] may require the employee to provide documentation or other certification verifying that the employee was a victim of violence. To request leave, employee should contact [person].



[Employer] will maintain the confidentiality of a person who requests leave under this policy, to the extent allowed by law.

[Employer] will also provide reasonable accommodations for a victim/survivor of domestic violence, sexual violence or stalking who requests an accommodation for the safety of the victim/survivor or to maintain his or her work performance while at work. Reasonable accommodations may include: the implementation of safety measures, a job transfer, a reassignment, modified schedule, changed work telephone, changed work station, installed locks, assistance in documenting the violence that occurs in the workplace, an implemented safety procedure, or another appropriate adjustment to job structure, workplace facility, or work requirement in response to the violence. Moreover, reasonable accommodations may include referral to a victim assistance organization. [Employer] will assist an employee with enforcement of his or her protection order, if applicable.

### **iii. Access to Unemployment Insurance Benefits**

[Employer] recognizes that in certain situations it is no longer feasible for an employee who is a victim/survivor of violence to continue working for [Employer]. In such circumstance, [Employer] shall provide to employee information regarding access to unemployment insurance benefits. [Employer] has designated [person] to provide accurate information regarding unemployment benefits for victims of violence.

### **iv. Work Performance**

[Employer] recognizes that employees who are victims/survivors of violence may experience temporary difficulty fulfilling job responsibilities. If [Employer] becomes aware that an employee's work performance or conduct has been affected by domestic violence, sexual assault, stalking, or dating violence, [Employer] will offer support to the employee and work in collaboration with the employee to address the issues, in accordance with established policies within the workplace. [Employer] may develop a work plan with employee, provide leave and other accommodations as specified in this Policy, provide referrals to support or advocacy agencies, advise employee of his or her rights regarding unemployment insurance as specified in this Policy, and maintain a separate and confidential record of employee's status as a victim/survivor of domestic violence, sexual assault, stalking, or dating violence to ensure to victim/survivor that his or her rights and privileges of employment are not compromised as a result of the violence.

### **v. Protection and Restraining Orders**

[Employer] recognizes that a victim/survivor of violence may seek an order of protection, or may receive a restraining order, as part of his or her efforts to become safe. [Employer] recognizes that the workplace may or may not be included on an order as a location from which a perpetrator must remain away. If an employee chooses to disclose the existence of a protection or restraining order to [Employer], [Employer]

may, wherever possible and safe, assist the employee to enforce his or her order, shall archive said order in a confidential and separate file from employee's personnel file, and, if applicable, may assist employee to gather documentation from the workplace, such as emails or voice messages, that could support the employee's efforts in the justice system or otherwise to obtain or maintain safety from a perpetrator.

## **B. Reporting by Employees with Information About Violence**

Employees who have information about or witness an act of violence perpetrated by an employee, or who have information about or witness violence against an employee, are required to report all information to the designated person in [Employer] organization.

[Employer] will not retaliate against, terminate, or discipline any employee for reporting information about alleged incidents of violence, as defined in this policy that may have been committed by any other employee, including a member of management. Prohibited acts of retaliation include, but are not limited to, demotion or withholding of earned pay, as well as acts of personal retaliation, such as those related to an employee's immigration status or sexual orientation, for example.

Any employee who believes he or she has been subjected to adverse action as a result of making a report pursuant to this policy should contact [person]. See Section 7 regarding reporting of violations of this policy.

## **C. Responses to Workers Who Commit Violence**

If [Employer] receives information that alleges or suggests that an employee has committed an incident of workplace-related or non-workplace violence, as defined in this Policy, or if any manager receives information that any employee has engaged in any incident of workplace-related or non-workplace violence, then the matter shall be referred to Human Resources [or the appropriate individual] for the purpose of investigating the information or allegation. [Employer] shall conduct an immediate investigation of the information or allegation.

Every employee shall have a duty to cooperate with the investigation, and failure to do so will result in disciplinary action being taken against the uncooperative employee up to and including termination. Additionally, every employee has the duty to be truthful and must disclose all information known to the employee when requested to do so by an appropriate person in the organization or the person designated by the organization to investigate an alleged incident of violence. Any employee who fails to be completely truthful or who withholds information shall be subject to disciplinary action up to and including termination.

At the conclusion of the investigation conducted by [Employer], the investigator shall report her or his findings to the designated official. If the investigator concludes that the employee has engaged in a workplace-related incident or non-workplace incident, as defined in this Policy, then that employee shall

be subject to disciplinary action up to and including termination. The employee might also be required to participate in counseling or other remedial measures. Employees are prohibited from utilizing any workplace resources, such as work time, phones, email, computers, fax machines or other means to threaten, harass, intimidate, embarrass or otherwise harm another person.

An employee who is subject to a protection or restraining order, or a named defendant in a criminal action as a result of a threat or act of domestic violence, sexual violence, dating violence, or stalking must notify the [Employer] Human Resources Department immediately regarding the existence of such criminal or civil action. Failure to disclose the existence of such criminal or civil actions in these circumstances will result in disciplinary action, up to and including termination from employment.

## **VI. Reporting by Employees Who are Victims**

Employees who are victims of domestic violence, sexual assault, stalking and dating violence, and employees who are concerned about coworkers who might be victims are encouraged to provide a report to [Employer]. [Employer] has designated [person] as the person to whom such reports should be made. [Employer's] designated employee shall provide community referrals and resources to employees in order to assist employees with their concerns or experiences regarding violence.

## **VII. Reporting Violation of Policy**

A person who wishes to report a violation of this policy should also contact [person]. [Employer] will not subject employees who report violence or report a violation of this policy to work related or personal retaliation, as described in this Policy. Any allegations of violations of this policy will be immediately investigated in accordance with the timeline and procedure outlined in Policy.