

**LOUISIANA DEPARTMENT OF JUSTICE
DOMESTIC VIOLENCE IN THE WORKPLACE TASK FORCE
GUIDELINES FOR PROVIDING ASSISTANCE IN MANAGING
DOMESTIC VIOLENCE IN THE WORKPLACE**

These policy guidelines may be adapted as a unified domestic violence policy or its component parts may be integrated into already existing related policies and/or guidelines.

** The Attorney General's Domestic Violence in the Workplace Task Force approved these model guidelines on September 11, 2001*

Louisiana Domestic Violence in the Workplace Task Force

Capital Area Battered Women's Intervention Program, Louisiana Maternal and Child Health Coalition, Louisiana District Attorney's Association, Louisiana Foundation Against Sexual Assault, Louisiana Department of Labor, University of New Orleans Women's Center, Louisiana Coalition Against Domestic Violence, Crowley Chamber of Commerce, Louisiana Department of Administration, Louisiana Community Policing Institute, Woman's Hospital, Louisiana Chemical Association, Bank One, Prevent Child Abuse Louisiana, Southern University Women's Initiative Project Center, Lafayette Economic Development Authority, The Louisiana Children's Cabinet, Hibernia National Bank, ENTERGY, Mayor Marc H. Morial, Louisiana Center for Women and Government at Nicholls State University, Louisiana AFL-CIO, Capital Area Human Services District, METHODS Technology Solutions, Inc., Louisiana Department of Economic Development, Louisiana Commission on Law Enforcement, BellSouth Telecommunications, Louisiana Department of Health and Hospitals, Lafayette Police Department, Kroll Laboratory Specialists, Cox Communications, Southeastern Louisiana University, Louisiana Governor's Office of Women's Services, Louisiana Federation of Teachers, BlueCross Blue Shield of Louisiana, Monroe News Star, Louisiana State University Health Sciences Center, Allen and Gooch Attorneys at Law, Supreme Court of Louisiana Protective Order Registry, State Farm Insurance, American Federation of State County and Municipal Employees Council #17, Larry Preston Williams and Associates, and the Louisiana Department of Social Services.

The Louisiana Department of Justice, Domestic Violence in the Workplace Initiative provides these guidelines to employers who are members of our initiative for the purpose of guidance in the development of their own policies and procedures. Any human resource policy developed by your company should be with the advice of your company's legal counsel.

**LOUISIANA DEPARTMENT OF JUSTICE
DOMESTIC VIOLENCE IN THE WORKPLACE TASK FORCE**

GUIDELINES FOR PROVIDING ASSISTANCE IN MANAGING DOMESTIC VIOLENCE IN THE WORKPLACE

The purposes of these guidelines are to heighten the awareness of domestic violence and all forms of violence against women and to provide guidance for management and employees in addressing these issues in the workplace. Components of these guidelines may be adopted in whole or in part, or incorporated into your company's existing policies.

In 1985, the United States Health Service and the Surgeon General brought national focus on violence as a leading public health issue in the country. This epidemic of violence has spread to the work place. We recognize the reality of domestic violence in our society and that this issue can affect employees and their work. To address these concerns, [Employer X] has adopted guidelines to heighten awareness of domestic violence as it affects our employees and to provide guidance to address the occurrence of domestic violence and its effects in the workplace.

[Employer X] disapproves of violence against women in any form, whether as an act of workplace violence or in any employee's personal life. As such, the following guidelines are offered to employees, supervisors, managers, and human resource managers to assist employees in managing family violence situations as they affect them - directly or indirectly - in their job. We are committed to full compliance of all applicable laws governing domestic violence in the workplace.

Statistics from the National Institute of Occupational Safety (NIOSH) show that murder is the third leading cause of death in the workplace and the first among female employees. While most companies have experienced threats of violence at some level, and [Employer X] is no exception, the Occupational Health and Safety Act (OSHA) obligates employers to provide a safe and healthy work place.

I. PURPOSE

[Employer X] is committed to promoting the health and safety of our employees and to making a significant and continual difference in the fight to end domestic violence. Domestic violence is a leading cause of injury to women in this country. We realize the reality of domestic violence in our society, how it can affect employees and their work. To address these concern, we have adopted a policy to heighten awareness of domestic violence and to guide employees and management on ways to address the occurrence of domestic violence and its impact on 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, use of electronic devices, to harass and economic control. Domestic violence occurs between current or former

intimate partners- adults or adolescents, 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, sexual assault or family violence.

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, sexual assault or family violence.

E. The Workplace: The workplace includes all on-site locations, including adjacent parking areas, extended company property, and all remote locations where employees engage in Company business.

F. Employees: This Policy applies to all employees, whether full-time, part-time, temporary, or otherwise, as well as to all volunteers, contractors and consultants engaged to perform services for the Company.

III. PRINCIPLES OF COMPANY

Recognizing that domestic violence and other forms of violence are workplace issues that affect the safety, health, and productivity of all employees, [Employers X] is joining employers across the nation to take a stand against workplace violence by committing to following principles that guide our Workplace Violence Program.

Creating Safe Workplaces

- [Employer X] will strive to create a workplace environment that is safe from all forms of violence, including domestic violence and which supports victims of violence, to understand and access services, information and protections available to them.
- [Employer X] will to the fullest extent possible take active measures to increase the safety of employees who request assistance because they are victims of violence. We acknowledge the importance of keeping all requests for assistance in confidence, making information available only on a "need to know" basis.
- In all workplace response to domestic violence, [Employer X] will respect the authority and autonomy of the adult victim to direct her or his own life.
- [Employer X] acknowledges that employees who are victims of domestic violence and other forms of violence should have the same rights, opportunities and benefits as all

other employees.

Creating Nondiscriminatory Workplaces

- [Employer X] is committed to nondiscrimination against victims of violence in all aspects of our business and operations.
- [Employer X] believes that employees should not be disciplined or terminated simply because they have been the victims of domestic violence or because the employer fears the impact of violence in the workplace.
- [Employer X] will not retaliate against an employee who reports circumstances raising a concern for safety from violence.
- [Employer X] believes that employees or individuals that commit acts of violence at or from the workplace must be treated in accordance with this policy. Where it is appropriate [Employer X] will attempt to provide referrals to certified batterers' intervention programs.

Creating an Informed and Productive Workforce

- [Employer X] will strive to provide education on workplace violence to all employees.
- [Employer X] will strive to make all personnel, benefits, and security policies responsive to the needs of employees who are victims of violence.

Creating a Socially Responsible Workplace

- As a member of local, state, and national communities, [Employer X] believes in our responsibility to support community efforts to end domestic violence.

IV. POLICY

A. RESPONDING TO VICTIMS OF DOMESTIC VIOLENCE

[Employer X] is committed to assisting employees who are, or have been, the victims of domestic violence or sexual assault. This assistance may include, but should not be limited to:

- Creating a workplace safety plan for the employee;
- Changing an employee's work routine;
- Referring the employee to appropriate internal and external resources and organizations;
- Addressing employee performance concerns; and/or
- Discussing personal leave options.

[Employer X] will respond sensitively to victims and ensure confidentiality regarding reports of abuse.

B. CONFIDENTIALITY

In all responses to domestic violence, [Employer X] will respect the confidentiality and autonomy of the reporting employee, informing other employees on a need to know basis

only, and only to the extent necessary to protect safety and to comply with the law. Wherever practicable, advance notice will be given to the reporting employee if [Employer X] needs to inform others about the domestic violence situation. Recognizing the complexity of the issues surrounding domestic violence and that a survivor of domestic violence may face threats of violence or death when he or she attempts to end a violent relationship, [Employer X] will make every effort to provide a nonjudgmental and supportive environment for the employee which is not dependent on the employee's decisions regarding the relationship.

C. TRAINING

[Employer X] will train all management and supervisory personnel on this policy and will provide continuing educational opportunities for employees.

D. EARLY INTERVENTION AND EDUCATION PREVENTION STRATEGIES

1. It is the policy of [Employer X] to use early prevention strategies in order to avoid or minimize the occurrence and effects of domestic violence in the workplace. [Employer X] will provide available support and assistance to employees 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 workplace, work schedule adjustments or leave necessary to obtain medical, counseling, or legal assistance, and workplace relocation. Written resource and referral information will 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, [Employer X] will respect the confidentiality and autonomy of the adult survivor to direct her or his own life, to the fullest extent permitted by law. Information regarding the reporting of a domestic violence situation or a request for assistance will not be maintained in the employees personnel file.

2. [Employer X] 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 Statewide Domestic Violence Coalition hotline[1-888-411-1333], the National Domestic Violence Hotline (800) 799-SAFE (7223), [the Employee Assistance Program number], the phone number and description of local domestic violence resources, and a list of local batterers' intervention programs. Through education we are endeavoring to create an environment where it is safe to talk about domestic violence and for employees who are victims to seek assistance.

3. [Employer X] encourages employees to support and volunteer for local domestic violence and sexual assault prevention and intervention programs.

E. LEAVE OPTIONS FOR EMPLOYEES WHO ARE EXPERIENCING THREATS OF VIOLENCE

1. At times, an employee may need to be absent from work due to family 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, supervisor/manager, human resources representative, [and union representative, where the employee is represented].

2. Employees, supervisors, and managers are encouraged to first explore whether paid options can be arranged that will help the employee cope with a family violence situation without having to take a formal unpaid leave of absence. Depending on the circumstances, this may include:

* Arranging flexible work hours so the employee can handle legal matters, court appearances, housing, and childcare.

* Consider sick, annual, shared leave, compensatory time, or leave without pay, especially if requests are for relatively short periods.

3. Unpaid Leave Option: An employee may be entitled to three weeks of authorized time off without pay (without taking a formal extended unpaid leave of absence). This can be taken in either a three-week block of time or spread out over several weeks (totaling 15 days).

If an employee cannot establish a definite return -to- work date and requires more than three weeks of time off, a leave of absence appropriate to the situation may be considered.

F. PROCEDURES FOR EMPLOYEES WITH PERFORMANCE ISSUES RELATED TO DOMESTIC VIOLENCE

1. While the employer retains the right to discipline employees for cause, [Employer X] 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, in collaboration with the employee, Employee Assistance counselor, Human Resource representative, [and union representative, where employee is represented] 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.

G. DISCIPLINARY PROCEDURES FOR EMPLOYEES WHO COMMIT ACTS OR THREATS OF DOMESTIC VIOLENCE

[Employer X] will not tolerate nor excuse conduct that constitutes Workplace Domestic Violence. [Employer X] considers the perpetration of Domestic violence by an Employee to constitute, at a minimum, intolerable, illegal, unethical, unacceptable conduct. We are committed to identifying, assisting and holding accountable employees who are or have been perpetrators of domestic violence or sexual assault. Employees found to have violated this policy will be subject to corrective or disciplinary action, up to and including discharge.

1. This policy strictly prohibits the use of violence or threats of violence in the workplace. Additionally, any physical assault or threat made by an employee while on [Employer X] premises, during working hours, or at any [Employer X] sponsored event is a serious violation of [Employer X] policy. This policy applies not only to acts against other employees, but also 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 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 [Employer X].

3. This Policy is in place to discipline employees who use workplace telephones, computers, faxes, email, copiers, regular mail, electronic communication devices or information systems, the Internet, any company property, company resource or privately owned property while on company time, during the performance of company business or at clients' sites, to harass others, including their intimate partners. This list is not intended to be all inclusive of any method that can be used to violate this policy.

4. [Employer X] may investigate allegations of domestic violence, sexual assault and/or stalking where an employee is named as a defendant, whether a civil or criminal action, or if there is reason to believe an employee has committed such crimes at [Employer X's] worksites, but no formal action has taken place.

5. a. Upon completion of the investigation, whether the employee has been charged criminally or found liable civilly, [Employer X] can take corrective action and discipline the employee, including placing the Perpetrator on administrative leave without pay, or taking other disciplinary measures up to and including termination.

b. [Employer X] through Human Resources may also require that the Perpetrator seek help at the Employee Assistance Program or attend and successfully complete a certified and approved Batterer's Intervention Program. Continued employment is contingent upon not committing any new offenses and obeying all conditions of any Protective Order, whether criminal or civil. [Employer X] will maintain the perpetrator's confidentiality.

V. GUIDELINES REGARDING ASSISTANCE FOR SURVIVORS AND PERPETRATORS

A. General Guidelines

1. The following information is provided to help employees of [Employer X] who are survivors of domestic violence obtain the services they desire and to enhance the safety of [Employer X] workplaces.
2. [Employer X] seeks to create a supportive workplace environment in which employees feel comfortable discussing domestic violence and seeking assistance for domestic violence concerns. If an employee discloses that she is a survivor of domestic violence, it is important to send the following messages and avoid victim blaming:
 - a. You are not alone.
 - b. You are not to blame.
 - c. There is help available. Give appropriate referrals (name and phone number of organizations/resources) should be given.
 - d. You do not deserve to be treated this way.Further, the supervisor should communicate to the employee that:
 - e. The supervisor is concerned for and supports the employee;
 - f. The information she has chosen to share will be kept in the strictest of confidence; and
 - g. The supervisor is available to help with work issues or with access to resources in the company, if that is what the employee wishes.
3. If a supervisor believes that an employee is in an abusive relationship, but the employee has not disclosed this to their supervisor, the supervisor should address only job performance issues, and inform the employee of the Employee Assistance Program and/or community resources.

If the employee does not tell you that she is a victim; acknowledge that domestic violence is a difficult situation to deal with; refer the employee to the EAP, relevant employee services, and to outside services (shelters, police, support groups) to help her deal with this issue. Let her know you can work together on performance issues.

Remember: A supervisor's inquiry into performance problems that may be related to domestic violence needs to be sensitive, empathetic, and with all due regard to an employee's right to privacy.

4. Recognizing the absence of services and support for survivors of domestic violence and that a survivor 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 which is not dependent on the employee's decisions regarding the relationship.
5. A successful workplace intervention may consist of providing the employee with a nonjudgmental place to discuss the violence, information to begin accessing resources in the community, or assisting the employee to formulate a plan to increase that employee's safety.

B. Roles for Staff In Responding to Domestic Violence In The Workplace

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:

a. Managers /Supervisors:

Supervisors are often among the first people in the workplace to become aware that an employee may be facing domestic violence. Possible indicators include, but are not limited to chronic absenteeism, inappropriate/excessive clothing, obsession with time, repeated physical injuries, chronic health problems, isolation, emotional distress, distraction and excessive number of personal phone calls. Sometimes supervisors become frustrated when an employee returns to a batterer or stays in an abusive relationship. It is important to understand that there are many reasons for these decisions. Just like ending any relationship is a process, leaving an abusive relationship takes time. It's even harder in a violent relationship. Often, victims fear for their lives. They may also want their children to grow up with both parents, or feel guilty; believing the abuser's excuses that the violence is the victim's fault. Sometimes victims' self-esteem is so damaged that they think they can't make it on their own. Or they just want the violence to end, not the relationship. It is important to remember that ending an abusive relationship may be a long and difficult process.

1. Participate in domestic violence training as provided by the company.
2. Be alert to possible signs of abuse.
3. Properly document any report of domestic violence.
4. Be aware of physical or behavioral changes in employees and consult with your Human Resources department/Employee Assistance Program/supervisor for advice. Your role is not to diagnose or counsel the employee, but to offer the employee 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.
5. Managers/Supervisors must be respectful of employees' 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. Unless the employee tells the supervisor about the abuse, a supervisor should not make direct inquiries about known or suspected abuse.
6. Respect the employee'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.

7. Be responsive when an employee who is either the survivor or the perpetrator of domestic violence asks for help. Immediately contact your Human Resources/Employee Assistance Program/Security professional, Occupational Health Nurse or MD for assistance.

8. Maintain the confidentiality of domestic violence circumstances and any other referrals under this policy to the extent permitted by law. Inform other employees of the domestic violence circumstances on a need to know basis only. Wherever possible, give advance notice to the employee who is experiencing domestic violence if you need to inform others about the domestic violence situation. Regardless of her decision or actions, respect confidentiality in your discussions with her.

9. Work with the victim, Human Resources, the Employee Assistance Program, the Legal department, union representatives, available Security staff, law enforcement, the Occupational Health office, and community domestic violence programs, if necessary, to assist the victim to develop a personal workplace safety plan (See Appendix A) and make reasonable accommodation of that plan. When assisting an employee to develop a personal workplace safety plan, ask what changes, if any, could be made at their workplace to make them 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 personal workplace safety plan, but allow them to decide what goes in 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.

10. If possible, the supervisor will make efforts to adjust the survivor/employee'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, [union contract provisions,] and statutes. This approved leave should not be held against the employee.

11. The employee should maintain communication with their manager during their absence. The employer should maintain the confidentiality of the employee's whereabouts.

12. Work with Human Resource managers [and union representatives, if applicable,] to relocate the employee 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.

13. Review the safety of parking arrangements. Make sure that parking areas are well lit. Provide security escorts to parked cars and priority parking near the building entrance for

employees who fear an attack at work.

14. With Human Resources or Communication department approval, post information about domestic violence in your work area. Also, have information available where employees can obtain it without having to request it or be seen removing it. Some suggestions are: restrooms, lunchrooms, health and/or first aid offices, or where other employee resource information is located. Employers should seek out other confidential means of accessing information, such as Web sites.

15. Comply with all civil protection orders. If both the plaintiff and defendant in a civil protection order are employees of [Employer X], managers must work with Human Resources, the Legal department, Employee Assistance counselors, the Occupational Health Nurse/MD, and Security to ensure that the defendant is relocated to a workspace 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 and/or contact the Legal department and security. If the order does not require the abuser to stay away from the worksite, advise the employee to request that option. Instruct the employee to keep a copy of the protection order on them at all times.

16. After consultation with Human Resources and legal counsel, take any appropriate corrective or disciplinary action consistent with policy and procedure [and collective bargaining agreements], up to and including termination, against employees who commit acts of domestic violence at [Employer X] 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 [Employer X].

17. Inform subordinates on a periodic basis about the employer's policy and procedures on encouraging work environments free from violence, threats and harassment.

18. Limit information about the employee that is disclosed by telephone. Information that would help locate a victim or indicates a time of return should not be provided.

19. Communicate that while [Employer X] will work with employees in her or his efforts to keep safe, [Employer X] cannot guarantee the employees' safety.

b. Human Resource Professionals:

1. Participate in domestic violence training as provided.

2. Maintain a list of services available to survivors and perpetrators of domestic violence. This list should include: the National Domestic Violence Hotline Number, (800) 799-SAFE, the Louisiana State Coalition Against Domestic Violence Coalition Hotline [1-888-411-1333], Employee Assistance Program, local domestic violence shelters, certified batterers' intervention programs available to perpetrators, information on how to obtain civil orders of protection and criminal justice options, and any other available community resources.

3. Be a resource to employees, managers, and supervisors in addressing domestic violence situations.
4. Work with survivors, Security staff, the Legal department, [union representatives], the Occupational Health office, law enforcement, and community domestic violence programs, if necessary, to develop a personal workplace safety plan to minimize the risk to the victim, other employees, and clients.
5. Work with supervisors and managers [and union representatives] to grant leave, adjust work schedules, or attempt to find continued employment for employees who are survivors of domestic violence, if possible.
6. Maintain the confidentiality of domestic violence circumstances and any other referrals under this policy to the extent permitted by law.
7. Consult legal counsel and advise supervisors and managers in considering corrective or disciplinary actions against employees who commit acts of domestic violence at [Employer X] 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 [Employer X].
8. Work with the survivor, the manager, the Employee Assistance Program, the Legal department, [union representatives], the Occupational Health office, available Security staff, law enforcement, and community domestic violence programs, if necessary, to develop a personal workplace safety plan for the victim. (See Appendix A). When assisting an employee to develop a workplace safety plan, ask what changes, if any, could be made at their workplace to make them 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 in the final plan. If it is determined that other employees or clients are at risk, it is essential to take measures to provide protection for them.

c. Employee Assistance Professionals:

1. Participate in domestic violence training as provided.
2. Train staff on how to identify warning signs of potential violence in both the survivor and the perpetrator, and on how to intervene most effectively.
3. Maintain up-to-date referral resources on domestic violence hotlines, advocacy groups, shelters, counseling services, and legal services (pro bono legal assistance and domestic violence/family court information), as well as resources for perpetrators, including certified batterer's intervention programs. As these resources change frequently, it will be important to verify the referral information frequently.

4. Provide education on domestic violence through existing or new channels such as lunchtime seminars, newsletters, posters, pamphlets, and employee and management trainings.
5. Educate the employer about the Employee Assistance Program's ability to intervene in domestic violence situations. Inform management of the need to call the Employee Assistance counselor to consult about any domestic violence situations that they become aware of, including concerns about either survivors or perpetrators.
6. Work with survivors, Human Resource professionals, Security staff, the Legal department, [union representatives], the Occupational Health office, and law enforcement and community domestic violence programs to develop a personal workplace safety plan to minimize the risk to the victim, other employees, and clients.
7. Maintain strictest confidentiality and respect the survivor's need to be self-directing. When appropriate, with the survivor's written permission, provide advice and consultation to supervisors with respect to issues of domestic violence in the workplace in order to achieve workplace cooperation regarding leave of absence, fair consideration of any performance or conduct problems directly related to the violence, safety needs, disciplinary actions towards a perpetrator who works with a survivor and abuses that person in the workplace, and access to any other needed services. Discuss with Human Resources any personnel policy that may negatively impact survivors.
8. Establish a relationship with domestic violence service agencies in the community, sharing information and resources. One method of establishing a working relationship with a community organization would be to ask its staff to participate in workplace educational events on domestic violence.

d. Occupational Health Professionals:

1. Participate in domestic violence training as provided
2. Maintain a list of services available to survivors and perpetrators of domestic violence. This list should include: the National Domestic Violence Hotline (800) 799-SAFE, the Louisiana Coalition Against Domestic Violence Hotline [1-888-411-1333], Employee Assistance Program, local domestic violence shelters, certified batterers' intervention programs available to perpetrators, information on how to obtain civil orders of protection and criminal justice options, and any other available community resources.
3. Be a resource to employees, managers, and supervisors in addressing domestic violence situations.
4. Work with survivors, Security staff, Human Resource Professionals, the Employee Assistance Program, the Legal department, [union representatives], law enforcement, and community domestic violence programs, if necessary, to develop a personal workplace safety plan (Appendix A) to minimize the risk to the victim, other employees, and clients.

5. Work with supervisors and managers [and union representatives] to grant leave, adjust work schedules, or attempt to find continued employment for employees who are survivors of domestic violence, if possible.

6. Maintain the confidentiality of domestic violence circumstances and any other referrals under this policy to the extent permitted by law.

7. Screen for domestic violence all females seen for injury, chronic health problems, somatic complaints, pregnancy related issues, mental health problems, or substance abuse. Screen in a confidential setting. Use questions that are direct, specific and easy to understand, e.g. " Because violence is so common in many people's lives, I've begun to ask all my patients about it routinely. Are you in a relationship with a person who physically hurts or threatens you?" Screen verbally in addition to any written questionnaire forms used. When unable to converse fluently in the employee's primary language, use a professional translator or another healthcare provider fluent in the employee's language - do not use the employee's family or friends as translators when asking about domestic violence. Document that screening for domestic violence was conducted.

8. With Human Resources or Communication department approval, post information about domestic violence in your work area. Also, have information available where employees can obtain it without having to request it or be seen removing it. Some suggestions are: restrooms, lunchrooms, health and/or first aid offices, or where other employee resource information or health related materials are located.

e. Security Services:

1. If your workplace does not have a formal security department, designate someone to be responsible for the essential function of this policy.

2. Participate in domestic violence training and other training designed to teach security personnel to react, assess, document, and respond to threats of violence and or threatening behavior in the workplace.

3. Provide consultation and reasonable assistance to employees experiencing domestic violence.

4. Document violations of a restraining order and each report of domestic violence in the workplace, whether the batterer's target or a co-worker makes that report. All information from any source should be taken seriously and evaluated.

5. Threats or incidents of violence against women in the workplace should be treated as sensitive company documents with limited distribution, in accordance with the confidentiality guidelines of this policy. Information in the "confidential domestic violence threat/incident report" should be shared on "strict need to know" basis, as inappropriate distribution of such information may prevent effective planning or

response, may impede civil or criminal actions against the perpetrator or may heighten the victim's danger and violate her right to privacy.

6. Respond and intervene, as needed, to calls concerning safety in the workplace.
7. Accept transferred harassing telephone calls from the employee's abuser, and document the calls.
8. Work closely with appropriate law enforcement agencies to ensure workplace safety.
9. Keep a certified copy of any restraining orders provided by the employee to Security Services in a confidential file. Access to orders and information contained in them should be limited on a need to know basis.
10. Provide escorts to parked cars and priority parking near the building entrance for employees who fear an attack at work.
11. Work with survivors, Human Resource Professionals, the Employee Assistance Program, Occupational Health Office, the Legal department, [union representatives], law enforcement, and community domestic violence programs, if necessary, to develop a personal workplace safety plan (Appendix A) to minimize the risk to the victim, other employees, and clients.
12. Security personnel should be familiar with laws that enable in-house security to obtain law enforcement and criminal justice support before a violent incident occurs. (i.e. staling laws, protection order and restraining order laws, mandatory arrest).
13. Safety issues attendant to domestic violence should not be resolved by simply referring matters to Human Resources and EAP or considering domestic violence to be a private matter. Domestic violence and sexual assault are crimes that present a danger to the victim and the workplace and should be treated as such.

f. Create a Management Response Team

The management response team is charged with the responsibility of investigating and managing all reports of circumstances that raise a concern for employee safety from violence. The team should include representatives from departments with a role to play in workplace domestic violence prevention and intervention, namely a representative from:

1. Employee's Department
2. Loss Prevention/security Staff
3. Human Resources
4. Public Relations
5. Legal Department
6. Psychologist/Employee Assistance Program
7. Union Representative (if applicable)

Employers should provide direction to this team. Their roles should be clearly defined

and they should be trained how to respond to a domestic violence crisis and the dynamics of domestic violence. This training should be over and above the training for those within the company whose positions require that they play a role in workplace domestic violence prevention.

g. Options for Employees who are Survivors of Domestic Violence:

1. Talk with a trusted co-worker, supervisor, [union representative], or manager about your situation.
2. Contact your nearest Employee Assistance Program office
3. Contact the National Domestic Violence Hotline at (800) 799-SAFE or the Louisiana Coalition Against Domestic Violence Hotline at [1-888-411-1333]
4. Call the local police if you are in immediate danger.
5. Save threatening e-mail or voice mail messages. These can potentially be used for future legal action, or can serve as evidence that an existing restraining order was violated.
6. 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 communication with your supervisor during your absence. If necessary and available, make alternate arrangements for receiving your paycheck. Also, leave an emergency contact number with your supervisor if one is available.
7. If you are concerned about your safety at work, submit a recent photograph of the abuser and keep 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.
8. If you obtain a restraining order, include your workplace in the restraining order and keep a copy a certified copy of the restraining order with you at all times. Consider providing a copy of the restraining order to your supervisors, security, and human resource office (if applicable).
9. Work with your supervisor, Human Resource manager, Security Staff, Employee Assistance Program manager, Occupational Health Nurse/MD or [union representative] to develop a safety plan (See Appendix A).
10. Obtain assistance for and documentation of any physical and/or mental health consequences of the abuse (including old injuries) from your workplace occupational health office (if available) and/or your primary care provider.

h. Options for Employees Who are Perpetrators of Domestic Violence:

1. Contact the nearest Employee Assistance Program office for confidential consultation and resources. [List phone numbers here].

2. Contact a certified batterer's intervention program: [List phone numbers here].

i. Options for Other Employees Who Have Concerns About Domestic Violence:

1. 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 the Employee Assistance Program, a local domestic violence agency, or the National Domestic Violence Hotline at (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 employee assistance counselors, human resources, or a local domestic violence program for further guidance.

2. Report any threats or violence that you experience or witness to your supervisor, Human Resources, Security, or the Employee Assistance Program.

3. Volunteer at a local domestic violence shelter or organize a workplace drive for domestic violence shelters.

Sample Workplace Policy Appendix A

Components of a Workplace Safety Plan:

a. Consider obtaining a civil order for protection and make sure that it is current and on hand at all times. Include the workplace on the order. A copy should be provided to the police, your supervisor, Human Resources, the reception area, the Legal department, the Occupational Health office, and Security if the abusive partner might come to the work site. Ask co-workers and/or supervisors to call the police if the perpetrator threatens, harasses you at work or violates the civil order for protection in any way.

b. Consider providing a picture of the perpetrator to reception areas and/or security.

c. Consider identifying an emergency contact person should your employer be unable to contact you.

d. Review the safety of your parking arrangements.

e. Consider having Security escort you to and from your car or public transportation and/or obtaining special parking access.

f. Consider requesting a change and/or unpredictable rotations of your work schedule, work site, or work assignment if such a change is possible and would enhance your safety at work.

g. Consider having your telephone calls screened at work.

h. Consider requesting additional security measures for your work site. It may be possible to post security near your work site, install security cameras or silent alarms at your work site, relocate your work station to a more secure area, or provide you with a cellular phone for emergency use at work.

i. Review the safety of your childcare arrangements. If you have a protective order, make sure the provider has a copy.