

break the **silence**
on domestic **violence.**

Employer's Action Kit

Basic steps to protect your business and help stop the deadly cycle of domestic violence in our community.

Sponsored by WEAVE Women Escaping a Violent Environment



did you know...

94% of corporate security directors rank domestic violence as a major security threat at their companies.

91% of consumers say it's a good idea for companies to support domestic violence prevention programs.

30% of Americans say they know a woman who has been physically abused by her husband or boyfriend in the past year.

Almost 75% of abuse victims report being harassed by phone or in person while at work. Almost a third say domestic violence cost them their jobs.

Two out of three Fortune 1000 leaders say financial performance would benefit from addressing domestic violence among employees.

Policy Checklist:

Here's a checklist to help you assess current workplace policy on domestic violence.

✓ Affirm the employer's commitment to create and maintain a safe workplace free from any harassment or violence. Charge all employees with the responsibility for contributing toward that environment.

✓ Declare that violent conduct of any kind will not be condoned or tolerated. Discipline, up to and including discharge, any employee who threatens or abuses others on work time or using work resources. Employees convicted of a crime as a result of domestic violence may be subject to corrective or disciplinary procedures, up to and including discharge, when work performance or normal operation of the workplace is affected.

✓ Define domestic violence as any crime which intentionally or recklessly causes or attempts to cause injury or harm to any family member, domestic partner or cohabitant, or puts that person in reasonable fear of injury. State that domestic violence may include physical abuse, sexual abuse, verbal or emotional abuse, threats of violence or stalking behavior, or deliberate damage to property or pets.

✓ Inform employees of their legal right to job-guaranteed time off to attend court hearings and to receive services related to domestic violence.

✓ Set up confidential channels for reporting domestic violence to an Employee assistance or Human Resources manager, and provide these managers with appropriate training and resources.

✓ Address safety concerns. Appropriate steps may include: alerting security, reviewing the safety of parking arrangements, strictly enforcing protection orders, obtaining an employer restraining order to protect the victim and other employees, screening phone calls, providing support for employees as they develop safety plans, or relocating employees to another work site.

✓ Clearly communicate these policies to all new employees. Provide education and resource materials on domestic violence to all employees, including during regular safety trainings.

key employment rights

Key employment rights

Eligibility for Unemployment

Workers who must leave their jobs to protect themselves or their children from domestic violence - "good cause" under the law - are eligible for unemployment benefits. The employer's reserve will not be changed if the employer informs EDD of the circumstances within ten days of being notified of a claim

California Unemployment Insurance Code 1030, 1032, 1256 (West 1999)

Job-Guaranteed Time Off

Victims of domestic violence are protected against discharge or discrimination for taking time off to seek protection orders or other judicial relief to help secure their own or their children's safety or welfare.

Firms with 25 or more employees must also allow workers job-guaranteed leave to seek medical attention for domestic violence-related injuries; obtain services from a domestic violence shelter, program or rape crisis center; receive psychological counseling; or participate in safety planning.

The employee must give reasonable notice, if feasible. The employer may require certification of domestic violence: a police report, protection order, documentation from court or from a medical professional, domestic violence advocate or counselor. To the extent the law allows, the employer must maintain the employee's confidentiality. An employee whose rights under this provision are violated can file a complaint with Dept. of Labor Standards Enforcement.

California labor code 230-230.1 (Deering 2000) as amended by 2000 Cal. Stat. 487

A model policy:

Download a copy of this model California workplace policy on domestic violence at www.weaveinc.org

Policy summary

(Employer) is committed to creating and maintaining a safe work environment free of all forms of harassment and violence, and charges every employee with the responsibility of contributing toward that environment. This policy also extends to outside parties who enter (Employer's) facilities, or who communicate with employees by phone, email, mail, or other methods. Employees are encouraged to notify their managers or Human Resources of any situation that they feel is unsafe or inconsistent with this policy.

(Employer) recognizes that domestic violence injures individuals, their work performance, and the workplace as a whole. Employees experiencing violence or abuse of any type at home are encouraged to seek help from law enforcement and domestic violence counseling and service agencies in the community. referral information is available from managers or from Human Resources. In some cases, employees may be eligible for assistance from (Employer) to maintain their safety and the safety of co-workers.

When notified of safety concerns, Human Resources will work with Security to take appropriate action. Depending on company resources and the facts of the situation, measures may include: (describe the range, from increasing security at a work site to arranging for an employee to work at a different location, temporarily changing the employee's duties, granting a leave of absence, or obtaining a restraining order on the company's behalf).

break the silence

resources for employers

(a Model Policy, continued)

Definition of domestic violence

Domestic violence means intentionally or recklessly causing or attempting to cause injury or harm, or placing any family member, domestic partner or cohabitant in reasonable fear of injury. Specifically, it means physical abuse, sexual abuse, verbal or emotional abuse, threats of violence or stalking behavior, or deliberate damage to property or pets.

Time off related to domestic violence

In accordance with California law, (Employer) provides eligible employees experiencing domestic violence with job-guaranteed time away from work to address related needs, such as medical attention, counseling sessions, court hearing or relocation.

Employees may use personal leave, sick or vacation leave, or unpaid leave as necessary. The employee must provide reasonable notice, unless advance notice is not feasible. [Specify the application process and any documentation required.] To the extent allowed by law, (Employer) will maintain the confidentiality of an employee requesting such leave.

Flex time

Based on the business needs of their department, eligible employees experiencing domestic violence may be permitted to flex their work hours.

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Leaves of absence

(Employer) provides up to (X days) unpaid leave per year to eligible employees for compelling personal reasons, including domestic violence. It is our policy for employees returning from a leave of absence to be returned to their same positions or comparable positions.

Business Conduct

(Employer) does not condone and will not tolerate violent conduct. Any and all threats of violence against any employee, location or property will be taken seriously and will result in immediate action, up to and including termination, as well as be reported to law enforcement. The use of [Employer's] premises, telephones, e-mail or mail to commit violent acts or communicate any threat of violence to anyone, whether an employee or not, is specifically prohibited and may constitute grounds for dismissal.

WEAVE

**Women Escaping a Violent Environment
Direct services, advocacy, education, training,
outreach:**

Business Line: 916.448.2321

Crisis Line: 916.920.2952

Employment rights

www.dir.ca.gov/DLSE/dlse.html

Unemployment insurance

www.edd.ca.gov/employer.htm

Company restraining orders

www.courtinfo.ca.gov/self help/other/workplaceviolence1.htm

California domestic violence referral directory

www.dhs.cahwnet.gov/ps/cdic/epic/html/dv_directory.htm

Family Violence Prevention Fund

Info, guidance, news:

endabuse.org/programs/workplace

Sponsored by WEAVE.

1900 K Street, Sacramento, CA 95814

 **WEAVE** inc

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