

**UTAH DEPARTMENT OF HUMAN SERVICES  
POLICY AND PROCEDURES**

Reference: 02-14

Effective Date: May 3, 2000

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**SUBJECT: DOMESTIC VIOLENCE IN THE WORKPLACE PREVENTION POLICY**

**RATIONALE:** The purpose of this policy is to assure a working environment that is free from domestic violence. This policy is in compliance with the Executive Order on Policy on Domestic Violence within the Workplace, signed June 4, 1999.

The Department of Human Services (DHS) is committed to providing a safe and productive work environment free from domestic violence for its clients, customers, and employees. To accomplish this, DHS will have *zero tolerance* for domestic violence in the workplace by:

a) establishing policies and procedures that protect the rights and address the needs of employees who are victims of domestic violence to include:

- 1) Establishment of safety procedures;
- 2) Protection of privacy and confidentiality;
- 3) Access to information for personal counseling or to DHS Employee Assistance Program;
- 4) Adjustments in work schedule and use of leave consistent with DHRM rule R477-8

b) prohibiting the use of state facilities, resources, or time to facilitate and perpetrate domestic violence;

c) disciplining of employees who violate this policy;

d) encouraging personal counseling for employees who are perpetrators and who voluntarily seek assistance; and

e) providing training for managers and supervisors on prevention and appropriate response to domestic violence which disrupts the workplace.

**POLICY: PREVENTION OF DOMESTIC VIOLENCE IN THE WORKPLACE**

DHS will use early intervention and awareness strategies as a first line of defense in order to avoid or minimize the occurrence and effects of domestic violence in the workplace.

**DEFINITIONS:**

A. Domestic violence: Violent conduct or coercive tactics perpetrated against a cohabitant. Domestic violence may include stalking or various kinds of abuse including physical, psychological, sexual, economic, and emotional abuse. Domestic violence may be a single event or a pattern of conduct.

B. Abuser: An individual who abuses or stalks a cohabitant.

C. Victim: A cohabitant stalked or abused by an abuser.

D. Cohabitant: An emancipated person as defined by section 15-2-1 of the Utah Code. A person 16 years of age or older who:

- a) is or was a spouse of the other party;
- b) is or was living as if a spouse of the other party;
- c) is related by blood or marriage to the other party;
- d) has one or more children in common with the other party;
- e) is the biological parent of the other party's unborn child; or
- f) resides or has resided in the same residence as the other party.

*The Cohabitant relationship does not include the relationship of a minor to his/her parents (natural, adoptive or step) or the relationship among minor siblings.*

E. Domestic Violence Perpetrator Treatment Provider: A treatment provider licensed for Domestic Violence Outpatient Perpetrator Treatment by the Department of Human Services, whose program is designed to eliminate violence in intimate relationships, to stop other forms of abusive behavior and to increase victim safety. Standards require at least one hour of counseling per week for a minimum of sixteen (16) weeks.

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**I. DOMESTIC VIOLENCE PREVENTION TRAINING**

- A. New Employees, Transfer Employees, Volunteers or Interns  
The supervisor will provide new employees, volunteers or interns with the brochure titled "Domestic Violence Prevention Guidelines for State Employees and Volunteers."
- B. Management
  - 1. Training on domestic violence and its impact on the workplace shall be encouraged for managers, supervisors, and employee assistance professionals. Emphasis should be placed on prevention and appropriate responses to domestic violence that disrupts the workplace, including resources and referral information.
  - 2. Training curriculum shall be developed in consultation with domestic violence specialists from the Division of Child and Family Services (DCFS). The State Domestic Violence Coordinator may be contacted to provide assistance in this area.

**II. PROCEDURES**

Any employee who threatens, stalks, harasses or abuses a cohabitant at the workplace or from the workplace using any State resources such as State time, workplace phones, FAX machines, mail, e-mail, or other means will be subjected to disciplinary action pursuant to DHRM Rule R477-10-2 and R477-11.

- A. Counseling
  - 1. An employee who is the victim of domestic violence and who needs assistance is encouraged to contact his or her supervisor, human resource officer, or Employee Assistance Program (EAP) representative so that the employee and DHS may take appropriate measures regarding safety, security, referral for assistance to a domestic violence service provider, a victim advocate program and, if necessary, to a shelter. Employees who have reason to believe they may be subject to future domestic violence should also seek assistance.
  - 2. Employees who are perpetrators of domestic violence are encouraged to seek assistance and contact their supervisor, human resource officer or EAP officer. Any treatment referrals by management shall be made to a DHS-licensed domestic violence perpetrator treatment provider. It is the responsibility of the employee, not DHS, to incur costs associated with participation in an outpatient perpetrator treatment program. Any exceptions will be according to established agency policies, procedures and the law.
- B. Confidentiality  
Any information received by management or another employee regarding an employee who is a victim of domestic violence shall be confidential as allowed by law. All records concerning a domestic violence situation are to be maintained by OHR/EAP and are specifically not to be located in a complainant's personnel file. DHS employees shall report any child abuse or elder abuse to the proper authorities, as required by law.

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C. Safety Procedures

Workplace safety procedures shall be in accordance with DHS Workplace Violence Policy. If agency management becomes aware of a violation of a Protective Order in the workplace, that violation shall be reported to law enforcement.

Work Adjustments

1. Victim - If an employee is a victim of domestic violence and as a result needs to be absent from work to obtain or arrange for medical care, counseling, legal consultation, criminal and/or civil court proceedings, or relocation, management may grant the employee flexibility to arrange the work schedule in order to prevent lost wages in accordance with DHRM rules and procedures.
2. Abuser - Management may adjust an employee's work schedule to allow the employee to attend a DHS licensed outpatient domestic violence perpetrator treatment program.

D. Referrals

1. Managers should coordinate with Employee Assistance Program practitioners to facilitate referrals for victims in the workplace to local community domestic violence programs. EAP practitioners should provide information regarding available services to victims and abusers, including resources within existing health plans. EAP practitioners should also consult with DCFS Domestic Violence Specialists for resources, information and/or training.
2. Management shall display in locations of high visibility information on domestic violence to include the current hotline or information referral number for domestic violence victim and perpetrator service resources, 1-800-897-LINK (5465).

*Robin Arnold-Williams*

DATE: 05-03-00

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