

**CITY OF BROCKTON
POLICY ON DOMESTIC VIOLENCE IN THE WORKPLACE**

I. PURPOSE: The City of Brockton is committed to promoting the health and safety of our employees. The purpose of this policy is to heighten awareness of domestic violence and to provide guidance for employees and management to address the occurrence of domestic violence and its effects in the workplace.

II. DEFINITIONS:

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

III. POLICY:

- A. Early Intervention and Education Prevention Strategies**
 - 1. It is the City of Brockton to use early prevention strategies in order to avoid or minimize the occurrence and effects of domestic violence in the workplace. The City of Brockton will provide available support and assistance to employees who are survivors of domestic violence. This support may include: confidential procedures to enable employees to seek resource and referral information; additional security at the workplace; work schedule adjustments; leave necessary to obtain medical, counseling, or legal assistance and workplace relocation. Appropriate assistance will be provided based on individual need. In all responses to domestic violence, the City of Brockton will respect the confidentiality and autonomy of the adult survivor to direct his or her own life, to the fullest extent of the law.
 - 2. The City of Brockton will attempt to maintain, publish, and post in locations of high visibility, such as bulletin boards and break rooms, a list of resources for survivors and perpetrators of domestic violence, including but not limited to: **the national domestic violence hotline number (800) 799-SAFE**, the **employee assistance program**

number (800) 451-1834, the phone number and description of local domestic violence resources, and a list of local batterers' intervention programs.

B. 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. The length of time should be determined by the individual's situation. This time period shall be determined through collaboration with the employee, their Department Head, the Director of Personnel, and a union representative if applicable.
2. Employees, supervisors, and department heads are encouraged to first explore whether paid options can be arranged which will help the employee cope with a family violence situation before deciding upon a formal unpaid leave of absence. Depending on the circumstances, this may include:
 - Arranging flexible work hours so that the employee can handle legal matters, court appearances, housing, and childcare.
 - Considering sick, vacation, personal leave, compensatory time, or leave without pay, when requests are for relatively short periods.

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

1. While the employer retains the right to discipline employees for cause, the City of Brockton 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 Department Head, in collaboration with the employee, Employee Assistance Counselor, Director of Human Resources and union representative should allow a reasonable amount of time for the employee to obtain assistance regarding the domestic violence. Department Heads should be mindful that the effects of domestic violence can be severe and may take extended periods of time to address fully.

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

1. The City of Brockton is committed to providing a workplace in which the perpetration of domestic violence is neither tolerated or excused. Any physical assault or threat made by an employee while on City of Brockton work sites, any city building, park, etc. or just the employee's workplace, during work hours, is a serious violation of the City of Brockton policy. This policy applies not only to acts against other employees, but to acts against all other persons, including intimate partners. Employees found to have violated this policy will be subject to corrective or disciplinary action, up to and including discharge.

2. Employees who are convicted of a crime as a result of domestic violence may be subject to corrective or disciplinary action including discharge, when such action affects the work performance of the employee.

IV. GUIDELINES REGARDING ASSISTANCE FOR SURVIVORS AND PERPETRATORS:

A. General Guidelines

The following information is provided to help those employees who are domestic violence survivors obtain the services they desire and to enhance the safety of City workplaces.

1. The City 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 they are a survivor of domestic violence, it is important that the Department Head, Employee Assistance Counselor, Director of Personnel, and union representative respond with the following, so as to avoid victim blaming:
 - ◆ You are not alone.
 - ◆ You are not to blame.
 - ◆ There is help available.
 - ◆ You do not deserve to be treated this way.
2. 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 any job performance issues and refer the employee to the Employee Assistance Program and/or community resources.
3. Recognizing the absence of services and support for survivors of domestic violence and that survivors 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.
4. A successful workplace intervention may consist of providing the employee with a non-judgmental place to discuss violence, information to begin accessing resources in the community, or assisting the employee in formulating a plan to increase that employee's safety.

B. GUIDELINES FOR DEPARTMENT HEADS/SUPERVISORS

The following information is provided to assure effective and responsive direction. Department Heads, supervisors, should:

1. Participant in domestic violence training as provided.
2. Be aware of physical or behavioral changes in employees and consult with the Human Resources Department/Employee Assistance Program/supervisor for advice. The Department Head/supervisor is not to diagnose or counsel the employee, but to refer

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 (i.e. chronic pain), isolation, emotional distress, depression, distraction and excessive number of personal calls.

3. Be respectful of employees' personal choices. If the Department Head or supervisor observes signs and symptoms of violence, it is appropriate to convey concern regarding signs and to educate the employee regarding the resources available. It is critical that the Department Head/supervisor respect the employees' privacy and not pressure the employee to disclose any personal information.
4. Be responsive when an employee who is either the survivor or perpetrator of domestic violence asks for help. Immediately contact your Human Resources Department/Employee Assistance Program/Police Department for assistance.
5. Maintain the confidentiality of domestic violence circumstances and any other referrals under this policy to the extent permitted by law. Inform the 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.
6. Work with the victim, Human Resources Department, Employee Assistance Program, the Law Department, union representatives, Police Department, and community domestic violence programs, if necessary, to assist the victim to develop a personal workplace safety plan (see Appendix A) and to make a reasonable accommodation of that plan.

When assisting an employee to develop personal workplace safety plan, ask what changes, if any, could be made at the workplace to make them feel safer. Survivors of domestic violence know his or her 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.

7. Make efforts, if possible, to adjust the survivor/employee's work schedule and or grant leave such as sick, vacation, personal 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 his or her 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. The employee should maintain communication with their Department Head during their absence.
8. Maintain the confidentiality of the employee's whereabouts.
9. Work with the Human Resources Department and union representatives, if applicable, to relocate employee to an alternate work site, whenever feasible, if employee requests to relocate for safety reasons. If relocation is offered, it should not produce any reduction in pay, status or benefits.

10. Review the safety of parking arrangements. Make sure that parking areas are well lit. Provide security escorts to parked car and priority parking near the building entrance for employees who fear an attack at work.
11. Post information with Human Resources Department approval, 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 or where other employee resource information is located.
12. Comply with all civil protection orders. If both the plaintiff and defendant in a civil protection order are employees of the City of Brockton, Department Heads must work with the Human Resources Department, the Law Department, Employee Assistance counselors and Police Department to ensure that the defendant is relocated to a workplace in which the defendant will have no contact with the plaintiff. If you observe violations of the protection orders, document these violations and call the Police Department and/or contact the Law Department.
13. 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 her/his batterer. It is often difficult to leave because of financial and childcare responsibilities, or threats of violence.
14. After consultation with the Human Resources Department and the Law Department, take any appropriate corrective or disciplinary action consistent with policy, procedure and collective bargaining agreements up to and including termination, against employees who commit acts of domestic violence at City of Brockton work sites 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.
15. Inform subordinates on a periodic basis about the employer's policy and procedures on encouraging work environments free from violence, threats and harassment.

V. OPTIONS AVAILABLE FOR EMPLOYEES:

A. SURVIVORS OF DOMESTIC VIOLENCE:

1. Talk with a trusted co-worker, supervisor, union representative or Department Head about your situation.
2. Contact your Employee Assistance Program Office: (800) 451-1834.
3. Contact the national domestic violence hotline at (800) 799-SAFE, the State Coalition Against Domestic Violence at (617) 248-0822, or the local domestic violence agency at (800) 281-6498.
4. Call the police if you are in immediate danger.
5. Notify your Department Head of the possible need to be absent and find out your leave options. Be clear about your plans to return to work and maintain communications

with your Department Head during your absence. If necessary and available, make alternate arrangements for receiving your paycheck.

6. Submit a recent photograph of the abuser and a copy of your protection order to your Department Head, the Law Department, and the Police Department. This assists your employer in identifying the abuser should he/she appear at your workplace.
7. Work with your Department Head, Police Department, Employee Assistance Program manager, or union representative to develop a safety plan. See appendix A.
8. Obtain assistance for and documentation of any physical and/or mental health consequences of the abuse (including old injuries) from your primary care provider.

B. OPTIONS FOR EMPLOYEES WHO ARE PERPETRATORS OF DOMESTIC VIOLENCE

1. Contact the nearest Employee Assistance Program Office at (800) 451-1834 for confidential consultation and resources.
2. Contact a batterer's intervention program at:
Brockton (508) 894-6980,
EMERGE in Cambridge (617) 547-9879 or
Common Purpose (617) 739-3831

C. 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 (800) 451-1834, a local domestic violence agency (800) 281-6498, 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 counselor, Human Resources Department or a local domestic violence program for further guidance.
2. Report any threats or violence that you experience or witness to your Department Head, Human Resources Department, Police Department, or Employee Assistance Program.
3. Volunteer at a local domestic violence shelter or organize a workplace drive for domestic violence shelters.

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 Department Head, the Director of Human Resources and the Law Department if the abusive partner should come to the work site. Ask co-workers, supervisors and/or Department Heads to call the police if the perpetrator threatens or harasses you at work or violates the civil order for protection in any way.
- b. Consider providing a picture of the perpetrator to your Department Head and/or police.
- 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 police 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 for your work site. It may be possible to post security near your work site, relocate your workstation 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.