Thank you for taking action to support survivors and prevent sexual and domestic violence, including sexual harassment, at work. The template below can be modified to fit your workplace’s unique needs.

Employers, survivors, and co-workers can find factsheets and guides, training, tools, and more at [Workplaces Respond to Domestic & Sexual Violence: A National Resource Center](https://www.workplacesrespond.org/resource-library/).

To learn more about the work of the Bellingham-Whatcom County Commission on Sexual & Domestic Violence, visit our website: [www.dvcommission.org](http://www.dvcommission.org).

# Domestic Violence/Sexual Assault Workplace Policy and Procedures Template

## Workplace Policy - Domestic Violence/Sexual Assault

### Purpose

 [Enter workplace name here] strives to create a culture of care where all individuals feel safe, valued, and respected. Violence of any kind is a violation of human rights and an obstacle to a healthy workplace. Domestic violence, sexual assault, and stalking are specific types of conduct that are not tolerated under this policy because they limit potential and thrive in silence. Among the root causes are limited ideas about gender roles and power; privilege, oppression, and objectification based on sex, gender, race, and class; and cultural norms related to violence. It is the policy of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to provide safe working environments and reasonable accommodations for all employees impacted by domestic violence, sexual assault, and stalking.

### Definitions

**“Domestic Violence”** is a pattern of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or otherwise exert power and control over another person in a dating relationship.

Domestic violence includes, but is not limited to:

* Physical bodily harm, bodily injury, assault or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members;
* Emotional and psychological abuse and coercive control;
* Financial abuse;
* Technological abuse and control;
* Sexual assault of one family or household member by another; or
* Stalking, as defined in the Washington Criminal Code (RCW 9A.46.110).

**“Sexual violence”** is an umbrella term that includes any type of sexual contact that lacks consent. According to Washington State law (RCW 9A.44.010(7)), “consent” means that “at the time of the act of…sexual contact there are actual words or conduct indicating freely given agreement.”

Section 9A.44 of the RCW describes these laws in more detail. Under state law, sexual violence is also known as a “sexual offense” and may include:

* nonconsensual sexual touching or kissing
* showing sexual pictures or movies without a person’s consent
* sexual penetration or rape
* viewing or taking nonconsensual photos or videos of a person who is naked, exposed, or having sexual contact (also known as “voyeurism”)
* sexual misconduct or intimidation
* exposing private body parts
* forcing someone to touch their own body parts in a sexual way
* forcing someone to touch the body parts of another person in a sexual way

**“Sexual Harassment”** is one type of sexual violence that negatively impacts learning, professional, and social environments. Any unwelcome conduct or communication of a sexual nature is an act of sexual harassment.

Under federal and state law, the term **“sexual harassment” involves behaviors that interfere with an individual’s educational performance and or create and intimidating, hostile or offensive environment** and may include:

* sexual or gender-directed gestures or communication;
* showing a person sexual photos or videos without their consent;
* requesting that a person send or share sexual photos;
* unwelcome sexual advances;
* requests for sexual favors;
* sexual coercion or demands when submission is a stated or implied condition of obtaining an educational benefit;
* sexual coercion or demands, where submission or rejection is a factor in an academic, or other school-related decision affecting an individual;
* sexual jokes;
* sharing details publicly about sexual experiences between dating partners to expose or embarrass them;
* repeated, unwanted attention (stalking): following, monitoring, or pursuing unwanted contact, in person or through technology;
* videotaping someone without their consent;
* any other behaviors of a sexual nature that makes the targeted person uncomfortable.

**“Stalking”** is a pattern of conduct that places a person in fear for their safety, including behaviors or acts used by a person to harass, threaten, or intimidate another.

### Policy/ Conditions

\_\_\_\_\_\_\_\_\_\_\_ (company or organization name) \_\_\_\_\_\_\_\_\_ will support and provide assistance for employees who are victims of domestic violence/sexual assault. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ will not retaliate or discriminate against an actual or perceived victim of domestic violence, sexual assault, or stalking or any qualifying family member.

Supports provided by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ may include, but are not limited to, the following:

1. Referrals to community advocacy agencies for victims of domestic violence/sexual assault:
	* [Domestic Violence and Sexual Assault Services](https://www.dvsas.org/) (360.715.1563)
	* [Lummi Victims of Crime](https://www.lummi-nsn.gov/Website.php?PageID=399) (360.312.2015)
	* [Tl’ils Ta’á’altha Victims of Crime](https://nooksacktribe.org/departments/youth-family-services/tlils-taaaltha-victims-of-crime-program/) (360.325.3310)
2. Work schedule adjustments or leave, for both victims and family members of victims, as needed to obtain assistance with medical or mental health needs, legal assistance or court proceedings, safety planning, relocating, and/or obtaining secure housing (as required by Washington State’s Domestic Violence Leave law, [RCW 49.76](https://app.leg.wa.gov/rcw/default.aspx?cite=49.76)).
	* Leave is not limited by the employee’s available paid time off and will include reasonable amounts of unpaid leave.
	* Employees can use paid time off, sick leave, or leave without pay.
	* Leave can be used in a single block of time, intermittently, or on an adjusted schedule.
	* An employee’s job is protected when using this leave.
3. Development of a workplace safety plan that seeks to support the safety and autonomy of the victim. Employers must provide reasonable safety accommodations when requested, unless they create an undue hardship (as required by Washington State’s Domestic Violence Leave law, RCW 49.76). Employees can request reasonable safety accommodations from their employer as part of their safety plan, including:
	* A job transfer or reassignment.
	* Changing work telephone, email, or other contact information.
	* Implementation of safety procedures.
4. Protecting the employee’s right to privacy and treating reports of domestic/sexual violence with discretion (as required by Washington State’s Domestic Violence Leave law, RCW 49.76).
	* All protected, sensitive, or confidential information, reports, and records must be handled according to all applicable state and federal privacy laws.
	* Appropriate documentation to request can include: Police reports or court documents, the employee/victim’s written statement, or a statement from a provider, clergy, attorney, or advocate.

\_\_\_\_\_\_\_\_\_\_\_ does not tolerate domestic violence/sexual assault in the workplace, including offices, facilities, work sites, vehicles, or other locations where business is conducted. Domestic violence/sexual assault offenders may be removed from the premises and may be subject to arrest and/or criminal prosecution. Employees who commit domestic violence/sexual assault in the workplace or who use \_\_\_\_\_\_\_\_\_’s facilities, property, or resources (including but not limited to using workplace phones, computers, fax machines, and/or vehicles, or paid workplace time) to engage in domestic violence/sexual assault are subject to disciplinary action, up to and including termination. Corrective or disciplinary action may also be taken against employees who are convicted or issued an injunction as a result of domestic violence/sexual assault when such action has a direct connection to their job duties. Criminal prosecution may result if federal, state, or local laws are violated.

All employees of \_\_\_\_\_\_\_\_\_\_\_ are encouraged promote a safe and healthy workplace that is free of violence and threats of violence by immediately reporting threats, acts of aggression, or acts of abuse in the workplace to their supervisor, law enforcement agencies, and/or the Human Resources department.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ encourages employees who are perpetrators of domestic violence/sexual assault to seek assistance and will make reasonable efforts to provide the following:

* Information about certified domestic violence perpetrator treatment programs.
* Work schedule arrangements to permit receipt of such assistance.

***NOTE: The following procedures may or may not apply to your workplace. You can cut and paste as needed to use procedures that are applicable to your workplace, if any.***

## Workplace Procedures – Domestic Violence/Sexual Assault

### When an Employee is a Victim:

VICTIM/EMPLOYEE is encouraged to:

1. Report domestic violence/sexual assault which occurs in the workplace to a supervisor or human resources department when able.
2. Provide workplace a copy of protection order, no contact order, or anti-harassment order to your supervisor or the human resources department (if applicable).
3. Submit a request for leave to supervisor and/or human resources.
4. Submit a request for reasonable workplace accommodations to support safety, well-being, and autonomy.

SUPERVISOR AND/OR HUMAN RESOURCES:

1. Accommodate the victim’s needs for paid or unpaid leave or work schedule adjustments and workplace safety plans and accommodations (as required by Washington State’s Domestic Violence Leave law RCW 49.76).
2. Call the police and report any incidents of domestic violence/sexual assault which occur in the workplace.
3. Document reports and incidents of domestic violence/sexual assault, maintaining confidentiality of the victim and sharing information with other staff only on a need-to-know basis related to safety.
4. In coordination with the victim, create and implement a workplace safety plan that minimizes risk of harm to the victim as well as to co-workers and that may cover the following:
	* Contact local domestic violence/sexual assault advocacy agencies to explore options for supporting the safety, well-being, and autonomy of victims in the workplace, as well as options for supporting the safety of all employees;
	* If there is already an order for protection or no contact order in place, be aware if it includes the workplace, and make sure the workplace has a copy on hand at all times. Call the police immediately and instruct employees to call the police immediately if the perpetrator violates the order by coming on the premises;
	* Obtain and maintain orders of protection for the workplace if violence occurred there;
	* Share information on the orders with and provide a picture of the perpetrator to key people in the organization such as reception (or other staff that greet visitors and/or answer the phone), supervisor, security, co-workers, childcare provider (if applicable), and local police (while maintaining confidentiality and sharing information only on a need-to-know basis related to safety);
	* If the victim desires, offer to change parking arrangements, relocate the victim’s workspace, screen phone calls, or adjust work schedules when appropriate, to keep the victim and all employees safe;
	* Identify steps to take for the safety of other employees.
5. Refer the victim to the following resources:
	* [Domestic Violence and Sexual Assault Services](https://www.dvsas.org/) 360.715.1563
	* [Lummi Victims of Crime](https://www.lummi-nsn.gov/Website.php?PageID=399) 360.312.2015
	* [Tl’ils Ta’á’altha Victims of Crime](https://nooksacktribe.org/departments/youth-family-services/tlils-taaaltha-victims-of-crime-program/) 360.325.3310
	* [The National Domestic Violence Hotline](https://www.thehotline.org/) 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY), or text START to 88788
6. Offer to accompany the victim while they reach out to a domestic violence/sexual assault advocacy agency for information and support.
7. Call one of the domestic violence/sexual assault advocacy agencies at any time to get information and support for yourself or for other staff. *Remember: Domestic violence/sexual assault advocacy agencies* *are not just for victims. They are valuable resources for managers, supervisors, and co-workers, too.*

### When an Employee is a Perpetrator

SUPERVISOR AND/OR HUMAN RESOURCES:

1. Address job performance via appropriate disciplinary action if employee engaged in domestic violence/sexual assault during work time and/or in the workplace or used the organization’s facilities, property, or resources to engage in domestic violence/sexual assault.
2. Refer employee to the employee assistance program (EAP) and/or a perpetrator treatment program.
3. Accommodate the perpetrator’s work schedule via paid or unpaid leave or work schedule adjustments to permit receipt of such assistance.

### When a Co-Worker is a Victim of Domestic Violence/Sexual assault or a Perpetrator

EMPLOYEE:

1. Encourage the co-worker to contact a community or state domestic violence/sexual assault agency for information and support (see resources listed in above two sections).
2. Encourage the co-worker to talk with their supervisor and/or human resources department regarding workplace related concerns about domestic violence/sexual assault.
3. Report any threats of violence experienced or witnessed at the workplace to their supervisor, human resources department, and/or local law enforcement agency.
4. Call one of the domestic violence/sexual assault advocacy agencies at any time to get information and support for yourself. *Remember: Domestic violence/sexual assault advocacy agencies are not just for victims. They are valuable resources for managers, supervisors, and co-workers, too.*

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### When a Family Member of a Victim of Domestic Violence/Sexual Assault Requests Leave

EMPLOYEE:

1. Submit a request for leave to supervisor and/or human resources.

SUPERVISOR AND/OR HUMAN RESOURCES:

1. Accommodate the victim’s family members’ needs for paid or unpaid leave or work schedule adjustments (as required by Washington State’s Domestic Violence Leave law RCW 49.76).