

Sample DVFREE™ HR POLICY

FAMILY VIOLENCE IN THE WORKPLACE

[Employer], as a socially responsible employer, commits to addressing the issue of family violence for the welfare of our employees, our company, and ultimately for society at large. By doing this, we aim to provide support for employees who are victims of family violence and their families, which will in turn enhance worker productivity and job satisfaction.

[Employer] seeks to create a supportive workplace environment in which employees feel comfortable discussing family violence and seeking assistance.

Definition of Family violence:

A pattern of coercive tactics, which can include physical, psychological, sexual, economic and emotional abuse, perpetrated by one person against an intimate partner or ex-partner, or family or household member, with the goal of establishing or maintaining power and control over the victim.

(An intimate partner or ex-partner may be a same sex partners or ex-partner. A family or household member may be any family/whanau member, a person who ordinarily shares a household such as a flatmate, or someone who has a close personal relationship with the other person.)

Workplace Policies and Procedures

1. Non-Discrimination

Personnel policies and procedures must not discriminate against victims of family violence and will be responsive to their needs. Job applicants will not be asked about current or past exposure to family violence as a victim, nor will staffing decisions to be based on any assumptions about or knowledge of such exposure.

2. Staff Security Plans

Workplace staff security plans will provide reasonable means to provide on-site protection as needed for victims of family violence. These plans will include procedures for contacting the police, and provide employees with clear instructions about what to do and who to contact if they observe anyone engaging in threatening behaviour. These plans will allow appropriate actions to be taken if an abuser gains unauthorised access to the work site, or if an abuser engages in any acts that threaten the safety of employees or clients. Management will assist victimised employees to develop and implement individualised workplace safety plans, consistent with workplace staff security plans, existing employment agreements and the harassment prevention policy.

A manager will consult with a victimised employee to develop and implement an individualised workplace safety plan, which may include, when appropriate:

- advising co-workers and the employee's union delegate of the situation
- setting up procedures for alerting security and/or the police
- temporary relocation of the victim to a secure area
- options for voluntary transfer or permanent relocation to a new work site
- reassignment of parking space
- escorting for entry to and exit from the building
- screening telephone calls, and in general dealing with telephone, fax, e-mail or mail harassment
- keeping a photograph of the abuser and/or a copy of any existing court orders in a confidential on-site location and providing copies to security personnel.

3. Information Sharing and Confidentiality

Information related to an employee being a victim of family violence shall not be shared without the express written consent of the victimised employee, unless it is determined that maintaining said confidentiality puts the victim or other employees at risk of physical harm. In these cases, where possible, prior notice will be given to the victimised employee of the intent to provide information to other parties. Managers shall inform victims of any confidentiality limitations (such as the appropriate sharing of information through the supervisory chain of command).

4. Performance & Disciplinary Issues

Where an employee's work performance difficulties are a result of being a victim of family violence or being involved in family violence (e.g. having a close family member or friend who is a victim), the employee will be offered all of the measures in this policy, and will be provided clear information about performance expectations, priorities, and performance evaluation.

Disciplinary processes will take special care to consider all aspects of the victimised employee's situation, and explore all available options in trying to resolve the performance problems, (including making a referral to Shine or other local specialist



family violence service provider), consistent with existing employment agreements, and the Code of Conduct and Disciplinary Policy.

5. Flexibility in Leave

When an employee needs to be absent from work as a result of being a victim of family violence, managers will assist the employee in determining the best use of her/his attendance and leave benefits, taking into consideration the employee's particular situation. [Employer] employment agreements provide for staff attending court cases during work hours as victims or witnesses to be paid. On a case by case basis, Managers may also grant leave for staff with friends/family members who need their support/assistance for reasons relating to family violence, e.g. testifying as a witness for a family violence case.

6. Court Orders

[Employer] will facilitate in the enforcement of all known court orders, particularly orders in which abusers have been ordered to stay away from the work site. The victim will be assisted in enforcement of an existing order, including gathering and providing evidence relating to whether a violation of an order has occurred.

7. Copies of [Employer]'s DVFree Policy shall be provided to all employees.

8. Information on family violence and available resources in the work site will be posted in places where employees can obtain it without having to request it or be seen removing it, such as cafeterias, toilets or lounge areas. Such information shall include available sources of assistance such as Shine's national tollfree Helpline (0508 744 633)

9. [The employer's] Employee Assistance Programme, staff welfare, or other confidential employee service will maintain specific policies and procedures for dealing with employees experiencing or witnessing/living with family violence.

10. Training on family violence and its impact on the workplace will be available on a regular basis for all managers, PSA delegates and other staff. Participation in training shall be strongly encouraged.

11. Training shall prepare staff to recognise possible cues and indicators of victimisation, respond appropriately and safely, and make an appropriate referral to a specialist domestic abuse organisation.

Accountability for Employees Who Are Abusers

1. [Employer] will hold accountable employees who engage in the following behaviour:

misusing [Employer] resources and equipment to commit an act of family violence;

committing an act of family violence from or at the workplace or from any other location while on [Employer] business; or

misusing their job-related authority and/or [Employer] resources in order to negatively affect victims and/or assist abusers in locating a victim and/or in perpetrating an act of family violence.

2. Disciplinary action in accordance with existing employment agreements, statutes and regulations against any employee who is found to have threatened, harassed, or abused a family or household member at the workplace, from the workplace, or on [Employer] business using any workplace resources such as work time, vehicles, workplace phones, fax machines, mail, e-mail, or other means.

3. In cases where [Employer] has verification that:

an employee is responsible for a family violence-related offence, or

is the respondent of a family court protection order, and

that employee has job functions that include the authority to take actions that directly impact on victims of family violence and/or actions that may protect abusers from appropriate consequences for their behaviour;

[Employer] will determine if corrective action is warranted, in accordance with existing employment agreements, and the Code of Conduct and Disciplinary Policy.

4. In cases in which an employee intentionally misuses his/her job-related authority and/or intentionally misuses [Employer] resources in order to negatively impact on a victim of family violence, assist an abuser in locating a victim, assist an abuser in perpetrating acts of family violence, or protect an abuser from appropriate consequences for his behaviour, said employee shall be subject to corrective or disciplinary action, in accordance with existing employment agreements, and the Code of Conduct and Disciplinary Policy.

