PURPOSE

The University of New Orleans is committed to promoting the health and safety of our employees and to making a significant and continual difference in the fight to end domestic violence. Domestic violence is a leading cause of injury to women in this country. We realize the reality of domestic violence in our society, how it can affect employees and their work. To address these concerns, we have adopted a policy to heighten awareness of domestic violence and to guide employees and management on ways to address the occurrence of domestic violence and its impact on the workplace.

AUTHORITY

*Part Two, Chapter III, Section IV of the bylaws and rules of the University of Louisiana System.*

DEFINITIONS

**Domestic Violence:** A pattern of coercive behavior that is used by one person to gain power and control over another which may include physical violence, sexual, emotional and psychological intimidation, verbal abuse, stalking, use of electronic devices to harass and economic control. Domestic violence occurs between current or former intimate partners—adults or adolescents, 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 victims of such violence.

**Batterer, Perpetrator, or Abuser:** The individual who commits an act of domestic violence, sexual assault or family violence.

**Batterers' Intervention Programs:** Programs batterers attend that are designed to eliminate violence in intimate relationships, stop other forms of abusive behavior and increase victim safety. Inappropriate batterers' intervention programs include, but are not limited to, couples, marriage, or family counseling and anger management courses.
Survivor or Victim: The individual who is the subject of an act of domestic violence, sexual assault or family violence.

The Workplace: The workplace includes all on-site locations, including adjacent parking areas, extended University property, and all remote locations where employees engage in University business.

Employees: This Policy applies to all employees, whether full-time, part-time, temporary, or otherwise, as well as to all volunteers, contractors and consultants engaged to perform services for the University of New Orleans.

GENERAL POLICY

RESPONDING TO VICTIMS OF DOMESTIC VIOLENCE

The University of New Orleans is committed to assisting employees who are, or have been, the victims of domestic violence or sexual assault. This assistance may include, but should not be limited to:

• Creating a workplace safety plan for the employee;
• Changing an employee's work routine;
• Referring the employee to appropriate internal and external resources and organizations;
• Addressing employee performance concerns; and/or
• Discussing personal leave options.

We will respond sensitively to victims and ensure confidentiality regarding reports of abuse.

CONFIDENTIALITY

In all responses to domestic violence, the University of New Orleans will respect the confidentiality and autonomy of the reporting employee, informing other employees on a need to know basis only, and only to the extent necessary to protect safety and to comply with the law. Wherever practicable, advance notice will be given to the reporting employee if we need to inform others about the domestic violence situation. Recognizing the complexity of the issues surrounding domestic violence and that a survivor of domestic violence may face threats of violence or death when he or she attempts to end a violent relationship, we will make every effort to provide a nonjudgmental and supportive environment for the employee which is not dependent on the employee’s decisions regarding the relationship.

TRAINING

The Office of Human Resource Management will train all management and supervisory personnel on this policy and will provide continuing educational opportunities for employees.
EARLY INTERVENTION AND EDUCATION PREVENTION STRATEGIES

1. It is the policy of the University of New Orleans to use early prevention strategies in order to avoid or minimize the occurrence and effects of domestic violence in the workplace. We will provide available support and assistance to employees who are survivors of domestic violence. This support may include: confidential means for coming forward for help, resource and referral information, additional security at the workplace, work schedule adjustments or leave necessary to obtain medical, counseling, or legal assistance, and workplace relocation. Other appropriate assistance will be provided based on individual needs. In all responses to domestic violence, we will respect the confidentiality and autonomy of the adult survivor to direct her or his own life, to the fullest extent permitted by law. Information regarding the reporting of a domestic violence situation or a request for assistance will not be maintained in the employees personnel file.

2. The University of New Orleans will attempt to maintain, publish, and post in locations of high visibility, such as bulletin boards and break rooms, health/first aid offices, and on-line information data bases, a list of resources for survivors and perpetrators of domestic violence, including but not limited to: the Statewide Domestic Violence Coalition hotline [1-888-411-1333] and the National Domestic Violence Hotline (800) 799-SAFE (7223). Through education we are endeavoring to create an environment where it is safe to talk about domestic violence and for employees who are victims to seek assistance.

3. The University of New Orleans encourages employees to support and volunteer for local domestic violence and sexual assault prevention and intervention programs.

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, and the length of time should be determined by the individual’s situation. This time period shall be determined through collaboration with the employee, and his/her supervisor, and Department Head.

2. Employees and supervisors are encouraged to first explore whether paid options can be arranged that will help the employee cope with a family violence situation without having to take a formal unpaid leave of absence. Depending on the circumstances, this may include:
   - Arranging flexible work hours so the employee can handle legal matters, court appearances, housing, and childcare.
   - Consider sick, annual, compensatory time, or leave without pay, especially if requests are for relatively short period.
PROCEDURE

PROCEDURES FOR EMPLOYEES WITH PERFORMANCE ISSUES RELATED TO DOMESTIC VIOLENCE

1. While the employer retains the right to discipline employees for cause, the University of New Orleans 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 supervisor, in collaboration with the employee, and a Human Resource representative should allow a reasonable amount of time for the employee to obtain assistance regarding the domestic violence. Supervisors should be mindful that the effects of domestic violence can be severe and may take extended periods of time to address fully.

DISCIPLINARY PROCEDURES FOR EMPLOYEES WHO COMMIT ACTS OR THREATS OF DOMESTIC VIOLENCE

The University of New Orleans will not tolerate nor excuse conduct that constitutes Workplace Domestic Violence. We consider the perpetration of domestic violence by an employee to constitute, at a minimum, intolerable, illegal, unethical, unacceptable conduct. We are committed to identifying, assisting and holding accountable employees who are or have been perpetrators of domestic violence or sexual assault. Employees found to have violated this policy will be subject to corrective or disciplinary action, up to and including termination.

1. This policy strictly prohibits the use of violence or threats of violence in the workplace. Additionally, any physical assault or threat made by an employee while on the University of New Orleans’ premises, during working hours, or at any of the University of New Orleans sponsored event is a serious violation of this policy. Employees found to have violated this policy will be subject to disciplinary action, up to and including termination.

2. Employees who are convicted of a crime as a result of domestic violence may be subject to disciplinary action, up to and including termination, when such action affects the work performance of the employee or affects the normal operation of the University of New Orleans.

3. This Policy is in place to discipline employees who use workplace telephones, computers, faxes, email, copiers, regular mail, electronic communication devices or information systems, the Internet, any University of New Orleans’ property, or privately owned property while on company time at clients' sites, to harass others. This list is not intended to be all inclusive of any method that can be used to violate this policy.

4. The University of New Orleans may investigate allegations of domestic violence, sexual assault and/or stalking where an employee is named as a defendant, whether a civil or criminal action, or if there is reason to believe an employee has committed such crimes at the University of New Orleans’ worksites.

5. Upon completion of the investigation, whether the employee has been charged criminally or found liable civilly, the University of New Orleans can take corrective action and discipline the employee, and take other disciplinary measures up to and including termination. The University of New Orleans, through Human Resources, may also require that the Perpetrator
seek help or attend and successfully complete a certified and approved Batterer's Intervention Program. Continued employment is contingent upon not committing any new offenses and obeying all conditions of any Protective Order, whether criminal or civil. The University of New Orleans will maintain the perpetrator's confidentiality.

GUIDELINES

GUIDELINES REGARDING ASSISTANCE FOR SURVIVORS AND PERPETRATORS

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

2. The University of New Orleans 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 she is a survivor of domestic violence, it is important to send the following messages and avoid victim blaming:
   a. You are not alone.
   b. You are not to blame.
   c. There is help available. Give appropriate referrals (name and phone number of organizations/resources) should be given.
   d. You do not deserve to be treated this way.
   e. Further, the supervisor should communicate to the employee that:
      1) The supervisor is concerned for and supports the employee;
      2) The information she has chosen to share will be kept in the strictest of confidence; and
      3) The supervisor is available to help with work issues or with access to resources in the company, if that is what the employee wishes.

3. 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 only job performance issues, and inform the employee of community resources.

   Acknowledge that domestic violence is a difficult situation to deal with; refer the employee to relevant employee services, and to outside services (shelters, police, and support groups) to help her deal with this issue. Let her/him know you can work together on performance issues.

   Remember: A supervisor's inquiry into performance problems that may be related to domestic violence needs to be sensitive, empathetic, and with all due regard to an employee's right to privacy.

4. Recognizing the absence of services and support for survivors of domestic violence and that a survivor of domestic violence 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.

5. A successful workplace intervention may consist of providing the employee with a nonjudgmental place to discuss the violence, information to begin accessing resources in the community, or assisting the employee to formulate a plan to increase that employee's safety.
ROLES FOR STAFF IN RESPONDING TO DOMESTIC VIOLENCE IN THE WORKPLACE

It is important that all employees know how best to respond to the effects of domestic violence in the workplace. The following clarifies roles for all staff:

1. **Supervisors/Department Heads:**

   Supervisors are often among the first people in the workplace to become aware that an employee may be facing domestic violence. Possible indicators include, but are not limited to chronic absenteeism, inappropriate/excessive clothing, and obsession with time, repeated physical injuries, chronic health problems, isolation, emotional distress, distraction and excessive number of personal phone calls. Sometimes supervisors become frustrated when an employee returns to a batterer or stays in an abusive relationship. It is important to understand that there are many reasons for these decisions. Just like ending any relationship is a process, leaving an abusive relationship takes time. It's even harder in a violent relationship. Often, victims fear for their lives. They may also want their children to grow up with both parents, or feel guilty; believing the abuser's excuses that the violence is the victim's fault. Sometimes victims' self-esteem is so damaged that they think they can't make it on their own or they just want the violence to end, not the relationship. It is important to remember that ending an abusive relationship may be a long and difficult process.

   a. Participate in domestic violence training as provided by the University.
   b. Be alert to possible signs of abuse.
   d. Be aware of physical or behavioral changes in employees and consult with your Human Resources department/supervisor for advice.
   e. Supervisors must be respectful of employees' personal choices. If the supervisor observes the signs of violence, it is appropriate to convey concern regarding signs and to educate the employee regarding resources available. It is critical that the supervisor respect the employee's privacy and not pressure the employee to disclose any personal information. Unless the employee tells the supervisor about the abuse, a supervisor should not make direct inquiries about known or suspected abuse.
   f. 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 before she/he is finally able to leave her/his batterer. It is often difficult to leave because of financial and childcare responsibilities or threats of violence.
   g. Be responsive when an employee who is either the survivor or the perpetrator of domestic violence asks for help. Immediately contact your Human Resources professional.
   h. Maintain the confidentiality of domestic violence circumstances and any other referrals under this policy to the extent permitted by law. Inform 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. Regardless of her decision or actions, respect confidentiality in your discussions with her.
i. Work with the victim, Human Resources, law enforcement, and community domestic violence programs, if necessary, to assist the victim.

j. If possible, the supervisor will make efforts to adjust the survivor/employee's work schedule and/or grant leave [sick, annual, 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 her or his safety. Be sure to follow all applicable personnel policies and procedures, and statutes.

k. The employee should maintain communication with their supervisor during their absence. The employer should maintain the confidentiality of the employee's whereabouts.

l. With Human Resources’ approval, post information 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, health and/or first aid offices, or where other employee resource information is located. Employers should seek out other confidential means of accessing information, such as Web sites.

m. Comply with all civil protection orders. If both the plaintiff and defendant in a civil protection order are employees of the University of New Orleans, supervisors must work with Human Resources, the Occupational Health Nurse/MD, and Security to ensure that the defendant is relocated to a workspace 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 and/or contact security. If the order does not require the abuser to stay away from the worksite, advise the employee to request that option. Instruct the employee to keep a copy of the protection order on them at all times.

n. After consultation with Human Resources and legal counsel, take any appropriate corrective or disciplinary action consistent with policy and procedure, up to and including termination, against employees who commit acts of domestic violence at the University of New Orleans’ worksites 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 or affects the normal operation of the University of New Orleans.

o. Inform subordinates on a periodic basis about the employer’s policy and procedures on encouraging work environments free from violence, threats and harassment.

p. Limit information about the employee that is disclosed by telephone. Information that would help locate a victim or indicates a time of return should not be provided.

q. Communicate that while the University of New Orleans will work with employees in her or his efforts to keep safe, the University of New Orleans cannot guarantee the employees' safety.

2. Human Resource Professionals:
   a. Participate in domestic violence training as provided.
   b. Maintain a list of services available to survivors and perpetrators of domestic violence. This list should include: the National Domestic Violence Hotline Number, (800) 799-SAFE, the Louisiana State Coalition Against Domestic Violence Coalition Hotline [1-888-411-1333], information on how to obtain civil orders of protection and criminal justice options, and any other available community resources.
   c. Be a resource to employees, managers, and supervisors in addressing domestic violence situations.
   d. Work with survivors, law enforcement, and community domestic violence programs, if necessary, to develop a personal workplace safety plan to minimize the risk to the victim, other employees, and clients.
   e. Work with supervisors and managers to grant leave and/or adjust work schedules.
f. Maintain the confidentiality of domestic violence circumstances and any other referrals under this policy to the extent permitted by law.

g. Consult legal counsel and advise supervisors and managers in considering corrective or disciplinary actions against employees who commit acts of domestic violence at the University of New Orleans' worksites 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 or affects the normal operation of the University of New Orleans.

h. Work with the survivor, the manager, law enforcement, and community domestic violence programs.

3. University Police:

a. Will participate in domestic violence training and other training designed to teach security personnel to react, assess, document, and respond to threats of violence and or threatening behavior in the workplace.

b. Provide consultation and reasonable assistance to employees experiencing domestic violence.

c. Document violations of a restraining order and each report of domestic violence in the workplace, whether the batterer's target or a co-worker makes that report. All information from any source should be taken seriously and evaluated.

d. Threats or incidents of violence against employees in the workplace should be treated as sensitive documents with limited distribution, in accordance with the confidentiality guidelines of this policy. Information in the "confidential domestic violence threat/incident report" should be shared on "strict need to know" basis, as inappropriate distribution of such information may prevent effective planning or response, may impede civil or criminal actions against the perpetrator or may heighten the victim's danger and violate her right to privacy.

e. Respond and intervene, as needed, to calls concerning safety in the workplace.

f. Accept transferred harassing telephone calls from the employee's abuser, and document the calls.

g. Work closely with appropriate law enforcement agencies to ensure workplace safety.

h. Keep a certified copy of any restraining orders provided by the employee in a confidential file. Access to orders and information contained in them should be limited on a need to know basis.

i. Provide escorts to parked cars and priority parking near the building entrance for employees who fear an attack at work.

j. Work with survivors, Human Resource Professionals, law enforcement, and community domestic violence programs to minimize the risk to the victim and other employees.

k. University Police personnel should be familiar with laws that enable in-house security to obtain law enforcement and criminal justice support before a violent incident occurs.

l. Safety issues attendant to domestic violence should not be resolved by simply referring matters to Human Resources or considering domestic violence to be a private matter. Domestic violence and sexual assault are crimes that present a danger to the victim and the workplace and should be treated as such.
4. **Create a Management Response Team:**

The management response team is charged with the responsibility of investigating and managing all reports of circumstances that raise a concern for employee safety from violence. The team should include representatives from departments with a role to play in workplace domestic violence prevention and intervention, namely a representative from:

a. Employee's Department
b. University Police
c. Human Resources

Employers should provide direction to this team. Their roles should be clearly defined and they should be trained how to respond to a domestic violence crisis and the dynamics of domestic violence.

5. **Options for Employees who are Survivors of Domestic Violence:**

   a. Talk with a trusted co-worker, supervisor, or manager about your situation.
   b. Contact your supporting Human Resource Office.
   c. Contact the National Domestic Violence Hotline at (800) 799-SAFE or the Louisiana Coalition Against Domestic Violence Hotline at [1-888- 411-1333].
   d. Call University Police if you are in immediate danger.
   e. Save threatening e-mail or voice mail messages. These can potentially be used for future legal action, or can serve as evidence that an existing restraining order was violated.
   f. Notify your supervisor of the possible need to be absent and find out your leave options. Be clear about your plan to return to work and maintain communication with your supervisor during your absence. If necessary and available, make alternate arrangements for receiving your paycheck. Also, leave an emergency contact number with your supervisor if one is available.
   g. If you are concerned about your safety at work, submit a recent photograph of the abuser and give a copy of your protection order to your supervisor, and University Police. This assists your employer in identifying the abuser should he/she appear in the workplace.
   h. If you obtain a restraining order, include your workplace in the restraining order and keep a copy a certified copy of the restraining order with you at all times. Consider providing a copy of the restraining order to your supervisors, security, and human resource office (if applicable).
   i. Obtain assistance for and documentation of any physical and/or mental health consequences of the abuse (including old injuries) from your workplace occupational health office (if available) and/or your primary care provider.

6. **Options for Employees Who are Perpetrators of Domestic Violence:**

   b. Contact a certified batterer's intervention program.
7. **Options for Other Employees Who Have Concerns About Domestic Violence:**

   a. 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 a local domestic violence agency, 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 human resources or a local domestic violence program for further guidance.

   b. Report any threats or violence that you experience or witness to your supervisor, Human Resources, and Security.

   c. Volunteer at a local domestic violence shelter or organize a workplace drive for domestic violence shelters.

---

Peter J. Fos, Ph.D., M.P.H.  
President  
University of New Orleans

*Policy Updates:  
Revisions: 06/9/2015*