



THE UNIVERSITY of
NEW ORLEANS

**ADMINISTERED BY: Office of the Vice
President for Business Affairs**

Policy No: AP-BA-54.2
TITLE: Domestic Violence in the
Workplace
EFFECTIVE DATE: May 1, 2002*
(*Policy Revised, see below)
CANCELLATION:
REVIEW DATE: Spring 2018

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. The University of New Orleans has adopted a policy to heighten awareness of domestic violence and to guide employees and managers in addressing the problem 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, between people of all racial, economic, educational, religious backgrounds, in heterosexual and same sex relationships, living together or separately, married or unmarried. 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.

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 respect 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 practical, we will give advance notice 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.

EARLY INTERVENTION AND EDUCATION PREVENTION STRATEGIES

1. It is the policy of the University of New Orleans to 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.
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: Statewide Domestic Violence Coalition hotline [1-888-411-1333] and the National Domestic Violence Hotline (800) 799-SAFE (7223).
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, 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 unpaid leave. 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 leave, annual leave, or compensatory time, when appropriate

PROCEDURE

PROCEDURES FOR EMPLOYEES WITH PERFORMANCE ISSUES RELATED TO DOMESTIC VIOLENCE

1. While the employer retains the right to discipline employees when necessary, the University 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, information about 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.

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

The University of New Orleans considers the perpetration of domestic violence by an employee to constitute unacceptable conduct. 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. Any 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.
3. This policy prohibits employees from harassing others by using 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 duty to harass others.

4. The University of New Orleans may investigate allegations of domestic violence, sexual assault and/or stalking if there is reason to believe an employee has committed such crimes.
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, up to and including termination.

GUIDELINES

GUIDELINES REGARDING ASSISTANCE FOR SURVIVORS OF DOMESTIC VIOLENCE

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 the employee contact information for assistance organizations.
 - d. You do not deserve to be treated this way.
 - e. 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 confidence to the extent possible;
 - 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.

ROLES FOR STAFF IN RESPONDING TO DOMESTIC VIOLENCE

Supervisors:

Supervisors are often among the first people in the workplace to become aware that an employee may be facing domestic violence. Possible indicators may include chronic absenteeism, inappropriate or excessive clothing, 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 remember that ending an abusive relationship may be a long and difficult process.

- a. Be alert to possible signs of abuse.
- b. Properly document any report of domestic violence.
- c. Consult with Human Resource Management for guidance.
- d. If the supervisor observes the signs of violence, it is appropriate to convey concern regarding signs and to educate the employee regarding resources available.

- e. Maintain the confidentiality of domestic violence circumstances to the extent that is reasonably possible. 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.
- f. If possible, the supervisor will make efforts to adjust the employee's work schedule and /or grant appropriate leave 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.
- g. The employee should maintain communication with their supervisor during their absence. The employer should maintain the confidentiality of the employee's whereabouts.
- h. 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 Resource Management 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.
- i. 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.
- j. Communicate to the employee that while the University of New Orleans will work with the employee in her or his efforts to keep safe, the University of New Orleans cannot guarantee the employees' safety.

2. Human Resource Professionals:

- a. Maintain a list of services available to survivors and perpetrators of domestic violence. This list should include: National Domestic Violence Hotline Number, (800) 799-SAFE, Louisiana State Coalition Against Domestic Violence Coalition Hotline (888) 411-1333, and other available community resources.
- b. Be a resource to employees, managers, and supervisors in addressing domestic violence situations.
- c. Work with the survivor, the manager, law enforcement, and community domestic violence programs as needed.

3. University Police:

- a. Provide consultation and reasonable assistance to employees experiencing domestic violence.
- b. Document violations of a restraining order and each report of domestic violence in the workplace. All information from any source should be taken seriously and evaluated.
- c. Threats or incidents of violence against employees in the workplace should be treated as confidential as reasonably possible.
- d. Respond and intervene, as needed, to calls concerning safety in the workplace.
- e. Accept transferred harassing telephone calls from the employee's abuser, and document the calls.
- f. Work closely with appropriate law enforcement agencies to ensure workplace safety.
- g. 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.
- h. Provide escorts to parked cars and priority parking near the building entrance for employees who fear an attack at work.

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

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

- a. Talk with a trusted co-worker, supervisor, or manager about your situation.
- b. Discuss your situation with Human Resource Management.
- c. Contact your supporting Human Resource Office.
- d. Contact the National Domestic Violence Hotline at (800) 799-SAFE or the Louisiana Coalition Against Domestic Violence Hotline at [1-888- 411-1333].
- e. Call University Police if you are in immediate danger.
- f. Save threatening e-mail or voice mail messages. These can be used as evidence.
- g. 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.
- h. 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.
- i. 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. Provide a copy of the restraining order to your supervisors, University Police, and Human Resource Management.

6. Options for Employees Who Are Perpetrators of Domestic Violence:

- a. Contact the Office of Human Resource Management to discuss your situation.
- 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. Refer the employee to the National Domestic Violence Hotline at (800) 799-SAFE. Encourage the employee to discuss her situation with a supervisor or Human Resource Management.
- b. Report any threats or violence that you experience or witness to your supervisor, Human Resource Management, and University Police.



John W. Nicklow
President
University of New Orleans

**Policy Updates:*

Revisions: 06/9/2015

03/15/2017