

<b>Chapter:</b>	Human Resources		
<b>Title:</b>	Response to Family Violence, Domestic/Dating Violence, Sexual Violence and Stalking		
<b>Policy:</b> <input type="checkbox"/> <b>Procedure:</b> <input type="checkbox"/>	<b>Review Cycle:</b> Triennial <b>Author:</b> HR Spec.	<b>Adopted Date:</b> 08.2020 <b>Review Date:</b> 04.2024	<b>Related Policies:</b> Arrest and Conviction <a href="#">Commitment to Non-Violence</a> <a href="#">Progressive Discipline</a> <a href="#">Remote Work</a>

**Purpose:**

Hopeful Horizons (HH) institutes this policy as part of its commitment to a safer and more supportive organizational climate and for the prevention and reduction of the incidence and effects of family violence, domestic violence, sexual violence, and stalking [hereinafter “violence”] at the workplace. HH recognizes that family violence, domestic violence, sexual violence, and stalking present unique issues for its workforce.

Family violence, domestic violence, sexual violence, and stalking are workplace issues even if incidents occur elsewhere. This violence crosses economic, educational, cultural, age, gender, racial, and religious lines and occurs in a wide variety of contexts. Therefore, the organization shall take every appropriate measure to prevent and/or address such violence in the context of:

- Subordinate/superior relationships
- Heterosexual and same-sex intimate partner relationships, including marital, cohabiting, or dating
- Heterosexual or same sex non-intimate partner relationships, such as between coworkers
- Parent/child relationships
- Violent acts of others that could potentially occur within the workplace

**Scope:**

This policy applies to:

- All HH Staff
- Selected HH Staff, as specified:
- HH Board Members
- HH Volunteers
- Other: Contracted providers

**Policy:**

Employees who are victims of violence and employees who are concerned about coworkers who might be victims are encouraged to provide a report to their supervisor. HH shall provide resources and support to employees to assist with their concerns or experiences regarding violence. Employees who have information about or witness an act of violence perpetrated by an employee, or who have information about or witness violence against an employee, are required to report all information to the Chief Executive Officer (CEO), their immediate supervisor or Human Resources (HR). An employee who is arrested or convicted of a crime related to an act of violence shall report the arrest/conviction in accordance with HHs’ Arrest and Conviction policy.

- A. Confidentiality and Privacy: HH recognizes and respects an employee’s right to privacy and the need for confidentiality and autonomy. HH shall maintain the confidentiality of an employee’s disclosure regarding violence to the extent allowed by law, and unless to do so would result in physical harm to any person, and/or jeopardize safety within the workplace. When information must be disclosed to protect the safety of individuals within the workplace, HH shall limit the breadth and content of such disclosure to information reasonably necessary

to protect the safety of the disclosing employee and others, and to comply with the law. HH shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties to maintain safety in the workplace or elsewhere. HH shall also provide the employee with the name and title of the person to whom HH intends to share the employee's statements and shall explain the necessity and purpose regarding said disclosure.

- B. Non-Discrimination and Non-Retaliation: HH shall not discharge or in any manner discriminate or retaliate against an employee because of the employee's status as a victim of violence. HH shall not retaliate against a victim of violence for requesting leave or reasonable accommodation in accordance with HH procedure, regardless of whether the request was granted.

Additionally, HH shall not retaliate against, terminate, or discipline any employee for reporting information about alleged incidents of violence, as defined in this policy that may have been committed by another employee, including a member of management. Prohibited acts of retaliation include, but are not limited to, demotion or withholding of earned pay, as well as acts of personal retaliation, such as those related to an employee's immigration status or sexual orientation, for example.

- C. Response to Victims of Violence: HH recognizes that victims of violence may need time off to obtain medical, counseling, legal or any other assistance to help ensure their health, safety, or welfare or that of their child(ren). In accordance with approved policies and procedures, HH shall work in collaboration with the employee to provide reasonable and flexible leave options when an employee or their child is a victim of violence. An employee must provide advance notice to the employer of the need to take time off unless advance notice is not feasible.
- D. Safety Accommodation and Support: HH shall provide reasonable accommodations for victims who request accommodations for their safety or to maintain their performance while working. Reasonable accommodations may include the implementation of a work plan or safety measures including a modified schedule, changed work telephone, changed workstation/location. HH recognizes that the workplace may or may not be included on an order of protection as a location from which a perpetrator must remain away. If an employee chooses to disclose the existence of a protection or restraining order to the organization, HH may, wherever possible, assist the employee to enforce their order, shall archive said order in a confidential and separate file from employee's personnel file, and, if applicable, may assist employee to gather documentation from the workplace, such as emails or voice messages, that could support the employee's efforts in the justice system or otherwise to obtain or maintain safety from a perpetrator.
- E. Response to Employees Who Commit Violence: If HH receives information that alleges or suggests that an employee has committed an incident of workplace-related or non-workplace violence, as defined in this Policy, or if any manager receives information that any employee has engaged in any incident of workplace-related or non-workplace violence, then the matter shall be referred to HR for the purpose of investigating the information or allegation. HR Shall conduct any related investigation in accordance with HHs' approved procedures.

All decisions and actions regarding an employee alleged or found to have committed an act of violence shall be investigated in accordance with approved procedures. Action taken as a result of the investigation shall be based on a preponderance of evidence and in accordance with HHs' Progressive Discipline policy and related procedure.

Employees shall fully cooperate with any related investigation and have a duty to be truthful and disclose all information known to them upon request by the person designated to investigate the alleged incident of violence. Any failure on the part of an employee to comply with these requirements shall make them subject to disciplinary action up to and including termination.

**Communication and Training:**

The Board shall receive a copy of the policy at the time of periodic review and will have an opportunity to ask clarifying questions during the approval process. Employees and volunteers shall receive notice of the Board’s policy review and approval including notice of any substantive changes. The notice will provide a link to the policy located on the HH website.

**Definitions:**

1. Actual Knowledge: Differs from constructive knowledge in that a person ‘*has to have known*’ instead of ‘*should have*’ known about an event or condition. Actual knowledge can be proven by direct or circumstantial evidence. Actual knowledge includes what the person heard or saw.
2. Preponderance of Evidence: the **standard of proof** in which the party bearing the burden of proof must present evidence which is more credible and convincing than that presented by the other party, or which shows that the fact to be proven is more probable than not.

**Other Related Materials:**

Request for Reasonable Accommodation Procedure  
Remote Work Approval Procedure

**References/Legal Authority:**

Grant Award Condition, Office on Violence Against Women, June 2020.

Victims of Crime Act/Violence Against Women’s Act Award Terms and Conditions, Department of Crime Victims Assistance Grants, 2024.

**Change Log:**

Date of Change	Description of Change	Responsible Party
04.2024	This updates the policy to the new template; adds communication and training, definitions, other related materials and references/legal authority.	N. Miller, Prog. Eval. Cons. In consultation with R. Lucovich, HR Spec.