

STATEWIDE POLICY

SECTION 8: DOMESTIC VIOLENCE

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8A. General Information

The State of Idaho does not tolerate domestic violence. The State of Idaho offers support and referrals for assistance to employees who are either victims or abusers, who disclose concerns or request help.

8B. Disclosures

Disclosures may be made to Agency supervisors, management, or HR staff.

When an incident involves employees from more than one State Agency, Agency heads will ensure that appropriate responses to the situation are coordinated.

8C. Confidentiality

The State recognizes and respects an employee's right to privacy. The employee's disclosure will remain confidential unless there is a threat to the safety of the individual or other employees in the workplace.

Whenever possible, the employee will be given notice of necessary disclosures.

8D. Resources

Referral information will be provided to employees, which may include:

- Local and State resources for domestic violence victims;
- Advocacy and legal services;
- Medical and counseling services;
- Building Security or local law enforcement agencies;
- Employee Assistance Program.

In addition, Agencies will post the Domestic Violence policy and the Idaho Council on Domestic Violence and Victim Assistance website: <http://www2.state.id.us/crimevictim/victims.cfm> on their intra-agency website.

8E. Safety

The Agency will work with the employee to develop an individualized workplace safety plan when necessary. The safety plan may include, but is not limited to, the following measures:

- Screening telephone calls;
- Setting an alternate work schedule;
- Arranging an escort to and from parking areas;
- Working with building security or local law enforcement to enforce restraining orders or orders of protection on State property;
- Relocating an employees' workspace to a more secure area;
- Saving any threatening emails or voice mails.

8F. Time Off

Time off will be in compliance with Idaho Code, Division of Human Resources rules, and statewide policies. Agencies may ask employees to present court orders before leave is granted.

Leave may include, as applicable:

- Compensatory time
- Sick or vacation leave;
- Family and Medical Leave Act;
- Unpaid leave.

8G. Court Orders

- Employees are encouraged to disclose the existence of court orders for protection from abuse or harassment to their supervisor or HR staff.
- Under no circumstances will these orders be placed in an employee's personnel file. The orders may be placed in a separate file in a secure location.
- All individuals who apply for and obtain a protective or restraining order which lists Agency locations as being protected areas, must provide to Agency supervisors, management, or HR staff a copy of the petition and order.

8H. Work Performance

- When an employee has performance problems as a result of domestic violence, the Agency will offer support and an opportunity to correct the problems. Supervisors may develop a work plan with the employee to assist them in meeting performance expectations.
- Nothing in this policy alters the authority of the Agency to establish performance expectations, counsel employees, impose discipline, reassign duties, place an employee on leave, or take other action as necessary.
- Information or documents pertaining to an employee's involvement in a domestic violence situation will be kept separately from the employee's personnel records.

In addition, any employee who uses any State resources including but not limited to telephones, cell phones, pagers, facsimile machines, mail, electronic mail, vehicles, or credit cards, at any time or place to commit domestic violence will be subject to corrective or disciplinary action, up to and including termination.

8I. Retaliation

There will be no retaliation resulting from an employee making a complaint, reporting an incident of domestic violence, or otherwise asserting rights or responsibilities under this policy or relevant laws.

8J. Agency Responsibility

In response to an employee's notification of a domestic violence situation, Agency heads will be responsible for coordinating discussions with agency legal counsel and building security or local law enforcement.

8K. Policy Distribution

This policy will be distributed to all persons covered by this policy and will be posted to the Division of Human Resources website at: <http://www.dhr.idaho.gov/HRPolicybrnbspnbspProcedures/tabid/1034/Default.aspx>

HR staff will provide this policy to employees newly hired or promoted into managerial or supervisory positions and all current managers and supervisors.

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