

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION	Number: DR 4200-002
SUBJECT: Domestic Violence Prevention and Response Program	DATE: July 28, 2014
	OPI: Office of the Chief Information Officer – Agriculture Security Operations Center

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1. PURPOSE

The purposes of this regulation are to:

- a. Enhance workplace awareness and capacity to create a supportive, safe work environment for victims of violence and fellow employees (See Appendix A – Frequently Asked Questions);

- b. Institutionalize responsive policies and procedures to assist employees who are impacted by violence, including providing training on this policy to employees and management;
- c. Provide immediate assistance to victims, especially information and referrals to community resources (See Appendix B – Resources for Support and Assistance); and
- d. Provide appropriate disciplinary action to employees who are perpetrators of violence.

As awareness about domestic violence (physical, mental, sexual and stalking) has grown, so has the recognition that this crime has a major impact in the workplace. The abuse an employee receives at home can lead to lost productivity, higher stress, increased absenteeism and higher health costs. It has become evident that abuse can occur within a number of relationships. The laws in many states cover incidents of violence occurring between married couples, as well as abuse of elders and children, abuse between dating couples and roommates, and abuse within same-sex relationships. These incidents are a concern if the effects of domestic violence impact the workplace which causes significant costs and safety concerns. This Departmental Regulation outlines the policy of the U. S. Department of Agriculture (USDA) on the prevention of and response to domestic violence.

2. SPECIAL INSTRUCTIONS

- a. This regulation supports Departmental Regulation (DR) 4200-001 *Workplace Violence Prevention and Response* dated April 17, 2013.
- b. **Supplementation:** Agencies and staff offices may supplement this directive with prior approval of the Director, OHRM. Supplemental regulations issued by agencies or staff offices may not conflict with the contents of this directive. Agencies and staff offices must provide copies of any supplemental regulations to employees as required.

3. POLICY

USDA institutes this regulation as part of its commitment to providing a healthy, safe organizational climate and to the prevention and reduction of the incidence and effects of domestic or dating violence, sexual assault, and stalking. USDA recognizes that domestic or dating violence, sexual assault, and stalking are workplace issues that impact the workplace even if the incidents occur elsewhere. These types of incidents cross economic, educational, cultural, age, gender, racial, and religious lines. They can occur in heterosexual or same-sex intimate relationships, including marital, cohabitation, or dating relationships, as well as in non-intimate heterosexual or same-sex relationships, such as incidents between coworkers or perpetrated by supervisors, and can occur between strangers.

Threatening or intimidating behavior and violence in the workplace are unacceptable forms of conduct and will not be tolerated. Violent behavior of any kind or threats of violence, either implied or direct, against persons or property will not be tolerated. This includes acts

of intimidation, stalking, cyber stalking, verbal harassment, threatened violence, exhibitionism, or other inappropriate behavior which causes fear for personal safety. An employee who exhibits violent behavior may be subject to criminal prosecution and/or shall be subject to disciplinary action up to and including removal from Federal service. Violent threats or actions by employees or non-employees may result in criminal prosecution. USDA and/or its Agencies will appropriately consider all complaints of domestic violence or any possible violation of this policy. Retaliation against any person who initiates a complaint regarding violent behavior or threats of violence made to him/her is also prohibited.

4. AUTHORITIES

- a. Departmental Regulation (DR) 4200-001 *Workplace Violence Prevention and Response* dated April 17, 2013.
- b. *The USDA Handbook on Workplace Violence Prevention and Response*, October 2001.
- c. *Dealing with Workplace Violence, A Guide for Agency Planners*, Office of Personnel Management.
- d. USDA DR 4430-792-1 *Employee Assistance Program*, March 12, 2012.
- e. Presidential Memorandum – *Establishing Policies for Addressing Domestic Violence in the Federal Workplace*, April 18, 2012.

5. DEFINITIONS

- a. Assault
Any willful attempt or threat to inflict injury upon another person, when coupled with an apparent ability to do so, and any intentional display of force, such as would give the victim reason to fear or expect immediate bodily harm.
- b. Dating Violence
Dating violence is an act of violence threatened or committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
- c. Domestic Violence
Domestic violence is a pattern of coercive behavior, including acts or threatened acts, that are used by a perpetrator to gain power and control over a current or former spouse, family member, current or former intimate partner, current or former dating partner, or person with whom the perpetrator shares a child in common. This behavior includes, but is not limited to, physical or sexual violence, emotional and/or psychological intimidation, verbal abuse, stalking, economic control, harassment, threats, physical intimidation, or injury. Domestic violence can occur in any relationship, regardless of

socio-economic status, education level, cultural background, age, gender, race, ethnicity, sexual orientation, gender identity, or religion. Domestic violence can occur in heterosexual and same-sex intimate relationships, including marital, cohabiting, or dating relationships that are not dependent on the existence of a sexual relationship.¹

d. Employee

For the purposes of this directive, an employee is any person employed by a Federal Executive agency as defined in 5 U.S.C. § 105. This does not include employees of private contractors hired by the agencies.

e. Employer

For the purposes of this directive, an employer is any Federal Executive agency, as defined in 5 U.S.C. § 105.

f. Employee Assistance Program (EAP)

A worksite-based program designed to assist in the identification and resolution of work-related and non-work-related productivity problems associated with employees impaired by personal concerns including, but not limited to health, marital, family, financial, alcohol, drug, legal, emotional, or other personal concerns which may adversely affect employee job performance.

g. Perpetrator

A perpetrator is an individual who commits or threatens to commit an act of domestic violence, dating violence, sexual assault, and/or stalking.

h. Protective or Restraining Order

Victims may obtain a protective order, sometimes called a restraining order, a stay-away order, or a peace order, from a court to protect them from a perpetrator. Such an order also may establish custody and visitation guidelines and provide for forms of economic security, like rent or mortgage payments, which last for the duration of the order. Protective orders may also be issued in criminal cases as a condition of probation or condition of release, particularly in a domestic violence, sexual assault or stalking related crime.²

i. Sexual Assault

Sexual assault refers to a range of behaviors, including but not limited to, a completed nonconsensual sex act (e.g., rape, sodomy, child molestation), an attempted nonconsensual sex act, abusive sexual contact (i.e., unwanted touching), and non-contact sexual abuse (e.g., threatened sexual violence, exhibitionism, verbal harassment). Sexual assault includes any sexual act or behavior that is perpetrated when someone does not or cannot consent. A victim of sexual assault may know the perpetrator, such as a coworker or a supervisor, and/or may be involved in a dating or marital relationship with the

¹ Adapted from Workplaces Respond to Domestic Violence and Sexual Assault. 2012. <http://www.workplacesrespond.org/>

² Adapted from Workplaces Respond to Domestic Violence and Sexual Assault. 2012. <http://www.workplacesrespond.org/>

perpetrator, or the perpetrator may be unknown to the victim. Lack of consent should be inferred when a perpetrator uses force, harassment, threat of force, threat of adverse personnel or disciplinary action, or other coercion, or when the victim is asleep, incapacitated, unconscious, or physically or legally incapable of consent.³

j. Stalking

Stalking conduct may include, but is not limited to, following, spying on, or waiting for the victim in places such as home, school, work, or recreation place; leaving unwanted items, presents, or flowers for the victim; making direct or indirect threats to harm the victim, the victim's children, relatives, friends, pets, or property; posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth; and obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim's garbage, following the victim, or contacting victim's friends, family, work, or neighbors. Stalking may occur through use of technology, including but not limited to, email, telephone, voicemail, text messaging, and use of GPS and social networking sites.⁴

k. Victim⁵

A victim is an individual who is currently subject to, or has in the past been subjected to, domestic violence, sexual assault, and/or stalking.⁶

l. Trauma-informed Care

Trauma-informed care is an approach to engaging people with histories of trauma that recognizes the presence of trauma symptoms and acknowledges the role that trauma has played in their lives.⁷

m. Workplace

A workplace is an employee's official duty station or alternative (includes telework) work location that is associated with the employee's established tour of duty (working hours). The employee is considered to be in the workplace while in or utilizing the resources of the employer, including but not limited to, facilities, work sites, equipment, or vehicles, or while on work related travel.

n. Workplace-related Incidents

³ Adapted from Workplaces Respond to Domestic Violence and Sexual Assault. 2012.

<http://www.workplacesrespond.org/>

⁴ Adapted from Workplaces Respond to Domestic Violence and Sexual Assault. 2012.

<http://www.workplacesrespond.org/>

and U.S. Department of Justice, Office of Violence Against Women. 2012.

<http://www.ovw.usdoj.gov/aboutstalking.htm>

⁵ Agencies may opt to use alternate terminology, such as "survivor" or "a person affected by domestic violence, sexual assault, or stalking".

⁶ Adapted from Workplaces Respond to Domestic Violence and Sexual Assault. 2012.

<http://www.workplacesrespond.org/>

⁷ Substance Abuse and Mental Health Services Administration. 2012. <http://www.samhsa.gov/nctic/>

Workplace-related incidents of domestic violence, sexual assault, dating violence and stalking include acts, attempted acts, or threatened acts by or against employees, and/or against employees' families or property, that occur in the workplace or that occur outside the workplace but have an impact on the workplace.⁸

o. Workplace Safety Plan

A workplace safety plan is a strategy developed in collaboration with a victim to implement workplace safety options, including but not limited to, handling of court protection orders, procedures for alerting security personnel, temporary or permanent adjustments to work schedules and locations, changes in parking spots, and requests for escorts to and from workplace facilities.⁹ (See Appendix G – Components of a Workplace Safety Plan).

6. STATEMENT OF CONFIDENTIALITY

USDA recognizes and respects an employee's right to privacy and the need for confidentiality and autonomy. USDA shall maintain the confidentiality of an employee's disclosure regarding violence to the extent permitted 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, USDA 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. USDA shall make every effort to provide advance notice to the employee who disclosed information if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere. USDA shall also provide the employee with the name and title of the person to whom USDA intends to share the employee's information if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere. USDA shall also provide the employee with the name and title of the person to whom USDA intends to share the employee's statements, and shall explain the necessity and purpose regarding said disclosure.

7. RESPONSIBILITIES

a. Agency Heads

(1) Ensure that policies and procedures to prevent and to respond to domestic violence are implemented at all work sites.

(2) Ensure the availability of effective EAP Programs.

(3) Ensure that appropriate safety and law enforcement personnel complete periodic on-site reviews of safety and security of buildings and offices.

⁸ Adapted from Workplaces Respond to Domestic Violence and Sexual Assault. 2012.

<http://www.workplacesrespond.org/>

⁹ Workplaces Respond to Domestic Violence and Sexual Assault. 2012. <http://www.workplacesrespond.org/>

- (4) Ensure facility personnel improve the security level of the physical facilities based on recommendations from the safety and law enforcement review.
- (5) Provide adequate resources for employee awareness and training on domestic violence and prevention.
- (6) Develop monitoring, reporting and tracking procedures based on Agency specific mission requirements and demographics. (Appendix I – Quarterly Reports)

b. Mission Area Human Resources Directors (MAHRD)

- (1) Develop a process to identify, report, monitor, and respond to domestic and dating violence, sexual assault, and/or stalking situations.
- (2) Designate in writing a Domestic Violence Prevention and Response (DVPR) Coordinator. This person will be the central point of contact for the Agency to coordinate the development of Agency specific criteria for implementing, monitoring, evaluating and reporting on progress of the DPVR in each Agency. (See Appendix I – Quarterly Reports)
- (3) Create a multi-disciplinary DVPR Team headed by the DPVR coordinator to assist, as necessary and appropriate, in providing supportive services for victims. This team should be trained to address the needs of domestic violence, sexual assault, and stalking victims. As appropriate, it should include representatives such as those from each agencies' security, human resources, employee assistance, or other relevant offices. (Appendix J – DVPR Team)
- (4) Provide training for management, supervisors and employees about the effects of domestic violence, sexual assault and stalking. This training will start in FY 2015 and will be repeated at a minimum on a biennial basis. This training will provide at a minimum the basic skills and knowledge to:
 - (a) interact with employees who might be a victim of domestic or dating violence, sexual assault and/or stalking;
 - (b) actions to take if an employee is a perpetrator of domestic or dating violence, sexual assault and/or stalking;
 - (c) maintaining confidentiality ensuring that information about an employee should only be given to others on a need-to-know basis; and
 - (d) being responsive when an employee who is either the victim or perpetrator of domestic violence asks for help. Immediately contact the Human Resources staff, Security, and/or the EAP for assistance;

- (5) Provide technical expertise and consultation to assist supervisors in determining proper administrative and/or disciplinary action.

c. Supervisors

- (1) Inform employees of USDA/Agency policy regarding domestic violence and prevention.
- (2) Be cognizant of situations that have the potential to produce violence and promptly address them with all concerned personnel. If physical assault, harassment, interference, intimidation or threat occurs:
 - (a) immediately remove the affected employee(s) from possible or further harm or danger;
 - (b) contact local law enforcement officials and/or any available security personnel;
 - (c) obtain medical treatment for any injuries if necessary;
 - (d) encourage the victim of domestic violence to contact their immediate supervisor to report the incident. If immediate supervisor is not available, encourage the victim to contact the next higher level supervisory official; and
 - (e) Take all threats seriously.
- (3) Encourage potential victims of domestic or dating violence, sexual assault and/or stalking to receive assistance as that provided through the EAP; and
- (4) Document and respond to allegations of domestic violence in the workplace in a timely fashion, evaluating the results and taking necessary action or assisting the Domestic Violence Prevention and Response Management Team (Appendix J).

d. Employees

- (1) Be familiar with USDA and Agency policies regarding domestic violence and prevention.
- (2) Promptly report, anonymously if necessary, any acts of violence, threats, and similar disruptive behavior in the workplace. If physical assault, harassment, interference, intimidation or threat occurs:
 - (a) immediately remove themselves and any other employees to the extent possible from further harm or danger;

- (b) contact local law enforcement officials and/or any available security personnel;
and
 - (c) obtain medical treatment for any injuries if necessary.
- (3) Encourage victims of domestic violence to contact their immediate supervisor to report the incident. If the immediate supervisor is not available, encourage the victim to contact the next higher level supervisory official;
 - (4) Cooperate fully in investigations/assessments of allegations of workplace violence;
 - (5) Take all threats seriously;
 - (6) Seek appropriate assistance (e.g. EAP or other counseling) if they are experiencing stressful personal or work circumstances, generating from any source, which may adversely affect their productivity or lead to unacceptable behavior; and
 - (7) Inform security front desk personnel, supervisors and others as needed in the agency about restraining orders and other protective court orders related to domestic situations so that assistance can be offered at the worksite.
- e. Employee Assistance Program Counselors
- (1) Provide short-term counseling and referral services to employees at no cost.
 - (2) Help in the prevention of workplace and domestic violence through:
 - (a) early consultation on issues involved with organizational change;
 - (b) training employees in dealing with intimate relationship issues that could possibly lead to domestic or dating violence, sexual assault and/or stalking;
 - (c) consulting with supervisors to deal with problems as soon as they surface;
 - (d) consulting with supervisors to identify specific problem areas; and
 - (e) consulting with incident response teams when a potential for domestic violence exists and participate in debriefings in the event of an actual violent event.

f. Unions

The active participation and support of labor organizations can contribute to the effectiveness of this program. Management will seek ways in which recognized bargaining unit representatives might assist in program implementation and support.

8. EMPLOYER RESPONSES TO DOMESTIC VIOLENCE

a. Responses to Victims

- (1) Nondiscrimination and Non-Retaliation: USDA shall not discriminate in hiring, staffing or other terms and conditions of employment against any employee for disclosing his or her status as a victim of domestic or dating violence, sexual assault, and/or stalking or for submitting a complaint or disclosing such concerns to USDA. USDA shall not retaliate or take adverse employment actions against any employee for submitting a complaint pursuant to this policy, for disclosing his or her status as a victim of domestic or dating violence, sexual assault, and/or stalking or for actions of violence perpetrated by another individual against an employee that occur in or have an impact on the workplace. (See Appendix H Domestic Violence Checklist)
- (2) Leave and other workplace assistance: USDA recognizes that victims of domestic or dating violence, sexual assault, stalking assault and/or stalking and dating may need time off to secure medical assistance, legal assistance, counseling (Appendix F – Sample EAP Referral Notice), or to attend to other matters related to the incidents, such as court proceedings, relocation, or safety planning for him/her or for a family member. USDA will make every reasonable effort to assist an employee to maintain employment when the employee is experiencing or has experienced violence in the workplace, or has experienced domestic or dating violence, sexual assault, and/or stalking. USDA will work with the employee to provide paid leave first before requiring an employee to utilize unpaid leave. When the need for time off is foreseeable, an employee must provide advance notice to the employer unless advance notice is not feasible. USDA will also work with employee to determine if other non-leave related assistance will facilitate the employee’s ability to remain safe and maintain his or her work performance, such as, but not limited to modifying work schedules, changing employee’s location within the workplace or location of a parking spot, changing phone numbers, arranging telecommuting options, etc. USDA will assist an employee to enforce his or her protection or restraining order, if applicable. (See Appendix C – Workplace Flexibilities).
- (3) Work Performance and Conduct: USDA recognizes that employees who are victims of violence may experience temporary difficulty fulfilling job responsibilities.
 - (a) If a supervisor becomes aware that an employee’s declining work performance or conduct has been impacted by domestic or dating violence, sexual assault, and/or stalking (e.g., an employee may be charged with AWOL for absences arising from domestic violence, sexual assault, or stalking), USDA will offer support to the employee and work in collaboration with the employee to address the issues, in accordance with established policies within the workplace. USDA may develop a work plan with employee, provide leave and other accommodations as specified in Section 8a (2) above, provide referrals to support or advocacy agencies, advise employee of his or her rights regarding unemployment insurance

if mandated in state, federal or local law, and maintain a separate and confidential record of employee's status as a victim of domestic or dating violence, sexual assault, and/or stalking to ensure to the victim that his or her rights and privileges of employment are not impacted or compromised as a result of the violence.

- (b) The impact of domestic violence, sexual assault, and stalking should be taken into consideration as a mitigating factor in determining any appropriate discipline in misconduct cases involving the victim. Components within USDA should work together to ensure the workplace policies do not re-victimize victims to the extent possible, while maintaining appropriate workplace standards.

b. Handling Protection and Restraining Orders

USDA recognizes that a victim of violence may seek an order of protection, or may file a restraining order, as part of his or her efforts to become safe and as part of his or her workplace safety plan. USDA recognizes that the workplace may or may not be included on an order as a location from which a perpetrator must remain away. If an employee chooses to disclose the existence of protection or restraining order to USDA, USDA may, wherever possible, assist the employee to enforce his or her order, shall archive said order in a confidential and separate file from employee's personnel file; and, if applicable, may assist the 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.

(1) If the employee requests support from security, security may:

- (a) Perform a safety/security evaluation of the employee's workplace;
- (b) Develop a stay out order for the employee's workplace (Appendix E – Sample Cease and Desist Memo);
- (c) Place an order of general denial to the workplace (if applicable to the physical capabilities of the workplace);
- (d) Work with employee and management to determine if a change in workplace environment would enhance safety;

c. Responses to Reporting Employees

- (1) Employees who suspect or witness acts of violence in the workplace, or who suspect or witness violence against an employee or acts of violence perpetrated by an employee, are encouraged to report their concerns to their supervisor or one level up in their supervisory chain or to the Human Resources Director.
- (2) USDA shall not retaliate against, terminate, or discipline any employee for reporting concerns about workplace related incidents of violence pursuant to this regulation,

including an allegation that the act was perpetrated by a fellow employee or person in a management capacity. 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: Any employee who believes he or she has been subjected to adverse action as a result of making a report pursuant to this regulation should contact their agency workplace/domestic violence program coordinator. Any violations of this regulation will be promptly investigated.

d. Employee Perpetrators

- (1) If an employee discloses that he or she has committed a workplace-related incidence of violence, as defined in Section 5 Definitions, or if a supervisor becomes aware that an employee may have committed such incident, the supervisor shall refer the matter to the agency workplace/domestic violence program coordinator to conduct appropriate investigations, interventions, and referrals. USDA shall investigate immediately and take disciplinary action, up to and including termination, against any employee who threatens to commit or who commits incidents of domestic violence, sexual assault, dating violence, or stalking in the workplace. Employees are prohibited from utilizing any workplace resources, such as work time, phones, email, computers, fax machines or other means to threaten, harass, intimidate, embarrass or otherwise harm another person.
- (2) An employee who is subject to a protection or restraining order, or a named defendant in a criminal action as a result of a threat or act of domestic violence, sexual violence, dating violence, or stalking must disclose the existence of such criminal or civil action if the conditions of such actions interfere with the employee's ability to perform his or her job, or impact another employee at USDA. Failure to disclose the existence of such criminal or civil actions in these circumstances will result in disciplinary action, up to an including termination from employment.

e. Reporting Violations

- (1) Employees who are victims of domestic violence, sexual assault, stalking and dating violence, and employees who are concerned about coworkers who are victims or who have witnessed acts or threatened acts of violence are encouraged to provide a report to their agency workplace/domestic violence program coordinator (Appendix H – Domestic Violence Checklist).

The workplace/domestic violence program coordinator shall provide community referrals and resources to employees in order to assist employees with their concerns or experiences regarding violence.

- (2) An employee should also contact their agency workplace/domestic violence coordinator if he or she wishes to report a violation of this regulation. As stated in Section 3 Policy and Sections 8a(1) & 8c(2) of Employer Responses

to Domestic Violence, USDA will not subject employees who report violence or report a violation of this policy to work related or personal retaliation.

f. Monitoring

Without adequate feedback, the Department cannot assess the effectiveness of its policies and practices. Agency components should ensure that quarterly reports (Appendix – I) are reviewed prior to submission to determine:

- (1) Training of management, supervisors and employees.
- (2) Usage rates of employees accessing services to address domestic violence, sexual assault and stalking.
- (3) Review of threat assessment and violence prevention actions related to domestic violence, sexual assault and stalking and the quality of these responses.
- (4) Review of incident reports of violent events that involved employees or others at work to determine what actions or controls could have prevented or lessened the violence.

9. INQUIRIES

Direct all inquiries to the Office of Human Resources Management, Employee and Labor Relations Division, Room 320W Whitten Federal Building, 1400 Independence Ave. SW, Washington, D.C. 20250; telephone number (202) 720-3585.

- END -

APPENDIX A

Frequently Asked Questions

1. How can I learn more about domestic or dating violence?

If you feel that you or someone close to you is being affected by domestic or dating violence, there are places that you can turn for information, resources and assistance. Here are some options:

- Contact your local Employee Assistance Program (EAP).
- Call the National Domestic Violence Hotline at 800-799-SAFE or 800-799-7233.

2. How do I know if an employee is being affected by domestic violence?

It is not a supervisor's role to diagnose. Focus on performance issues, contact your Employee Relations Section and consult with your EAP if you become aware of some of the following behaviors: These could be singular behaviors or a combination of behaviors.

- Changes in behavior or work performance
- Preoccupation/lack of concentration
- Chronic absenteeism
- Inappropriate/excessive clothing
- Harassing phone calls to the workplace
- Repeated physical injuries that are unexplained or come with explanations that do not add up
- Isolation
- Emotional distress
- Depression

3. What can I do if I suspect that an employee or co-worker is being affected by domestic or dating violence?

Supervisor: If you believe that an employee is in an abusive relationship but the employee has not disclosed this to you, focus on any job performance issues that may have arisen, express concern about any changes in job performance and refer the employee to the EAP or community resources.

Co-worker: If you believe a co-worker is a victim of domestic or dating violence, communicate your concerns for her/his safety. Be clear that your role is to help and not to judge. Refer the employee to the EAP, a local domestic violence agency, the

Domestic Violence Response Management Team (Appendix J) or the national domestic violence hotline at 800-799-SAFE or 800-799-7233. Maintain the confidentiality of the domestic or dating violence circumstances and any other referrals under this policy to the extent permitted by law. Discuss the employee's situation with EAP counselors or a local domestic violence program for further guidance.

Report any threats or violence that you experience or witness to your supervisor, Security, the EAP or the Domestic Violence Response Management Team. (Appendix J)

4. What can I do if I am being affected by domestic or dating violence?

Talk with a trusted co-worker, supervisor, union representative, or supervisor about your situation.

Contact your nearest EAP.

Contact the national domestic violence hotline at 800-799-SAFE or 800-799-7233, the State Coalition Against Domestic Violence, or the local domestic violence agency.

Call the local police if you are in immediate danger.

Notify your supervisor of the possible need to take leave or flexible work options. These leave and work options are: Annual leave, Advanced Annual Leave, Sick Leave, Advanced Sick Leave, Leave Without Pay (LWOP), Excused Absence (Administrative Leave), Family and Medical Leave Act (FMLA), Voluntary Leave Transfer and Bank Programs, Telework and Flexible Work Schedules. See Appendix C for a more definitive explanation of each option.

If you are concerned about your safety at work from an individual who is not employed by USDA, submit a recent photograph of the abuser and a copy of your protection order to your supervisor, the General Counsel's Office, Security, and the

police department. This will assist your employer in identifying the abuser should he/she appear in the workplace.

Work with your supervisor, Security staff, EAP and Domestic Violence Response Management Team to develop a safety plan. See Appendix J

APPENDIX B

Resources for Support and Assistance

National Resources for Intervention and Training

National Domestic Violence Hotline

Provides toll-free, live phone response and crisis intervention to callers 24 hours a day, 365 days a year, offering information and referrals across all U.S. states and territories.

P.O. Box 161810
Austin, TX 78716
Phone: 800-799-SAFE (7233) or 800-787-3224
(TTY) Fax: 512-453-8541
Website: www.ndvh.org

National Center on Domestic and Sexual Violence

The National Center on Domestic and Sexual Violence provides training, consulting and advocacy. The National Center collaborates with law enforcement, legal system agencies, advocacy organizations, social service agencies, the military and other community entities to integrate their efforts to end domestic and sexual violence.

4612 Shoal Creek Boulevard
Austin, Texas 78756
Phone: 512-407-9020
Website: <http://www.ncdsv.org/>

National Coalition Against Domestic Violence

A national organization focused on coalition building, policy and public education, at the local, state, regional and national levels, whose website includes a list of all state domestic violence coalitions.

P.O. Box 18749
Denver, CO 80218
Phone: 303-839-1852
Fax: 303-831-9251
Website: www.ncadv.org

National Network to End Domestic Violence

A social change organization representing state domestic violence coalitions which is dedicated to creating a social, political and economic environment in which violence against women no longer exists.

660 Pennsylvania Avenue, SE, Suite 303

Washington, DC 20003

Phone: 202-543-5566

Fax: 202-543-5626

Website: www.nnedv.org

National Resource Center on Domestic Violence

Provides domestic violence prevention support to organizations and individuals through technical assistance, training and information.

6400 Flank Drive, Suite 1300

Harrisburg, PA 17112

Phone: 800-537-2238

Fax: 717-545-9546

Website: www.nrcdv.org

The National Center for Victims of Crime

The National Center for Victims of Crime is the nation's leading resource and advocacy organization for crime victims and those who serve them. The mission of the National Center for Victims of Crime is to forge a national commitment to help victims of crime rebuild their lives.

2000 M Street NW, Suite 480

Washington, DC 20036

Phone: 202-467-8700

Fax: 202-467-8701

Email: gethelp@ncvc.org

Website: <http://www.ncvc.org/>

National Sexual Violence Resource Center

The National Sexual Violence Resource Center serves as the nation's principle information and resource center regarding all aspects of sexual violence. It provides national leadership,

consultation and technical assistance by generating and facilitating the development and flow of information on sexual violence intervention and prevention strategies. The NSVRC works to address the causes and impact of sexual violence through collaboration, prevention efforts and the distribution of resources.

Phone: 717-909-0710

Website: <http://www.nsvrc.org>

The National Center on Protection Orders and Full Faith and Credit, Battered Women's Justice Project

The Protection Orders/Full Faith and Credit Office provides ongoing technical assistance and training on full faith and credit, federal firearms prohibitions related specifically to domestic violence, federal domestic violence and stalking crimes, and inter-jurisdictional child custody cases involving domestic violence. Audiences include law enforcement officers, prosecutors, judges, court administrators and other court personnel, civil attorneys, victim advocates, and others who work with victims of domestic violence and stalking.

1901 North Fort Myer Drive, Suite 1011

Arlington, VA 22209

Phone: 800-903-0111, ext. 2

Fax: 703-312-7966

Website: www.fullfaithandcredit.org

Stalking Resource Center, National Center for Victims of Crime

The mission of the Stalking Resource Center is to enhance the ability of professionals, organizations, and systems to effectively respond to stalking. The Stalking Resource Center provides training, technical assistance, and resource materials for professionals working with and responding to stalking.

Phone number: 202-467-8700

Fax number: 202-467-8701

Website: www.victimsofcrime.org/src www.stalkingawarenessmonth.org

Email: src@ncvc.org

National Teen Dating Abuse Helpline. The National Teen Dating Abuse Helpline offers real time chat and one-on-one support from peer advocates trained to offer support, information, and advocacy to those in dating abuse relationships. The helpline operates 24 hours a day, 7 days a

week, and offers translation services. Assistance via online chat services is available 4pm-2am CST. Ph: 1-866-331-9474, TTY 1-866-331-8453; Website: www.loveisrespect.org.

National Child Abuse Hotline. Serving the U.S., its territories, and Canada, the National Child Abuse hotline is staffed 24 hours a day, 7 days a week with professional crisis counselors who, through interpreters, can provide assistance in 170 languages. The Hotline offers crisis intervention, information, literature, and referrals to thousands of emergency, social service, and support resources. PH: 1-800-4-A-Child (2-24453); Website; www.childhelp.org.

Other Resources Available for Training, Partnership and Guidance in Prevention Programs

Workplaces Respond to Domestic and Sexual Violence is A National Resource Center that provides information, resources, partnership and guidance in developing innovative and collaborative prevention programs, including development resources for employers.

Website: <http://workplacesrespond.org/resources>

Resources from the following areas are available on their website:

- [Resources Specific to the Workplace](#)
- [Domestic Violence Resources](#)
- [Sexual Violence Resources](#)
- [Stalking Resources](#)
- [Teen Dating Violence](#)
- [Legal Resources](#)
- [Government Online Resources](#)
- [Consultation Resources](#)

APPENDIX C

Workplace Flexibilities

Workplace Flexibilities

Various types of workplace flexibilities are available to an employee when the employee and/or the employee's family member(s) are victims of domestic or violence, sexual assault, and/or stalking. To the greatest extent possible, agencies should work in collaboration with the employee to provide leave and/or other workplace flexibilities to help the employee remain safe and maintain his or her work performance. All possible leave options should be considered for an employee in this situation. When the need for time off is foreseeable, an employee must provide reasonable advance notice to the agency.

An employee who is a victim, as discussed in this section, may request leave or other paid time off through a third party, such as an Employee Assistance Program (EAP) Coordinator if the employee does not feel comfortable speaking with a supervisor. Although the supervisor is the only person who can approve the leave, the leave request may be made through the third party. Employees are not required to provide personal details in their requests for leave. However, employees are required to provide enough information in their leave requests so their supervisors know which type of leave is appropriate (e.g., sick leave, annual leave, FMLA, etc.). Supervisors should consider whether an employee is entitled to a certain type of leave (e.g., Family and Medical Leave Act (FMLA) or sick leave), or whether an employee's request for leave other than under the FMLA should be granted. Details on the administration of leave will be provided by the agency.

If verification or proof of domestic or dating violence, sexual assault, and/or stalking is requested by the agency, the agency is encouraged to accept the employee's personal statement as verification or proof whenever possible. If necessary, verification or proof may also include, but need not be limited to, a service provider's statement, a protective order, medical records or doctor's statement, or police and/or court reports. Under no circumstances should the agency require the employee to contact law enforcement or otherwise report the violence as a condition for accessing leave. To do so could place victims in greater danger.

Below is a list of available workplace flexibilities that could be used for addressing domestic or dating violence, sexual assault, and/or stalking. It is important to note that these options can be applied to situations in which the domestic violence, sexual assault, and/or stalking is currently taking place or to situations in which the trauma related to a *past* situation involving violence is causing a negative impact in the workplace.

Annual Leave. This type of leave may be used for, but is not limited to, time off for court proceedings and to meet with lawyers, victims' advocates, law enforcement officers, or to attend support group meetings. Annual leave can also be used in lieu of sick leave for illnesses or injuries as a result of domestic violence, sexual assault, or stalking for the

employee to go to a safe place. An employee has a right to take annual leave, the timing of which would be subject to agency approval.

Advanced Annual Leave. At its discretion, an agency may advance annual leave to an employee in an amount not to exceed the amount the employee would accrue in the remainder of the year. Upon request of the employee, agencies are encouraged to approve advanced annual leave for this purpose if the employee has exhausted his or her accrued annual leave.

Sick Leave. An employee may use sick leave, consistent with current law and regulations for granting and using sick leave. Sick leave may be used for injuries resulting from domestic violence, sexual assault, or stalking, to meet with medical providers, for counseling by a healthcare provider,¹⁰ to care for a family member¹¹ with injuries or a “serious health condition”¹² resulting from domestic violence, sexual assault, or stalking, or to accompany a family member when he or she meets with medical providers for injuries or illnesses resulting from domestic violence, sexual assault, or stalking.

Advanced Sick Leave. Upon request of the employee, agencies are encouraged to approve advanced sick leave for any of the purposes referenced above if the employee has exhausted his or her available sick leave. An agency may advance up to 13 days of sick leave for the employee’s own – or a family member’s – medical, dental, or optical examinations or treatment, or to care for a family member who is incapacitated by a medical or mental condition. If the employee is incapacitated for the performance of his or her duties or if the family member’s injury rises to the level of a “serious health condition,”¹³ an agency may advance up to 30 days of sick leave to the employee.

Leave Without Pay (LWOP) An employee may be granted LWOP if other forms of paid leave are unavailable. As with annual leave and advanced leave, agencies are encouraged, whenever possible, to approve requests by employees for LWOP for reasons related to domestic violence, sexual assault, or stalking. Employees are entitled to up to 12 weeks of leave without pay under the Family and Medical Leave Act (FMLA) described below.

Excused Absence (Administrative Leave) Each agency has discretion to excuse employees from their duties without loss of pay or charge to leave. Excused absence may be granted for brief periods when it is determined to be in the interest of the agency and should be limited to those situations in which the excused absence, in the agency’s

¹⁰ For the definition of “health care provider” for sick leave and FMLA purposes, please see [5 CFR 630.201](#) and [5 CFR 630.1202](#)

¹¹ For the definition of “family member” for sick leave purposes, please see [5 CFR 630.201](#)(b) and our fact sheet [Definitions Related to Family Member and Immediate Relative](#)

¹² For the definition of serious health condition for sick leave and FMLA purposes, please see [5 CFR 630.201](#) and [5 CFR 630.1202](#)

¹³ For the definition of serious health condition for sick leave and FMLA purposes, please see [5 CFR 630.201](#) and [5 CFR 630.1202](#)

determination, is not prohibited by law. OPM advises that the granting of excused absence for purposes related to domestic violence, sexual assault, or stalking issues be limited to those situations in which the employee's perpetrator poses a threat to the employee and/or his or her coworkers in the workplace. It is essential for the agency to consider the safety of the employee and his or her coworkers, in addition to avoid disruption to the workplace. Excused absence should be used in very limited circumstances. Typically, annual and/or sick leave or leave without pay will be the most appropriate tools.

Family and Medical Leave Act (FMLA) An employee is entitled to up to 12 weeks of unpaid leave under FMLA if domestic violence, sexual assault, or stalking results in a serious health condition¹⁴ for the employee that makes the employee unable to perform the essential functions of his or her position. FMLA leave can also be used to care for a spouse, son, daughter (under 18 or over 18 but incapable of self-care because of a mental or physical disability) or parent of the employee with a serious health condition as a result of domestic violence, sexual assault, or stalking. Annual, sick leave, and annual leave donated under the Voluntary Leave Transfer or Voluntary Leave Bank Programs may be substituted for unpaid leave under FMLA.

Voluntary Leave Transfer and Bank Programs. An employee is eligible to apply for donated annual leave if the domestic violence, sexual assault, or stalking results in a medical emergency for either the employee or the employee's family member¹⁵ that is likely to require the employee to be absent from duty for a prolonged period and to result in a substantial loss of income because of the employee's lack of available paid leave.

Telework. Agencies are encouraged to permit a telework-ready¹⁶ employee to work from an alternative site if the employee (or a family member for whom the employee is caring) is experiencing problems associated with domestic violence, sexual assault, or stalking. Telework promotes continuity of operations without risking the safety of the employee or the employee's coworkers. An employee must follow his or her agency's telework policy for requesting leave and work scheduling changes when teleworking.

Flexible Work Schedules. An employee on an approved flexible work schedule may adjust his or her work schedule, such as reporting times and work hours, to accommodate events driven by domestic violence, sexual assault, or stalking in accordance with agency internal policies and/or collective bargaining agreements. Employees represented by an exclusively-recognized union may participate in a flexible work schedule only to the

¹⁴ For the definition of serious health condition for sick leave and FMLA purposes, please see [5 CFR 630.201](#) and [5 CFR 630.1202](#)

¹⁵ For the definition of "family member" for VLTP and VLBP purposes, please see [5 CFR 630.902](#) and [5 CFR 630.1002](#) and our fact sheet [Definitions Related to Family Member and Immediate Relative](#)

¹⁶ A telework-ready employee is someone who has been deemed eligible to telework by the agency and who has entered into an official telework agreement. (Guide to Telework in the Federal Government, http://www.telework.gov/guidance_and_legislation/telework_guide/telework_guide.pdf, 7)

extent expressly provided under a collective bargaining agreement between the agency and the exclusive representative (see 5 U.S.C. 6130(a)(2)). Agencies should review their internal flexible work schedule policies and practices and collective bargaining agreements and adjust accordingly to permit an employee to adjust his or her schedule for this purpose.

Credit Hours (Flexible Work Schedules) Credit hours can be earned and used only by employees who are governed by a flexible work schedule that provides for credit hours. An employee who works under a flexible work schedule that permits credit hours may elect to work in excess of his or her basic work requirement (e.g., 80 hours in a pay period for a full-time employee) so as to vary the length of a workweek or workday. Employees may use credit hours to fulfill their basic work requirement, thereby gaining time off from work to deal with issues related to domestic violence, sexual assault, or stalking. If an agency authorizes credit hours under its flexible work schedule program, employees may carry over a maximum of 24 credit hours from one pay period to another.

Compensatory Time Off. Employees may earn compensatory time off in lieu of overtime pay in exchange for performing an equal amount of time in irregular or occasional overtime work or, when permitted under agency flexible work schedule programs, for regularly scheduled or irregular or occasional overtime work. An employee may use earned compensatory time off for issues related to domestic violence, sexual assault, or stalking.

Compensatory Time Off for Travel. Employees earn this type of compensatory time off for time spent in a travel status away from the employee's official duty station when such time is not otherwise compensated. Compensatory time off for travel that an employee has accrued may be used upon an employee's request to deal with issues related to domestic violence, sexual assault, or stalking.

Absence Without Leave (AWOL) An employee is charged AWOL when the employee is absent without permission. Employees who are missing as a result of domestic violence, sexual assault, and/or stalking may substitute a form of approved paid or unpaid leave upon return to work and with supervisor approval.

APPENDIX D

Sample Indefinite Suspension Proposal Notice

DATE:

TO:

FROM:

SUBJECT: **Proposal of Indefinite Suspension**

This is your notice that the Agency proposes that you be suspended without pay for an indefinite period of time from your position as _____. The information in the record indicates there is reasonable cause to believe you may have committed a crime for which a sentence of imprisonment may be imposed. Accordingly, as provided by 5 U.S.C. § 7513(b)(1), you are being provided seven days' advance notice of this proposed action. The proposed suspension, if instituted, will be effective no earlier than seven (7) calendar days following the date of your receipt of this notice. Should this proposal result in an indefinite suspension, it will remain in effect until the conclusion of your criminal proceedings, or until there is sufficient evidence to either return you to duty or to support an administrative action against you. The basis for this proposed indefinite suspension is Criminal Docket Case#: [cite if available]

The alleged criminal conduct of _____ is serious in nature, has a direct relationship to your federal employment and the duties you perform, and calls into question your trustworthiness. Your position as _____ requires you to (state specific purpose). The offenses described in the charge above are antithetical to the duties required of you in your [Agency] employment in that [explain how the public trust reposed in the employee has been breached by such conduct, how such conduct relates to the employee's duties, and/or how such conduct impacts the Agency's ability to trust the employee to carry out his duties in the future.]

I have considered the fact that the U.S. Department of Agriculture has a formal Guide to Disciplinary Penalties, which provides for an indefinite suspension where an employee has engaged in "conduct which causes the employee to be indicted or charged with a criminal offense which is related directly to the duties of the employee's position or the mission of the Agency and for which a sentence of imprisonment may be imposed." Based upon the forgoing, I have considered that your retention in an active duty status or any pay status is not in the best interest of the [Agency]. This action is being taken to promote the efficiency of the Federal Service.

You will receive a final written decision on this proposal. If you are indefinitely suspended, the decision notice will inform you of the date on which your suspension without pay (non-pay, non-duty status) will begin.

You have the following rights in connection with this proposed action:

To Reply: You may answer this notice orally, in writing, or both. You should send any written reply to: {deciding official, mailing address}.

You will be allowed seven (7) calendar days from the date you receive this notice to submit your written response. If you need an extension of the time limit for a reply, you may submit a written request to _____. Should you wish to make an oral reply, please telephone [ER Specialist, phone] within seven (7) calendar days upon receipt of this notice, to schedule a time to present your oral reply. You may also submit affidavits and other documentary evidence in support of your answer.

To Be Represented: You are entitled to be represented by an attorney or other representative in this matter. Both you and your representative must complete and sign the enclosed “Memorandum for Designation of Representative” form and fax it to: [ER Specialist, Fax #].

Should you choose to seek representation, we have enclosed an additional copy of this proposal letter.

To Review Materials: You and/or your representative may review all of the materials relied upon to support the reasons contained in this notice. You may arrange to do so by telephoning {ER Specialist, phone}.

Status During Notice Period: You will continue to be carried in non-duty, pay status (administrative leave) during the notice period, and until further notice. Therefore I am instructing you that during this period you are not to return to the [Agency] grounds for any purpose.

[The deciding official] will issue a decision as soon as possible after he/she receives your reply to this notice, or after the expiration of the 7 calendar day period should you not respond.

Any change in your address or telephone number needs to be reported to me so that the Agency may continue communicating with you about the status of your employment. Should you have any questions about the contents of this notice or your rights in connection with it, please contact [ER Specialist, phone].

APPENDIX E

Sample Cease and Desist Memo

Sample Cease and Desist Memo

To:

From:

Subject: Cease and Desist

I have received a report of inappropriate contact and safety concerns in the workplace involving you and (NAME). I have reviewed the situation and have determined that I will take the following appropriate steps to address.

You are to cease and desist from having any interactions with (NAME, Position Title).

Cease and Desist:

I am instructing you to cease and desist all interactions with (NAME) both on and off the workplace location. Effective immediately, you are not to call, email, text, fax, visit or otherwise contact her/him during the work day, nor is she/he to call, email, text, fax, visit or otherwise contact you. Should there be a work-related instance where you need to contact (NAME), you are to contact me or another supervisor to convey the information. In no instance are you to contact her/him directly until you receive written notice that this cease and desist memo is rescinded. Additionally if (NAME) attempts to interact with you in any manner during the work day, I am instructing you to contact me immediately.

Failure to follow these instructions may result in more severe actions, up to an including a proposal to remove you from Federal service.

I also want to remind you that the (agency) has a variety of resources available to assist employees who may be experiencing personal and work-related difficulties. Consults are free and confidential. Among the resources are: (list Employee Assistance Program and any other resource such as Ombudsman or Workplace Violence Prevention Office).

If you have any questions, please let me know.

APPENDIX F

Sample EAP Referral Notice

Our agency has a variety of resources available to assist employees who may be experiencing personal and work-related difficulties. If you have not already been in contact with a consultant from one or more of these resources, you are encouraged to do so. Consults are free and completely confidential. Resources include: the Employee Assistance Program (telephone number), which offers confidential consultation services to help address difficult situations that may be affecting work, personal or family interactions; and (list other services agency may have available such as prevention of workplace violence program)

APPENDIX G

Components of a Workplace Safety Plan

In developing your workplace safety plan, consider the following options.

1. Obtain a civil order for protection and making sure that it is current and on hand at all times. Include the workplace on the order. A copy should be provided to the police, your supervisor, the reception area, Office of the General Counsel, the Occupational Health office, and Security office if the abusive partner may come to the work site. Ask coworkers and/or supervisors to call the police if the perpetrator threatens, harasses you at work or violates the civil order for protection in any way.
2. Provide a picture of the perpetrator to reception areas and/or Security.
3. Identify an emergency contact person should your employer be unable to contact you.
4. Review the safety of your parking arrangements.
5. When possible, request that a security guard escort you to and from your car or public transportation and/or obtain special parking access.
6. Request a change and/or unpredictable rotations of your work schedule, work site, or work assignment if such a change is possible and would enhance your safety at work.
7. Have your telephone calls screened at work.
8. Request additional security measures for your work site. It may be possible to post security guards near your work site, install security cameras or silent alarms at your work site, relocate your work stations to a more secure area, or provide you with a cellular phone for emergency use at work.
9. Review the safety of your childcare arrangements. If you have a protective order, make sure the provider has a copy.
10. Work with security to determine if there are any other considerations based on your location and situation.

APPENDIX H

**Sample Domestic Violence Checklist
(When filled out this document is For Official Use Only)**

If an employee self-discloses domestic violence, and it appears that they may be in immediate danger, call 911 and/or building security.

A threat assessment should take place if the danger is present, but not urgent. Each Agency must decide who should conduct the assessment, i.e., HR representative, Domestic Violence coordinator, or a supervisor. Be sure to let the employee know that only certain information will be shared with HR, Security and other key personnel on a need to know basis to ensure his or her safety.

CALL 911 or BUILDING SECURITY IF YOU ARE EVER IN IMMEDIATE DANGER

Employee Name: _____

Employee Agency: _____

1. What is the situation? Please explain in detail. _____

2. Has your significant other made any threats? Yes No

3. What type of abuse have you been exposed to? Stalking Physical violence (assault)
 Sexual violence Dating violence Bullying Emotional or Psychological abuse
 Economic control Harassment Verbal abuse Threats Physical intimidation
 Other _____

4. Have there been any harassing phone calls? Yes No

5. Have there been any harassing phone mail messages? Yes No
If yes, have they been deleted? Yes No (contact security and/or information office
[computer/telephone] for procedures to screen and/or record for future legal justification)

6. Are your co-workers aware of the situation? Yes No
If yes, who are they and what information has been given to them? _____

7. Does your significant other know where you work? Yes No If yes, has he/she visited the facility in the past? Yes No
8. Does your significant other have a history of violence? Yes No If yes, please explain each situation. _____

9. Do you think you or other personnel are in danger here? Yes No
10. Does your significant other possess any type of firearms or weapons? Yes No
- a. If yes, are they registered? Yes No
- b. If yes, please describe the type (handgun, shotgun, rifle, etc) and number of each:

11. What is the current status of your relationship? _____

12. Have you contacted the Employee Assistance Program (EAP) or a domestic violence program in the community? Yes No
13. If no, can I help you gather or provide you with numbers to the EAP or domestic violence resources? Yes No
14. If injured physically, have you sought out any medical attention? Yes No
15. Has a report been filed with the police? Yes No If yes, please provide a copy of the report.

16. Has an order of protection been issued? Yes No
- a. If yes, please provide a copy of the protection order.
- b. If no, will one be filed? Yes No (Note: do not force the employee to get a protection order as some fear that this would increase the risk of retaliation or violence against them. Over 70% of women injured in domestic violence cases are injured after separation).
17. Can you provide us with a description and current picture of the abuser? Yes No
18. What is your need for safety now? _____

19. Do you need time off to attend court? Yes No
20. Do you need more extended leave to find safe housing or address other safety concerns?
 Yes No
21. Do you need time off or flexible hours to arrange child care? Yes No
22. Do you need to be escorted to and from your car/public transportation? Yes No
23. Do you need to change your work hours or location? Yes No
24. Do you have a confidential security hotline? Yes No
25. Do you have a safety plan? Yes No If no, it would be a good idea to work with a domestic violence counselor to create one.
26. Do you feel safe at work? Yes No If no, ask employee if they want security contacted to do a threat assessment of the physical facility.
27. Do you need further assistance? Yes No If yes, please provide details: _____

At this point, if there is no threat to the safety of the victim at work, offer referrals to local domestic violence counselors and/or the EAP. Each case is different and responses must be tailored to the circumstances. When the threat assessment process determines that a high level of planning or response is needed, the more intensive step of gathering the Domestic Violence Response Team (whatever we decide to call it) should be taken. Always consult your security department or local law enforcement (depending on your location as to who provides security and/or response to violent situations) or other experts to help you make an accurate threat assessment.

APPENDIX I

Sample Quarterly Reports

The following information is to be submitted to the USDA Domestic Violence Prevention and Response Program Manager by the 20th of the month following the end of the quarter.

1. Number of employees and supervisors receiving training or educational information on domestic and sexual violence (including sexual harassment).
 No. Employees _____
 No. Supervisors _____
2. Number of employees requesting information, referrals or time off for needs relating to domestic, sexual violence or stalking. _____
3. Number of Orders of Protection or restraining orders (to include internal cease and desist orders) given to management by employees or taken out by the employer in consultation with employee
4. Number and/or percentage of employees requesting help for domestic or sexual violence through Employee Assistance Services
5. Number of threat assessment and violence prevention actions related to domestic and sexual violence, specifically plans made to respond to domestic violence threats and/or prevent incidents of sexual harassment and violence (see Safety and Security Concerns)
6. Incident reports of any violent events that involved employees or others at work
7. Changes to policies or procedures that were implemented during the last year

APPENDIX J

Domestic Violence Response Management Team

Suggested personnel positions for Agencies to include in their Domestic Violence Response Management Team. Agencies can add or remove positions based on their requirements.

Domestic Violence Prevention and Response Program Manager

Employee Relations

Human Resources (Workplace Flexibilities – Appendix C)

Office of General Counsel

Local Security

Employee Assistance Professional