



SUPPORTING VICTIMS AND SURVIVORS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING

PERSONNEL MANUAL ISSUANCE SYSTEM

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A large American flag is shown waving on a flagpole against a blue sky with light clouds. A thick red diagonal line cuts across the page from the top right towards the bottom left, partially overlapping the flag and the text area.

Overview

The District government strives to create a work environment where all employees feel supported and safe. Unfortunately, domestic violence, sexual assault, and stalking may affect the workplace. Through this issuance, the District government is providing comprehensive guidance to help its agencies and employees address the challenges District employees impacted by domestic violence, sexual assault, and stalking may face at work and improve employer response to such violence and its effects on employees.

A handwritten signature in black ink, reading "Ventris C. Gibson", is written over a horizontal line.

Ventris C. Gibson, Director

Definitions

For the purposes of this Issuance, the following terms have the meanings described below:

Domestic Violence – refers to 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, or a current or former intimate partner. This behavior includes, but is not limited to, physical or sexual violence, sexual assault, emotional or psychological intimidation, verbal abuse, stalking, economic control, harassment, threats, physical intimidation, or injury.

Intimate Partners – refers to persons of all gender identities and sexual orientations who are or were legally married to one another or who have a child together, or who are or were in a romantic, dating, or sexual relationship including but not limited to couples who live together or have lived together.

Perpetrators – refers to individuals who commit or threaten to commit an act of domestic violence, sexual assault, or stalking.

Sexual Assault – refers to a range of behaviors, including but not limited to, a completed non-consensual sex act (e.g., rape, sodomy, child molestation), an attempted non-consensual sex act, or abusive sexual conduct. 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 co-worker or a supervisor, or may be involved in a dating or marital relationship with the 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.

Stalking – refers to harassing, intimidating, or threatening conduct that causes the victim to fear for his or her safety or the safety of a family member or would cause a reasonable person in a similar situation to fear for his or her safety. Stalking conduct includes, but is not limited to: following or spying on a person; appearing at a person's home or work; engaging in unwanted, harassing, or threatening phone calling, emailing, texting, etc.; waiting at places in order to make unwanted contact with the victim or to monitor the victim; leaving unwanted items, presents, or flowers for the victim; and posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth. Stalking may occur through use of technology including, but not limited to: email; voicemail; text messaging; and use of GPS, and social networking sites.

Victims and Survivors – refers to individuals who are or have been the direct target of domestic violence, sexual assault, or stalking.

Workplace Safety and Support Plans – refers to strategies developed in collaboration with a victim or survivor to implement workplace safety and support options.

Contents


In This Issuance

Domestic Violence, Sexual Assault, and Stalking.....	5
Workplace Safety and Support Plan.....	6
Discrimination and Retaliation Prohibited.....	8
Potential Workplace Specific Signs.....	9
Assistance for Victims and Survivors.....	10
Assistance for Constituents.....	11
Employee Leave Options.....	12
Government Accountability.....	13
Agency Points of Contact.....	14
Confidentiality, Records, and Reporting.....	15
Training and Awareness.....	16
Applicability.....	17
Collective Bargaining Agreements.....	18
Additional Information.....	19

Domestic Violence, Sexual Assault, and Stalking

Domestic Violence, Sexual Assault, and Stalking

Abuse in the form of domestic violence, sexual assault, and stalking impacts thousands of individuals in the workplace daily. Domestic violence, sexual assault, and stalking harms the physical and mental health of victims and survivors and their family members and can negatively impact victims' and survivors' access to employment, housing, and other basic needs and services. Anyone can be a victim of domestic violence, sexual assault, or stalking regardless of age, socioeconomic status, education level, gender identity, sexual orientation, or cultural background.




Workplace Safety and Support Plan

Workplace Safety and Support Plan

Upon the request of an employee, an agency shall engage in a timely, good faith, and interactive process with the employee to determine and implement reasonable measures for workplace safety and support (“safety and support measures”). An agency should discuss options with the employee and seek to obtain the employee’s consent before involving other agency staff (see [Confidentiality, Records, and Reporting](#)).

An agency’s safety and support measures can entail a Workplace Safety and Support Plan, which may include, but is not limited to, the following:

- a. With notice to the employee, consulting the agency General Counsel or legal office about measures regarding safety and security, such as the enforcement of protective orders, barring notices from the Department of General Services, etc.;
- b. Initiating temporary or permanent adjustment to work schedules and/or locations;
- c. Changing telephone numbers or parking locations;
- d. Installing additional locks or other measures to prevent unwanted access to the employee’s work station;
- e. Other reasonable adjustments to the employee’s job structure, work requirements, or work station; and
- f. In accordance with the D.C. personnel regulations or applicable collective bargaining agreement, working with the employee’s supervisor to temporarily adjust job duties.



Workplace Safety and Support Plan

Workplace Safety and Support Plan (Cont.)

When development of a Workplace Safety and Support Plan requires coordination of two or more District government agencies, these agencies, inclusive of their respective legal offices, shall work together to ensure that all necessary measures have been taken to assist the employee.

In determining whether a safety and support measure is reasonable, the agency shall consider such factors as: the likelihood and type of danger facing the employee; the permanency or length of time of a proposed measure; court orders and requirements; the availability of agency resources; the impact on the agency's mission and work; and the impact on the safety and well-being of other employees and customers.

Assistance with safety planning is available from community-based organizations that provide services to victims of domestic violence, sexual assault, and stalking and can be accessed through the DC Victim Hotline by phone or text at 1-844-4HELPDC (1-844-443-5732) or via chat at www.dcvictim.org.

Potential Workplace- specific Signs

Potential Workplace-specific Signs

In many instances, victims and survivors of domestic violence, sexual assault, or stalking exhibit signs that they have been or are being victimized. Below are some of the physical and emotional indicators that managers and co-workers may become aware of:

Potential Signs

- Avoidance of windows and public entrances;
- Changes in job performance (such as inconsistent or distracted work);
- Disruptive visits to the workplace by a current or former partner or spouse;
- Excessive absenteeism or tardiness;
- Extending their workday, not wanting to go home;
- Harassing emails or phone calls from the perpetrator;
- Injuries such as bruises, black eyes, broken bones, and hearing loss;
- Request for special accommodations such as to leave work early consistently;
- Sensitivity about home life or hints about trouble at home;
- Signs of fear, anxiety, depression;
- Vague, non-specific medical complaints; or
- Wearing sunglasses inside or long sleeves in the summer (to possibly cover up injuries).




Discrimination and Retaliation Prohibited

Discrimination and Retaliation Prohibited

Agencies shall ensure that personnel policies and procedures do not discriminate against victims and survivors and that agency policies and procedures are responsive to the needs of victims and survivors.

An agency shall not discharge, or in any manner discriminate or retaliate against, employee victims and survivors of domestic violence, sexual assault, or stalking for taking time off from work to obtain or attempt to obtain relief to help ensure the health, safety, or welfare of the employee or the employee's child(ren). This includes taking time off to obtain a temporary protective order, protective order, or other injunctive relief. Agencies are encouraged to be as flexible as possible with respect to an employee's request to use leave to attend to a domestic violence, sexual assault, or stalking related matter.

Agencies shall take appropriate administrative action against employees who have committed domestic violence, sexual assault, or stalking in accordance with the D.C. personnel regulations, including [Chapter 16 \(Corrective and Adverse Actions; Enforced Leave; and Grievances\) of the District Personnel Manual](#), and any applicable collective bargaining agreement.



Assistance for Victims and Survivors

Assistance for Victims and Survivors

If you are a manager and you believe that an employee is the victim or survivor of domestic violence, sexual assault, or stalking, there are steps you can take to assist. These include making the employee aware of:

Agency Support

- The Agency's point of contact for domestic violence, sexual harassment, and stalking matters, as described below; and
- The option for developing a Workplace Safety Plan as described below.

Additional Support

- The DC Victim Hotline, available 24/7 by phone or text at 1-844-4HELPDC (1-844-443-5732) and via chat at www.dcvictim.org;
- Metropolitan Police Department,
<https://mpdc.dc.gov/page/domestic-violence-resources>,
<https://mpdc.dc.gov/page/sexual-assault-resources>,
Emergency Phone: 911,
Information Center: (202) 727-9099; and
- The District's Employee Assistance Program; Inova Employee Assistance Program, <https://dchr.dc.gov/node/698882> or (800) 346-0110.

An agency is expected to take reasonable action when a victim or survivor notifies the agency of the need for work-related assistance. Such reasonable action depends on individual the circumstances of each victim or survivor. Reasonable action should include communications with the agency's point of contact, as discussed below, and other options provided in this issuance.



Assistance for Constituents

Assistance for Constituents

District agencies are encouraged to develop policies to guide their interactions with victims and survivors of domestic violence, sexual assault, and stalking as appropriate for their mission and work.

Additionally, if you are approached by a resident of the District of Columbia seeking assistance as a victim or survivor of domestic violence, sexual assault, or stalking, you may refer them to the DC Victim Hotline available 24/7 by phone or text at 1-844-HELPDC (1-844-443-5732) or via chat at www.dcvictim.com.




Employee Leave Options

Employee Leave Options

Employees may use leave in accordance with [Chapter 12 \(Hours of Work, Legal Holidays and Leave\) of the District Personnel Manual \(DPM\)](#) to handle a personal matter related to domestic violence, sexual assault, or stalking. Employees are encouraged to contact their agency's human resources department or agency point of contact responsible for handling domestic violence, sexual assault, and stalking matters (see below) to discuss potential leave options.

An employee who requires time off from work to attend to a domestic violence, sexual assault, or stalking related matter shall give his or her immediate supervisor, another supervisor in the agency, or the agency's designated point of contact, reasonable advance notice of the employee's intention to take off work and shall comply with the agency's requirements for requesting and receiving approval for leave. However, in the event an unscheduled absence from work occurs, a supervisor shall not take action against the employee if the employee, within two weeks or a more reasonable amount of time after the absence, provides supporting documentation to the employer that the time taken off from work was due to domestic violence, sexual assault, or stalking.

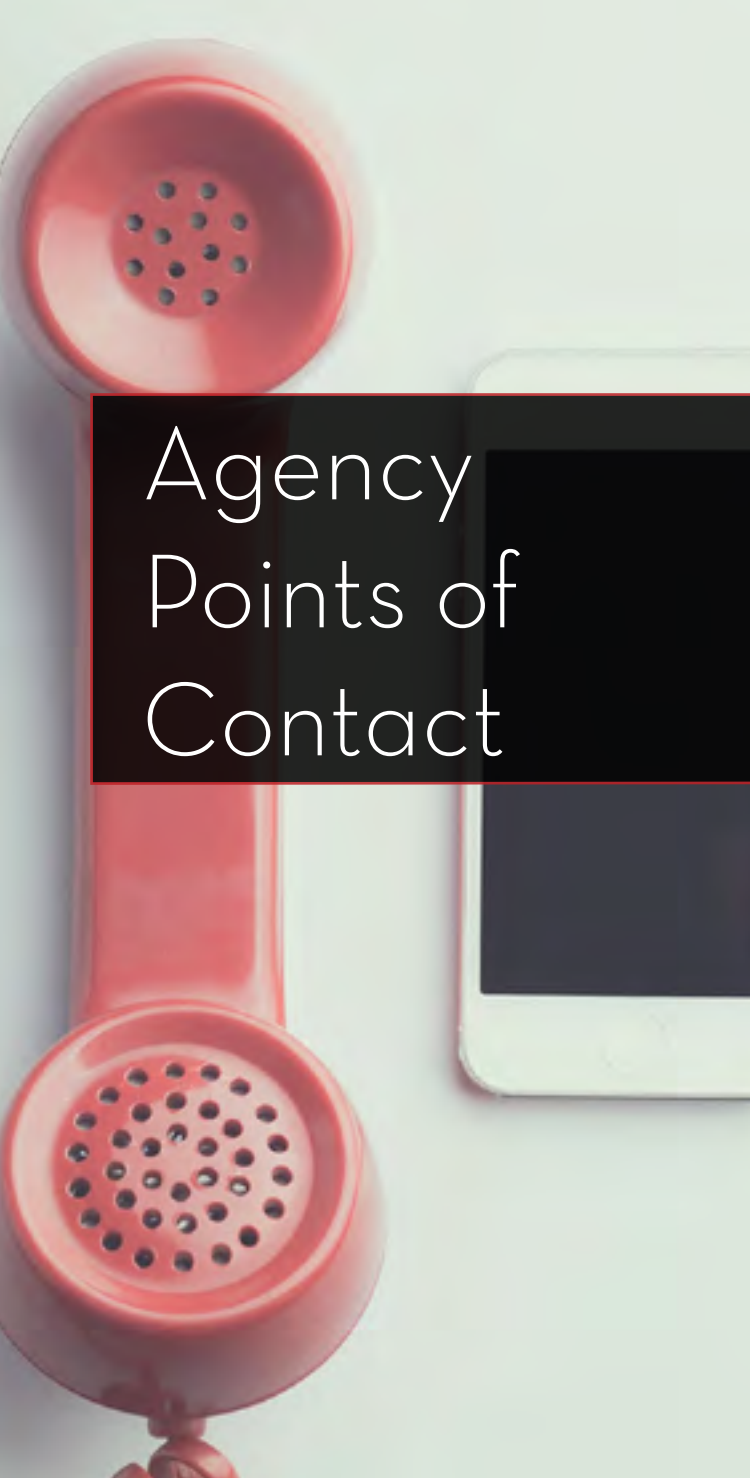
Temporary District government employees, who are considered covered employees under DPM § 1279, are also entitled to paid leave under the Accrued Sick and Safe Leave Act for absences and illnesses associated with domestic violence, sexual abuse or stalking.



Government Accountability

Government Accountability

An agency is not required to ask an employee to provide supporting documentation of her or his need to receive safety and support measures for a domestic violence, sexual assault, or stalking related matter. However, if an employee requests changes to their work schedule, duty location, or other similar changes to the work environment, an agency may ask for acceptable forms of information, as may be provided for in the DPM.



Agency Points of Contact


Agency Points of Contact

Each agency shall designate at least one point of contact (POC) at the agency to assist and respond to inquiries from victims and survivors as well as to provide information about domestic violence, sexual assault, and stalking generally to agency employees and managers. The POC shall assist the agency in determining and implementing reasonable safety and support measures and may assist victims and survivors in requesting and obtaining leave to handle domestic violence, sexual assault, and stalking related matters.

When deciding on a POC, agencies should designate a willing individual who is easily accessible to agency employees, or who can make themselves available, and should give consideration to an individual's temperament and ability to handle domestic violence, sexual assault, and stalking matters with sensitivity, compassion, and respect. We recommend that designated Sexual Harassment Officers (SHOs) serve in this role.

In addition to SHOs, individuals who are in an agency's human resources department or legal department, or who are appointed as an Equal Employment Counselor or Officer, may be good options given their pre-existing training and background. POCs are not a substitute for clinical support, and they shall not perform the duties of a licensed mental health professional. Agencies shall notify all agency employees of the name(s) and contact information for the POC(s) appointed to serve in this role.

Whenever a designated POC leaves the agency, or is no longer able to fulfill the role as the POC, the agency shall designate a new POC within 14 days.



Confidentiality, Records, and Reporting

Confidentiality, Records, and Reporting

Confidentiality

Agency personnel shall keep confidential information related to an employee who is a victim or survivor of domestic violence, sexual assault, or stalking, and shall not divulge such information without the written consent of the employee, unless the agency determines that such disclosure is necessary to for employee safety or to comply with District or federal law or regulation. If a disclosure without the employee's consent becomes necessary, agency personnel shall only make such disclosures with the approval of the agency head, or his or her designee, and only as necessary based on the circumstances or the basis for the disclosure, and only to those individuals or authorities with a need for the information. Notices to the employee shall be made in accordance with [Chapter 31A \(Records Management and Privacy of Records\)](#) of the DPM.

Records

All records and information obtained from an employee related to his or her domestic violence, sexual assault or stalking situation must be maintained securely and separate from the employee's official personnel folder (OPF). Such records shall be maintained by the agency POC for no more than two years following receipt of the most recent record.

Reporting

Each agency shall develop a reporting procedure that provides an effective, confidential, and accessible way for employees who are victims or survivors of domestic violence, sexual assault, and stalking to request work-related assistance or report incidents and concerns. This procedure may require the formulation of reporting forms, confidential channels of communication, and whatever else may be necessary to effectuate swift and appropriate agency action in support of the victim or survivor.

A photograph of a woman with curly hair and glasses, wearing a white button-down shirt, looking down at a document she is holding. A dark red vertical bar is on the right side of the image.

Training and Awareness

Training and Awareness

District government managers and employees should be aware of the sources of support that exist in their agencies, as well as outside resources. Supervisors, human resource personnel, agency EEO Counselors and Officers, and other employees are encouraged to familiarize themselves with available resources and to seek out training related to the effects of domestic violence, sexual assault, and stalking on the workplace and the best methods for responding. Agencies are also encouraged to incorporate training options on domestic violence, sexual assault, and stalking into their mandatory training offerings. The Department of Human Resources will identify various domestic violence, sexual assault, and stalking training programs to offer to agency POCs assigned to assist and respond to inquiries from victims and survivors, and other agency employees.



Applicability

Applicability

This issuance applies to those District government agencies subordinate to the Mayor's personnel authority. Agencies with independent personnel authority may adopt any of these procedures to provide guidance to employees under their respective jurisdictions.

A large background image showing a woman in a white blazer shaking hands with another person. The image is partially obscured by a red diagonal graphic element.

Collective Bargaining Agreements

In the event of a conflict between any of the provisions of this E-DPM issuance and any collective bargaining agreement (CBA), the provisions of the CBA shall control to the extent there is a difference.



Additional Information

For additional information concerning this issuance, please contact the Department of Human Resources, Employee Relations Unit, by calling [\(202\) 442-9700](tel:2024429700) or by sending an e-mail to dchr.policy@dc.gov.