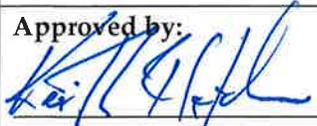
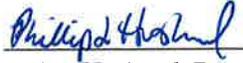


District of Columbia Department of Health Supporting Victims and Survivors of Domestic Violence, Sexual Assault, and Stalking		PROCEDURE 320.000 Implementing Office: Office of the Director Training Required: Yes Originally Issued: MAY 09 2019 Revised/Reviewed:
Approved by:  LaQuandra S. Nesbitt MD, MPH; Agency Director	Review by Legal Counsel:  Phillip Husband, Esq.; General Counsel	Effective Date: MAY 09 2019 Valid Through Date: MAY 09 2022

I. Authority	Reorganization Plan No. 4 of 1996; Mayor's Order 1997-42; District Personnel Issuance No. 2018-24.
II. Reason for the Policy	The Department of Health ("DC Health") strives to create a work environment where all employees feel supported and safe. Unfortunately, domestic violence, sexual assault, and stalking may affect the workplace. Comprehensive guidance is necessary to help employees address the challenges faced by District employees impacted by domestic violence, sexual assault, and stalking and improve employer response to such issues..
III. Applicability	This SOP applies to all DC Health employees, contract staff, interns, volunteers, summer youth employees and federal employees assigned to DC Health (referred to collectively herein as "employees" or "DC Health employees.")
IV. Policy Statement	<p>The development of Workplace Safety and Support Plans, as well as referral to external support services, is part of the DC Health Office of Human Resources (DC Health HR) portfolio.</p> <p>The Director, or designee, will appoint a member of DC Health HR to serve as the Sexual Assault, Stalking and Domestic Violence Support Facilitator.</p> <p>Any employee who is experiencing, or has experienced, domestic violence, sexual assault, or stalking, may voluntarily request assistance from DC Health HR to make his/her working</p>

environment as safe as possible. If the employee is a member of a union, s/he may make this request through a union representative.

Upon such a request, the Sexual Assault, Stalking and Domestic Violence Support Facilitator will develop a Workplace Safety and Support Plan (WSSP) with the employee. All WSSPs are confidential documents, and may not be disclosed to a third party without the written consent of the employee. A WSSP is not part of an employee's personnel file, and shall be stored separately. A WSSP may include, but is not limited to:

1. 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 and barring notices from the Department of General Services;
2. Initiating temporary or permanent adjustments to work schedules and/or locations;
3. Changing telephone numbers and/or parking locations;
4. Installing additional locks or other measures to prevent unwanted access to the employee's work station;
5. Other reasonable adjustments to the employee's job structure, work requirements, or work station; and
6. In accordance with the D.C. personnel regulations or applicable collective bargaining agreement, working with the employee's supervisor to temporarily adjust job duties.

The existence of a WSSP may not be disclosed to an employee's supervisor without that employee's written consent. In cases where an accommodation in a WSSP, such as an adjustment to job duties or work schedule, requires the supervisor's involvement, the Sexual Assault, Stalking and Domestic Violence Support Facilitator will work with the employee to obtain written consent, and facilitate those accommodations with the supervisor. In such cases, the Sexual Assault, Stalking and Domestic Violence Support Facilitator will disclose the minimal amount of information possible to implement the WSSP.

In determining whether a safety and support measure is reasonable, the Sexual Assault, Stalking and Domestic Violence Support Facilitator 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 DC Health resources; the impact on DC Health's mission and work and the impact on the safety and well-being of other employees and customers.

The Sexual Assault, Stalking and Domestic Violence Support Facilitator will provide guidance to any employee with a WSSP on the process of obtaining a Barring Notice, or Temporary Barring Notice, from the District of Columbia Department of General Services (DGS) pursuant to Administrative Order AO-14-01. Any assistance provided will be noted in that employee's WSSP.

A count of active WSSPs will be maintained by the Sexual Assault, Stalking and Domestic Violence Support Facilitator, and reported to the COO bi-weekly. This report will also include any new, or amended actions affecting employee safety, such as Barring Notices or Temporary Barring Notices (see above).

At a minimum, the Sexual Assault, Stalking and Domestic Violence Support Facilitator will provide the employee with the DC Victim Hotline and offer a voluntary referral to the Employee Assistance Program (EAP) to receive additional support services. The specific content of a WSSP will vary case-by-case and will be responsive to the specific needs of the employee.

The Sexual Assault, Stalking and Domestic Violence Support Facilitator will follow up with the employee within 30 days of WSSP implementation.

Any employee witnessing a possible domestic violence, sexual assault, or stalking incident at a DC Health location shall immediately contact onsite security personnel and/or DC Protective Services. Employees should not attempt to personally intervene, as such intervention could potentially escalate the situation or increase the possibility of physical harm to the victim and/or the intervener for which DC Health will not be personally liable. This includes any attempts to physically disarm or incapacitate an individual behaving in a violent manner. DC Health employees are prohibited from carrying a firearm, or other weapon (e.g. taser, pepper spray), while on duty.

DC Health shall not discharge, or in any manner discriminate or retaliate against, employee victims and survivors of domestic

	<p>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 members of the employee's family. This includes taking time off to obtain a temporary protective order, protective order, or other injunctive relief. DC Health will 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. The Sexual Assault, Stalking and Domestic Violence Support Facilitator reserves the right to request documentation that supports an employee's request for assistance.</p> <p>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.</p> <p>Cases of alleged harassment by one employee towards another employee, contractor, or intern shall be addressed in accordance with SOP 350.100 Incident Reporting and Investigation. Please refer to that document for guidance in such cases. Cases of alleged sexual harassment by one employee towards another employee, contractor, or intern, will be addressed pursuant to Mayor's Order 2017-313, Sexual Harassment Policy Guidance and Procedures.</p> <p>Any employee in violation of any part of this SOP may be subject to commensurate disciplinary action.</p>
<p>IV. Definitions & Acronyms</p>	<p>DC Health HR- DC Health Office of Human Resources</p> <p>Domestic Violence- 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.</p> <p>EAP- Employee Assistance Program</p>

Intimate Partners- 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- Individuals who commit or threaten to commit an act of domestic violence, sexual assault, or stalking.

Sexual Assault- 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- 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.

	<p>Workplace Safety and Support Plan (WSSP)- A document composed of strategies developed in collaboration with a victim or survivor to implement workplace safety and support options.</p>
VI. Procedures	None
VII. Contacts	<p>DC Health Human Resources Officer</p> <p>DC Health Risk Manager</p>
VIII. Related Documents, Forms and Tools	<p>Administrative Order AO-14-01</p> <p>District Personnel Issuance No. 2018-24</p> <p>Mayor's Order 2017-313, Sexual Harassment Policy Guidance and Procedures</p>