



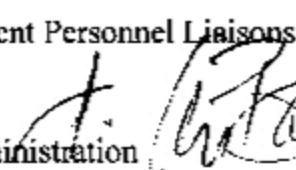
STATE OF MARYLAND

Maryland Department of Health and Mental Hygiene
201 W. Preston Street • Baltimore, Maryland 21201

Parris N. Glendening, Governor - Georges C. Benjamin, M.D., Secretary

MEMO

To: Personnel Officers
County Health Department Personnel Liaisons

From: J. Alan Baker, Director
Personnel Services Administration 

Date: October 18, 1999

Re: Domestic Violence and the Workplace Policy

Enclosed is the State of Maryland's recently promulgated Domestic Violence and the Workplace Policy. Please ensure that all managers, supervisors, and employees in your agency are given a copy as soon as possible. We have been advised that the Office of Personnel Services and Benefits will be coordinating training in the near future.

This training will be delivered through a train-the-trainer model. We have been informed that the trainers will begin to receive training in early December and hopefully all will be trained by the end of January. We hope to begin the training of employees and supervisors in January, 2000.

In general, the Employee Assistance Program Coordinators who are referenced in the policy are agency Personnel Officers and Liaisons. They have not yet been trained, but do have a list of Domestic Violence Programs available throughout the State. Please contact these personnel officers/liaisons if you need to reach a program.

Also please note the Employee Relations Division, Office of Personnel Services and Benefits, Department of Budget and Management may also be contacted for resources. They may be reached at 410-767-1012.

I am asking that field Personnel Office's and County Health Department Personnel Liaisons serve as the Employee Assistance Program Coordinator. Attached is a Statewide Brochure which lists a resource available to every county. Please make this information available to who ever would request it. We will try and arrange training for you as soon as possible after the trainers are trained.

Thanks for your usual cooperation.

Toll Free 1-877-4MD-DHMH • TTY for Disabled - Maryland Relay Service 1-800-735-2258

Web Site: www.dhmh.state.md.us

STATE OF MARYLAND PERSONNEL POLICY

SUBJECT: Domestic Violence and the Workplace

SECTION:

Issued: 10/1/99

Revision No:

Effective 10/1/99

Page 2 of 7

1. **STATEMENT OF POLICY**

- 1.1 State of Maryland is dedicated to the prevention and elimination of domestic violence.
- 1.2 The State of Maryland seeks to create a supportive workplace environment in which employees feel comfortable discussing domestic violence and seeking assistance for domestic violence.
- 1.3 The State of Maryland has a zero tolerance policy for domestic violence at the work place and will take appropriate disciplinary action and/or criminal prosecution against any employee or non-employee who commits an act of domestic violence in state offices, facilities, work sites, vehicles, or while conducting any state business.

2. **LEGAL AUTHORITY**

- 2.1 Executive Order 01.01.1998.25; Domestic Violence and the Workplace
- 2.2 Maryland State Personnel and Pensions Article, Title II
- 2.3 Code of Maryland Annotated Regulations (COMAR 17.04.04)

3. **DEFINITIONS**

- 3.1 Domestic Violence - Abusive behavior whereby a person intends to establish and maintain power and control over a person with whom he or she has, or has had, a significant personal relationship. Power and control are exerted through physical, sexual, psychological and or economic means. Examples of domestic violence include, but are not limited to:
 - (i) Intimidation;
 - (ii) threats to cause harm;
 - (iii) verbal harassment;
 - (iv) disorderly conduct;
 - (v) crimes against property;
 - (vi) violation of an ex parte or protective order;
 - (vii) display or discussion of weapons;

STATE OF MARYLAND PERSONNEL POLICY

SUBJECT: Domestic Violence and the Workplace

SECTION:

Issued: 10/1/99

Revision No:

Effective 10/1/99

Page 3 of 7

- (vii) homicide;
- (ix) assault and battery;
- (x) rape; and
- (xi) stalking.

3.2 Perpetrator - An individual who commits an act of domestic violence.

3.3 Victim - An individual who is subject to an act of domestic violence.

4. **CONFIDENTIALITY**

4.1 In order to ensure the safety of all employees and to comply with the law (including the Public Information Act), any information related to domestic violence or the State's response to domestic violence will only be disclosed on a need to know basis

5. **WORK ENVIRONMENT**

5.1 All employees should be sensitive and nonjudgmental when supporting victims of domestic violence.

5.2 An employee shall not be disciplined or penalized in the workplace for being a victim of domestic violence.

5.3 When an employee subject to discipline confides that the job performance or conduct problem is caused by domestic violence, the employee shall be referred to the State's Employee Assistance Program.

5.4 The employee's participation in the State's Employee Assistance's Program is voluntary.

STATE OF MARYLAND PERSONNEL POLICY

SUBJECT: Domestic Violence and the Workplace

SECTION:

Issued: 10/1/99

Revision No:

Effective 10/1/99

Page 4 of 7

6. **DISCIPLINARY PROCEDURES FOR EMPLOYEES WHO COMMIT ACTS OF DOMESTIC VIOLENCE**

- 6.1 An employee who is found to commit an act of domestic violence in the workplace may be subject to disciplinary action, up to and including termination.
- 6.2 An employee who is found using any state resources such as work time, workplace phones, facsimile machines, mail, electronic mail, or other means to commit an act of domestic violence may be subject to disciplinary action, up to and including termination.

7. **EMPLOYEE RESPONSIBILITIES**

- 7.1 All employees shall:
- 7.1.1 attend Domestic Violence and the Workplace Training; and
- 7.1.2 immediately report to the police, security or an agency designee any threats or acts of domestic violence in the workplace that may be experienced or witnessed.

8. **VICTIM RESPONSIBILITIES AND ASSISTANCE OPTIONS**

- 8.1 Employees who are victims of domestic violence shall:
- 8.1.1 notify their supervisor of the possible need to be absent and discuss possible leave options;
- 8.1.2 discuss with their supervisor plans to return to work and the appropriate reporting procedures;
- 8.1.3 if necessary and available, make alternate arrangements to receive a paycheck; and

STATE OF MARYLAND PERSONNEL POLICY

SUBJECT: Domestic Violence and the Workplace

SECTION:

Issued: 10/1/99

Revision No:

Effective 10/1/99

Page 5 of 7

8.1.4 work with the supervisor to ensure that adequate safety measures are in place.

8.2 Employees who are victims of domestic violence may:

8.2.1 speak to their Agency Employer-Employee Relations Unit about available assistance;

8.2.2 contact their local service provider or the Maryland Network Against Domestic Violence Helpline;

8.2.3 call the local police if in immediate danger; and

8.2.4 work with the local service provider to create a safety plan.

8.2.5 contact the State's Employee Assistance Program for confidential consultation and resources.

9. **PERPETRATOR RESPONSIBILITIES**

9.1 Employees who are perpetrators of domestic violence shall:

9.1.1 contact the State's Employee Assistance Program office for confidential consultation and resources; and

9.1.2 contact an abuser's intervention program.

10. **SUPERVISOR RESPONSIBILITIES**

10.1 Supervisors shall:

10.1.1 ensure that each employee is provided with a copy of this Domestic Violence Policy;

10.1.2 participate in Domestic Violence and the Workplace Training;

10.1.3 immediately refer any employee, known to be the victim or the perpetrator of domestic violence, to the Employee Assistance

STATE OF MARYLAND PERSONNEL POLICY

SUBJECT: Domestic Violence and the Workplace

SECTION:

Issued: 10/1/99

Revision No:

Effective 10/1/99

Page 6 of 7

10.1.4 maintain the confidentiality of all information related to an employee's involvement in a situation relating to domestic violence; and

10.1.5 post educational materials on domestic violence as required.

10.2 The posting of materials may include, but is not limited to the following: locker rooms, bulletin boards, rest rooms, inserts in paycheck stubs, inter-office memos, and newsletters. Educational materials may take the form of posters, brochures, informational cards and flyers, etc.

11. **AGENCY EMPLOYEE ASSISTANCE PROGRAM COORDINATOR RESPONSIBILITIES**

11.1 Agency Employee Assistance Program Coordinators shall:

11.1.1 participate in Domestic Violence and the Workplace Training;

11.1.2 maintain up-to-date referral resources on domestic violence hotlines, advocacy groups, shelters, counseling services, and legal services (pro bono legal assistance and domestic violence/family court information);

11.1.3 maintain up-to-date resources for perpetrators, including abusers' intervention programs; and

11.1.4 maintain the confidentiality of all information related to an employee's involvement in a situation relating to domestic violence.

12. **DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) EMPLOYEE RELATIONS DIVISION RESPONSIBILITIES**

12.1 The DBM Employee Relations Division shall:

12.1.1 participate in Domestic Violence and the Workplace Training;

STATE OF MARYLAND PERSONNEL POLICY

SUBJECT: Domestic Violence and the Workplace

SECTION:

Issued: 10/1/99

Revision No:

Effective 10/1/99

Page 7 of 7

12.1.2 maintain up-to-date referral resources on domestic violence hotlines, advocacy groups, shelters, counseling services, and legal services (pro bono legal assistance and domestic violence/family court information);

12.1.3 maintain up-to-date resources for perpetrators, including abusers' intervention programs; and

12.1.4 maintain the confidentiality of all information related to an employee's involvement in a situation relating to domestic violence.

13. **SAFETY**

13.1 Each agency shall make reasonable efforts to maximize the safety of all employees.

13.2 These efforts may include, but are not limited to: escort services, improved lighting, working closely with appropriate law enforcement agencies, relocation of employee's work station, installation of security cameras or silent alarms and strict enforcement of current security procedures.