Washington State
Military Department

Department Policy No. HR-245-05

Title:	Violence, Harassment, and the Workplace
Authorizing Source:	RCW 9A.46.110, 10.99.020, 26.50.010 WAC 357-31-390 Governor's Executive Order 96-05
Information Contact:	Human Resources Director Building # 33 (253) 512-7941
Effective Date:	March 29, 2002
Mandatory Review Date:	April 30, 2018
Revised:	October 20, 2014
Approved By:	Bret D. Daugherty, Major General The Adjutant General Washington Military Department Director

Purpose

This policy provides guidance and education to employees regarding workplace violence or domestic violence and its impact at the workplace.

Applicability

This policy applies to all state employees, applicants for state employment, contractors, vendors, volunteers, and customers/clients. It does not apply to National Guard personnel on state active duty or to federal personnel to include Active Guard Reserve (AGR), traditional guard personnel in a federal military status, or military technicians.

Definitions

Domestic violence is a pattern of assaultive and coercive behaviors that is used to maintain power and control over their dating partner or household member. Abusive tactics may include: Physical abuse, sexual abuse, intimidating tactics, physical and/or psychological isolation of the victim, repeated attacks against the victim's competence, control of family funds and resources, stalking, and the use of children and systems to control the victim.

Workplace violence is any behavior that is abusive, threatening, intimidating, or assaultive in the workplace. This type of behavior entails a substantial risk of physical or emotional harm to individuals, or damage to state resources or capabilities.

Harassment is defined as a course of conduct which annoys, threatens, intimidates, alarms, or puts a person in fear of their safety. Harassment is unwanted, unwelcomed and uninvited behavior that demeans, threatens or offends the victim and results in a hostile environment for the victim. Harassing behavior may include, but is not limited to, epithets, derogatory comments or slurs and lewd propositions, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons.

Hostile Work Environment is defined as a workplace where there is discriminatory conduct or behavior that is unwelcome and offensive to an employee or group of employees based on a protected class status.; is pervasive and constitutes a pattern of targeted discriminatory behaviors toward an individual or group of individuals who are members of a protected class (ex:, disabled, women, specific race). Such behaviors or actions are disruptive beyond a reasonable degree in the work of the targeted employee or group.

Policy

a. The Washington Military Department (WMD) does not tolerate any form of violence , harassment, intimidation, or discriminatory treatment of any employee, volunteer, or client while in state offices, facilities, work sites, vehicles, or while conducting state business. This includes the display of any violent or threatening behavior (verbal or physical) that may result in physical or emotional injury or otherwise place one's safety and productivity at risk.

b. Any employee who engages in violence, threatens, harasses, or abuses someone at the workplace or from the workplace using state or federal resources such as work time, workplace phones, FAX machines, mail, e-mail, or other means may be subject to disciplinary action, up to and including dismissal. Disciplinary action may be taken against employees who are arrested, convicted, or issued a permanent injunction as a result of violence, when such action has a nexus to the employee's duties as a state employee.

c. Any person who is not a state employee who engages in violence, threatens, harasses, or abuses someone in the state workplace will be removed from the workplace.

d. All employees need to be aware of the seriousness of domestic violence and its effect in the workplace. The WMD will take reasonable measures to foster and maintain a safe working environment for all employees and clients.

e. The WMD is committed to working with employees who are victims of domestic violence to prevent abuse and harassment from occurring in the workplace.

Employees shall not be penalized or disciplined for being a victim of violence or harassment in the workplace.

f. The WMD will provide appropriate support and assistance to employees who are victims of domestic violence, harassment, or discrimination. This includes confidential means for seeking help; resource and referral information; work schedule adjustments, or leave as needed to obtain assistance; and workplace relocation, as feasible. Other appropriate assistance will be provided based on individual needs. State employee domestic violence victims may apply for shared leave.

g. Employees who are perpetrators of domestic violence are encouraged to seek assistance. The WMD will provide information regarding counseling and treatment resources, and make work schedule adjustments so the employee can receive such assistance.

h. The WMD will provide periodic training to educate and inform managers, supervisors, and employees on violence awareness and related resources.

i. The WMD will not tolerate behaviors on the part of any employee that perpetuate or contribute to the creation of a hostile work environment for any employee, volunteer or client. This includes behaviors that are discriminatory in nature, targeted, unprofessional or unwarranted. Supervisors, employees, volunteers and clients have a reasonable right to expect to be treated with dignity and respect at all times.

Procedures

It is important that employees have the resources to identify and respond to the effects of violence in the workplace. Any employee who observes violent behavior or believes that violence is occurring is responsible to report their observations to the Human Resources Office. The following guidance is provided to clarify the roles and responsibilities of all department staff with respect to violence in the workplace.

1. **Managers/Supervisors** have a high level of responsibility to identify and respond to potential violence in their work units.

   a. Managers/supervisors should note significant physical or behavioral changes in employees that might be associated with violence or domestic violence and consult with the State Human Resources Office and/or the Employee Advisory Service for advice. Do not attempt to identify an employee's conditions.

   b. When employees indicate they are either the victim of violence or the perpetrator of domestic violence and ask for help, managers/supervisors should be responsive. They should also document their concerns, and promptly contact the State Human Resources Office for assistance.

c. Confidentiality shall be maintained to the extent necessary to address a particular situation or as required by law. Information about individual employees will only be given to others on a need to know basis.

d. Managers/supervisors shall work with the State Human Resources Office to address issues of the victim's needs.

e. Managers/supervisors shall consult with the human resources staff concerning appropriate corrective and/or disciplinary action as a result of an act of violence in the work place. This may include employees that misuse state resources to perpetrate violence; harass, threaten, or commit an act of violence in the workplace or while conducting state business; or are arrested, convicted or issued a permanent injunction as a result of violence when such action has a nexus connection to the employee's duties.

f. All known civil protection orders shall be honored. As appropriate, WMD designated personnel will participate in court proceedings in obtaining protection orders on behalf of the employer.

2. **Human Resources Office** provides assistance, consultation and resources to department staff regarding any type of violence or harassment issues. The Human Resources Office is responsible for:

a. Maintaining a list of services available to victims and perpetrators of domestic violence.

b. Maintaining address and contact information for the Human Rights Commission and the Equal Employment Opportunity Commission.

c. Providing resource consultation to employees, managers, and supervisors in addressing violence and harassment issues.

d. Working with staff to address the needs of victims of violence in the workplace, which may include workplace safety plans or plans that are the result of a protective order.

e. Working with supervisors and managers to grant leave, adjust work schedules, or attempt to find continued employment for employees who are victims of domestic violence.

f. Maintaining confidentiality to the extent authorized by law.

g. Advising and assisting supervisors and managers in taking corrective or disciplinary actions against perpetrators of violence.

h. Ensuring violence education information is available to staff.

i. Providing resource consultation to employees and supervisors who are concerned with behaviors on the part of other employees, managers, or clients that are harassing or hostile in nature.

j. Notification to employees of their rights to file complaints outside of the Agency in the event supervisory intervention is either absent or fails to correct the situation.

3. **Options and Resources for Victims of Domestic Violence.**

a. Tell a trusted supervisor, manager or coworker and ask for help.

b. Contact the State Human Resources Office for assistance.

c. Contact :

- **Employee Assistance Program**
  The EAP is a free, confidential service for State of Washington employees and their family members. Call:
  Olympia: 360-407-9490 or
  Statewide toll-free: 1-877-313-4455 or
  www.hr.wa.gov/eap
- **Washington State Domestic Violence Hotline**
  1-800-562-6025
- **Washington State Office of Crime Victims Advocacy (OAVA)**
  1-800-822-1067 or
  TTY: 360-709-0305 or
  www.commerce.wa.gov/Programs/ publicsafety/OCVA
- **Washington Coalition of Sexual Assault Programs (WCSAP)**
  360-754-7583 or www.WCSAP.org
- **Washington State Child Safety & Protection Hotline**
  1-866-End-Harm (1-866-363-4276)
- **Washington State Address Confidentiality Program**
  1-800-822-1065

d. Call the local law enforcement.

e. Work with your manager/supervisor to make schedule adjustments to facilitate the use of resource/assistance programs.

f. Notify your supervisor of the possible need to be absent from work and inquire and determine your leave options. Provide a clear plan for your return to work and maintain communications with your supervisor during your absence.

g. If safety is a concern, submit a recent photograph of the perpetrator and a copy of your protection order to your supervisor or the Human Resources Office. This assists the WMD in identifying perpetrators should they appear at the workplace.

4. **Options and Resources for Perpetrators of Domestic Violence.**

a. Tell a trusted supervisor, manager or coworker and ask for help

b. Contact State Human Resources Office for assistance.

c. Contact

- **Employee Assistance Program**
  The EAP is a free, confidential service for State of Washington employees and their family members.
  Olympia: 360-407-9490 or
  Statewide toll-free: 1-877-313-4455 or
  www.hr.wa.gov/eap

d. Obtain a referral to a domestic violence perpetrators treatment program from the Employee Advisory Service.

e. Work with manager/supervisor to make schedule adjustments to facilitate the use of resource/assistance programs.

5. **Options and Resources for Employees who have Concerns about Violence.**

a. Tell a trusted supervisor, manager or coworker and ask for help.

b. Contact State Human Resources Office for assistance.

c. Contact:

- **Employee Assistance Program**
  The EAP is a free, confidential service for State of Washington employees and their family members. Call:
  Olympia: 360-407-9490 or
  Statewide toll-free: 1-877-313-4455 or
  www.hr.wa.gov/eap
- **Washington State Domestic Violence Hotline**
  1-800-562-6025
- **Washington State Office of Crime Victims Advocacy (OAVA)**
  1-800-822-1067 or
  TTY: 360-709-0305 or
  www.commerce.wa.gov/Programs/ publicsafety/OCVA
- **Washington Coalition of Sexual Assault Programs (WCSAP)**
  360-754-7583 or www.WCSAP.org
- **Washington State Child Safety & Protection Hotline**
  1-866-End-Harm (1-866-363-4276)
- **Washington State Address Confidentiality Program**
  1-800-822-1065