

<p style="text-align: center;">POLICY OF</p> <p style="text-align: center;">STATE OF DELAWARE</p> <p style="text-align: center;">DEPARTMENT OF CORRECTION</p>	<p style="text-align: center;">POLICY NUMBER</p> <p style="text-align: center;">9.29</p>	<p style="text-align: center;">PAGE NUMBER</p> <p style="text-align: center;">1 of 2</p>
<p>CHAPTER: 9 HUMAN RESOURCES, EMPLOYEE DEVELOPMENT, EMPLOYEE MANAGEMENT RELATIONS</p>	<p>RELATED ACA STANDARDS:</p>	
<p>APPROVED BY THE COMMISSIONER AND</p> <p>EFFECTIVE THIS DATE:</p>	<p style="text-align: center;"><i>R. M. C.</i> <i>6/29/15</i></p>	
<p>APPROVED FOR PUBLIC RELEASE</p>		

I. AUTHORITY: State of Delaware Domestic Violence Policy; 29 Del. C. §8904

II. PURPOSE: To create a supportive and safe work environment for employees who are victims of domestic violence.

III. APPLICABILITY: All Department of Correction employees.

IV. DEFINITIONS:

A. Domestic Violence: Domestic violence includes, but is not limited to, actual or potential physical injury or harm, sexual abuse or psychological injury against a person with a past or present intimate relationship such as marriage, dating, family, friends or cohabitation.

B. DOC Domestic Violence Assistance Coordinator (DVAC): An individual designated by the Commissioner to assist Department employees and managers with domestic violence issues.

V. POLICY: The Department will offer support and referrals, in a confidential manner, to ensure the safety and well-being of employees who are victims of domestic violence. The Department’s Diversity Coordinator in Human Resources is designated as the Domestic Violence Assistance Coordinator (DVAC) to assist with domestic violence issues in the DOC.

A. Employees who are victims or employees who believe an employee is a victim of domestic violence may choose to notify the DVAC in Human Resources directly or go through their supervisor. In all manner of notification, confidentiality must be maintained and the victim will be given notice of necessary disclosures. Failure to comply with confidentiality may result in discipline.

B. Any request for assistance from an employee, or report from another source that an employee may be a victim of domestic violence, must be reported to the Warden or Administrator at the victim’s facility, either through the chain of command or directly from the DVAC. In all cases, the DVAC must be notified and be available to provide assistance. Victims are highly encouraged to report threats or acts of domestic violence to local law enforcement.

C. The Warden or Administrator, the DVAC and the Human Resources Director will work together to provide the best possible solution to ensure the employee’s safety and well-being.

STATE OF DELAWARE DEPARTMENT OF CORRECTION	POLICY NUMBER 9.29	PAGE NUMBER 2 of 2
SUBJECT: Domestic Violence		

D. The Department will provide assistance with work-related needs, such as requests for work schedule adjustments or leave as needed, to obtain assistance.

E. When appropriate, an employee who is a victim of domestic violence may be referred to the State's Employee Assistance Program (EAP).

F. The DVAC will work with employees seeking assistance and coordinate with the Victim's Compensation Board or the Justice Department's Domestic Violence and Child Abuse unit, as appropriate, to develop and implement individualized safety plans.

G. In cases where the perpetrator and the victim are employed at the same work site, the Department will give due consideration to requests for a modification of duties, reassignment to another position or work shift, or relocation to separate work sites. Such decisions may impact the employee's rights under collective bargaining agreements. In such cases, the Department's human resources staff will contact the OMB/HRM Labor Relations and Employment Practices section for guidance.

H. Every reasonable effort will be made to assist employees who are victims of domestic violence with use of available leave where appropriate. Appropriate instances may include, but are not limited to, court appearances including appearances for filings and appointments with domestic violence advocates/social workers. If time off from work is necessary, leave shall be taken in compliance with Delaware Code, Merit Rules, statewide policy and collective bargaining agreements. Agencies may ask employees to present acceptable documentation before leave is granted. Leave may include, as applicable, available compensatory time, sick or annual leave, or other appropriate paid leaves and/or unpaid leave.

I. When on approved absence, the employee/victim shall attempt to maintain contact about return to work plans. While absent, the employee/victim must maintain contact with the appropriate supervisor and/or human resource staff. The employee/victim will be asked to identify an emergency contact person in the event the employer is unable to contact the employee/victim, and the contact person will be documented in PHRST.

J. The DVAC will have primary responsibility for educating Department personnel about this policy as well as domestic violence awareness and prevention. Additionally, all DOC Facilities will post information about domestic violence in locations highly visible to employees. Information shall also be made available where employees can obtain it without having to request it or be seen removing it.