

EXECUTIVE ORDER 96-05

DOMESTIC VIOLENCE IN THE WORKPLACE

WHEREAS, both employees and citizens of the state of Washington have a basic right to be safe from harm; and

WHEREAS, domestic violence is abusive behavior that is either physical, sexual, or psychological, and is intended to establish and maintain control over a partner, and

WHEREAS, domestic violence instills fear and harms victims and families and must not be tolerated; and

WHEREAS, domestic violence is criminal activity that statistics show affects everyone regardless of race, income, or age; occurs in every community of Washington State; and destroys relationships, families, and lives; and

WHEREAS, domestic violence is a major public policy concern of Washington State requiring a concentrated effort for its elimination; and

WHEREAS, domestic violence is not solely a private, family dispute that affects only the people immediately involved, but also crosses over to the workplace, adversely affecting the safety and productivity of victims and co-workers; and

WHEREAS, the state of Washington, as an employer, should provide needed support and assistance to employees who are victims of domestic violence; and

WHEREAS, the state of Washington, as an employer, is additionally affected by domestic violence in the loss of productivity, increased health care costs, increased absenteeism, and increased employee turnover;

NOW, THEREFORE, I, Mike Lowry, Governor of the state of Washington, by the authority vested in me, do hereby order and direct each state agency and institution of higher education to:

1. Initiate actions to create a workplace environment that provides an avenue for assistance for domestic violence victims without fear of reproach.
2. Ensure that personnel policies and procedures are responsive to victim of domestic violence.
3. Develop and make available to all employees a policy that:
 - a) Clearly directs that the state will not tolerate domestic violence. This includes harassment or the display of violent or threatening behavior that may result in physical or emotional injury to any state employee while in state offices, facilities, work sites, vehicles, or while conducting state business.

b) Offers a method for providing assistance to domestic violence victims in a confidential setting.

c) Provides for immediate assistance to victims. This assistance shall, at a minimum, include: referral to the Department of Personnel's Employee Advisory Service or other available counseling services; information about community resources available to assist victims of domestic violence; development of workplace safety plans that seek to minimize the risk to the victim, other employees, and clients; and information on the methods to obtain civil orders of protection.

d) Following any applicable rules or statutes, assures that every reasonable effort will be made to adjust work schedules and/or grant accrued or unpaid leave to allow employees who are victim of domestic violence to obtain medical treatment, counseling, legal assistance, to leave the area, or to make other arrangements to create a safer situation for themselves.

e) Assures that every reasonable effort will be made to assist employees who are victims of domestic violence to find continued state employment when there is a need for the employee to relocate for safety reasons.

f) Encourages state employees who are perpetrators of domestic violence to seek assistance.

g) Provides for 'assistance to perpetrators. This assistance shall, at a minimum, include: referral to the Department of Personnel's Employee Advisory Service or other available counseling services; and information about available certified domestic violence perpetrator treatment programs.

h) Provides that corrective or disciplinary action may be taken against state employees who: misuse state resources to perpetrate domestic violence; harass, threaten, or commit an act of domestic violence in the workplace or while conducting state business; or are arrested, convicted, or issued a permanent injunction as a result of domestic violence when such action has a direct connection to the employee's duties as a state employee.

i) Provides that employees will not be penalized or disciplined solely because they have been victims of domestic violence.

4. Provide training on their respective policies and domestic violence awareness. The training shall include, at a minimum, information as to: what domestic violence is; what resources are available to victims and perpetrators; and what an employee can do if the employee believes a co-worker is a victim or perpetrator of domestic violence.

5. Have information about domestic violence and available resources posted in the worksite. Also, information needs to be available where employees can obtain it without having to request it or be seen removing it.

The Department of Personnel will provide training assistance and make a sample policy available for all agencies and institutions of higher education.

I am also requesting that the Health Care Authority and the Public Employees Benefits Board continue to make every effort to ensure that no victim of domestic violence has been or will be denied health, life, or disability insurance due solely to a history of domestic violence.

The provisions of this executive order are not intended to alter any existing collective bargaining agreements.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused the seal of the State
of Washington to be affixed at Olympia
this 1st day of October A.D., Nineteen hundred and ninety-six.

Additional

By:

MIKE LOWRY
Governor of Washington

BY THE GOVERNOR:
Secretary of State