

## Administrative Policy No. 18.67

**Subject:** Workplace and Domestic Violence/Reasonable Safety Accommodation

**Authorizing Sources:** [Executive Order 96-05](#)

**Information Contact:** Human Resources Division

**Effective Date:** July 1, 2005

**Revised** March 24, 2021

**Approved By:** **Original signed by Wendy Long**  
Senior Director, Human Resources Division

### **Purpose:**

This policy provides guidance to Department of Social and Health Services (DSHS) staff regarding workplace violence and domestic violence affecting the workplace. It promotes a safe and secure workplace environment for all agency employees and clients. This policy also addresses the employer's responsibility to make reasonable safety accommodations requested by employees who are victims of domestic violence, sexual assault, or stalking unless the employer can show the accommodation would cause an undue hardship.

### **Scope:**

This policy applies to all DSHS employees, volunteers, and service providers conducting agency business internally and with visitors and clients.

### **Additional Guidance:**

[RCW 9A.46.110](#)

[Chapter 49.76 RCW](#) Domestic violence leave

[WAC 357-01-172](#) Family members

[WAC 357-26-050](#) When must an employer provide reasonable safety accommodations?

[WAC 357-26-055](#) What actions must an employer take to provide safety accommodations?

[WAC 357-26-060](#) What documentation may the applicant or employee be required to submit?

[Administrative Policy 18.31](#) Holidays and leave

[Collective Bargaining Agreements](#)

### **Definitions:**

**Domestic violence:** means physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking as defined in RCW 9A.46.110 of one intimate partner by another intimate partner; of one family or household member by another family or household member. (RCW 49.76.020)

**Family Members:** (RCW 49.76.020, WAC 357-01-172) means parent, sibling, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, minor/dependent child, and child, domestic partner, or a person with whom the employee has a dating relationship. (RCW 49.76.020; RCW 26.50.010; RCW 26.60.020; WAC 357-01-172).

**Harassment:** Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or which creates an uncomfortable, intimidating, hostile, or offensive work environment.

**Household members:** Persons who reside in the same home who have reciprocal duties to and do provide financial support for one another. The term does not include persons sharing the same house when the living style is primarily that of a dormitory or commune.

**Undue hardship:** The position that a requested safety accommodation poses significant difficulty or expense. Undue hardship refers not only to the financial difficulty but also to the unduly extensive, substantial, disruptive, or the fundamentally altering nature or operation of the business.

**Workplace:** Any location, permanent or temporary, where an employee performs work-related duties. This includes, but is not limited to, buildings and surrounding perimeters (including parking lots), field locations, home and community activities, alternate work locations, agency vehicles, and travel during work assignments.

**Workplace violence:** Verbal or physical assault or threatening behavior which occurs in or arises from the workplace and which is committed toward or by DSHS employees, volunteers, service providers, contractors, clients, or customers.

**Policy:**

DSHS is committed to providing a work environment in which employees feel safe from harm and high levels of productivity are fostered. All staff must take the problem of domestic violence and workplace violence and its effect in the workplace seriously. DSHS will take all reasonable steps to foster a safe and healthy working environment for all employees, volunteers, service providers, contractors, and clients or customers.

DSHS is also committed to providing support and assistance to employees who are victims of domestic violence. This may include confidentiality when coming forward for help, resource and referral information, work schedule adjustments, relocation of work assignments, leave as

needed to get assistance or obtain safety, and other assistance and safety accommodations as appropriate.

DSHS will take steps to prevent violence from occurring in the workplace. Managers and supervisors will work with employees who are victims of domestic violence to prevent abuse, stalking and harassment from occurring in the workplace.

Employees are expected to conduct themselves in a manner that promotes a safe, secure, and violence-free work environment. Violence, threats, or intimidation of any kind is strictly prohibited. The exhibited behavior does not need to be directed at a specific person to be a violation of this policy.

**A. Prohibited actions include, but are not limited to:**

1. Committing workplace violence, domestic violence, or threatening such violence while using state resources, conducting state business, or while in a state facility or vehicle.
2. Physical assault, including sexual assault of any person, or engaging in any act, which comprises custodial assault or client abuse under [Administrative Policy 8.02 – Client Abuse Reporting](#).
3. Injuring or threatening to injure another person physically.
4. Engaging in behavior that creates a reasonable fear of injury to another person.
5. Engaging in behavior that subjects another person to extreme emotional distress.
6. Possessing, brandishing, or using a weapon that is not required by the individual's position while on state premises or engaged in state business.
7. Intentionally damaging property or threatening to damage property of an employee, client, or resident.
8. Retaliating against any employee who, in good faith, reports a violation of this policy.

**B. Training**

1. DSHS will provide training to employees concerning workplace violence and domestic violence. Training should include identifying early signs of potentially abusive or violent behavior, suggestions to defuse volatile situations, and reporting procedures. The information should include:
  - a. Conducting state business off-site;

- b. Traveling; and
  - c. Safety in areas such as parking lots.
2. Domestic violence training includes available resources for victims and perpetrators, and options if an employee believes a co-worker is a victim or perpetrator of domestic violence.
3. Staff working in DSHS facilities and working with DSHS clients in home and community settings will receive additional training specific to custodial assault, client/staff boundaries, client abuse, and custodial misconduct.

**C. Actions to be taken agency wide**

1. All employees must report acts or threats of violence they experience or witness in the workplace or while performing work functions.
2. The appointing authority, designee, or immediate supervisor must initiate action based on reports of violence to:
  - a. Address the safety and security of potential victims and others;
  - b. Provide support and assistance to any victim; and
  - c. Restore the workplace to a violence free environment.
3. DSHS is further committed to providing information for assistance to victims and perpetrators of domestic violence in order to break the cycle of violence. The following will provide information regarding local assistance and resources:
  - a. The employee's organization;
  - b. DSHS human resources division;
  - c. The Department of Enterprise Services employee assistance program (EAP).
4. Requests for information or assistance will be kept confidential to the extent possible.
5. The appointing authority or designee, and immediate supervisor must provide support and assistance to any victim of workplace violence or domestic violence in accordance with section D of this policy.
6. No DSHS employee will be penalized or disciplined solely because they are, or have been, a victim of domestic violence.
7. DSHS employees violating this policy may be subject to disciplinary action up to and including dismissal. Additionally, an employee who has been arrested, charged, convicted or has a court order issued because of workplace or domestic violence may be subject to disciplinary action up to and including dismissal.

8. Victims of workplace violence or domestic violence may use paid leave or authorized leave without pay under [Chapter 357-31 WAC](#).

#### **D. Reasonable safety accommodations**

1. Reasonable safety accommodations may be requested by an employee who is the victim of domestic violence, sexual assault, or stalking.
2. Reasonable safety accommodation may include, but is not limited to (WAC 357-26-055): a transfer, reassignment, modified schedule, changed work telephone number, changed work email address, changed workstation, installed lock, implemented safety procedure, or any other adjustment to a job structure, workplace facility, or work requirement in response to actual or threatened domestic violence, sexual assault, or stalking.
3. An employee requesting a reasonable safety accommodation may be required to provide verification as found in WAC 357-26-060 that the employee or the employee's family member is a victim of domestic violence, sexual assault or stalking.
4. If the victim of domestic violence, sexual assault or stalking is the employee's family member as defined, verification of the familial relationship between the employee and the victim may be required as established in WAC 357-31-730.
5. A reasonable safety accommodation under this section must be granted, unless the DSHS can demonstrate that the accommodation would impose an undue hardship. The DSHS secretary, or designee, will review and make the final determination on requests for reasonable safety accommodations where concerns exist regarding undue hardship of the requested accommodation.

#### **E. Additional Resources**

- 24 hour Washington state domestic violence hotline  
1-800-562-6025 (V/TTY)
- Office of Crime Victims Advocacy  
1-800-822-1067  
[www.ocva.wa.gov](http://www.ocva.wa.gov)
- Washington State Coalition Against Domestic Violence  
(360) 586-1022  
[www.wscadv.org](http://www.wscadv.org)
- Washington's [employee assistance program](#)

- Address confidentiality program  
Washington Secretary of State  
[Address confidentiality program](#)

DSHS Official