

**Idaho Department of  
Juvenile Corrections  
Administrative  
Policy/Procedure**

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**SUBJECT: DOMESTIC VIOLENCE**

**CATEGORY: HUMAN RESOURCES**

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**Policy**

Domestic violence as defined by section 39-6303(1), Idaho Code is the physical injury, sexual abuse or forced imprisonment or threat thereof of a family or household member, or of a minor child by a person with whom the minor child has had or is having a dating relationship, or of an adult by a person with whom the adult has had or is having a dating relationship.

The topic of domestic violence often goes undiscussed. Idaho Department of Juvenile Corrections (IDJC) employees who are in abusive relationships struggle with trying to do their work at the same time they are trying to handle extraordinarily difficult situations which can affect their safety, attendance, health, and productivity. Abusers have also been known to stalk and sometimes attack their victims at or near a work site, creating risk to co-workers.

The state of Idaho and IDJC do not tolerate domestic violence.

It is therefore the policy of the IDJC to heighten awareness of domestic violence and to provide guidance for employees and management to address the occurrence of domestic violence and its effects. The IDJC offers support and referrals for assistance to employees who are either victims or abusers who disclose concerns or request help.

**Operating Procedures**

**I. Disclosures**

Disclosures of domestic violence situations and/or protection orders may be made to IDJC supervisors, management, and/or Human Resources (HR) staff. When an incident involves employees from more than one state agency, agency heads will ensure that appropriate responses to the situation are coordinated.

**II. Confidentiality**

The IDJC recognizes and respects an employee's right to privacy. The employee's disclosure will remain confidential unless there is a threat to the safety of the individual or other employees in the workplace. In circumstances in which a disclosure identifies a threat to the safety of the disclosing individual or other employees and, therefore, requires the IDJC to report the disclosure to law enforcement or health and welfare, the IDJC will notify the disclosing individual prior to reporting, if possible.

### III. Resources

Referral information will be provided to employees. This information may include:

- Local and state resources for domestic violence victims, including the Idaho Council on Domestic Violence and Victim Assistance
- Advocacy and legal services
- Medical and counseling services
- Building security or local law enforcement agencies
- Employee Assistance Program

### IV. Safety

The IDJC will work with the employee to develop an individualized workplace safety plan when necessary. The safety plan may include, but is not limited to, the following measures:

- Screening telephone calls
- Setting an alternate work schedule
- Arranging an escort to and from parking areas
- Working with building security or local law enforcement to enforce restraining orders or orders of protection on state property
- Relocating an employee's workspace to a more secure area
- Saving any threatening e-mails or voice mails

### V. Leave from work

Leave from work will be granted in compliance with Idaho Code, Division of Human Resources Rules, and IDJC policies. IDJC may ask employees to present court orders before leave is granted. Leave may include, as applicable:

- On-call time
- Compensatory time
- Sick or vacation leave
- Family and medical Leave
- Unpaid leave

### VI. Court orders

A. Employees are encouraged to disclose the existence of court orders for protection from abuse or harassment to their supervisor or HR staff. Under no circumstances will these orders be placed in an employee's personnel file. The orders may be placed in a separate file in a secure location.

B. All individuals who apply for and obtain a protective or restraining order which lists IDJC locations as being protected areas, must provide to IDJC supervisors, management, or HR staff a copy of the petition and order.

### VII. Work performance

- A. When an employee has performance problems as a result of domestic violence, the IDJC will offer support and an opportunity to correct the problems. Supervisors may develop a work plan with the employee to assist them in meeting performance expectations.
- B. Nothing in this policy alters the authority of the IDJC to establish performance expectations, counsel employees, impose discipline, reassign duties, place an employee on leave, or take other action as necessary. Information or documents pertaining to an employee's involvement in a domestic violence situation will be kept separately from the employee's personnel records.
- C. Any employee who uses any IDJC resources including, but not limited to, telephones, cell phones, computers, facsimile machines, mail, electronic mail, vehicles, or purchasing cards (P-Cards) at any time or place to commit domestic violence will be subject to corrective or disciplinary action, up to and including termination.

#### VIII. Retaliation

There will be no retaliation resulting from an employee making a complaint, reporting an incident of domestic violence, or otherwise asserting rights or responsibilities under this policy or relevant laws.

#### IX. Department responsibility

In response to an employee's notification of a domestic violence situation, IDJC supervisors will be responsible for coordinating discussions with Legal Services, HR staff, and building security or local law enforcement.

#### X. Policy distribution

HR staff will provide this policy to employees during new employee orientation.

*Reference:*                    [Glossary of Terms and Acronyms](#)  
                                      *Section 39-6303 (1), Idaho Code, Executive Order 2007-18*  
                                      *Division of Human Resources Statewide Policy on Domestic Violence*

*Desk Manuals:*            *None*

*Related Policies:*        [Employee Assistance Program](#) (357)  
                                      [Ethics and Standards of Conduct](#) (324)

*Related Forms:*          *None*