

Maine Legislature

Policy on Violence in the Workplace

I. Policy Statement

The Maine Legislature, acting through the Legislative Council, is committed to providing a safe and secure work environment and expressly prohibits all violent acts, threats and other potentially violent behavior either in or related to the workplace, among employees, legislators and constituents. If an employee is the target of such behavior in the workplace or by another employee, or is witness to such behavior, the improper conduct should be reported immediately to the chair or vice-chair of the Legislative Council, the Executive Director of the Legislative Council or the Legislature's Human Resources Director. An investigation of the report will be undertaken immediately.

II. Actions and Implementation

Any employee who, upon investigation, is reasonably believed to have committed or threatened to commit a violent act in the workplace or related to the workplace against another employee or legislator will be subject to appropriate sanctions up to and including termination of employment. Furthermore, if an employee is threatened either in the workplace or elsewhere by a person not employed by the Maine Legislature, and the threats or conduct may threaten his or her security in the workplace, such threats or conduct should be reported immediately so that appropriate safety and security measures may be taken. The Legislative Council recognizes the sensitivity of the information and will adhere to confidentiality procedures to recognize and respect the privacy of the reporting employee to the extent possible.

The Legislative Council recognizes that violence, including domestic violence, affects the lives and compromises the safety of its victims with destructive and dangerous results. Domestic violence is defined as a pattern of coercive behavior that is used by a person against family or household members to establish and maintain power or control over the other party in the relationship. This behavior may include physical violence, sexual abuse, emotional and psychological intimidation, verbal abuse and threats, stalking, isolation from friends and family, economic control and destruction of personal property. In addition to exacting a tremendous toll from the individuals it directly affects, domestic violence often affects the workplace, compromising the safety of both victims and co-workers and resulting in lost productivity, increased health care costs, increased absenteeism and increased employee turnover.

Leave for Victims of Domestic Violence

Pursuant to 26 M.R.S.A. Section 850, the Legislative Council will grant reasonable and necessary leave from work, with or without pay, for an employee to:

1. Prepare for and attend court proceedings;

2. Receive medical treatment or attend to medical treatment for a victim who is the employee's daughter, son, parent or spouse; or
3. Obtain necessary services to remedy a crisis caused by domestic violence, sexual assault or stalking.

The Legislative Council will consider an employee's request for leave if it is needed because the employee or the employee's child, parent or spouse is a victim of violence, assault, sexual assaults as defined under 17-A M.R.S.A. Section 251-258, stalking or any act that would support an order for protection under Title 19-A, Section 4001-4014. An employee who wishes to request this leave should meet with the Human Resources Director to discuss arrangements for the leave, who will discuss such request with the employee's appointing authority.

Leave must be requested with as much advance notice as is reasonable under the circumstances. Leave may be denied if: the legislature or legislative office would sustain an undue hardship by virtue of the employee's absence; the request for leave is not communicated to the employee's appointing authority within a reasonable time under the circumstances; or the leave is impractical, unreasonable or unnecessary based on the facts made known to the Human Resources Director.

Actions Taken Against Employees Who Commit Violence

To further protect and support employees from violence in the workplace, the Legislative Council will:

1. Hold accountable and take appropriate corrective or disciplinary action against employees who engage in the following behavior:
 - a. misusing legislative resources to commit an act of violence;
 - b. committing an act of violence from or at the workplace or from any location while on official legislative business; or
 - c. misusing their job-related authority to assist perpetrators in locating a victim or in perpetrating an act of violence.
2. Hold accountable and take appropriate corrective or disciplinary action against any employee who is found to have threatened, harassed, or abused a family or household members at the workplace, from the workplace, or on state business using any workplace resources or equipment.

This Policy is adopted by the Legislative Council on this 26th day of May, 2005.

By: David E. Boulter
David E. Boulter, Executive Director
Legislative Council