

## **Stafkings Gender-Based Violence and the Workplace Policy**

### **Purpose**

Gender-based violence<sup>1</sup> affects all aspects of our lives, including the workplace. Gender-based violence occurs within a broad spectrum of relationships; therefore, Stafkings will take appropriate measures to prevent and/or address gender-based violence as it impacts the workplace. Stafkings recognizes the rights of victims to have self-determination and the need to respond in a survivor-centered, trauma-informed, and culturally responsive manner. This policy shall apply to all victims of gender-based violence, regardless of where the incidents took place.

This policy is adapted from the New York State Office for the Prevention of Domestic Violence (OPDV) model and customized to reflect the operational needs and structure of Stafkings. It is intended to comply fully with all applicable New York State laws, including the New York State Human Rights Law (Executive Law 296), New York State Labor Law Section 196-b (including the SAFE Leave Act and the NYS Paid Sick Leave Law), and New York State Finance Law Section 139-m.

### **NYS Certification Requirement**

In accordance with New York State Finance Law Section 139-m, Stafkings certifies under penalty of perjury that it has adopted and implemented a Gender-Based Violence and the Workplace Policy consistent with the model policy published by the New York State Office for the Prevention of Domestic Violence (OPDV), and that this policy shall be distributed to all employees, directors, and governing authority members upon hire and at least annually thereafter. This certification will be included in all relevant bid submission documents.

### **Scope and Applicability**

This policy applies to all full-time, part-time, and temporary employees, as well as interns, volunteers, and consultants or contractors performing work on behalf of Stafkings, to the extent feasible.

### **Confidentiality**

Stafkings recognizes and respects the employee's right to privacy and confidentiality. All information, including details an employee shares about being a victim, shall be kept confidential to the extent permitted by law without the employee's written permission,

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<sup>1</sup> Violence or threats that happen because of someone's sex, gender, sexual orientation, gender identity or expression, or other related characteristics. Gender-based violence is an umbrella term that includes domestic violence, sex-based discrimination, sexual harassment, sexual assault, and sexual violence, and can also include stalking or human trafficking.

unless doing so creates a substantial risk of imminent danger to the victimized employee, other employees, or the worksite. If such a situation arises, Stafkings will:

- Inform the victimized employee of the actions Stafkings will take.
- Share information only with the specific employees who need to know.
- Limit the information shared to only what is necessary.
- Consider requiring employees who receive this sensitive information to sign a confidentiality agreement, committing to use it only for its intended safety purpose.

## **Designated Roles and Responsibilities**

Stafkings has designated its Human Resources Manager (315-432-5636, ext. 158) to serve as its Gender-Based Violence Liaison (GBVL). The GBVL assists victimized employees with referrals to local service providers and will handle inquiries related to this policy and ensure confidential handling of cases involving gender-based violence. Supervisors have an obligation to direct employees to Human Resources when needed.

## **Information Sharing and Resource Posting**

- Stafkings shall distribute this policy to all new hires upon onboarding and redistribute it annually. It will also be provided annually to all governing authority members.
- Stafkings will post the New York State Domestic and Sexual Violence Hotline poster on the bulletin board at each branch location. The poster includes the following support resources:
  - The NYS Domestic and Sexual Violence Hotline: 1-800-942-6906
  - NYS Chat and Text Line: Text 844-997-2121
  - Website: <https://opdv.ny.gov>

These resources are available 24 hours a day, 7 days a week and provides access to referral information for local service providers, including domestic violence shelters, advocacy organizations, and legal assistance.

Materials will be made available in an employee's primary language, when feasible.

## **Refer Employee-Survivors to Services**

Stafkings will support and refer employees who disclose current or past victim status by providing information on available sources of services and assistance for victims and survivors to the New York State Domestic and Sexual Violence Hotline or local victim services providers.

**Note:** While referrals to services must be offered, employees are not required to access services in order to receive accommodations or protection.

### **Support for Survivors and Accommodations**

Victimized employees may request reasonable accommodations, such as schedule adjustments, remote work, or reassignment, without fear of retaliation. Human Resources will work with the employee to develop an appropriate plan, including safety planning when applicable.

No documentation will be required beyond what is necessary to support accommodations, and confidentiality will be strictly observed unless disclosure is required to prevent imminent harm.

Employees may utilize paid leave under the NYS Paid Sick Leave Law and SAFE Leave Act for absences related to domestic violence, sexual offense, stalking, or human trafficking.

### **Prohibited Conduct and Accountability**

Stafkings prohibits any employee from using workplace resources to support or enable acts of gender-based violence. Any such actions are grounds for disciplinary action, up to and including termination.

Employees engaging in retaliatory behavior against victims, complainants, or witnesses are subject to discipline. This includes discrimination or retaliation against employees who identify as victims or survivors of gender-based violence.

### **Reporting and Investigations**

All allegations of policy violations or discrimination must be reported to Human Resources and will be investigated promptly. Stafkings will maintain the confidentiality of all complaints to the extent practical and legal.

Employees may also report violations to the New York State Division of Human Rights. The discrimination reporting form and all related information can be found on DHR's website: <https://dhr.ny.gov/report>

### **Implementation Support**

Supervisors and Human Resources staff should be aware that the New York State Office for the Prevention of Domestic Violence (OPDV) is available to provide case-specific technical assistance and guidance in implementing this policy. OPDV's support includes assistance with training, developing accommodations, and creating safety plans. For more information or support, visit <https://opdv.ny.gov> or contact [workplace@opdv.ny.gov](mailto:workplace@opdv.ny.gov)