



OUR HOUSE INC

Essential Worker & Volunteer Handbook

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1. Introduction

1.1 Handbook Disclaimer

The contents of this handbook serve only as guidelines and supersede any prior handbook. Neither this handbook, nor any other policy or practice, creates an employment contract, or an implied or express promise of continued employment with the Organization. Employment with OUR HOUSE INC is "AT-WILL." This means employees or OUR HOUSE INC may terminate the employment relationship at any time, for any reason, with or without cause or advance notice. As an at-will employee, it is not guaranteed, in any manner, that you will be employed with OUR HOUSE INC for any set period of time.

This handbook may provide a summary of employee health benefits, however actual coverage will be determined by the express terms of the benefit plan documents. If there are any conflicts between the handbook or summaries provided and the plan documents, the plan documents will control. The Organization reserves the right to amend, interpret, modify or terminate any of its employee benefits programs without prior notice to the extent allowed by law.

The Organization also has the right, with or without notice, in an individual case or generally, to change any of the policies in this handbook, or any of its guidelines, policies, practices, working conditions or benefits at any time. No one is authorized to provide any employee with an employment contract or special arrangement concerning terms or conditions of employment unless the contract or arrangement is in writing and signed by the president and the employee.

1.2 Welcome Message

Dear Valued Employee,

Welcome to OUR HOUSE INC! We are pleased with your decision to join our

team.

OUR HOUSE INC is committed to providing superior quality and unparalleled culture specific services in all aspects of our business. We believe each employee contributes to the success and growth of our Organization.

This employee handbook contains general information on our policies, practices, and benefits. Please read it carefully. If you have questions regarding the handbook, please discuss them with your supervisor or the Executive Director.

Welcome aboard. We look forward to working with you!

Sincerely,

The Executive Director

1.3 Changes in Policy

Change at OUR HOUSE INC is inevitable. Therefore, we expressly reserve the right to interpret, modify, suspend, cancel, or dispute, with or without notice, all or any part of our policies, procedures, and benefits at any time with or without prior notice. Changes will be effective on the dates determined by OUR HOUSE INC, and after those dates all superseded policies will be null and void.

No individual supervisor or manager has the authority to alter the foregoing. Any employee who is unclear on any policy or procedure should consult a supervisor or the Executive Director.

1.4 Discrimination Policy

Discrimination Policy

Our House does not ...

Discriminate on the basis of race, color, religion, sex, national origin, age, disability, marital status, or political affiliation.

- Solicit or consider employment recommendations based on factors other than

personal knowledge or records of job related abilities or characteristics.

- Coerce an employee's political activity or take action against any employee as reprisal for refusing to engage in political activity.
- Deceive or willfully obstruct a person's right to compete for employment.
- Influence any person to withdraw from competition for a position to improve or injure the employment prospects of any other person.
- Give unauthorized preference or advantage to any person to improve or injure the employment prospects of any particular employee or applicant.
- Engage in nepotism.
- Retaliate against an employee or an applicant because of an individual's legal disclosure of information evidencing wrongdoing ("whistleblowing").
- Retaliate against an employee or applicant for exercising an appeal, complaint or grievance right; testifying or assisting another in exercising such a right, cooperating with an Inspector General or the Special Counsel, or refusing to obey an order that would break a law.
- Discriminate against an employee based on conduct which is not adverse to on-the-job performance of the employee, applicant, or others. The Office of Personnel Management (OPM) has interpreted the prohibition of discrimination based on "conduct" to include discrimination based on sexual orientation. See Addressing Sexual Orientation Discrimination in Federal Civilian Employment .
- Violate veterans' preference requirements.
- Violate any law, rule, or regulation which implements or directly concerns the merit principles.

1.5 Vision/Mission Statement

VISION: *A world free of interpersonal violence*

MISSION: *To lead, empower and inspire change by eliminating domestic violence and sexual violence*

through intervention, prevention, prosecution, victim protection and sustainable restoration in

rural communities; and, to enhance the lives of survivors of interpersonal violence by

providing services that meet the psychological, spiritual and cultural needs of those we serve.

2. General Employment

2.1 At-Will Employment

Employment with OUR HOUSE INC is "at-will." This means employees are free to resign at any time, with or without cause, and OUR HOUSE INC may terminate the employment relationship at any time, with or without cause or advance notice. As an at-will employee, it is not guaranteed, in any manner, that you will be employed with OUR HOUSE INC for any set period of time.

The policies set forth in this employee handbook are the policies that are in effect at the time of publication. They may be amended, modified, or terminated at any time by OUR HOUSE INC, except for the policy on at-will employment, which may be modified only by a signed, written agreement between the President and the employee at issue. Nothing in this handbook may be construed as creating a promise of future benefits or a binding contract between OUR HOUSE INC and any of its employees.

2.2 Immigration Law Compliance

OUR HOUSE INC is committed to employing only United States citizens and aliens who are authorized to work in the United States.

In compliance with the Immigration Reform and Control Act of 1986, as amended, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with OUR HOUSE INC within the past three years, or if their previous I-9 is no longer retained or valid.

OUR HOUSE INC may participate in the federal government's electronic employment verification system, known as "E-Verify." Pursuant to E-Verify, OUR HOUSE INC provides the Social Security Administration, and if necessary, the Department of Homeland Security with information from each new employee's Form I-9 to confirm work authorization.

2.3 Equal Employment Opportunity

OUR HOUSE INC is an Equal Opportunity Employer. Employment opportunities at OUR HOUSE INC are based upon one's qualifications and capabilities to perform the essential functions of a particular job. All employment opportunities are provided without regard to race, religion, sex (including sexual orientation and transgender status), pregnancy, childbirth or related medical conditions, national origin, age, veteran status, disability, genetic information, or any other characteristic protected by law.

This Equal Employment Opportunity policy governs all aspects of employment, including, but not limited to, recruitment, hiring, selection, job assignment, promotions, transfers, compensation, discipline, termination, lay off, access to benefits and training, and all other conditions and privileges of employment.

The Organization will provide reasonable accommodations as necessary and where required by law so long as the accommodation does not pose an undue hardship on the business. The Organization will also accommodate sincerely held religious beliefs of its employees to the extent the accommodation does not pose an undue hardship on the business. If you would like to request an accommodation, or have any questions about your rights and responsibilities, contact your Executive Director. This policy is not intended to afford employees with any greater protections than those which exist under federal, state or local law.

OUR HOUSE INC strongly urges the reporting of all instances of discrimination and harassment, and prohibits retaliation against any individual who reports discrimination, harassment, or participates in an investigation of such report. OUR HOUSE INC will take appropriate disciplinary action, up to and including immediate termination, against any employee who violates this policy.

2.4 Equal Employment Opportunity (Mississippi Employees)

OUR HOUSE INC is an Equal Opportunity Employer. Employment opportunities at OUR HOUSE INC are based upon one's qualifications and capabilities to perform the essential functions of a particular job. All

employment opportunities are provided without regard to race, religion, sex, national origin, age, veteran status, disability, genetic information, lawful activity outside the workplace during non-work hours, such as the use of tobacco products, or any other characteristic protected by law.

This Equal Employment Opportunity policy governs all aspects of employment, including, but not limited to, recruitment, hiring, selection, job assignment, promotions, transfers, compensation, discipline, termination, lay off, access to benefits and training, and all other conditions and privileges of employment.

OUR HOUSE INC strongly urges the reporting of all instances of discrimination and harassment, and prohibits retaliation against any individual who reports discrimination, harassment, or participates in an investigation of such report. OUR HOUSE INC will take appropriate disciplinary action, up to and including immediate termination, against any employee who violates this policy.

2.5 Employee Grievances

It is the policy of OUR HOUSE INC to maintain a harmonious workplace environment. OUR HOUSE INC encourages its employees to express concerns about work-related issues, including workplace communication, interpersonal conflict, and other working conditions.

Employees are encouraged to raise concerns with their supervisors. If not resolved at this level, an employee may submit, in writing, a signed grievance to the Executive Director.

After receiving a written grievance, OUR HOUSE INC may hold a meeting with the employee, the immediate supervisor, and any other individuals who may assist in the investigation or resolution of the issue. All discussions related to the grievance will be limited to those involved with, and who can assist with, resolving the issue.

Complaints involving alleged discriminatory practices shall be processed in accordance with OUR HOUSE INC's Sexual and other Unlawful Harassment Policy.

OUR HOUSE INC assures that all employees filing a grievance or complaint

can do so without fear of retaliation or reprisal.

Additional information is provided under Grievances Policies.

2.6 Internal Communication

Effective and ongoing communication within OUR HOUSE INC is essential. As such, the Organization maintains systems through which important information can be shared among employees and management.

Bulletin boards are posted in designated areas of the workplace to display important information and announcements. In addition, OUR HOUSE INC uses the Intranet and email to facilitate communication and share access to documents. For information on appropriate email and Internet usage, employees may refer to the Computer, Email, and Internet Usage policy. To avoid confusion, employees should not post or remove any material from the bulletin boards.

All employees are responsible for checking internal communications on a frequent and regular basis. Employees should consult their supervisor with any questions or concerns on information disseminated.

2.7 Outside Employment

Employees may hold outside jobs as long as the employee meets the performance standards of their position with OUR HOUSE INC.

Unless an alternative work schedule has been approved by OUR HOUSE INC, employees will be subject to the Organization's scheduling demands, regardless of any existing outside work assignments; this includes availability for overtime when necessary.

OUR HOUSE INC's property, office space, equipment, materials, trade secrets, and any other confidential information may not be used for any purposes relating to outside employment.

2.8 Anti-Retaliation and Whistleblower Policy

This policy is designed to protect employees and address OUR HOUSE INC's commitment to integrity and ethical behavior. In accordance with anti-retaliation and whistleblower protection regulations, OUR HOUSE INC will not tolerate any retaliation against an employee who:

- Makes a good faith complaint, or threatens to make a good faith complaint, regarding the suspected Organization or employee violations of the law, including discriminatory or other unfair employment practices;
- Makes a good faith complaint, or threatens to make a good faith complaint, regarding accounting, internal accounting controls, or auditing matters that may lead to incorrect, or misrepresentations in, financial accounting;
- Makes a good faith report, or threatens to make a good faith report, of a violation that endangers the health or safety of an employee, patient, client or customer, environment or general public;
- Objects to, or refuses to participate in, any activity, policy or practice, which the employee reasonably believes is a violation of the law;
- Provides information to assist in an investigation regarding violations of the law; **or**
- Files, testifies, participates or assists in a proceeding, action or hearing in relation to alleged violations of the law.

Retaliation is defined as any adverse employment action against an employee, including, but not limited to, refusal to hire, failure to promote, demotion, suspension, harassment, denial of training opportunities, termination, or discrimination in any manner in the terms and conditions of employment.

Anyone found to have engaged in retaliation or in violation of law, policy or practice will be subject to discipline, up to and including termination of employment. Employees who knowingly make a false report of a violation will be subject to disciplinary action, up to and including termination.

Employees who wish to report a violation should contact their supervisor or Dr. Patricia Ann Davenport directly. Employees should also review their state and local requirements for any additional reporting guidelines.

OUR HOUSE INC will promptly and thoroughly investigate and, if necessary,

address any reported violation.

Employees who have any questions or concerns regarding this policy and related reporting requirements should contact their supervisor, the Executive Director or any state or local agency responsible for investigating alleged violations.

3. Employment Status & Record-keeping

3.1 Employment Classifications

For purposes of salary administration and eligibility for overtime payments and employee benefits, OUR HOUSE INC classifies employees as either exempt or non-exempt. Non-exempt employees are entitled to overtime pay in accordance with federal and state overtime provisions. Exempt employees are exempt from federal and state overtime laws and, but for a few narrow exceptions, are generally paid a fixed amount of pay for each workweek in which work is performed.

If you change positions during your employment with OUR HOUSE INC or if your job responsibilities change, you will be informed by the Executive Director of any change in your exempt status.

In addition to your designation of either exempt or non-exempt, you also belong to one of the following employment categories:

Full-Time:

Full-time employees are regularly scheduled to work greater or equal to 40 hours per week. Generally, regular full-time employees are eligible for OUR HOUSE INC's benefits, subject to the terms, conditions, and limitations of each benefit program.

Part-Time:

Part-time employees are regularly scheduled to work less than 40 hours per week. Regular part-time employees may be eligible for some OUR HOUSE INC benefit programs, subject to the terms, conditions, and limitations of each benefit program.

Temporary:

Temporary employees include those hired for a limited time to assist in a specific function or in the completion of a specific project. Temporary employees generally are not entitled to [OUR HOUSE INC benefits, but are eligible for statutory benefits to the extent required by law. Employment

beyond any initially stated period does not in any way imply a change in employment status or classification. Temporary employees retain temporary status unless and until they are notified, by OUR HOUSE INC Management, of a change.

3.2 Personnel Data Changes

It is the responsibility of each employee to promptly notify their supervisor or the Executive Director of any changes in personnel data. Such changes may affect your eligibility for benefits, the amount you pay for benefit premiums, and your receipt of important company information.

If any of the following have changed or will change in the coming future, contact your supervisor or the Executive Director as soon as possible:

- Legal name
- Mailing address
- Telephone number(s)
- Change of beneficiary
- Exemptions on your tax forms
- Emergency contact(s)
- Training certificates
- Professional licenses

3.3 Expense Reimbursement

OUR HOUSE INC reimburses employees for necessary expenditures and reasonable costs incurred in the course of doing their jobs. Expenses incurred by an employee must be approved in advance by the Executive Director.

Some expenses that may warrant reimbursement include, but are not limited, to the following: mileage costs, air or ground transportation costs, lodging, meals for the purpose of carrying out company business, and any other reimbursable expenses as required by law. Employees are expected to make a reasonable effort to limit business expenses to economical options.

To be reimbursed, employees must submit expense reports to the Executive Director for approval. The report must be accompanied by receipts or other documentation substantiating the expenses. Questions regarding this policy should be directed to your supervisor.

3.4 Termination of Employment

Termination of employment is an inevitable part of personnel activity within any organization.

Notice of Voluntary Separation

Employees who intend to terminate employment with OUR HOUSE INC shall provide OUR HOUSE INC with at least two weeks written notice. Such notice is intended to allow the Organization time to adjust to the employee's departure without placing undue burden on those employees who may be required to fill in before a replacement can be found.

Return of Company Property

Any employee who terminates employment with OUR HOUSE INC shall return all files, records, keys, and any other materials that are the property of OUR HOUSE INC prior to their last date of employment.

Final Pay

OUR HOUSE INC will provide employees with their final pay in accordance with applicable federal, state and local laws.

Benefits Upon Termination

All accrued and/or vested benefits that are due and payable at termination will be paid in accordance with applicable federal, state and local laws.

Certain benefits, such as healthcare coverage, may continue at the employee's expense, if the employee elects to do so. OUR HOUSE INC will notify employees of the benefits that may be continued and of the terms, conditions, and limitations of such continuation.

If you have any questions or concerns regarding this policy, contact OUR HOUSE INC's Executive Director.

3.5 Performance Evaluation Policy

PERFORMANCE EVALUATION POLICY

Evaluations are valuable tools by which open communication should occur between a supervisor and employee. Evaluations should foster growth via constructive suggestions as to how an employee can improve his/her performance while giving the supervisor an opportunity to give praise for a job well done. Evaluations should also serve as vehicles for employees to give supervisors or managers honest and candid feedback regarding job responsibilities and working conditions.

A. Basis of Evaluation

An evaluation is based on an employee's performance of the duties involved in his/her particular position as outlined at the time of employment, or revised later. Frequently there are circumstances under which it is necessary to request an employee to perform services not specifically stated in his/her job description.

B. Frequency of Evaluation

Our House will attempt to complete a written evaluation at the termination of the 90 day orientation period. Thereafter, it will attempt to perform evaluations annually. Evaluations may be done more frequently, if needed. Evaluations shall be based only on the performance of the duties of the employee's position. Performance appraisals shall be administered in a fair manner without unlawful discrimination as to age, race, sex, religion, political affiliation, national origin, or disability.

- 1. For probationary employees/new hires, the first performance appraisal shall be made just prior to the end of the sixth month from date of hire.
- 2. After an employee has been employed for twelve (12) continuous months and has attained permanent status, a formal appraisal rating shall be required annually for each employee by the immediate supervisor. The evaluation period shall begin upon entering the position, whatever date that may be, and will end one year from that

date. However, a new appraisal rating is required less than one year from the last rating upon:

- a. **Promotion**
- b. **Transfer**
- c. **Reclassification**
- d. **Reallocation**
- e. **Demotion**

Any of the above actions will change the date when the next appraisal rating is due. Employee Performance appraisal rating periods should not be confused with "anniversary dates." The appraisal rating date will reset if any of the above (a-e) personnel transactions are initiated. Thus, set "anniversary dates" are not a viable method of administering the employee performance appraisal system.

C. Method of Evaluation

The written evaluation is performed by the person to whom the employee is immediately responsible, with the exception of the Chief Executive Officer, who is evaluated by the Board of Directors.

Evaluation is a continuous process engaged in by the employee and the supervisor through supervisory conference. Each employee participates in his/her evaluation conference, which includes a review of the employee's current job description and the signing of the final copy of the evaluation to signify that the employee has read the evaluation. An employee is required to sign all job evaluations to indicate that the employee agrees with the evaluation. Failure to sign an evaluation is cause for disciplinary action. An employee may provide written comments to any evaluation. An employee may review his/her evaluation material upon request. They may review their file in the presence of the Administrative Assistant or their Supervisor. Evaluations become a part of an employee's personnel record.

D. Use of Evaluation

Evaluations can be useful to Our House as a basis for continuing employment, transfers, promotions, demotions, dismissals, salary adjustments and to the employee as a basis for improvement of work.

Evaluations, however, should not be construed as granting any employee a right to continued employment with Our House.

E. Personnel Files

In accordance with state provisions, you may inspect certain documents in your personnel file per calendar year.

A file containing all pertinent personnel information and actions shall be maintained for each employee in the Personnel Department. An employee may review his/her personnel file within a reasonable period of time following such a request. A written request to have access to your personnel file must be submitted to the individual responsible for maintaining personnel records, specifying the purpose for the inspection and the particular parts of the file to be inspected.

Personnel files are ordinarily reviewed in a place designated by the Personnel Department. Requests for the review of, additions to, or corrections to an employee's file should be addressed to the Personnel Department. Additional access to such files may be granted to an employee's supervisor and to specifically authorized employees within the administrative offices on a need to know basis. Additionally, authorized federal and state reviewers may have access to the files upon request.

Personnel files, however, are the property of Our House and no employee is entitled to a copy of any material in the files. Files must remain in the office where they are stored at all times.

Our House may, in its discretion, withhold certain information from the file before an employee is permitted to review the file.

4. Employee Benefits

4.1 Health Insurance

OUR HOUSE INC's health insurance benefits are intended to protect you and your family from financial loss resulting from hospital, surgical, or other health-related expenses.

Eligible employees may elect to begin health insurance benefits On the first day of the month after completing the introductory period.

This policy provides a summary of the benefits which may be provided at the Organization's discretion. Actual coverage is determined by the express terms of the plan documents. We encourage both you and your family to review the plan's Summary Plan Description (SPD) materials carefully.

If there are any conflicts between the handbook or summaries provided and the plan documents, the plan documents will control. The Organization reserves the right to amend, interpret, modify or terminate any of its employee benefits programs without prior notice to the extent allowed by law.

For details on the specific health insurance plans offered through OUR HOUSE INC, as well as copies of the plan documents, contact the Executive Director.

4.2 Life Insurance

An important facet of your benefits at OUR HOUSE INC is your life insurance. Employees may also purchase additional protection at preferred rates, above and beyond what is covered by your plan.

Eligible employees may elect to begin life insurance benefits after 3 months of continuous service. Upon attaining eligibility for OUR HOUSE INC's life insurance coverage, employees will be asked to designate a beneficiary. You may request a change in beneficiary at any time.

This policy provides a summary of the benefits which may be provided at the Organization's discretion. Actual coverage is determined by the express terms of the plan documents. We encourage you to review the plan's Summary Plan

Description (SPD) materials carefully.

If there are any conflicts between the handbook or summaries provided and the plan documents, the plan documents will control. The Organization reserves the right to amend, interpret, modify or terminate any of its employee benefits programs without prior notice to the extent allowed by law.

For details on the specific life insurance plans offered through OUR HOUSE INC, as well as copies of the plan documents, contact the Executive Director.

4.3 Workers' Compensation

Employees who are injured on the job at OUR HOUSE INC are eligible for Workers' Compensation benefits. Such benefits are provided at no cost to employees and cover any injury or illness sustained in the course of employment that requires medical treatment.

Lost time or medical expenses incurred as a result of an accident or injury which occurred while an employee was on the job will be compensated for in accordance with workers' compensation laws. This protection is paid for in full by OUR HOUSE INC. No premium is charged for this coverage and no individual enrollment is required. OUR HOUSE INC will provide medical care and a portion of lost wages through our insurance carrier.

All job-related accidents or illnesses must be reported to an employee's supervisor immediately upon occurrence. Supervisors will then immediately contact the Executive Director to obtain the required claim forms and instructions.

4.4 Public Health Emergency Leave/Expanded Family and Medical Leave

Under the federal Families First Coronavirus Response Act (FFCRA), employees may be entitled to public health emergency leave (PHEL), also known as Expanded FMLA. The FFCRA took effect on April 1, 2020 and expires on December 31, 2020.

Employee Eligibility:

To be eligible for PHEL/Expanded FMLA, an employee must have worked for OUR HOUSE INC for at least 30 calendar days prior to the leave.

Use of PHEL:

Eligible employees may use up to 12 weeks of job-protected leave to care for their son or daughter under 18 years of age if their school or place of care has been closed, or their childcare provider is unavailable, due to a public health emergency.

Documentation:

Prior to taking PHEL/Expanded FMLA, an employee must provide documentation containing:

- The employee's name;
- Date(s) for which leave is requested;
- Qualifying reason for the leave;
- The name of the son or daughter;
- The name of the school, place of care, or child care provider that has closed or become unavailable; and
- A statement that the employee is unable to work because of a qualified reason and that no other suitable person will be caring for the son or daughter during the period for which the employee takes leave under the FFCRA.

OUR HOUSE INC may also request an employee to provide additional material needed to support a request for tax credits pursuant to the FFCRA.

Pay During Leave:

The first two weeks of PHEL/Expanded FMLA may be unpaid, but the employee may elect to substitute any accrued paid leave, including emergency paid sick leave, during this period. Employees will be paid for PHEL/Expanded FMLA after the first two weeks, at a rate of at least two-thirds their regular rate of pay, up to a maximum of \$200 per day.

Protection of Group Health Insurance Benefits:

During leave under this policy, eligible employees are entitled to receive group health plan coverage under the same terms and conditions as if they had continued to work.

Job Restoration:

At the end of PHEL, employees are generally entitled to return to the same or equivalent position they had when the leave began. However, OUR HOUSE INC may be exempt from this requirement if it has fewer than 25 employees and:

- The employee's position doesn't exist after PHEL due to economic conditions or other changes in operating conditions that affect employment and were caused by a public health emergency during the period of leave;
- OUR HOUSE INC makes reasonable efforts to restore the employee to a position equivalent to the position the employee held before the leave; and
- OUR HOUSE INC makes reasonable efforts to contact the employee if an equivalent position becomes available within the next year.

Interaction with Federal FMLA Leave:

Total leave under federal FMLA, including PHEL and for previously existing FMLA-qualifying situations, is generally limited to 12 weeks. For instance, if an employee uses 12 weeks of PHEL, they generally wouldn't be eligible for another 12 weeks of federal FMLA for the birth of a child (another FMLA-qualifying event) in the same 12-month period.

The federal FMLA has an exception to the 12-week limit in the case of leave to care for a covered servicemember with a serious injury or illness, which has a 26-week limit. In cases in which employees use this type of leave and PHEL, the employee would be limited to a total of 26 weeks of leave in a single 12-month period under federal law.

Retaliation Prohibited

OUR HOUSE INC will not take adverse action against an employee for exercising their rights under the law.

If you have questions about this policy, contact your supervisor or the Executive Director.

4.5 Paid Time Off (PTO) - Vacation Leave

Paid Time Off (PTO) is an all-purpose time off policy for eligible employees to use for vacation. PTO combines traditional vacation plans into one flexible, inclusive policy. PTO is payable in the same manner as the regular salary and is subject to the same withholding elections.

Employees in the following employment classification(s) are eligible to earn and use PTO as described in this policy: Full-time employees only

Upon entering an eligible employment classification, employees will begin to earn PTO according to the following schedule:

- After 1 year(s) of service employees are eligible for 5 PTO Days.
- After 2 year(s) of service employees are eligible for 10 PTO Days.
- After 5 year(s) of service employees are eligible for 15 PTO Days.
- After 10 year(s) of service employees are eligible for 20 PTO Days.

Unless OUR HOUSE INC is required by state or local law to carry over unused PTO to the following year, employees must use their earned time prior to December 31 of the calendar year; otherwise the time will be forfeited. For details on carry over or other provisions of this policy, contact Executive Director.

Paid time off is paid at your base pay rate at the time of the absence. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differential.

Employees with an unexpected need (i.e. sudden illness or emergency) to request PTO-vacation should notify their direct supervisor as early as possible. Employees must also contact their direct supervisor on each additional day of absence.

- Work-related accidents and illness are covered by Workers' Compensation Insurance, pursuant to the requirements of the laws in the state(s) in which OUR HOUSE INC operates. The PTO policy outlined above does not apply to those illnesses or injuries that are covered by an applicable Workers' Compensation policy.

4.6 Paid Time Off - Personal Leave

PERSONAL LEAVE: CONTINUOUS SERVICE ACCRUAL RATE

Full Time Employee

Personal Leave 2 hours (Monthly) 3 days (24 Hours-Annually)

Leave of absences granted by the appointing supervisor for one (1) year or less shall be permitted without forfeiting previously accumulated continuous service.

Employees do not accumulate paid leave time during unpaid leave of absences nor receive holiday pay during unpaid leave of absence.

The provision of this section shall not apply to military leaves of absence. All leave except when such leave is taken due to an illness, shall be approved by the supervisor.

Earned personal leave of each employee shall be credited monthly after the completion of each calendar month of service. It shall be unlawful for an appointing supervisor to grant personal leave in an amount greater than was earned and accumulated by the employee.

Employees may utilize personal leave during the first calendar year after it has been credited. Personal leave do not begin to accumulate until after the first 90 days of employment.

Employees are encouraged to use earned personal leave. Personal leave may be used for vacations and personal business with the approval of supervisor.

Accrued personal or sick leave may also be used for an illness in the employee's immediate family. ***No employee shall be paid for unused personal leave upon termination of employment.***

Personal leave cannot be carried over from year to year.

4.7 Paid Time Office - Sick Leave

Sick Leave: Accumlate Time

Sick Leave 4 hours (Monthly) 6 days (48 Hours-Yearly)

Leave of absences granted by the appointing supervisor for one (1) year or less

shall be permitted without forfeiting previously accumulated continuous service.

Employees do not accumulate paid leave time during unpaid leave of absences nor receive holiday pay during unpaid leave of absence.

The provision of this section shall not apply to military leaves of absence. All leave except when such leave is taken due to an illness, shall be approved by the supervisor.

Earned sick leave of each employee shall be credited monthly after the completion of each calendar month of service.

It shall be unlawful for an appointing supervisor to grant personal leave in an amount greater than was earned and accumulated by the employee.

Employees may utilize sick leave during the first calendar year after it has been credited.

Sick leave do not begin to accumulate until after the first 90 days of employment.

Employees are encouraged to use earned sick leave.

Accrued sick leave may also be used for an illness in the employee's immediate family.

No employee shall be paid for unused sick leave upon termination of employment.

Unused sick leave can be carried over from year to year and can be used for paid major medical leave as described in this manual.

4.8 Paid Time Off (PTO) - Additional Guidelines

Staff Leaves - Details requesting leave

- **Vacation leave** must be approved at least thirty days prior to taking the time. If you wait until the week before your leave to request a leave **it may be denied.**

- If you wait until any moment after the 30 days prior notice to your request to leave, it may be denied. If at the end of the year, if you have not sought approval for your vacation time in the appropriate time frame, then you will have lost your time.
- Vacation Leave does not carry over

- All vacation requests must be submitted to Chief Executive Officer or your supervisor by January 30 each calendar year for approval. If you do not make your request by January 30, it will be subject to approval and **may be denied**.
- Request for changes to this advance notice, must be submitted 30 days prior to the requested vacation leave time.
- You are required to remind your supervisor of the requested/approved days that you will not be in within 48 business hours before you take **your approved leave**.

- **Work Time Daily Leave Requests**
 - If you chose to come in early for work in order to leave early that day and have not received approval from your supervisor, the night before, **then understand that you are required to stay until the regular shift ends**.

- If you have anyone else call in for you to request time off, please note that time off will be without pay.
 - You must make contact with your immediate supervisor – yourself (unless you have been hospitalized). If you cannot reach your supervisor then you must call the next supervisor in line.

- **Personal days are those days that the supervisor approves.**
 - These are not days that you decide to take at a whim (last minute) and are automatically approved. We are a business. The proper procedure is to contact your supervisor immediately.
Examples:
 - If you knew at midnight that your water pipes had busted then you should call your supervisor as soon as possible (i.e. at 1:00 a.m.) and tell them that you need to **request** a personal day to get your pipes fixed. Do not wait until your shift starts and call in requesting the time. Call as soon as feasible to make contact. (Your supervisor will need to be make arrangement to find a

replacement for you.)

- If you knew on Monday that your uncle passed away and the funeral is Friday, don't wait until Thursday to request time off. Or worse, do not take Friday off without informing your supervisor and then filling out a leave form on Monday. It is not understood that you will be off on Friday, just because your supervisor knew that your uncle had passed.
- If you knew on Tuesday that you had made an appointment to get your hair done on Thursday and you will be requesting personal time to leave early; do not wait until the morning of Thursday to request the time off. It may be denied or approved without pay. Request permission to take personal leave on Tuesday. You should also remind your supervisor on Thursday that the time was approved.
- If you are having challenges in the morning, (i.e. bad hair, feeling ill, children are being slow to dress) don't wait until **5 minutes before or 5 minutes after** your regular shift starts to contact your supervisor. Call when you felt you *might be* late. If you arrive on time, excellent. If you don't then the supervisor is prepared to provide coverage for your absence.
- If you do not contact your supervisor directly (or the supervisor on call directly) within 60 minutes prior to your normal work hour shift starts then you will be granted the time off without pay or you may be terminated. **If you choose not to call at all and feel that the time will be off without pay anyway, then please choose to stay home for the next three business days without pay.**
 - If you cannot reach your immediate supervisor, please note there are two other supervisors you may contact. However, there should be a clear indication that you attempted to reach your immediate supervisor before you contact another supervisor. *For example:*
 - *Contact them by home phone or mobile phone. Leave a message, if the supervisor is not available and then tried*

to contact the on call supervisor to inform them. You should also put this in writing.

- Please note your supervisors are not your co-workers. You **are not** to call and tell another staff person you are going to be late. You **are not** to call the answering service and tell them you are going to be late. You are to contact your immediate supervisor or in her absence one of the other two supervisors on staff, Dr. Patricia Davenport, Ms. Doris Lee or Mrs. Felecia Thomas.

4.9 Emergency Paid Sick Leave for COVID-19

Under the federal Families First Coronavirus Response Act (FFCRA), employees may be entitled to emergency paid sick leave in certain situations related to the coronavirus disease of 2019 (COVID-19). The FFCRA took effect on April 1, 2020 and expires on December 31, 2020.

Basic Leave Entitlement:

Full-time employees are entitled to up to 80 hours of paid sick leave. Part-time employees are entitled to paid sick leave in the amount of the average number of hours they work over a two-week period.

Use of Emergency Paid Sick Leave:

Employees are entitled to use the leave when they are unable to work (or telework) because of the following reasons:

- The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19 or is caring for an individual who is subject to such an order.
- The employee has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19 or is caring for an individual who has been advised to self-quarantine.
- The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- The employee is caring for a son or daughter if their school or place of care has been closed, or their childcare provider is unavailable, due to COVID-19 precautions.

- The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

For leave to take care of an individual in quarantine, isolation, or self-quarantine, the individual must be an employee's immediate family member, a person who regularly resides in the employee's home, or someone with whom the employee cares for. An employee may take emergency paid sick leave under this provision if the individual depends on the employee to care for them and is either:

- Subject to a quarantine or isolation order (as defined); or
- Has been advised to self-quarantine by a health care provider because of a belief that the individual has, or may have, COVID-19, or is particularly vulnerable to COVID-19.

Note: Employees won't be required to use other paid leave provided by OUR HOUSE INC before they use emergency paid sick leave available under the FFCRA. Additionally, employees won't be required to find a replacement to cover their hours during time off.

Pay During Leave:

During the sick leave provided by this policy, employees will generally be paid their regular rate of pay or the applicable minimum wage, whichever is higher, up to a maximum of \$511 per day (and a total of \$5,110). However, leave to care for an individual on quarantine/isolation/self-quarantine or a child whose school or day care is closed or childcare provider unavailable will be compensated at 2/3 of the employee's regular rate of pay, up to a maximum of \$200 per day (and a total of \$2,000).

Employee Documentation:

Prior to taking emergency paid sick leave under the FFCRA, an employee must provide documentation containing the:

- Employee's name;
- Date(s) for which leave is requested
- Qualifying reason for the leave; and
- Oral or written statement that the employee is unable to work because of a qualified reason.

Additional documentation is required depending on the reason for the need for leave:

- For a quarantine or isolation order, the employee must also provide the name of the government entity that issued the order.
- If a healthcare provider advised self-isolation, the employee must also provide the name of the healthcare provider.
- To care for a son or daughter, an employee must also provide the name of the son or daughter; the name of the school, place of care, or child care provider that has closed or become unavailable; and a statement that no other suitable person will be caring for the son or daughter during the period for which the employee takes leave under the FFCRA.

OUR HOUSE INC may also request an employee to provide additional material needed to support a request for tax credits pursuant to the FFCRA.

Job Restoration:

Upon expiration of the leave under this policy, employees will generally be reinstated to their position with equivalent seniority, benefits, pay and other terms and conditions of employment.

Retaliation Prohibited:

OUR HOUSE INC will not take adverse action against an employee for exercising their rights under the law.

If you have questions about this policy, contact your supervisor or the Executive Director.

4.10 Bereavement Leave

Bereavement leave provides paid time off for eligible employees in the event of a death in their immediate family. Employees in the following employment classification(s) are eligible for bereavement leave: Full-time employees only

An immediate family member for purposes of OUR HOUSE INC's bereavement leave policy includes the following:

- Spouse

- Child (including foster children and step-children)
- Parent (including legal guardian and step-parent)
- In-laws (including mother and father-in-laws and brother and sister-in-laws)
- Grandparent
- Grandchild
- Sibling
- Partner (including same-sex)

Eligible employees are entitled to 2 days paid time off for a death in the immediate family.

Because of the deep impact that death can have on an individual or a family, additional unpaid time off may be granted on a discretionary basis. Such arrangements must be approved by the employee's supervisor.

To be eligible for paid time off for bereavement, employees are expected to notify their supervisors at the earliest opportunity so that the supervisor can try to arrange coverage for the employee's absence. In addition, OUR HOUSE INC may require verification of the need for the leave.

4.11 Holidays

OUR HOUSE INC observes the following paid holidays:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving Day
- Christmas Day
- Christmas Eve
- Juneteenth
- Martin Luther King's Birthday
- Good Friday

Due to the nature of our business, OUR HOUSE INC may require employees to work on a holiday. Employees required to work on holidays will be paid holiday pay in accordance with applicable laws.

Additional paid leave (Only with the approval of the Executive Director):

- Self-Care Hours/days
- Bad Weather Day (s)
- Administrative Leave
- Comp Time off
- Adjustment to Work Hours

4.12 Christmas Bonus Guidelines

Christmas Bonus Guidelines:

There is no standard policy for holiday bonuses. However, as of 2020, Our House, Inc. choose to offer discretionary bonuses.

Christmas Bonuses are only given if there is general funds that can be used without causing financial hardship to Our House, Inc.'s program.

Christmas Bonuses are generally given in place of self-care hours for the holidays.

There are three different method for issuing Christmas Bonus:

- A Flat Rate for all employees
- Basic on merit/history and tenure with company
- Percentage of salary not to exceed 15%

Christmas bonuses are given to help motivate employees, and it lets them know that their hard work is noticed and rewarded.

Holiday bonuses, like raises are treated just like an employee's salary and need not be disclosed to anyone who is not involved in payroll or processing.

The current Executive Director may make the decision to offer bonus on the approval of the Board of Trustees' approval of this manual.

4.13 Jury Duty

OUR HOUSE INC encourages employees to fulfill their civic responsibilities when called upon to serve as a juror. Employees must provide their immediate supervisor with a copy of their jury summons as soon as possible so that the supervisor may make arrangements to accommodate their absence.

Employees on jury duty must report to work on workdays, or parts of workdays, when they are not required to serve. Either OUR HOUSE INC or the employee may request an excuse from jury duty if it is determined that the employee's absence would create serious operational difficulties.

Jury duty will be paid if required by applicable state law. If paid, jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. . If exempt employees miss work because of jury duty, they will receive their full salary, unless they miss the entire workweek. However, OUR HOUSE INC may offset any jury-duty fees received by an exempt employee against the salary due for that workweek.

4.14 Military Leave

OUR HOUSE INC grants employees unpaid time off for service, training and other obligations in the uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and any other applicable state law.

All employees requesting time off for military service must provide advance notice to their immediate supervisor, unless military necessity prevents such notice or it is otherwise impracticable. Continuation of health insurance benefits is available during military leave subject to the terms and conditions of the group health plan and applicable law.

Employees are eligible for reemployment for up to five years from the date their military leave began. The period an individual has to apply for reemployment or report back to work after military service is based on time spent on military duty and on applicable law. For reinstatement guidelines,

contact the Executive Director.

Employees who qualify for reemployment will return to work at a pay level and status equal to that which they would have attained had they not taken military leave. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

OUR HOUSE INC complies with all rights and protections under all applicable state laws granting time off for service, training and other obligations in the uniformed services. This includes, but is not limited to, benefits entitlement and continuation, notice and recertification requirements, and reemployment application requirements.

Questions regarding this policy should be directed to the Executive Director.

4.15 Paid Time Off (PTO) - Voluntary Donation of Leave

VOLUNTARY DONATION OF LEAVE POLICY

Any employee may donate a portion of his or her earned annual leave or sick leave to another employee who is suffering from a catastrophic injury or illness, as defined in Miss. Code Ann. §25-3-91, or to another employee who has a member of his or her immediate family (*“immediate family” means spouse, partner, parent, stepparent, sibling, child or stepchild*) who is suffering from a catastrophic injury or illness, in accordance with the following:

(a) The employee donating the leave (the “donor employee”) shall designate the employee who is to receive the leave (the “recipient employee”) and the amount of earned annual leave and sick leave that is to be donated, and shall notify the Chief Executive Officer of his or her designation.

(b) The maximum amount of earned personal leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor employee with fewer than seven (7) days of annual leave remaining, and the maximum amount of earned sick leave that an employee may donate to any other employee may not exceed fifty percent (50%) of the earned sick leave of the donor employee. All donated leave shall be in increments of not less than twenty-four (24) hours.

(c) An employee must have exhausted all of his or her earned annual leave

and sick leave before he or she will be eligible to receive any leave donated by another employee.

(d) Before an employee may receive donated leave, he or she must provide to the Authority a physician's statement that states the beginning date of the catastrophic injury or illness, a description of the injury or illness, and a prognosis for recovery and the anticipated date that the recipient employee will be able to return to work.

(e) If an employee is aggrieved by a decision of the Chief Executive Officer that the employee is not eligible to receive donated leave because the injury or illness of the employee or member of the employee's immediate family is not, in the Chief Executive Officer's determination, a catastrophic injury or illness, the employee may appeal that decision to the Board of Trustees.

(f) The maximum period of time that an employee may use donated leave without resuming work is ninety (90) days, which commences on the first day that the recipient employee used donated leave. Donated leave that is not used because a recipient employee has used the maximum amount of donated leave authorized under this paragraph shall be returned to the donor employee(s) as described in subsection (g) below.

(g) If the total amount of leave that is donated to any employee is not used by the recipient employee, the donated leave shall be returned to the donor employee(s) on a pro rata basis, based on the ratio of the number of days of leave donated by each donor employee to the total number of days of leave donated by all donor employees.

(h) No person, through the use of coercion, threats or intimidation, shall require or attempt to require any employee to donate his or her leave to any other employee. Any person who alleges a violation of this paragraph shall report the violation to the Chief Executive Officer or, if the alleged violator is the Chief Executive Officer, then the employee shall report the violation to the Chairman of the Board of Trustees.

(i) No employee can donate leave after tendering notice of separation for any reason, or after termination.

(j) In order for an employee to be eligible to receive donated leave, the employee must:

(i) have been employed for a total of at least twelve (12) months by the Authority on the date on which the leave is donated; and

(ii) Have been employed by the Authority for at least one thousand two hundred fifty (1,250) hours of service during the previous twelve month period from the date on which the leave is donated.

(k) Donated leave may not be used in lieu of disability retirement.

5. Working Conditions & Hours

5.1 Company Hours

OUR HOUSE INC is open for business from

- Monday - Friday 7:00 AM to 7:00 AM
- Saturday 7:00 AM to 7:00 AM
- Sunday 7:00 AM to 7:00 AM

. This excludes holidays recognized by OUR HOUSE INC. The standard workweek is 40 hours.

Supervisors will advise employees of their scheduled shift, including starting and ending times. Business needs may necessitate a variation in your starting and ending times as well as in the total hours you may be scheduled to work each day and each week.

5.2 Helpline & Shelter Hours

Our House's Shelter and Rape Crisis Program are open 24/7.

Staff are hired for each shift as necessary.

5.3 Emergency Closing

At times, emergencies such as severe weather, fires, or power failures can disrupt company operations. In extreme cases, these circumstances may require the closing of a work facility. The decision to close or delay regular operations will be made by OUR HOUSE INC management.

When a decision is made to close the office, employees will receive official notification from their supervisor.

5.4 Parking

OUR HOUSE INC provides parking for employees in the building parking lot. There should be ample space for all employees. Employees may only park in open spaces or those designated for use by OUR HOUSE INC. Vehicles parked in spaces designated for private use will be towed at the owner's expense.

5.5 Workplace Safety

OUR HOUSE INC is committed to providing a clean, safe, and healthful work environment for its employees. Maintaining a safe work environment, however, requires the continuous cooperation of all employees. OUR HOUSE INC and all employees must comply with all occupational safety and health standards and regulations established by the Occupational Safety and Health Act and state and local regulations. In addition, all employees are expected to obey safety rules and exercise caution and common sense in all work activities.

Complaint and Reporting Procedure:

Employees should immediately report any unsafe conditions to their supervisor without fear of reprisal. In the case of an accident that results in injury, regardless of how seemingly insignificant the injury may appear, employees must notify their supervisor. If you believe it would be inappropriate to report the matter to your supervisor, you can report it directly to:

Dr. Patricia Ann Davenport

Post Office Box 3956, Greenville, MS 38704

662-334-6873

Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report or, where appropriate, remedy such situations may be subject to disciplinary action, up to and including termination of employment.

Retaliation Prohibited:

OUR HOUSE INC expressly prohibits retaliation against anyone who reports

unsafe working conditions or work-related accidents, injuries or illnesses. Any form of retaliation will be subject to disciplinary action, up to and including termination of employment.

Questions or concerns regarding this policy should be directed to your supervisor or the Executive Director.

5.6 Security

The purpose of OUR HOUSE INC's security policy is to protect Organization assets and to maintain a safe working environment for all employees.

Facility Access:

All regular OUR HOUSE INC employees will be issued a key to gain access to OUR HOUSE INC facilities. Employees who are issued keys are responsible for their safekeeping. All lost or stolen keys must be reported to your supervisor as soon as possible.

Upon separation from OUR HOUSE INC, and at any other time upon OUR HOUSE INC's request, all keys must be returned to your supervisor.

Closing Procedures:

The last employee, or a designated employee, who leaves the office at the end of the business day assumes the responsibility to ensure that: all doors are securely locked; the alarm system is armed; thermostats are set on appropriate evening and/or weekend setting; and all appliances and lights are turned off with the exception of the lights normally left on for security purposes.

Employees are not permitted on company property after hours without prior written authorization from the Executive Director.

5.7 Meal & Break Periods

In accordance with state and local laws, non-exempt employees will be provided with meal and break periods. Break periods of less than 20 minutes will be paid. Break periods lasting longer than 20 minutes will be unpaid.

Non-exempt employees must be fully relieved of their job responsibilities and are not permitted to work during unpaid break and meal periods of more than 20 minutes. If for any reason a non-exempt employee does not take the applicable meal and rest period that they are provided, the employee must notify his or her supervisor immediately.

OUR HOUSE INC will schedule meal and break periods in order to accommodate Organization operating requirements.

5.8 Break Time for Nursing Mothers

OUR HOUSE INC accommodates employees who wish to express breast milk during the workday by providing reasonable break times to do so.

The Organization will provide a designated room, other than a bathroom, that is shielded from view, free from intrusion from coworkers and the public and is in compliance with all other applicable laws for this purpose.

Employees who use regularly scheduled rest breaks to express breast milk will be paid for the break time. If the lactation break does not run concurrently with the employee's regularly scheduled compensated break, the lactation break time will be unpaid.

For questions related to this policy, please contact the Executive Director.

5.9 Infectious Diseases

INFECTIOUS DISEASES POLICY

This policy is directed toward two categories of people connected to Our House: employees and volunteers in the service delivery system and the clients served. It is not the intention of this policy to address the medical aspects of the various diseases. The policy is however, based on Our House's current medical knowledge and current law.

A. Employees and Volunteers:

- An applicant to Our House shall not be discriminated against on the basis of a communicable disease if the applicant is otherwise qualified to perform essential functions of the position and if Our House can reasonably accommodate the illness without undue hardship. The applicant's illness furthermore must not pose a direct threat to other employees or clients at Our House. Applicants will be evaluated on case-by-case basis.
- In evaluating the above, Our House will consider reasonable medical judgment given the state of medical knowledge on: (1) the nature of the risk (how the disease is transmitted); (2) the duration of the risk (how long the applicant is infectious); (3) the severity of the risk (what potential harm is to third parties); and (4) the probability that the disease will be transmitted and cause harm.
- Factual education on all communicable diseases for all employees shall be undertaken by Our House so that infected persons are not treated in a prejudicial manner. Such education shall be designed to prevent unreasonable reactions to the diseases and persons affected and to bring about social responsibility.
- The identity of an employee or volunteer with TB, AIDS, ARC, HIV, Hepatitis B or other bloodborne diseases is confidential, and every precaution shall be taken to maintain that confidentiality. All information regarding such an employee or volunteer is confidential and may not be divulged to anyone unless required by law to do so with other responsible agencies (i.e., Mississippi Department of Health). Likewise, the identity of an employee or volunteer with TB, AIDS, ARC, HIV, Hepatitis B or other bloodborne diseases may not be shared with other employees unless it has been determined that the other employees have a genuine need to know.
- Employees will be offered Hepatitis B vaccination upon employment to be paid for by the employee.

B. Clients:

A client with TB, AIDS, ARC, HIV, Hepatitis B or other bloodborne diseases enrolled or seeking the services of Our House shall be provided services in an unrestricted setting. The identity of a client with TB, AIDS, ARC, or HIV is confidential and every precaution shall be taken to maintain that confidentiality. All information regarding such a client shall be held in

the strictest confidence and may not be divulged to anyone unless required by law to do so with other responsible agencies (i.e., Mississippi Department of Health). Likewise, the identity of an employee or volunteer with TB, AIDS, ARC, HIV, or other bloodborne disease may not be shared with other employees of Our House unless it has been determined that the other employees have a genuine need to know.

C. Infection Control Procedures:

1. Decisions regarding a present or prospective employee or volunteer shall be made using the team approach including the employee or volunteer's physician, public health personnel, and Our House administrative personnel. In each case, risks and benefits to both the infected person and to others in the setting shall be weighed.

As conditions change, cases may be re-evaluated. It shall be the responsibility of the Chief Executive Officer of Our House to implement the decision of the above-named group in each individual case.

2. Decisions regarding an employee or volunteer infected with TB, AIDS, ARC, HIV, Hepatitis B or other bloodborne diseases shall be made on an individual basis and shall take into consideration the behavior, physical condition of the employee or volunteer and the expected type of interaction with others in that setting.
3. An employee or volunteer with a highly contagious disease (i.e. flu, chicken pox, measles, etc.) should remain at home until the disease is no longer a threat to others. Cases of communicable diseases which might pose a threat to the health of clients and employees should be reported to the Chief Executive Officer of Our House. When concerned with a unique case, the welfare of all clients and employees will be the prime consideration.
4. The identity of an employee or volunteer who is infected with TB, AIDS, ARC, HIV, Hepatitis B or other bloodborne diseases shall be held in strict confidence. The identity of the employee or volunteer may be divulged only to other employees who have been determined to have a need to know. The team will include medical personnel and Our House personnel in consultation with Our House legal counsel. In each case, risks and benefits to both the infected employee or volunteer and to

other employees will be weighed.

6. Employee Conduct

6.1 Standards of Conduct

OUR HOUSE INC's rules and standards of conduct are essential to a productive work environment. As such, employees must familiarize themselves with, and be prepared to follow, the Organization's rules and standards.

While not intended to be an all-inclusive list, the examples below represent behavior that is considered unacceptable in the workplace. Behaviors such as these, as well as other forms of misconduct, may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal/possession of property
- Falsification of timekeeping records
- Possession, distribution, sale, transfer, manufacture or use of alcohol or illegal drugs in the workplace
- Fighting or threatening violence in the workplace
- Making maliciously false statements about co-workers
- Threatening, intimidating, coercing, or otherwise interfering with the job performance of fellow employees or visitors
- Negligence or improper conduct leading to damage of company-owned or customer-owned property
- Violation of safety or health rules
- Smoking in the workplace
- Sexual or other unlawful or unwelcome harassment
- Excessive absenteeism
- Unauthorized use of telephones, computers, or other company-owned equipment on working time. Working time does *not* include break periods, meal times, or other specified periods during the workday when employees are not engaged in performing their work tasks.
- Unauthorized disclosure of any "business secrets" or other confidential or non-public proprietary information relating to the Organization's products, services, customers or processes. *Wages and other conditions of employment are not considered to be confidential information.*

This policy is not intended to restrict an employee's right to discuss, or act together to improve, wages, benefits and working conditions with co-workers

or in any way restrict employees' rights under the National Labor Relations Act.

Other forms of misconduct not listed above may also result in disciplinary action, up to and including termination of employment. If you have questions regarding OUR HOUSE INC's standards of conduct, please direct them to your supervisor or the Executive Director.

More details are found under the General Code of Conduct Policy.

6.2 Disciplinary Action

Disciplinary action at OUR HOUSE INC is intended to fairly and impartially correct behavior and performance problems early on and to prevent reoccurrence.

Disciplinary action may involve any of the following: verbal warning, written warning, suspension with or without pay, and termination of employment, depending on the severity of the problem and the frequency of occurrence. OUR HOUSE INC reserves the right to administer disciplinary action at its discretion and based upon the circumstances.

OUR HOUSE INC recognizes that certain types of employee behavior are serious enough to justify termination of employment, without observing other disciplinary action first.

These violations include but are not limited to:

- Workplace violence
- Harassment
- Theft of any kind
- Insubordinate behavior
- Vandalism or destruction of company property
- Presence on company property during non-business hours
- Use of company equipment and/or company vehicles without prior authorization
- Indiscretion regarding personal work history, skills, or training
- Divulging OUR HOUSE INC business practices or any other confidential information

- Any misrepresentation of OUR HOUSE INC to a client, a prospective client, the general public, or an employee

More Details can be found under the Employee Conduct Discipline Policy .

6.3 Confidentiality

OUR HOUSE INC takes the protection of Confidential Information very seriously. “Confidential Information” includes, but is not limited to, computer processes, computer programs and codes, customer lists, customer preferences, customers’ personal information, company financial data, marketing strategies, proprietary production processes, research and development strategies, pricing information, business and marketing plans, vendor information, software, databases, and information concerning the creation, acquisition or disposition of products and services.

Confidential Information also includes the Organization’s intellectual property and information that is not otherwise public. Intellectual property includes, but is not limited to, trade secrets, ideas, discoveries, writings, trademarks, and inventions developed through the course of your employment with OUR HOUSE INC and as a direct result of your job responsibilities with OUR HOUSE INC. *Wages and other conditions of employment are not considered to be Confidential Information.*

To protect such information, employees may not disclose any confidential or non-public proprietary information about the Organization to any unauthorized individual. If you receive a request for Confidential Information, you should immediately refer the request to your supervisor.

The unauthorized disclosure of Confidential Information belonging to the Organization, and not otherwise available to persons or companies outside of OUR HOUSE INC, may result in disciplinary action, up to and including termination of employment. If you leave the Organization, you may not disclose or misuse any Confidential Information.

This policy is not intended to restrict an employee’s right to discuss, or act together to improve, wages, benefits and working conditions with co-workers or in any way restrict employees’ rights under the National Labor Relations Act.

Questions regarding this policy should be directed to the Executive Director.

6.4 Workplace Violence

OUR HOUSE INC strictly prohibits workplace violence, including any act of intimidation, threat, harassment, physical violence, verbal abuse, aggression or coercion against a coworker, vendor, customer, or visitor.

Prohibited actions, include, but are not limited to the following examples:

- Physically injuring another person
- Threatening to injure another person
- Engaging in behavior that subjects another person to emotional distress
- Using obscene, abusive or threatening language or gestures
- Bringing an unauthorized firearm or other weapon onto company property
- Threatening to use or using a weapon while on company premises, on company-related business, or during job-related functions
- Intentionally damaging property

All threats or acts of violence should be reported immediately to your supervisor or security personnel. Employees should warn their supervisors or security personnel of any suspicious workplace activity that they observe or that appears problematic. Employee reports made pursuant to this policy will be investigated promptly and will be kept confidential to the maximum extent possible. OUR HOUSE INC will not tolerate any form of retaliation against any employee for making a report under this policy.

OUR HOUSE INC will take prompt remedial action, up to and including immediate termination, against any employee found to have engaged in threatening behavior or acts of violence.

6.5 Drug & Alcohol Use

OUR HOUSE INC is committed to maintaining a workplace free of substance abuse. No employee or individual who performs work for OUR HOUSE INC is

allowed to consume, possess, sell, purchase, or be impaired by alcohol or illegal drugs, as defined under federal and/or state law, on any property owned by or leased on behalf of OUR HOUSE INC, or in any vehicle owned or leased on behalf of OUR HOUSE INC or while on Organization business.

The use of over-the-counter drugs and legally prescribed drugs is permitted as long as they are used in the manner for which they were prescribed and provided that such use does not hinder an employee's ability to safely perform their job. Employees should inform their supervisor if they believe their medication will impair their job performance, safety or the safety of others, or if they believe they need a reasonable accommodation when using such medication.

OUR HOUSE INC will not tolerate employees who report for duty while impaired by the use of alcohol or drugs. All employees should report evidence of alcohol or drug abuse to their supervisor or the Executive Director immediately. In cases in which the use of alcohol or drugs creates an imminent threat to the safety of persons or property, employees are required to report the violation. Failure to do so may result in disciplinary action, up to and including termination of employment.

As a part of our effort to maintain a workplace free of substance abuse, OUR HOUSE INC employees may be asked to submit to a medical examination and/or clinical testing for the presence of alcohol and/or drugs. Within the limits of federal, state, and local laws, OUR HOUSE INC reserves the right to examine and test for drugs and alcohol at our discretion.

As a condition of your employment with OUR HOUSE INC, employees must comply with this Drug & Alcohol Use Policy. Be advised that no part of the Drug & Alcohol Use Policy shall be construed to alter or amend the at-will employment relationship between OUR HOUSE INC and its employees.

Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

6.6 Sexual & Other Unlawful Harassment

OUR HOUSE INC is committed to a work environment in which all individuals are treated with respect. OUR HOUSE INC expressly prohibits discrimination

and all forms of employee harassment based on race, color, religion, sex, pregnancy, national origin, age, disability, military or veteran status, or status in any group protected by state or local law.

Sexual harassment is a form of discrimination and is prohibited by law. For purposes of this policy sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment. Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

Sexual and unlawful harassment may include a range of behaviors and may involve individuals of the same or different gender. These behaviors include, but are not limited to:

- Unwanted sexual advances or requests for sexual favors.
- Sexual or derogatory jokes, comments, or innuendo
- Unwelcomed physical interaction
- Insulting or obscene comments or gestures
- Offensive email, voicemail, or text messages
- Suggestive or sexually explicit posters, calendars, photographs, graffiti, or cartoons
- Making or threatening reprisals after a negative response to sexual advances
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters
- Verbal sexual advances or propositions
- Physical conduct that includes touching, assaulting, or impeding or blocking movements
- Abusive or malicious conduct that a reasonable person would find hostile, offensive, and unrelated to the Organization's legitimate business interests

- Any other visual, verbal, or physical conduct or behavior deemed inappropriate by the Organization

Harassment on the basis of any other protected characteristic is also strictly prohibited.

Complaint Procedure:

OUR HOUSE INC strongly encourages the reporting of all instances of discrimination, harassment, or retaliation. If you believe you have experienced or witnessed harassment or discrimination based on sex, race, national origin, disability, or another factor, promptly report the incident to your supervisor. If you believe it would be inappropriate to discuss the matter with your supervisor, you may bypass your supervisor and report it directly to:

Dr. Patricia Ann Davenport

Post Office Box 3956, Greenville, MS 38704

662-334-6873

Any reported allegations of harassment or discrimination will be investigated promptly, thoroughly, and impartially.

Any employee found to be engaged in any form of sexual or other unlawful harassment may be subject to disciplinary action, up to and including termination of employment.

Retaliation Prohibited:

OUR HOUSE INC expressly prohibits retaliation against any individual who reports discrimination or harassment, or assists in investigating such charges. Any form of retaliation is considered a direct violation of this policy and, like discrimination or harassment itself, will be subject to disciplinary action, up to and including termination of employment.

6.7 Telephone Usage

OUR HOUSE INC telephones are intended for the sole use of conducting

company business. Personal use of the Organization's telephones and individually owned cell phones during business hours should be kept to a minimum or for emergency purposes only. We ask that personal calls only be made or received outside of working hours, including during lunch or break time. Long distance phone calls which are not strictly business-related are expressly prohibited.

Any employee found in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

6.8 Personal Property

Employees should use their discretion when bringing personal property into the workplace. OUR HOUSE INC assumes no risk for any loss or damage to personal property.

Additionally, employees may not possess or display any property that may be viewed as inappropriate or offensive on OUR HOUSE INC premises.

6.9 Use of Company Property

Company property refers to anything owned by the company: physical, electronic, intellectual, or otherwise. The use of company property is for business necessity only.

When materials or equipment are assigned to an employee for business, it is the employee's responsibility to see that the equipment is used properly and cared for properly. However, at all times, equipment assigned to the employee remains the property of the Organization, and is subject to reassignment and/or use by the Organization without prior notice or approval of the employee. This includes, but is not limited to, computer equipment and data stored thereon, voicemail, records, and employee files.

OUR HOUSE INC has created specific guidelines regarding the use of company equipment. Below is a list of employee responsibilities and limitations with regards to company property.

Personal use of company property :

Company property is not permitted to be taken from the premises without proper written authority from company management.

Company Tools:

All necessary tools are furnished to employees in order to assist them in their required duties. Each employee is, in turn, responsible for these tools. Tools damaged or stolen as a result of an employee's negligence will, to the extent permitted by federal, state and local law, be charged to the employee.

Care of Company Property :

Office areas should be kept neat and orderly and all equipment should be well-maintained. The theft, misappropriation, or unauthorized removal, possession, or use of company property or equipment is expressly prohibited.

Any action in contradiction to the guidelines set herein may result in disciplinary action, up to and including termination of employment.

6.10 Smoking

OUR HOUSE INC provides a smoke-free environment for its employees, customers, and visitors. Smoking, including the use of e-cigarettes and vaporizers, is prohibited throughout the workplace. We have adopted this policy because we have a sincere interest in the health of our employees and in maintaining pleasant working conditions.

6.11 Visitors in the Workplace

To ensure the safety and security of OUR HOUSE INC and its employees, only authorized visitors are permitted on Organization premises and in Organization facilities.

All visitors must enter through the main reception area and sign in and out at the front desk. All visitors are also required to wear a “visitor” badge while on OUR HOUSE INC premises. Authorized visitors will be escorted to their destination and must be accompanied by a representative of the Organization at all times.

6.12 Computer, Email & Internet Usage

Computers, email, and the Internet allow OUR HOUSE INC employees to be more productive. However, it is important that all employees use good business judgment when using OUR HOUSE INC’s electronic communications systems (ECS).

Standards of Conduct and ECS

OUR HOUSE INC strives to maintain a workplace free of discrimination and harassment. Therefore, OUR HOUSE INC prohibits the use of the Organization’s ECS for bullying, harassing, discriminating, or engaging in other unlawful misconduct, in violation of the Organization’s policy against discrimination and harassment.

Copyright and other Intellectual Property

Respect all copyright and other intellectual property laws. For the Organization's protection as well as your own, it is critical that you show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks and other intellectual property, including the Organization's own copyrights, trademarks and brands. Employees are also responsible for ensuring that, when sending any material over the Internet, they have the appropriate distribution rights.

OUR HOUSE INC purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, OUR HOUSE INC does not have the right to reproduce such software for use on more than one computer. Employees may only use software according to the software license agreement. OUR HOUSE INC prohibits the illegal duplication of software and its related documentation.

ECS Guidelines

The following behaviors are examples of previously stated or additional actions and activities under this policy that are prohibited:

- Sending or posting discriminatory, harassing, or threatening messages or images about coworkers, supervisors or the Organization that violate the Organization's policy against discrimination and harassment.
- Stealing, using, or disclosing someone else's code or password without authorization.
- Pirating or downloading Organization-owned software without permission.
- Sending or posting the Organization's confidential material, trade secrets, or non-public proprietary information outside of the Organization. *Wages and other conditions of employment are not considered confidential material.*
- Violating copy right laws and failing to observe licensing agreements.
- Participating in the viewing or exchange of pornography or obscene materials.
- Sending or posting messages that threaten, intimidate, coerce, or otherwise interfere with the job performance of fellow employees.
- Attempting to break into the computer system of another organization or person.
- Refusing to cooperate with a security investigation.
- Using the Internet for gambling or any illegal activities.
- Sending or posting messages that disparage another organization's products or services.
- Passing off personal views as representing those of OUR HOUSE INC.

Privacy and Monitoring

Computer hardware, software, email, Internet connections, and all other computer, data storage or ECS provided by OUR HOUSE INC are the property of OUR HOUSE INC. Employees have no right of personal privacy when using OUR HOUSE INC's ECS. To ensure productivity of employees, compliance with this policy and with all applicable laws, including harassment and anti-discrimination laws, computer, email and Internet usage may be monitored.

This policy is not intended to restrict an employee's right to discuss, or act together to improve, wages, benefits and working conditions with co-workers or in any way restrict employees' rights under the National Labor Relations

Act.

Violations of this policy may result in disciplinary action, up to and including termination of employment. Questions or concerns related this policy should be directed to your supervisor or the Executive Director.

6.13 Company Supplies

Only authorized persons may purchase supplies in the name of OUR HOUSE INC. No employee whose regular duties do not include purchasing shall incur any expense on behalf of OUR HOUSE INC or bind OUR HOUSE INC by any promise or representation without express written approval.

6.14 Political Activity

POLITICAL ACTIVITY POLICY

It is the policy of the Board of Directors that personnel administration be conducted in an atmosphere free from political influence or coercion.

A. Political Contributions and Services

No employee shall be obliged, by reason of his or her employment, to contribute to a political fund or to render political service, and he or she may not be removed or otherwise prejudiced for refusal to do so.

B. Use of Official Authority or Influence of Coerce for Political Action

No employee shall use his or her official authority or influence to coerce the political action of a person or body. [Refer, Section 25-9-115 (I) and Section 25-9-145, Mississippi Code of 1972, as amended.]

C. Fair Treatment of Applicants and Employee

Each appointing authority shall assure fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation

D. FREEDOM FROM POLITICAL COERCION

Each appointing authority shall assure that employees are free from coercion for partisan or political purposes.

Mississippi Code sections applicable to Our House, Inc. states which political activities are permitted or prohibited pursuant to those Code sections.

Mississippi Election Code:

Section 23-15-871, Mississippi Code of 1972, as amended, provides:

It shall be unlawful for any corporation or any officer or employee thereof, or any member of a firm, or trustee or any member of any association, or any other employer, to direct or coerce, directly or indirectly, any employee to vote or not to vote for any particular person or group of persons in any election, or to discharge or to threaten to discharge any such employee, or to increase or decrease the salary or wages of an employee, or otherwise promote or demote him, because of his vote or failure to vote for any particular candidate or group of candidates; likewise it shall be unlawful for any employer, or employee having the authority to employ or discharge other employees, to make any statement public or private, or to give out or circulate any report or statement, calculated to intimidate or coerce or otherwise influence any employee as to his vote, and when any such statement has obtained circulation, it shall be the duty of such employer to publicly repudiate it, in the absence of which repudiation, the employer shall be deemed by way of ratification to have made it himself.

Nor shall any employee be requested, directed or permitted to canvass for or against any candidate or render any other services for or against any candidate or group of candidates, during any of the hours within which the salary of said employee as an employee is being paid or agreed to be paid; nor shall any such employee be allowed any vacation or leave of absence at the expense of the employer to render any service or services for or against any candidate or group of candidates, or take any active part in any election campaign whatsoever; nor shall any employee at the expense, in whole or in part, of any employer take any part whatsoever in any election campaign except the necessary time to cast his vote.

The prohibitions of this section shall apply to all state, state district, county, and county district officers, and to any board or commission and the members thereof whatever name designated and whether elective or appointive, and to each and every one of those employed by them or any of them.

And no state, state district, county or county district officer, or any employee who directly or indirectly has the control, or in any way the power of control, or who asserts or pretends that he has such power, over the expenditure of any public funds in this state, whatever the purpose or objective of said expenditure may be, shall state, suggest or intimate, publicly or privately, or in any manner or form, that any such expenditure shall in any way depend upon or be influenced by the vote of any person, group of persons, or community or group of communities, whether for or against any candidate or group of candidates at any election.

This section and every part of it shall apply also to all federal officers, agents, employees, board and commissions by whatever name known and to each and every one those employed by them, as to any interference by them or any of them, contrary to the provisions of this chapter, in the elections of this state.

6.15 Working From Home

Protecting Survivor Privacy When Working From Home: A Guide for OVW-Funded Victim Service Providers[1]

We know that many agencies are implementing work-from-home policies virtually overnight. We are all facing new challenges in this time of a national health crisis. The Victim Rights Law Center's Privacy Team created this guide to help you navigate some of the logistics of working from home on such short notice. It is designed to help organizations implement best practices regarding privacy and confidentiality of victim information and comply with our obligations as OVW victim service providers.

Privacy is a fact-specific, case-by-case consideration. Inevitably there will be situations not anticipated below. Do your best and be mindful of privacy at all times. When in doubt, feel free reach out to your Privacy TA provider for guidance. You can reach the VRLC Privacy Team at: TA@victimrights.org.

All OVW-funded victim service providers (VSPs) are subject to VAWA's confidentiality requirements. VAWA states that a VSP "may not disclose, reveal, or release personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected." 34 USC §

12291(b)(2).

“Personally identifying information,” or PII, is information that directly or indirectly identifies a person. It may be someone’s name, address, other contact information, or social security number. PII can also include someone’s race, birth date, number of children or other identifying data. VSPs must protect the confidentiality of anyone who sought, received, or was denied services – this obligation is not limited to just the survivors[2] that you serve.

Workspace

Do not engage in any work-related tasks involving a survivor’s PII where there is any possibility of a privacy breach.

At home, work in a space that provides privacy for the phone, computer, and any documents you’re working with or conversations you’re having (i.e., where no one else can view your screen, see your files, or hear your conversation if it involves PII).

Do not leave documents that contain PII in plain view or where they can be easily found by others, even if you are stepping away for “just a minute.” This includes survivor-related paperwork such as files and forms, envelopes with a survivor’s name and/or address, a survivor’s phone number, notes from a phone call with a survivor, a name or number jotted down from a phone message, etc. To promote survivor confidentiality, as much as possible, work at home should be done from digital files stored on your organization’s equipment that no one in your home can access rather than from hard copy files.

You will also need to dispose of information with PII securely. See the section on shredding below for more detail on how to dispose of survivor-related PII.

Communicating with, for, and about Survivors

While working remotely, you likely communicate with survivors in many different ways: by mail, phone, text, email, and perhaps videoconference. Each mode presents distinct risks and opportunities to protect survivor privacy.

Mail

If you are mailing documents to a survivor, the envelope or package should not be left sitting out with the name and/or address visible. If possible, do not leave correspondence with PII in your mailbox to be collected and sent by the letter carrier. Mail it yourself at the post office or a post office drop box. (If email is

safe and accessible to the survivor, consider that as an alternative.)

Computers

For security reasons, if possible, any work involving survivors' PII should only be done on agency-owned equipment.

Email

Talk with survivors about the safety, security, and privacy implications of communicating by email. Be sure you have informed consent before you email with a survivor.

If your work email is set to alert you with a pop-up on your screen when a new email arrives, assess whether this presents privacy issues for your work from home. (See more on "computer screens" below.)

Remind the survivor to sign out of their email on any computer others can access. This is especially important if you are exchanging personal, confidential, or privileged information with the survivor.

Phone

Have phone conversations in private and confidential locations. Be mindful of both your and the survivor's location. If you have confidentiality or privilege, make sure survivors' communications with you continue to meet the requirements for a "confidential" communication under the law in your and their jurisdiction(s).

If you use a baby monitor take care that, if it's on, someone cannot hear your phone (or videoconference) conversation through the receiver or other means.

If calls will be made to or from a cellphone, it must be password protected. You should tell to your supervisor immediately if a cellphone with PII is lost or stolen. Organizations should have a policy that requires staff to make such a report as soon as someone discovers the loss or theft.

When deciding what phone you will use to make or receive calls from survivors (e.g., cell versus landline), pay attention to what information pops up on your phone's home screen when you receive a call. The caller's name or phone number may appear regardless of whether the call is made directly to your phone or forwarded to you from a work phone through an app. A survivor's name and/or phone number may appear on the home screen even when all notifications are turned to "off." If you cannot disable this function,

you should have policies or protocols for how privacy will be protected when the phone is not in use or in your or another staff person's possession. Always be mindful of where your phone is and who can see the screen when a call comes in.

Consider the caller ID issue when you place a phone call. Caller ID works automatically with almost every phone service provider. Sometimes you can control this function by arranging for caller I.D. blocking your outgoing telephone number through your provider or the app. You may also be able to block your ID on a call-by-call basis by dialing *67 before you dial the outgoing number. The *67 code may not work with 800 numbers, though.

Privacy screens enhance, but are not a replacement for, the cellphone privacy practices and policies set out in this document. Consider using a privacy screen for your cell phone.

Also be mindful of what information will be captured by the phone(s) in a call log. The call history (calls made, calls missed, etc.) may also automatically be saved in your personal cell phone log even if the calls were made or received through an app. If someone other than you or another staff person has access to your phone and you cannot disable this function, best practice is to delete the history for any calls made to or received from a survivor. (Survivors' telephone numbers are very likely to be PII.) Remember to check the voicemail log on a personal cell phone as personal information appears there as well.

If your work phone service is provided through Voice Over Internet Protocol or VOIP, and you have a desk phone at the office, you might be able to plug it into a data port at home and have it work just like it does at work. A few things to consider if you do this:

1. Make sure the phone is located where it has the privacy required.
2. Tape a piece of paper over the phone screen when the phone is plugged in to cover any caller's name or number, especially if the phone is going to be left out where anyone who is not a program staff member or volunteer can see the screen.
3. You may be able to set the phone to ring only during your designated work hours. This enhances privacy because callers' names and phone numbers do not appear on the screen when the phone is on Do Not Disturb. (It also helps with boundary setting during non-work hours!)

Phone bill: If you are using a personal cell phone for work and a friend or family member has access to your cell phone bill, be sure you know what

information appears on your personal phone bill. For example, some phone bills list the phone numbers dialed, callers' phone numbers, and/or the phone number for any one you texted or who texted you. If the phone bill is paid or can be accessed by someone who is not part of your victim services program, you will need to ensure that your reimbursement, accounting, and auditing practices all protect survivors' personally identifying information. You may need to redact information from your phone bill before you submit it for reimbursement or arrange with your phone service provider to omit caller information from your bill. Know that not every provider offers this option. (If you are redacting the caller information from a personal phone bill you're submitting to someone outside your program for reimbursement, you may need to submit a companion statement or cover letter affirming that the calls were to - or from - survivors on the dates indicated.)

Remember, if you work for a domestic violence, sexual assault, dating violence, stalking and/or human trafficking program that is part of a multi-service agency, organization, or tribe, VAWA regulations state that you may not share any PII – including phone numbers on a phone bill – with individuals outside your victim services program without written and informed consent.

Video Conference

Videoconferencing presents significant opportunities and privacy risks. As an OVW grantee or sub-grantee, you have greater privacy obligations when communicating with or about people coming to you for services than you do when communicating with other staff members (including volunteers), or partner organizations, for example, on matters that do not contain any PII.

There are quite a few videoconferencing platforms available and you need to scrutinize each one before deciding to use it. You should get a survivor's informed consent to use any platform after discussing its privacy risks and protections. For more information about different platforms and the corresponding security, ease of use, whether they automatically record calls or keep a record, etc. see NNEDV's resource:

<https://static1.squarespace.com/static/51dc541ce4b03ebab8c5c88c/t/5e7e62a>

- Before you begin a videoconference with a survivor, make sure they are in a safe and confidential setting, and that it's still a good time for the two of you to meet "in person."
- If the survivor is video calling you from a location where someone

might interrupt, discuss in advance what the “cover story” is for the video call.

- Remember that video conferences have audio too! Use headphones if others share your space, as this minimizes the likelihood that the person with whom you’re videoconferencing will be overheard.
- Keep in mind that anyone on your end can still hear your part of the conversation, even if you’re using headphones.
- Remember that VAWA and VOCA are more privacy-protective than HIPAA, so a HIPAA-compliant program does not necessarily meet VAWA and VOCA privacy requirements.

For survivors concerned they may be stalked by the perpetrator, there are free videoconferencing programs that do not require a user to download an app. Instead, you send the survivor a link that they click on to launch the session. Two such programs are Cyph and Doxy.me. There are a number of others (see NNEDV resource linked above). VRLC does not endorse any one program. Those referenced here are cited just as examples, and should not be viewed as recommendations.

Cyph: Cyph.app is a free service that has the benefit of verifying the integrity of the application to ensure it hasn’t been tampered with since it was installed. It asks for a user name and login, but you can also use it without registering for an account; click on

the bottom where it says, “Use Cyph without an account” (see circled area in left-hand photo below). You then send the other user the link to access the service; when the recipient clicks on the link you sent the process to connect the two of you is launched. The default is that the link will expire in 10 minutes but you can click on the clock symbol with the + in the center (see red circled area in right-hand photo below) to increase the time in 1 minute increments. (If you have trouble with the process you can always request another link and start again.)

Note: Connecting through Cyph video uses a peer-to-peer connection, so you’ll be connecting directly to the other party instead of going through Cyph’s servers.

Doxy.me: Doxy.me is another free program. It is used most commonly by healthcare providers and psychotherapists. Like Cyph, you launch the session by sending the other person a link to use.

Microsoft Teams may be easy to use for anyone with a Microsoft account,

but the risk of chats or communications being stored may present safety risks for survivors. Similarly, **FaceTime** is very user friendly for survivors and providers with iPhones but deleting the call history requires several steps to eliminate the safety risks.

- **Note:** You and the survivors you work with may be required to participate in videoconferences set up by third parties such as courts, schools, or colleges. You may not be able to control what platform is used.

If you and the survivor are in different locations, and will be appearing by videoconference with other parties, establish a plan for how you and the survivor will communicate privately during the hearing. Whatever methods you plan to use, practice both them and the videoconferencing in advance of the appearance. Be sure to discuss how to use the “mute” function or go off-screen while remaining on the call (if permissible).

- Protect your own privacy. Be mindful that the person on the other end can see what’s behind or around you. Take care that you’re not inadvertently sharing information about yourself that you prefer to keep private.

-

Computer Screens

- Pay attention to what others can see if they walk by your screen or monitor, or if you walk away from it. Don’t walk away from a computer with documents with PII left open on the screen.
- Consider whether to use a monitor privacy screen. It looks something like this:

Note: A privacy screen helps if someone is looking at your screen from the side/at an angle. They provide little to no privacy if someone is directly behind you looking at your screen.

Set your computer to timeout if you are away. (Go to Settings, Computer Settings, Power.) That way if you step away from your computer for a couple of minutes, and become distracted, your computer will timeout and require you to sign-in again to unlock it. (All Programs, PC Settings, Personalization, Screen Time Out Settings.)

Physical Files / Physical Documents

1. Transporting physical documents:

- A survivor's file, folder, envelope, or other physical item should never leave the office or your home with the survivor name or any other PII visible. Such items must be transported in a bag, box, or envelope so that PII cannot be seen by others, and to ensure the item doesn't fall out accidentally.
 - Never leave anything with a survivor's PII in your car (if you're not in the car) or anywhere other than a private location not likely to be accessed inadvertently by others. Locked cars and car trunks are notoriously insecure; documents with PII should never be stored there.
 - When you take a break, are done for the day, or otherwise are not actively working with the documents that contain PII, secure the documents and ensure they're not accessible to others.
1. If you are working from home in a private office, and survivors' related PII is in use, any time you are not in the room or when you are done for the day the door should be locked or the files put away and not accessible to others.
 2. Always close your laptop lid or turn off your monitor if you are stepping away from your computer.
 3. Password protect all devices.

In-person Meetings While Working Remotely

Establish a protocol if an in-person meeting must take place. Criteria for an in-person meeting with a survivor should include whether you will be meeting at a location where confidentiality is preserved, whether the proposed meeting location presents a risk of inadvertently disclosing that you are serving a particular survivor, whether you have a VAWA-compliant signed release of information allowing you to identify the survivor at the alternate location if this is required to gain access or connect with the survivor, etc.

Scanning

For security reasons, we recommend you only scan documents that contain survivor related PII to computers owned by your program. (Do not scan survivor-related documents to a personal computer.) Do not scan survivors' documents with PII at a commercial copy company.

Photocopying and Printing

Don't scan, photocopy, or fax documents containing survivor-related PII at a business (e.g., Kinkos or Fed-Ex, your friend's company). Have a plan in place for an unanticipated emergency requiring you to photocopy or print documents at a business.

If you are printing or photocopying at home, take extra care to ensure that you do not leave any confidential documents with PII on your copier or printer.

Tip: If you are working on a draft document consider using an alias or insert "XXX" instead of the survivor's name and omit any PII until you need to print the final copy. You can then do a universal "search and replace" before you print.

Destroying Documents with PII

If you have a home shredder you could use it for work documents. Make sure any documents are shredded completely before turning off the shredder. Documents with PII or other confidential information should never be recycled or thrown in the garbage unless they are shredded.

Other options may include securing the documents in a locked drawer, closet, or file cabinet (to which no else has the key) or transporting them back to your office (in a safe and secure manner, as discussed above) when they can be disposed of securely, or burning them (depending where you live, the weather, safety, etc.)

Try to be judicious in printing documents with PII at home to minimize the amount of paperwork that will need to be disposed of confidentially.

Securing Releases of Information (ROIs)

You are required to meet your VAWA and VOCA confidentiality obligations wherever you work. You may only reveal personally identifying information about someone who sought, received, or was denied services if you: (a) have a signed, written, specific and narrowly crafted, release of information that was executed with informed consent and is valid for a reasonable length of time; (b) a statutory mandate; or (c) a court mandate.

For a release to be "informed," you and the survivor must discuss why the survivor might want you (or a third party) to release information that is personally identifying, agree on what information will be released to whom, and record this agreement in writing.

Getting the written release safely signed and returned, while ensuring it was executed with informed consent, can be challenging when you are not meeting with survivors in person. Electronic signatures that are not a survivor's actual signature are not VAWA compliant. You may need to be creative in how you arrange to have the ROI signed. Some ideas include:

- You can mail or email the survivor a blank ROI for their signature (after confirming it's safe to do so), and then schedule a time discuss what to fill in. The survivor can sign the release and send it back to you. You could include a self-addressed stamped envelope with the release if you mail it.
- Another option is to discuss the terms of the release in advance and send the survivor a completed release that reflects this agreement for them to sign. If you send a completed form in the mail, it's best to put a blank piece of paper around the ROI to enhance privacy, in case the envelope is torn in transit.
- You can ask a survivor to take a photo of a signed ROI and email or scan it to you. As always, the survivor should only do this if you've discussed the privacy and safety considerations of this approach. For example, iPhones store photos even after they've been deleted for 30 days in a "deleted items" album, sent emails and attachments live in the "sent" folder, etc.
- If you are meeting with the survivor by videoconference, you can send them the blank ROI, discuss and agree upon what it should say, and have the survivor sign the document while you are both on video. They can then return the signed ROI to you by mail, email, etc.

Other

It is best not to use Google Translate or Google Interpreter for documents or conversations that contain PII. Google automatically captures the content to have their staff review the accuracy of their artificial intelligence (AI) at work.

If you do inadvertently breach the PII of someone who sought, received, or was denied federally funded services, or if a breach is imminent, you must inform your funder within 24 hours from when you learn of the actual or imminent breach. So, if you lose a phone that has work-related content, your work laptop is lost or stolen, your email gets hacked, you lose a document or file with PII, you leave documents with PII sitting out and someone outside of your program might have seen them, or you otherwise have a breach event, follow your

program's data breach policy.

Finally, know that you are not in this alone! The VRLC's Privacy Team is here to help. These are extraordinary times and we're all doing our very best to adapt as quickly as we can. Don't hesitate to reach out for guidance, discussion, or just because you need a friendly privacy consult. We're here for you!

You can reach the VRLC Privacy Team at: TA@victimrights.org.

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[1] This document is current as of March 31, 2020

[2] In this document, we use the term "survivor" to refer to anyone who is covered by OVW's confidentiality requirements—i.e., anyone who sought, received, or was denied services.

6.16 Dress Code

DRESS CODE POLICY

Specific uniforms and/or dress codes will naturally be required in certain departments; however, all employees are asked to be aware of personal hygiene, neatness of attire, and cleanliness of apparel.

Listed below are guidelines that are minimum requirements for all employees, however, individual departments may require a higher standard of dress code if approved by their program directors or supervisors:

1. No transparent material, tightly fitting attire, or extremely low necklines are permitted.
2. Direct care (shelter worker or victim service advocates) employees may wear jeans if they are appropriate and clean with no holes. All employees may wear jeans on Fridays.
3. If an employee is participating in a recreational activity, clothing should be appropriate to the activity (e.g., shorts, sweats, jeans, etc.)

4. Excessive jewelry is not permitted. No dangling earrings are allowed, with the exception of clip earrings.
5. Comfortable, sturdy shoes which are clean and in good repair should be worn. Safety precautions should be considered for the types of shoes worn by all employees.
6. Shorts must be no shorter than 3 inches above the kneecap and must be loosely fitting.
7. Split skirts, dresses, and regular skirts may not be worn any shorter than 3 inches above the kneecap.
8. Bare sun-tops, spaghetti straps, tube tops, tank tops, halter tops and muscle shirts are not permitted.
9. Plain white T-shirt (undershirts) and tops with inappropriate slogans or imprints (i.e., those referring to beer, drugs, alcohol, promiscuity, casinos, and bars) are not permitted.
10. Appropriate undergarments should be worn at all times.
11. Hairstyles, make-up, the grooming of beards and mustaches and personal hygiene should be reasonable and in accordance with customary business practices.
12. Responsibility for implementation and compliance will be assigned as follows:
 1. Each department director and/or supervisor is responsible for enforcement of this policy.
 2. Any employee whose attire is considered inappropriate for the treatment setting will be counseled by his/her department supervisor and/or program director and may be asked to leave the premises until such time that he/she complies with the guidelines applicable to his/her department.

Management, administrative employees, and instructors should dress in appropriate business or business casual attire on Monday through Thursday. Employees must use good judgment in determining what type of dress is considered appropriate business attire. Clothing should be clean and neat in appearance at all times. Jeans, modest-length shorts, and tennis shoes are allowed on Friday. Instructors are asked not to wear shorts on any day except those specifically approved by the director.

Our House will occasionally provide t-shirts and polo shirts for employees to wear with dress pants when conducting outreach activities.

Our House will make reasonable accommodations for dress or grooming directly related to an employee's religion, ethnicity or disability.

Flagrant violations of standards of hygiene, cleanliness, or attire may be cause for disciplinary actions.

ID BADGES

ID badges will be issued to new employees on or around their first day of employment with Our House. The badge is to be worn at all times while on Our House property or business. No pins, stickers or marking are to be displayed on the badge. If the badge is lost or stolen, the employee will be responsible for notifying his/her supervisor and Human Resources. The employee will be charged a replacement fee, which is to be paid by either cash, check, or payroll deduction when the new badge is issued.

Upon termination of employment, the ID badge must be returned to the Personnel Department either in person or by mail.

6.17 Employee Conduct Signature Page

STANDARDS OF EMPLOYEE CONDUCT

I, _____ hereby acknowledge that I have read the standard codes of employee conduct, policies, rules, and regulations and agree to adhere to said guidelines.

I, hereby acknowledge that I have read the section on the standard codes of conduct to include telephone guidelines, detail leave time instructions, and available holiday leave time and I agree to adhere to said guidelines and instructions.

I, acknowledge that I understand that this manual will precede any and all other personnel manual guidelines.

I, agree to submit three references prior to hiring.

I, agree to submit a recent criminal background check, and child abuse registry check for my files (this includes fingerprinting)

I, agree to a substance abuse test prior to hiring and randomly after

employment

I, agree to remain tobacco free, alcohol free and drug free while employed at Our House, Inc.

I, agree to be violence free.

I, commit to being a mentor for other individuals who are less fortunate than myself. I am also committing myself to serve as a role model under the umbrella of Our House, Inc. I understand that if any of my personal actions reflects negatively on Our House, Inc. and I cannot serve as a role model in the area in which I am directly working, I will be immediately terminated or placed on suspension without pay.

I, have read and agree with the contract to work with minors statement.

I agree to the following under this contract as a role model with a higher standard of action:

- To respect the dress code of Our House, Inc.
- To never use my cell phone while on duty
- No personal calls at work (only emergency calls can be received)
- To never be disrespectful to clients or visitors of Our House, Inc.
- No friends/family members may visit with me while working without my supervisor's permission.

_____ Sign
of Employee/Date.

_____ Sign
of Supervisor/Date

6.18 Personal Appearance

The purpose of OUR HOUSE INC's personal appearance policy is to ensure a safe and sanitary workplace for all employees. OUR HOUSE INC strives to maintain a professional working environment that promotes efficiency, positive employee morale and promotes a professional image. During business hours or when representing OUR HOUSE INC, employees are expected to use common sense and good judgment in order to meet the goals of this policy.

Generally, employees should wear appropriate clothing, observe high standards of personal hygiene, and dress and groom themselves according to the requirements of their positions. While not intended to be an all-inclusive list, the examples below are considered appropriate workplace attire:

Business attire

If management designates "casual days," an employee's casual dress must still be clean, neat and project a professional image.

Generally, employees should maintain a clean and neat appearance and should refrain from wearing stained, wrinkled, frayed, or revealing clothing to the workplace. Employees are urged to use their discretion when determining what is appropriate to wear to work. Employees who wear inappropriate attire to work may be sent home to change their clothing.

OUR HOUSE INC understands that in certain situations, the Organization may need to make exceptions to this policy based on an employee's religion, disability, or other characteristic protected under federal, state or local law. In accordance with all applicable laws, the Organization will make every effort to provide reasonable accommodation as necessary unless doing so would cause an undue hardship on OUR HOUSE INC.

Questions regarding appropriate workplace attire should be directed to your supervisor or the Executive Director.

6.19 Distribution and Solicitation

DISTRIBUTION AND SOLICITATION POLICY

Solicitation by employees on Our House property without authority of management violates Our House policy. Questions regarding this policy should be directed to the Finance Department. Employees are prohibited from soliciting funds or political support; selling tickets, chances or merchandise; and distributing or placing literature on Our House premises without written approval from the Chief Executive Officer. Employees who discover persons making unauthorized solicitations must report it to their supervisor immediately.

6.20 Insubordination

INSUBORDINATION POLICY

The Code of Conduct is modified to provide for immediate termination in the event an employee refuses instruction from his or her supervisor or a member of management. Insubordination includes, but is not limited to, the following:

- Refusal to perform as assigned job.
- Refusal to work overtime when required.
- Refusal to render critical and required assistance to a fellow employee or client.
- Refusal to accept holiday work when assigned.
- Refusal in carrying out an assignment in a reasonable and timely manner.
- Disrespectful behavior to a supervisor, fellow employee, client, etc.
- Refusal to contact supervisor when late or ill.

6.21 Conflict of Interest

CONFLICT OF INTEREST POLICY

Employees should be especially careful to avoid using, or appearing to use, an official position for personal gain, giving unjustified preferences, or losing sight of the need for efficient and impartial decision making in Our House's method of operation. No act should be committed which could result in questioning the integrity of Our House, Inc.

Employees are not to engage in any activity in either private or official capacity where a conflict of interest may exist. An employee's first loyalty should be to Our House's interest. Associations, dealings or interests that could affect an employee's objectivity in performing the employee's job or making the decisions required of the employee's position should be avoided. However, employees are encouraged to participate in professional and civic organizations if such participation does not adversely affect the employee's role as an employee.

7. Timekeeping & Payroll

7.1 Attendance & Punctuality

Absenteeism and tardiness place an undue burden on other employees and on the Organization. OUR HOUSE INC expects regular attendance and punctuality from all employees. This means being in the workplace, ready to work, at your scheduled start time each day and completing your entire shift. Employees are also expected to return from scheduled meal and break periods on time.

All time off must be requested in writing, in advance, as outlined in the Organization's Paid Time Off (PTO) policy. If an employee is unexpectedly unable to report for work for any reason, he or she must directly notify their supervisor as early as possible, and preferably prior to their scheduled starting time. It is not acceptable to leave a voicemail message with a supervisor, except in extreme emergencies. In cases that warrant leaving a voicemail message or when an employee's direct supervisor is unavailable, a follow-up call must be made later that day.

If an illness or emergency occurs during work hours, employees should notify their supervisor as soon as possible.

Employees, who are going to be absent for more than one day, should contact their supervisor on each day of their absence. OUR HOUSE INC reserves the right to ask for a physician's statement in the event of a long-term illness (three consecutive days), or multiple illnesses or injuries.

If an employee fails to notify their supervisor after three consecutive days of absence, OUR HOUSE INC will presume that the employee has voluntarily resigned. OUR HOUSE INC will review any extenuating circumstances that may have prevented him or her from calling in before the employee is removed from payroll.

Should undue or recurrent absence and tardiness become apparent, the employee will be subject to disciplinary action, up to and including termination of employment.

This policy is not intended to restrict an employee's right to discuss, or act together to improve, wages, benefits and working conditions with co-workers or in any way restrict employees' rights under the National Labor Relations

Act.

7.2 Timekeeping

It is the Organization's policy to comply with applicable laws that require records to be maintained of the hours worked by our employees. Every employee is responsible for accurately recording time worked.

In addition to recording arrival and departure time, non-exempt employees are required to accurately record the start and end of each meal period as well as any departure for non-work related reasons. Any errors in time records, must be immediately reported to your supervisor.

Absent prior authorization, non-exempt employees are not permitted to start work until their scheduled starting time or work past their scheduled ending time.

OUR HOUSE INC strictly prohibits non-exempt employees from working off the clock for any reason. All time spent working must be logged and accounted for; this includes time spent using electronic devices for work-related purposes.

Vacation days, sick days, holidays, and absences for jury duty, funeral leave or military training must be specifically recorded by all employees.

It is the responsibility of all employees to submit and approve their time records each week.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action up to and including termination of employment.

7.3 Pay days

OUR HOUSE INC employees are paid on a Bi-weekly basis. In the event that a regularly scheduled pay day falls on a holiday, employees will be paid on the day preceding the holiday, unless otherwise required by state law.

Paychecks will not, under any circumstances, be given to any person other than the employee without written authorization. Pay checks may also be mailed to the employee's listed address or, upon advance written authorization, deposited directly into an employee's bank account. Employees who elect payment through direct deposit will receive an itemized statement of wages when the Organization makes direct deposits.

In the event of employee termination, the employee will receive their accrued pay in accordance with applicable federal, state and local laws.

7.4 Payroll Deductions

OUR HOUSE INC makes deductions from employee pay only in circumstances permitted by applicable law. This includes, but is not limited to, mandatory deductions for income tax withholding and Social Security and Medicare contributions as well as voluntary deductions for health insurance premiums and other related contributions.

If you believe that an improper deduction has been made from your pay, raise the issue with the Executive Director immediately. OUR HOUSE INC will promptly investigate. If the investigation reveals that you were subjected to an improper deduction from pay, you will be reimbursed promptly.

7.5 TSheet

Our House utilizes TSheet an online timekeeper. Video instructions are provided in program on how to use this tool. New employees are sent a link from the Executive Director to create a user name and passwords. All timesheets will require approval prior to being submitted for payroll.

T-Sheets Activities Definitions

Created October 29, 2020

Item Name

**Available
for the
following
staff**

Administration

Davenport

- Payroll
- Grant forms
- Budget reviews
- Consultations with partners
- Gathering Bids
- Preparing Financial Reports for Advisory Board Members
- Updating Civil Rights Laws
- Providing safety for staff
- Reviewing all grants semi-annual and quarterly reports
- Attending Board meetings
- And, other stuff

Awareness

All Staff

- Health fairs,
- Candlelight ceremonies,
- Events we share our services at
- Search internet for information to use at awareness events
- Newsletter (creating, proof, distributing, etc.)
- TV interviews
- Radio interviews
- Pods interviews
- Newspaper interviews
- Developing power points to describe services

Conference Calls

All Staff

- Three or more persons are on the phone
- This is not a zoom conference calls
- If one of the persons on the phone is a client, then the call should be listed under direct services
-

Crisis Calls

All Staff

- The first call received from a client
- Additional calls received from a survivor prior to an intake being completed
- A current client in the midst of a severe crisis
- This is **not** for follow-up or wellness call unless the client is in a new crisis.

Domestic/Dating Violence Services

All Staff

- Any and all DV client's direct services (advocacy, transportations, referrals, financial assistance etc.)
- Shredding and filing clients' records
- Follow-up or wellness checks with clients
-

Emails

All staff

- Reading emails
- Responding to emails that are not related to client's activities
-

Financial

Davenport
and Garner

- Bookkeeping
- Internal Audit Review
- External Audit Review
- Reimbursements
- Payment of expenses
- Inputting income
- Orange Sheets
- Reviewing and Proofing Grant Budgets
- Filing Financial Reports, quarterly

Grant Writing

Davenport,
Thomas

- Finding grants
- Proofing grants
- Writing grants
- Writing budgets for Grants
- Creating grant logic models
- Filing and submitting grants
- Completing MOU/MOE
-

Inputting to Empower DB

All staff

- All clients' related activities
- All events (awareness, training, meetings, etc.)
- All data related to calls (general, office, crisis, etc.)
- Informational and Referral
-

Meetings - Community

All staff

- Community Connections (Tuesdays)
- SART
- Homeless Coalition
- MVSU-CCR meetings
- DART meetings
- MDT
- MAP
- JDAI
-

Meetings - Staff

All staff

- Meeting with staff members (by zoom, phone or in-person)
-

Office Duties

All staff

- Cleaning any and all facilities (outreach and shelter)
- COVID-19 cleaning
- Completing timesheets, work schedule, etc.
- Going to the store for supplies
- Going to the post office for supplies
- Refurnishing gas and other services for the vans
- Going to the banks for agency

- Completing semi-annual and quarterly reports

This is not to be used for anything related to clients, i.e. filing or shredding clients' files.

Sexual Assault Services

All staff but Garner

- Any and all SA client's direct services (advocacy, transportations, referrals, financial assistance etc.)
- Shredding and filing clients' records
- Client's wellness checks

Special Care Activities

All staff

- All other activities for individuals that do not fall under Domestic Violence, Dating Violence, Sexual Assault or Stalking
- Examples: Homeless, unemployment and survivor of homicide acts

Staff/Volunteer Development

All staff and volunteers

- All training provided by Our House
- All trainings mandated by grant funders, i.e. OVW
- Webinars conducted by other related agency, i.e. CDC, OVC, SAMSA
- Zoom meetings by Coalitions

All training inputted into the notes must contain the following information

- Topic of the training
- Presenter's name
- Summary or objectives for the training
- Sponsoring agency
- What did you learn (brief statement)

Support Group Activities

All staff but Garner

- LEAH
- RESTORE
- MASH
- YES
- Sisters of Faith
- SOS
- SOAR
- Let's Talk about it

Training/Educational Activities

All staff and
volunteers,
except Ricks

- All trainings provided to non-staff persons
- Trainings conducted by staff for professionals, faith-based leaders, schools, law enforcement, etc.
- 14 Week Healthy Relationship School Trainings
- Trainings conducted by staff/volunteers for MVSU, Coahoma College, DSU, etc.
- Preparing for activities and follow-up from activities

Volunteers Activities

Any non-paid activity

Webinars

- This activity has been merged into other listed activities.

8. Staff Interpersonal Violence

8.1 Workplace Violence

WORKPLACE VIOLENCE POLICY

According to the **National Institute for Occupational Safety and Health (NIOSH)**: Workplace violence is any physical assault, threatening behavior or verbal abuse occurring in the work setting. It includes but is not limited to beatings, stabbing, suicides, shootings, rapes, near suicides, psychological traumas such as threats, obscene phone calls, an intimidating presence, and harassment of any nature such as being followed, sworn at or shouted at.

Our House further defines Workplace Violence as the commission of proscribed criminal acts or coercive behaviour which occurs in the work setting. It includes but is not limited to homicides, forcible sex offenses, kidnapping, assault, robbery, menacing, reckless endangerment, harassment and disorderly conduct. The term coercive behaviour is intended to convey the sense that workplace violence may take many forms in addition to the use of force. The aggressor may use berating language, physical or verbal threats or damage personal property.

Our House refuses to tolerate violence of any kind. Due to the type of clientele served, we must adhere to safety precautions. Examples of our clientele: Victims of violent crimes and offenders of domestic violence.

Our House defines the following as:

Workplace

Workplace may be any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations, clients' homes, and traveling to and from work assignments.

Workplace violence (WPV) incidents can be divided into categories depending on the relationship between the assailant and the worker or workplace. These categories are:

1. Violence by Strangers

In this type of incident the violence is committed by a stranger. This stranger has no legitimate relationship to the worker or workplace and enters the workplace, usually on the pretense of being a client, to commit a robbery or other violent act. Workers also may be victimized by strangers outside of Our House facilities while acting within the course and scope of their employment.

2. Violence by Clients

In these incidents, the violence is committed by someone who receives a service provided by Our House, such as a current or former client. The violence can be committed in the workplace or, as with service providers, outside the workplace but while the worker is performing a job related function.

Violence of this kind is divided into two types.

a) One type involves people who may be inherently violent such as offenders of domestic violence, prison inmates, mental health service recipients, or other client populations.

b) The other type involves people who are not known to be inherently violent, but are situationally violent. Something in the situation induces an otherwise non-violent client to become violent. Typically, provoking situations are those which are frustrating to the client, such as denial of needed or desired services or delays in receiving such services.

3. Violence by Co-Workers

In co-worker incidents, the perpetrator has an employment relationship with the workplace. The perpetrator can be a current or former employee, a prospective employee, a current or former supervisor or a manager. Co-worker violence that occurs outside the workplace, but which resulted or arose from the employment relationship would be included in this category. This type of violence can again be divided into two types. Violence between supervisors and subordinates, and violence between workers at the same levels.

E. Violence by Personal Relations:

In personal relations incidents, the violence is committed by someone who has a personal relationship with the worker, such as a current or former spouse or partner, a relative or a friend. Included in this category is the perpetrator who has a personal dispute with the worker and enters the workplace to harass, threaten, injure or kill.

Estranged domestic partners may seek out their victims while they are at work. Employees who may be victims of domestic violence need to be aware and feel secure in alerting their supervisor to the potential for a workplace attack. In these cases, all supervisors should:

- 1) Maintain the confidentiality of personal employee information (i.e. home address, work schedules),
- 2) deny or restrict workplace access to employee relatives or outside visitors, and
- 3) allow flexibility in the use of leave, work schedules or transfers in situations where employee(s) may be at risk of violence.

Our House has established the following workplace policy.

Prohibited conduct includes, but is not limited to:

- injuring another person physically;
- engaging in behavior that creates a reasonable fear of injury to another person;
- engaging in behavior that subjects another individual to extreme emotional distress;
- possessing, brandishing, or using a weapon that is not required by the individual's position while on state premises or engaged in state business;
- intentionally damaging property;
- threatening to injure an individual or to damage property;
- committing injurious acts motivated by, or related to, domestic violence or sexual harassment; and
- retaliating against any employee who, in good faith, reports a violation of this policy.

Note: Employees may be authorized by their agencies to possess weapons in the workplace if they are required as a part of employees' job duties

Employees violating this policy will be subject to disciplinary action up to and including termination, based on the situation.

Violent acts by employees occurring outside the workplace also may be grounds for disciplinary action, up to and including dismissal. In these situations, the agency must demonstrate in writing that the violent conduct

committed has an adverse impact on the employee's ability to perform the assigned duties and responsibilities or that it undermines the effectiveness of the agency's activities.

Our House is expected to create and maintain a workplace designed to prevent or deter workplace violence through the review and development of the following steps:

- provide periodic training for supervisors and employees on workplace violence
- provide information on resources and services available to them
- provide periodic training on recognizing and responding to potentially violent or violent situations in the workplace
- protect victims of workplace violence
- encourage the anonymity of any one who comes forward with concerns about threat or acts of violence

STALKING POLICY

Our House defines a stalker as someone who exhibit one or more of the following behaviors: following a person; making excessive unwanted calls; sending threatening mail, text messages or emails; driving or parking near a person home or work; committing damage to another person property, i.e. Vandalizing a car, harming a pet or breaking windows; and/or breaking into someone's home. If an employee is being stalked by another person, you are to: a) trust your instincts; b) notify local law enforcement; c) keep a diary; d) get a protective order; e) do not have contact with the stalker; f) save recording on your answering machine/cell; g) save all emails or text messages; h) do not go out alone; i) keep all correspondences; j) tell everyone (co-workers and supervisors); k) stay alert; l) change your routine; m) park securely and in well-lit areas; n) alert your supervisor and the Chief Executive Officer; o) do not dismiss any threat, written or verbal; p) maintain privacy of personal information; q) develop a safety plan for yourself and family members in case of emergency; r) carry a cell phone; s) take a self defense class if possible; and, t) do not post personal information on social networking sites, i.e. MySpace, Facebook, etc.

Employees who are victims of stalking will be monitored for safety from personal bodily harm.

8.2 Stalking

STALKING POLICY

Our House defines a stalker as someone who exhibit one or more of the following behaviors: following a person; making excessive unwanted calls; sending threatening mail, text messages or emails; driving or parking near a person home or work; committing damage to another person property, i.e. Vandalizing a car, harming a pet or breaking windows; and/or breaking into someone's home. If an employee is being stalked by another person, you are to: a) trust your instincts; b) notify local law enforcement; c) keep a diary; d) get a protective order; e) do not have contact with the stalker; f) save recording on your answering machine/cell; g) save all emails or text messages; h) do not go out alone; i) keep all correspondences; j) tell everyone (co-workers and supervisors); k) stay alert; l) change your routine; m) park securely and in well-lit areas; n) alert your supervisor and the Chief Executive Officer; o) do not dismiss any threat, written or verbal; p) maintain privacy of personal information; q) develop a safety plan for yourself and family members in case of emergency; r) carry a cell phone; s) take a self defense class if possible; and, t) do not post personal information on social networking sites, i.e. My Space, Facebook, etc.

Employees who are victims of stalking will be monitored for safety from personal bodily harm.

8.3 Domestic Violence & Sexual Assault

VICTIMS OF DOMESTIC VIOLENCE AND/OR SEXUAL ASSAULT LEAVE POLICY

EMPLOYEES may be granted administrative leave with pay. For the purpose of this section, "administrative leave" means discretionary leave with pay, other than personal leave or major medical leave. The appointing supervisor may grant administrative leave to any employee

An employee (full time employee – only) may use up to three (3) days of administrative leave for each occurrence of victimization which has impacted an employee's personal health as it relates to being a victim of domestic violence and/or sexual assault. **No qualifying time or use of personal**

leave will be required prior to use of administrative leave for this purpose. The incident of personal violence must have occurred directly to the employee. An administrative leave will not be granted if an immediate family is defined as spouse, parent, step-parent, sibling, child, step-child, grandchild, grandparent, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law or sister-in-law suffers from domestic violence and/or sexual assault incident. (Child means a biological, adopted or foster child, or a child for whom the individual stands or stood in loco parentis.) Employee may request personal leave or sick leave to assist a family member who is a victim of domestic violence and/or sexual assault.

Being a victim of domestic violence and/or sexual assault can impair your mental, emotional and physical capabilities to perform your best work. Any employee who becomes a victims domestic violence and/or rape and their job duties and responsibility requires them to work directly with other victims of domestic violence and/or rape victims will be removed from this position and placed in another department or area of work responsibility for at least four weeks. They will also be encouraged to seek counseling prior to returning back to their regular job responsibility. They will not be allowed to counsel other victims of domestic violence and/or rape until the Chief Executive Officer has given approval. Their salary and benefits will remain the same.

If their job responsibility do not directly relate to working with victims the employee will still be encouraged to seek counseling. They will not be released from their job position nor transfer.

The above recommendation can be dispense or adjusted on the discretion of the Chief Executive Officer.

8.4 Offenders of Interpersonal Violence

OFFENDERS OF DOMESTIC VIOLENCE OR SEXUAL ASSAULT POLICY

Our House, Inc. is dedicated to providing an environment free from the presence or use of violence. We recognize that the employees who are offenders in domestic violence and/or rape incidents are contrary to the policy of non-violence.

Our House, Inc. intends to remain free of the problems associated with violent

related activities, which include accidents, safety violations, insurance cost escalation, and a rise in criminal activities. Our policy is to cooperate with law enforcement and regulatory authorities to achieve a violence free work place and community environment.

The notification of employees being identified as an offender in domestic violence or sexual assault incidents will be a terminating offense, without recourse. Any circumstances that indicate the violation of state, federal or local laws are to be reported to appropriate law enforcement officials, and Our House will cooperate in criminal prosecutions. Only the Chief Executive Officer can make exception to this rule based on the recommendation of the employee's supervisor.

Reporting for duty or working in a leadership role and your home life reflects the opposite of our express policy of non-violence is specifically prohibited. Use of violence at any time that will have an adverse affect on Our House, Inc.'s public image and the safety of another person even when used off-the-job will result in employment termination or suspension without pay for those perpetrating the violence.

Violence which are illegal under federal, state or local laws, and which are intended to be covered by this policy include: spouse abuse, dating violence, child abuse, elderly abuse, sexual assault, rape, and any other form of interpersonal violence.

Should a worker appear, in the opinion of a supervisor or Chief Executive Officer, to be a perpetrator of violence such employee will be requested to allow a legal investigation to determine whether or not he/she have been violent toward another person based on the legal statutes for domestic violence, child abuse, rape, and sexual assault.

Should the courts find the employee "not guilty," Our House will conduct an internal investigation prior to allowing the employee to resume his/her duties. Our House will make the final determination as to whether the violence on another person was "preventable" or "intend able" act results of which would imply immediate termination or suspension without pay.

Based on the final determination, an employee who is an offender of interpersonal crime may be allowed to return to work upon the discretion of the Chief Officer. A mandatory 26 weeks of Behavioral modification classes must be attended by an employee who has been arrested of interpersonal violent acts. All offending employees will be placed on 3 months

probation. Fees for attending the classes may or may not be waived based on a case review by the employee's supervisor and Chief Executive Officer.

8.5 Crisis Management

CRISIS MANAGEMENT POLICY

Preventing and managing crises, disasters, accidents and harmful incidents are a very important aspect of Our House's risk management effort and insurability, as well as indicators of responsibility toward clients and employees. An explanation of this plan is an important part of new employee orientation and ongoing in-service training.

When a major crisis occurs in a program (i.e., natural disasters, fire, physical/sexual abuse, runaway, emergency hospitalization, serious accident, serious violence, death, etc.), these are the recommended procedures that should be followed as they relate to employees, clients, parents and/or legal guardians, authorities and the media.

It should be understood that every effort should be made to prevent potential crisis from occurring, but if there is a serious crisis all of the established safety/disaster plans and procedures are to be followed. After the safety and medical needs of clients and employees are met, all mandatory local/state/federal reporting requirements must be met.

1. Employees

- 1. An employee must report an incident immediately to his/her immediate supervisor, who then reports to the program director.**
- 2. A program director reports an incident to the Chief Executive Officer by telephone as soon as possible after learning of the incident.**
- 3. An incident report is to be written within 24 hours or the next working day of the incident/accident and submitted to the immediate supervisor and/or program director. Additionally, the program director, in consultation with the Chief Executive Officer and/or the Chief Executive Officer, will report an incident to the funding and/or licensing agency(s) of the affected**

program.

4. A serious incident/accident is to be investigated immediately by the program director and submitted in writing to the Chief Executive Officer no later than 72 hours after the incident/accident. The report should include the date and time of the incident/accident, name(s) of client(s) and employee(s) involved and circumstances.
5. The Chief Executive Officer will contact the President of the Board of Directors in a case where, in his/her determination, the incident/accident is very serious, where litigation is possible and where the media may become involved.
6. A situation that requires closure of a program or any service site, such as fire or severe weather, will be reported to the funding and/or licensing agency(s) of the affected program within 24 hours or the next working day. A written report of events and actions should be submitted within 5 working days of the event.

2. Victims

1. The victim of a serious incident/accident may be a client, an employee, or third party. His/her immediate safety and medical needs are the first priorities of action.
 2. The second priority is to be supportive of the victim and to help to deal with the immediate emotional and trauma and aftermath.
 3. As soon as possible, the victim should be allowed to contact his/her spouse, legal guardian, therapist/caseworker, or appropriate significant other.
 4. After the initial crisis and trauma have passed, an investigation should be initiated, and plans should be made to deal with any long-term effects.
3. Parents, Legal Guardians, Etc.
 1. An employee is to contact parents, legal guardians, spouses, and/or significant others as soon as possible after the incident/accident in order

to explain it. The employee should be clear, concise, and truthful. The employee should not speculate or blame.

2. Victims are to be supported in contacting their parents, legal guardians, etc., and should be allowed to ventilate.
 3. Under the direction of administrative staff, an employee will make time available to meet fact-to-face with parents, legal guardians, etc. The employee(s) responsible for the meeting must discuss the meeting with the immediate supervisor, program director, and/or Chief Executive Officer. A meeting should not be held if there are threats of litigation unless and until it is cleared by the Chief Executive Officer.
 4. Police, fire and medical authorities should be contacted immediately if an incident/accident requires immediate action for health and safety.
 5. All specific reporting requirements stated by the Department of Human Services, Department of Mental Health and other appropriate funding/regulatory organizations should be followed.
4. Authorities

**AN IMMEDIATE SUPERVISOR AND/OR THE CHIEF EXECUTIVE OFFICER
MUST BE CONSULTED BEFORE BREAKING CONFIDENTIALITY.**

5. Media

1. When confronted by the media regarding a crisis or incident/accident, all inquiries should be referred to the Chief Executive Officer unless Our House's response has been discussed.

9. Volunteers

9.1 What it means to be a volunteer?

What it means to be a volunteer?

To **volunteer** is to give of yourself in service to a cause. It is about freely giving your time to help an organization, your community, or an individual. ... To **volunteer means** to act on behalf of something or someone else. It is done by people with a desire to do good.

Are you considering volunteering? It's an important way to help individuals and communities in need. And, as Calvin Holbrook writes, the benefits of this altruistic act are proven by science.

With most of us leading super busy lives, the idea of volunteering – giving your time and energy to a cause without financial reward – may seem an impossible task. I mean, how can we fit anything else into our already jam-packed schedules? However, volunteering is important for many reasons and doesn't have to take up too much time. And, in fact, the benefits of volunteering are vast for the volunteer – not just the community, individual or organization receiving their assistance.

So, why the interest in volunteering?

The Greek philosopher Aristotle once said that the essence of life is “to serve others and do good,” and it seems an increasing number of us are starting to wake up and see why volunteering is important. People are starting to understand how serving and helping each other and different communities benefits not just others but ourselves, too.

Why is volunteering important?

Volunteering is important as it offers essential help to worthwhile causes, people in need, and the wider community. Indeed, many organizations and charities rely on the generosity of volunteers as often they're only part-funded through government or local *councils and cannot afford to pay salaries for all their staff. In fact, many* companies depend almost solely upon teams of volunteers to help them thrive and do their work.

9.2 Benefits of Volunteering

So, what are the benefits of volunteering?

Of course, the benefits of volunteering for those receiving help are clear. Whether it's providing kids in a Third World country with free English classes or litter picking from your local beach, the benefits to the receiver and the wider community are usually part of the reason why you decide to volunteer in the first place.

But did you realize just how important volunteering could be for the person doing it? In fact, volunteering is beneficial to the doer for a whole host of reasons, including stress reduction, combating [depression](#) and providing a sense of purpose.

“Volunteering is important as it offers essential help to worthwhile causes, people in need, and the wider community.”

9.3 Seven benefits of volunteer?

And while studies do show that the more you volunteer, the more benefits you'll experience, volunteering doesn't have to involve a long-term commitment. Even giving in simple ways can help those in need and improve your overall health and happiness. So, let's take a closer look at just why volunteering is important with **seven key benefits** of this altruistic act.

1. Volunteering connects you with others

If you're [feeling lonely](#), isolated, or simply want to widen your social circle, volunteering in your local community is an important – and often fun – way to meet new people. In fact, one of the best ways to [make new friends](#) and strengthen existing relationships is to commit to a shared activity together, and volunteering lets you do just that.

Volunteering is an important connection tool.

If you've recently moved to a new city or country, volunteering is an important and easy way to meet new people and it also strengthens your ties to that local community and broadens your support network. Furthermore, it connects you to people who have common interests and passions and who could go on to become great friends.

In fact, volunteering is an important and interesting way to meet people who you might *not* normally connect with: people from different age groups, ethnicities or social groups. Because volunteering is open to everyone, it allows you to meet a wide variety of people from all sorts of walks of life, something that can only open your eyes further.

2. Volunteering builds self-confidence and self-esteem

Doing good for others and the community helps to create a natural sense of accomplishment. And working as a volunteer can also give you a sense of pride and identity, helping to boost your self-confidence further by taking you out of your natural comfort zone and environment.

Indeed, volunteering helps you to feel better about yourself, which you can then take back to your 'regular' routine, hopefully creating a more positive view of your own life and future goals.

If you're shy or fearful of new experiences, cultures and travel, volunteering overseas could be an important and insightful way to help you build self-confidence in this area too (not forgetting the other benefit of this type of volunteering – a chance to see a bit of the world at the same time!).

Research shows that volunteering could be particularly useful and important in boosting the self-esteem and confidence of adolescents who are just starting out on their life journey. A 2017 [study](#) from the University of Missouri and Brigham Young University that included almost 700 11- to 14-year-olds examined how sharing, helping and comforting others affected self-confidence. The study found that altruistic behaviors may indeed raise teens' feelings of self-worth and that adolescents who assisted strangers reported higher self-esteem one year later.

“If you're feeling lonely or simply want to widen your social circle, volunteering in your local community is an important – and fun – way to meet new people.”

And a [National Youth Agency report](#) seemed to corroborate this evidence. In it, young people aged 11 to 25 “repeatedly stressed that volunteering had increased their self-confidence, self-esteem and self-belief.” This self-confidence boost was shown to be strongly linked to improved communication skills, especially amongst young volunteers who were previously nervous about meeting new people.

3. Volunteering is important for physical health...

Interestingly, volunteering has distinct health benefits that can boost your mental and – perhaps more surprisingly – *physical* health. Indeed, a growing body of evidence suggests that people who give their time to others might benefit from lower blood pressure and a longer lifespan.

A 1999 [study](#) showed that ‘high volunteers’ (helping out at two or more organizations) had a 63 per cent lower mortality rate than non-volunteers. And more recent [research](#) (2013) from Carnegie Mellon University found that adults over 50 who volunteered regularly were less likely to develop high blood pressure (hypertension) compare to non-volunteers. Hypertension is an important indicator of health as it contributes to stroke, heart disease and premature death.

Lead study author Rodlescia Sneed said that carrying out volunteer work could increase physical activity among those who aren’t normally very active, and that it could also reduce stress: “Many people find volunteer work to be helpful with respect to stress reduction, and we know that stress is very strongly linked to health outcomes.”

Importantly, volunteers seem to notice these health benefits too. Indeed, a [2013 study from UnitedHealth Group and the Optum Institute](#) of over 3,300 U.S. adults revealed that 76 per cent of those in the United States who volunteer said it makes them feel physically healthier. Also, around 25 per cent said that volunteering had been important in helping them manage a chronic health condition.

4. ...and mental health

When it comes to volunteering being important for mental health, the benefits are clear. It can help counteract the effects of stress, [depression](#) and [anxiety](#). Indeed, the social contact aspect of helping others can have a profound effect on your overall psychological well-being.

Volunteering keeps you in regular contact with others and helps you develop a solid support system, which in turn combats against [feelings of loneliness](#) and depression. Volunteering with [animals](#) has also been shown to improve mood, reducing stress and anxiety.

The social aspect of volunteering boosts mental health.

Finally, volunteering boosts mental health simply because it makes you happier; the so-called 'helper's high'. Human beings are hard-wired to give to others, and by measuring so-called brain activity and [happiness hormones](#), researchers have found that being helpful to others can deliver great pleasure.

A [2008 study](#) from the London School of Economics examined the relationship between volunteering and happiness in a large group of American adults. The researchers found that the more people volunteered, the happier they were. Compared with people who never volunteered, the odds of being 'very happy' rose seven per cent among those who volunteer monthly and 12 per cent for those who volunteer every two to four weeks.

5. Volunteering is important for a sense of purpose

Because volunteering means choosing to work without receiving monetary compensation, people often choose to give their time to issues or organizations they feel are important or have a special connection to.

For example, if you're a big animal lover you may want to volunteer at a pet shelter. Or, perhaps you've living with or have recovered from an illness and want to dedicate some of your spare time to a charity that helps others living with the same condition. Volunteering like this helps address a social problem that is meaningful to you and in turn helps to build a sense of purpose, which furthermore boosts your own happiness.

“When it comes to volunteering being important for mental health, the benefits are clear. It can help counteract the effects of stress, depression and anxiety.”

You can try volunteering at any age to help build a sense of purpose, but it's often particularly common in older adults – those that have retired or maybe lost a partner or friends. Whatever your age or life story, volunteering can be an important technique to help give your life new meaning and direction!

6. Volunteering helps you forget your own problems

One other benefit of volunteering is that focusing on others can give us a deeper sense of [perspective](#) and help distract us from negative thoughts and help [stop rumination](#). Volunteering often involves helping those in need and can be useful in showing us that, in fact, our own lives are not as bad as we thought they were.

7. Volunteering is important for your career

In an increasingly competitive job market, volunteering experience can be incredibly useful. It shows potential employers that you can take initiative and that you're willing to give your own time to improve the world for other people.

Furthermore, volunteering gives you the opportunity to practice important common skills used in the workplace, such as communication, teamwork, problem solving, planning and organization. Indeed, if you haven't had a full-time job before then volunteering is an essential way to prove your skills when you do go for work interviews.

Also, if you've just graduated or looking for your first job, volunteering is an important and relatively easy way to get a foot in the door of a company you'd like to work with. Even if there's no immediate chance of employment afterwards, volunteering can help you to make connections for the future.

Alternatively, if you've already had jobs and are considering a change of direction, volunteering is an important and fun way to try out different career options, especially if you're not quite sure of where you want to go next. Indeed, volunteering offers you the chance to try out a new career without making a long-term commitment!

9.4 Conclusions: The Importance of Volunteering

Conclusions: the importance of volunteering

It's clear the benefits of volunteering are huge – improved mental and physical health, new friends and avoiding loneliness, a sense of purpose and deeper self-

confidence. In turn, *all* of these things will help to boost your overall happiness: a win-win situation for all involved.

If you're considering volunteering, ask yourself a few questions before taking the plunge. Firstly, really think about which causes you're passionate about – it means you're more likely to enjoy and stay committed to the work. Secondly, are you looking for regular volunteering opportunities or would you prefer a one-off project? Thirdly, what skill set can you offer and what can you hope to gain from volunteering? Good luck when you finally get going, and make sure you have fun – volunteering is important – the benefits are clear – but it's important to enjoy it too!

Written by Calvin Holbrook: Calvin edits online magazines, makes art and loves swimming, yoga, dancing to house/techno, and all things vintage!

9.5 Confidentiality

Confidentiality is the basic policy of crisis centers. It requires that all information provided to volunteers, advocates and staff, by victim/survivors or by friends and families of victim/survivors, be kept confidential. The following guidelines should be adhered to at Our House, Inc. with callers and clients.

When talking directly with a victim/survivor:

- Notify the victim/survivor that all information will be kept confidential. Confidentiality is the beginning of empowerment, for it assures the victim/survivor that s/he alone has the right to choose to disclose information about the assault.
- Always request the victim/survivor's permission before contacting others. Example: "I want to help you but I need more information. I'd like to discuss this with my supervisor if that is okay with you,"
- When filling out any log sheets, keep details concise and factual.
- If you need to get another advocate for outreach or any other reason, get the victim/survivor's permission.
- Let the victim/survivor do the talking to staff at the hospital, police station or district attorney's office. Try not to put words into the victim/survivor's mouth. Allow the victim/survivor to decide whether you should be present at any of these interviews.

- Do not question the answer a victim/survivor gives to others even though it may differ from what you think you heard. You may want to ask for clarification later in private.

When talking to relatives or friends of victim/survivors:

- If a victim/survivor has not given permission for your contact with any significant others, give general information about domestic violence victim, rape victim/survivors and sexual assault issues.
- If a victim/survivor has given you permission to talk with family or friends, do so. Remember that it is always best to suggest that the callers convey their concerns directly to the victim/survivor. At times you may be able to facilitate this.
- Family and friends of victim/survivors also have rights to confidentiality. If family members do not want their call relayed to the victim/survivor, that is their prerogative.

When talking with anyone else:

- When referring to a victim/survivor, use a general phrase such as "young woman" or "a man I am working with," NEVER a victim/survivor's name.
- Do not tell anyone that an individual has contacted you.
- Get written permission for release of information from the victim/survivor before discussing a victim/survivor's situation with a representative of any agency or organization. (This includes referrals.)

Information about volunteers is also confidential:

- Only use your first name when talking with a victim/survivor or significant others.
- When referring to another advocate, use only first names.
- Do not give out your phone number or home address. Anyone who needs to reach you can always call the crisis number and leave a message. The advocate on call can relay that to you.
- Outreach volunteers should not go to a victim/survivor's home. Arrange to meet at some public place, Our House, Inc. main facility, a hospital, police department, etc.

9.6 General Volunteer Duties

Qualifications: Volunteers shall possess a genuine commitment to the mission of the agency to assist in providing assistance with educating the public about the services the agency provides. All volunteer shall: (1) have a clear background check, (2) complete an application packet and (3) have a full understanding of their role within the agency.

Responsibilities: Volunteers are to report directly to the designated supervisor or director about all matters concerning the assigned program or project. Volunteers shall report all issues related to scheduling and procedural questions about their assignment to the assigned supervisor. All volunteers shall refer and comply with the all guidelines, policies and procedures of the agency, as any other employee of the agency.

- Volunteers may be asked to perform a variety of duties including, but not limited to, the following:
- Provide assistance to the director or project supervisor;
- Assist in presenting and preparing educational material;
- Assist with monitoring project activities as needed;
- Assist with donations;
- Serve as a mentor for the program or project;
- Assist with answering the telephone;
- Assist clients with seeking resources as needed;
- Assist clients with completing Victim's Compensation Benefits as needed;
- Assist with scheduling appointments;
- Assist with general office work duties: filing, mail, sorting, copying, etc.;
- Assist with fund-raiser activities;
- Other duties as assigned by the agency director or project manager;
- Maintain client confidentiality in all forms of communications.

9.7 Volunteer Crisis Line Advocate Job Description

JOB DESCRIPTION FOR VOLUNTEER CRISIS LINE ADVOCATE

Title: Crisis Line Advocate

Requirements:

- Successfully complete minimum training requirements.
- Commit to volunteer or at least one academic year.
- Commitment to uphold the volunteer contract made with OUR HOUSE, INC..
- Attendance at meeting/in-service training. Meetings are on Tuesday from 3:30-5:00. You **must** attend at least two meetings a month.
- Interest in working in the anti-sexual assault and anti-relationship violence movements with victims/survivors and/or with significant people in their lives.
- Conduct oneself in a professional manner or ethical way.
- Adhere to strict policy of confidentiality.
- Understanding of sexual violence as one form of oppression and having an awareness of connections between sexism, racism, classism, homophobia, heterosexism, and ableism to violence.
- Closure on any issues/victimization related sexual assault, relationship violence, and stalking.
- No participation with Our House, Inc. or another crisis center, as a client in the past year.
- Cannot date or have an intimate relationship with clients that you advocate for at Our House, Inc.

Duties:

- Hold in confidence all agency and advocate-client related business.
- Received regular supervision individually and/or in a group.
- Attend monthly advocate meetings/in-services.
- Provide five nights per month, including one weekend shift, of on-coverage for the crisis line during the hours the office is closed.
- Work closely as a team with the Crisis Line Advocate who is on-call with myself.
- Provide thoroughly and professional crisis line advocacy, information and referrals, and appreciate follow-through.

- Provide appropriate outreach services to legal, medical, law enforcement, and academic agencies.
- To the best of my ability, provide follow-up advocacy to the clients I services on-call develop a follow-up plan.
- Complete paperwork in clients' folders and for the office in a comprehensive and timer manner.
- Call Direct Services Coordinator by the next day to review advocacy and clients' status and follow-up plan.
- If I cannot fulfill my duties, I must find a replacement for my shift.

Other Opportunities:

- Work more hours at the office in OUR HOUSE, INC. at the legal clinic.
- Organize campus events such as Sexual Awareness Month (April), Domestic Violence Awareness Month (October) and Take Back the Night.
- Assist in the facilitation of book/v ideo presentations.
- Provide office-related activities and work in special projects.
- Develop topics for and present at volunteer in-service meetings from personal projects to academic work.
- Attend conference and/or community meetings on behalf of OUR HOUSE, INC..
- Write pieces for the Volunteer Newsletter.

Report to: Volunteer Coordinator (for tasks and trainings) or the Executive Director

9.8 Contract for Volunteer Crisis Line Advocate

CRISIS LINE ADVOCATE

I, _____, **agree to work** a period of not less than one calendar year after completion of my initial training programming and/or entrance interview to serve as a Volunteer Crisis Line Advocate with Our House, Inc. **As a Crisis Line Advocate, I agree to the following:**

1. To abide by the rules, regulations, and politics of Our House, Inc.
2. To participate in a background check prior to becoming a volunteer.

3. To fulfill the responsibilities of the Crisis Line Advocate role as outlined by the job description.
4. To demonstrate a commitment to the diversity and inclusion of participants/clients of OUR HOUSE, INC.
5. To hold in confidence all information pertaining to participants of the center.
6. To hold the participant's/client's welfare as my primary concern when representing the center in so far as doing so does not violate center policies and regulations or jeopardize the welfare of others.
7. When providing hospital advocacy, work with the secondary Crisis Line advocate in responding to the client at the hospital.
8. Not to engage in a relationship with any of my clients or former clients of OUR HOUSE, INC.
9. To fulfill all required volunteer hours.
10. To report for all shifts /duties for which I have been assigned or to arrange for appropriate replacement.
11. To attend an entrance interview to initiate my volunteer position in a timely manner; within 60 days of completing my training or at another time arranged by the Volunteer Coordinator.
12. I will inform the staff if my life situation changes making it difficult or impossible to fulfill my volunteer responsibilities; such as grief, illness, family, or relationship problem, academic issues, or mental health concerns.
13. If I am in recovery as a survivor recent sexual assault or relationship violence, I will discuss my options with one of the Directors regarding my volunteer duties and if a leave of absence is necessary for my process of recovery. I may resume at the direction of confidential between and the appropriate staff working with me. I have the right not to have a client file kept on my situation at this office.
14. When I'm working as a volunteer, I agree not to be under the influence of chemicals. I will not put myself in any position where I cannot provide advocacy. If necessary, I will call the appropriate staff if I in the position to break this policy.

I understand Our House, Inc. will:

1. Provide me with 40+ hours of Advocacy training.
2. Provide in-services, volunteer meetings, and training opportunities on

a regular basis.

3. Provide supervisor and feedback so that I may approve and evaluate my own performance.
4. Provide me with a quarterly Advocate Report that addresses my status fulfilling the advocate requirements.

I agree that this contract shall be in effect for the entire time that I'm a volunteer at Our House, Inc. I understand that this contract and therefore my role as an advocate for Our House, Inc. may be terminated at any time by mutual consent and/or at the time by the center if I violate the provisions of this contract. I have the right to take a temporary leave of absence as a volunteer upon meeting with the Director I have read this contract and agree to abide by all sections as witnessed by my signature below.

Volunteer Crisis Line Advocate Date

9.9 Volunteer Healthy Relationship Educator

Job Description for Volunteer Healthy Relationship Educator

Title: Healthy Relationship Educator

Requirements:

- Successfully complete minimum training requirements.
- Commit to volunteer for at least one calendar year.
- Commitment to uphold the volunteer contract made with OUR HOUSE, INC..
- Interest in working in the anti-sexual assault and anti-relationship violence movements through educational initiatives and public awareness.
- Conduct oneself on a professional and ethical manner, including respect and maintaining healthy boundaries.

- Adhere to strict policy of confidentiality.
- Commitment to practicing upcoming presentations on your own.
- Understanding of sexual violence as one from of oppression and having an awareness of connections between sexism, racism, classism, homophobia, heterosexism and ableism to violence.
- Closure on any issue/victimization related to sexual assault, relationships violence, or stalking.
- No participation with OUR HOUSE, INC., or another crisis center, as a client in past year.
- Cannot date or have any intimate relationship with clients that you advocate for at OUR HOUSE, INC.

Duties:

- Complete at least two presentations each calendar year.
- Set up a presentation on your own. (counts as one of the required number of presentations per year)
- Host a community table about Our House, Inc. services at events within our nine-county service area.
- Respond promptly to the Healthy Relationship Coordinator after an email has been sent to all Educators requesting presenters for an upcoming educational presentation.
- Attend mandatory practices with the Healthy Relationship Coordinator and/or other Educators prior to each presentation.
- Present the Healthy Relationship curriculum or materials with the intended audience at the time and date requested.
- Increase awareness of Our House, Inc., its service and Healthy Relationship Educator program, encouraging groups to invite Educators to make a presentation.
- Notify the Coordinator more than 24 hours on advance if some dire circumstances you may have to find a Educator to present for you.

Opportunities:

- Become a leader and gain career-building experience.
- Write for the OUR HOUSE, INC. Newsletter.
- Volunteer to do office hours.
- Organize events such as Teen Dating Violence Prevention Month (Feb), Sexual Awareness Month (April), and Domestic Violence Awareness

Month (October)

Report to: Healthy Relationship Educator Coordinator

9.10 Contract for Volunteer Healthy Relationship Educator

VOLUNTEER CONTRACT FOR HEALTHY RELATIONSHIP EDUCATOR

I, _____, hereby agree to serve as a Healthy Relationship Educator with Our House, Inc. I will provide services to Our House, Inc. for a period of not less than one calendar year after my completion of the initial training program and/or entrance interview. **As a Healthy Relationship Educator agree to the following:**

1. To abide by the rules, regulations, and policies of Our House, Inc.
2. To participate in a background check prior to becoming a volunteer.
3. To fulfill the responsibilities of the Healthy Relationship Educator as outlined by the job description.
4. To demonstrate a commitment to the diversity and inclusion when facilitating presentations.
5. To hold in confidence all information pertaining to a participants/client of the center.
6. Not to engage in an intimate relationship with any of my neither clients nor former clients of OUR HOUSE, INC.
7. To fulfill the process being a Healthy Relationship Educator: Accepting, planning, presenting, evaluating, and reviewing of the programs presented.
8. I understand that being a Educator is a serious commitment to OUR HOUSE, INC. and the community. I understand that I will be required to follow through with the presentation that I will accept. If I have accepted a presentation and cannot make the presentation, I will need to notify the Director within 24 hours of the presentation. I will find a replacement educator to take my place.

9. To complete an Orientation with the Healthy Relationship Director
10. I will inform the Healthy Relationship Coordinator if my life situation changes making it difficult or impossible to fulfill my responsibilities, such as grief, illness family or relationship problems, academic or mental health issues. It is very important to inform the Healthy Relationship Coordinator if I have been a victim of sexual violence myself.
11. If I am a recovery as a survivor of a recent sexual assault or relationship violence, I will discuss my options with Healthy Relationship Director or one of the Directors regarding my volunteer duties and if a leave is necessary for my process of recovery. I may resume volunteering at the discretion of myself and the staff person I have confided in. I understand that I have the right to keep this information confidential between myself and appropriate staff working with me. I have the right not to have the clinic file kept on my situation at this office.
12. When I am working as an Educator, I agree not to be under the influence of chemicals. I will not put myself in a position where I cannot do an effective presentation such as not getting enough sleep or consuming too much alcohol the night before. If necessary, I will call the Educator Coordinator if I am in a position of breaking this policy.

I understand Our House, Inc. will:

1. Provide me with 20+ hours of training.
2. Provide regular meetings to help me in making effective presentations.
3. Provide review and feedback so that I may improve and evaluate my own performances.
4. Provide me with stipend for each presentation I complete if funds are available.

I agree that this contract shall be in effect for the entire time that I am a volunteer at Our House, Inc. I understand that this contract, and therefore my role as an advocate may be terminated at any time by mutual consent and/or at any time by the center if I violate the provisions of this contract. I have the right to take a temporary leave of absence as a volunteer upon a meeting with the Healthy Relationship Director. I have read this contract and agree to abide by my signature below.

Educator

Date

Healthy Relationship Director Date

9.11 Ambassadors -(Welcome Letter)

AMBASSADORS – SENIOR VOLUNTEERS

Re: New Membership

Dear Ambassador:

I am so excited! Over the last couple of weeks, we have been approached about how others can become Ambassadors. I must admit the thought never crossed my mind that others would want to join our team of Ambassadors. When we first started the Ambassadors, it was out of a need to be informed. We were planning an International Dialogue to Empower the Aged (IDEA) with Stony Brook University, Stony Brook, New York and the W. K. Kellogg Foundation. Each Our House, Inc.'s staff was given an opportunity to recommend five persons over the age of 55 who could assist us in the designing, planning and implementing the IDEA Gathering. Since that time the Ambassadors have become a vital part of Our House, Inc.:

- You provide emotional and psychological support to our children (most who are victims of a violent crime) by attending their skits, plays and teach back presentations. Encouraging them by your presence says that others care and they are not alone during challenging times. Your mere presence at the various youth activities encourages many of our youth to become better students, better community citizens and better persons. It is always good to see an audience full of caring adults, especially when the one you love the most may have been sexually violent towards you or a love one has been murdered.
- You attend our educational trainings hosted by our Behavioral Modification Institute.
- You volunteer to recruit persons to attend our various trainings.
- You volunteer at the trainings to assist as host and hostess.

- Sometimes, you just come by and let us know that we are doing good work. A visit from you “does make our day”. We are enlightened and encouraged when you remind us that what we do day to day has meaning. Sometimes, in the fight to end violence in our community and homes we forget that we have made a difference.

We are proud to be associated with each of you. I just thought that since we have been receiving request for others to join our team that maybe we need some brief qualifications. I seek your input and comments on this, as the founding Ambassadors. Attached is a copy of the qualifications for new members of our Ambassadors team. Call me if you have any other suggestions, comments, or just to say “Hi”.

Sincerely,

Dr. Patricia Ann Davenport

CEO/Co-Founder

9.12 Ambassadors: New Member Information

OUR HOUSE, INC.’S AMBASSADOR

New Membership Information

To Qualify :

- Must be at least 55 or older;
- Must be willing to attend at least two Ambassador meetings or events each year;
- Must volunteer for at least one of Our House, Inc.’s activities per year. Volunteering may consist of:
 - o Attending workshops;
 - o Hosting-greeting attendees at workshops;
 - o Assisting with registration at workshops;

- o Assisting with snack table at workshops;
- o Assisting with passing out handouts at workshops;
- o Attending our youth's skits, outings, or teach-back presentations;
- o Recruiting participants for the workshops;
- o Assisting with serving our disabled members; and/or
- o Assisting with emotional support with our victims at court, counseling or the shelter;
 - Must **not be** a batterer of domestic violence or sexual assault;
 - Must be willing to represent and/or support Our House, Inc. in the public;
 - Must be recommended by a fellow ambassador or Our House, Inc.'s staff; and,
 - **Optional** assist with souvenir "Journey of Faith" booklet as a fundraiser for Our House's outreach programs and general funds.

Benefits to being an Ambassador

- Get to be part of a team who designs, plans and implements an international conference for persons aged 55 and older;
- Being able to influence the lives of our youth who have been traumatized by violence;
- Being able to input into the lives of services/health providers by assisting with the coordination of trainings on domestic violence, sexual assault and HIV/AIDS prevention and services for the elderly;
- Being able to receive a discount rate to our various training conferences. Many times, the fees will be totally waived based on the co-sponsors for the event; and,
- Being recognized yearly as an Ambassador for "Change" by Our House, Inc.,

Dues

There are no dues. There are no financial commitments. The main requirement for membership is to have a heart to assist in educating the younger generation that being over 55 doesn't mean you are old, "You are just wiser."

9.13 Volunteer Stipends

Our House's Policy on Stipends for Volunteers

Volunteer Stipends, Interns, and Employee Volunteers: Some Important Things to Know

When funds are available, Our House, Inc. occasionally offer cash "perks" or stipends to volunteers and interns as well as grant employees to help out after work in order to build their volunteer capacity. As such, in compliance with the labor laws, we take in consideration, the following:

What is a "Volunteer"?

According to the US Department of Labor, [volunteers](#) are individuals who perform hours of service for religious, charitable or similar non-profit organizations without promise, expectation, or receipt of compensation. In addition, all of the following must also be true:

- The entity that benefits from the service is a nonprofit (or government agency)
- The activity is less than full time
- The services are not offered as a result of coercion
- The services are typically associated with volunteer work
- No regular employees have been displaced by the volunteer
- The volunteer does not expect to be compensated

It's important to understand this definition of a volunteer because it affects what protections a worker, paid or unpaid, is entitled to. In the United States, true "volunteers," as defined by law, are not considered employees and, therefore, are not covered by the US [Fair Labor Standards Act](#). Similarly, paid employees, as defined by law, are not protected by the federal [Volunteer](#)

[Protection Act.](#)

Volunteer Stipends

Offering stipends to volunteers can get tricky because by doing so, you may inadvertently convert your “volunteer” into an “employee.” According to the Department of Labor, if a volunteer is paid a stipend of over \$500 a year or 20% more than what an employee would be paid, they must be treated as paid staff and are subject to the laws that govern employees.

If Our House, Inc. decides to offer stipends, we will utilize a proper accounting system. Volunteers who receive stipends will be treated the same as paid staff, and payroll tax contributions will be withheld from their pay. This goes for in-kind benefits as well, which must be assigned fair market value.

Reimbursements for expenses incurred while volunteering are also, surprisingly, considered taxable income. Volunteer recognition gifts of limited value, fortunately, are considered a “de minimus benefit” and are not taxed.

When volunteer stipends are offered, we will:

- Never pay more than a nominal 20% of what an employer would otherwise pay for the same service
- Not offer benefits that other employees receive
- Make it clear if a volunteer receives more than \$500 a year in compensation, they will no longer be protected from liability claims by the Federal Volunteer Protection Act.

Trainees

Trainees, such as school-to-work or internship program participants, may also be considered volunteers versus employees; however, the same rules apply as far as stipends go. In order to be considered a “trainee”, the following must also be true:

- The training, even though it includes actual operation of the facilities of the employer, is similar to that which would be given in a vocational school;
- The training is for the benefit of the trainees or students;
- The trainees or students do not displace paid employees, but work under close supervision;

- The employer that provides the training receives no immediate advantage from the activities of the trainees or students and, on occasion, his operations may even be impeded;
- The trainees or students are not necessarily entitled to a job at the conclusion of the training period; and
- The employer and the trainees or students understand that the trainees or students are not entitled to wages for the time spent in training.

Public Sector Employees as Volunteers

If employees want to volunteer, there are also laws in place that are meant to protect them from exploitation, so be sure you know the parameters. Public sector employees may volunteer for their agencies, but by law may not volunteer additional time to do the same work for which they are already paid. Whenever paid staff wish to volunteer their time for the agency for which they also work, they should be subject to the same formal application process and supervision as other volunteers in the same role.

Your Due Diligence

To prevent misunderstandings, it is important for volunteers and staff alike to clearly delineate the difference between volunteer and staff duties. Developing distinct position descriptions, volunteer agreements, and program policies and procedures for the volunteer program can help decrease the chance of misunderstandings, and thus, risk to the organization. Also, be sure that any paid staff who also wish to volunteer their time are treated the same as other volunteers and agree on tasks that are different than their paid work.

For more info, check out the following:

- **US Department of Labor Opinion on Stipends** —
http://www.dol.gov/whd/opinion/FLSA/2006/2006_08_07_28_FLSA.
- **Info on Employees as Volunteers** —
<http://www.dol.gov/elaws/esa/flsa/docs/volunteers.asp>
- **The Definition of a Trainee** —
<http://www.dol.gov/elaws/esa/flsa/docs/trainees.asp>
- **The Difference Between Employees and Volunteers** —
https://www.nonprofitrisk.org/library/articles/employee_or_volunteer.
- **The Federal Volunteer Protection Act** —
<http://www.gpo.gov/fdsys/pkg/PLAW-105publ19/pdf/PLAW-105publ19.pdf>

- By [Tobi Johnson](#) | June 29th, 2013 | [Volunteer Management](#) | [Comments](#)

<https://tobjohnson.com/volunteer-stipends/>

Our House, Inc. – Stipend Policy

- Stipends are normally based on the federal government approved rate.
- Stipends can be used as reimbursement for travel, meals and supplies.

The rate for stipends is as follows bi-weekly: *(note, this is only if the volunteer requests a stipend and funds are available)*

- Less than 6 hours -0
- 6-20 hours -\$25
- 20-45 hours -\$50
- 46-55 hours -\$75
- 56 and above -\$100

The Executive Director has the power to increase or decrease the amount given.

Approved February 2020 board meeting

9.14 Volunteer Intake Form

<https://www.ourhousevoices.com/take-action>

9.15 Volunteer Records Policy

VOLUNTEER RECORDS

VOLUNTEER RECORDS POLICIES

Our House treats all volunteers who provide direct services to consumers as non-paid employees. They must adhere to the overall policies for employees. It is our belief that direct service volunteers are a valuable asset to our program as such their responsibilities are mirrored that of paid employees.

Our House Volunteer Records policy is that each direct service volunteer must:

- a) Have an Application/ résumé on file within our Human Service Department
- b) Have at least three References that can verify their work ethics.
- c) Received at least 20 hours of documented training prior to any one-on – one contacts with consumers and 5 hours of continuous training yearly. This documentation will be maintained in their file.
- d) Complete the employee's background checks as outlined in Our House, Inc.'s personnel policy handbook.
- e) Have signed confidentiality statement. This statement will need to be signed annually.
- f) Must have a job description. The various types of job description can be found in our Domestic Violence Training Manual
- g) Must receive a recommendation by a staff or board members for services. Our House do not actively recruit for volunteers. Volunteers are self refer to our program. Upon their personal request to volunteer, a personal interview will be schedule by the Victim Service Director or Executive Direct to review the request. In the screening process, questions will be asked such as “why do you want to volunteer,” “what type of consumers are you interested in working with,” “why that group,” “what experience do you have in volunteer,” and, “are you willing to have a criminal background check, child abuse check, and drug testing.” These are a sample of the questions to be asked in the screening process for volunteers.

Work under the direct supervision of the Healthy Relationship Director. At no time are direct service volunteers left alone with consumer's files and records.

10. Policy: Background Checks

10.1 Background Checks - Requirements

Employee Required Background Checks (*prior to hiring and randomly throughout employment*)

- Criminal Background
- Child Abuse
- Substance Abuse (Exam cost is paid for by the prospective employee)
- Prior Employment
- Education
- Personal References
- I-9 form
- Driver License
- Auto Insurance
- Social Worker's Insurance (when applicable)
- Social Security Check
- Completion of Civil Rights Certification Review
- Completion of Office of Victims of Crime Training Certification

All Employees (new and ongoing) are required to review and certify their concern to the following policies.

Section 1: Conflict of Interest Policy

Section 2: Code of Ethics Policy

Section 3: Confidentiality

Section 4: Civil Rights Policy

Section 5: Discrimination Policy

Section 6: Whistleblower Policy

Section 7: ADA Policy

Section 8: Limited English Proficiency

Section 9: Specialized Services to Victims

Section 10: Social Media Policy

Section 11: Cellphone Policy

Section 12: Texting

10.2 Background Checks Requirements - Volunteers

There are two types of primary volunteers

1. Those in contact with clients
2. Those who are not in contact with clients

Required background checks for volunteers in contact with clients are the same as paid employees.

Required background checks for volunteers not in contact with clients are:

- Completing confidentiality form
- Completion of at least 5-10 hours of Victim of Crime Training

Normal roles for these volunteers are awareness, prevention, office duties, etc.

Ongoing Volunteers are required to review and sign our annual forms which covers the following policies:

Section 1: Conflict of Interest Policy

Section 2: Code of Ethics Policy

Section 3: Confidentiality

Section 4: Civil Rights Policy

Section 5: Discrimination Policy

Section 6: Whistleblower Policy

Section 7: ADA Policy

Section 8: Limited English Proficiency

Section 9: Specialized Services to Victims

Section 10: Social Media Policy

Section 11: Cellphone Policy

Section 12: Texting

11.Policy: Board Requirements

11.1 Board of Trustee

A. BOARD OF TRUSTEE POLICIES

Our House Board of Trustee Policies are:

That the board of directors meets at least quarterly as outlined in our bylaws

That the Board of Directors have oversight of finances and the budget, and will monitor and approve financial statements. A financial report is provided by the Executive Director at each board meeting.

That the Board of Directors review all programs' status and budget at least once a year.

That members of the Board of Directors handling money or signing checks are bonded. Proof of dishonesty insurance (bond) can be found in the Financial Officer's office. Copies of insurance is provided to each member.

That the Board of Directors must be diverse and representative of the community it serves, and include former victims of domestic violence.

That each Board member must review and sign the Board's Conflict of Interest Policy annually.

That all Board members are required to receive at least 3 hours of training, covering the agency By-Laws, Policy and Procedure manual and any other pertinent information deemed appropriate by the Board. Detail regarding training conduct will be recorded in the board minutes.

That the Board of Directors adhere by the attendance policy which is outline in the company's By Law.

That the Executive Director of the agency must be present at all Board meetings, unless a valid reason is provided and is approved by the President of the Board.

That written minutes of the Board meetings will be maintained. That the minutes of the Board will be taken by the Board designated person and maintained for a minimum of five years.

That the Board of Directors will be responsible for hiring, firing and supervising the Executive Director of the shelter program and for completing an annual evaluation of the Executive Director. This annual evaluation is to be maintained in the Executive Director's personnel file.

The Board of Directors shall ensure that the by-laws provide that the Executive Director has the responsibility for the daily operations of the of all of the agency's program.

11.2 Conflict of Interest

B. CONFLICT OF INTEREST POLICY

Our House Board of Trustee – Conflict of Interest Policy was *Adapted from the University of Chicago*.

Our House, Inc. is committed to avoiding any actual or potential conflicts between the interests of the Our House and any personal interest an Employee, Trustee or Officer may have.

Generally, conflicts arise when: (i) an Employee, Trustee or Officer has an existing or potential financial or other interest which impairs, or might appear to impair, his or her independence or objectivity in serving the Our House; or (ii) the Employee, Trustee or Officer might derive, or appear to derive, a financial or other material benefit from confidential information learned in the course of his or her service on the Board.

Disclosure is required, and abstention or recusal may be necessary, whenever a Employee, Trustee or Officer or a related party (as described below) engages in the following activity:

- has a material interest in any transaction or any proposed transaction to which the Our House, Inc. was or is to be a party, or serves as a director, officer, trustee, partner, employer, or employee of any person or entity having a material interest in an actual or proposed transaction with Our House, Inc, or
- serves as a director, officer, trustee, partner, employer, or employee of any person or entity that competes directly with the Our House, Inc., holds more than 5% of the stock or equity of any such organization, or has received substantial compensation, gifts, or services from any such

organization or person.

For purposes of Paragraphs (A) and (B) above, a related party shall be defined as: one's spouse, domestic partner, ancestors, children, grandchildren, great-grandchildren, siblings (whether by whole or half-blood), or the spouses of children, grandchildren, great-grandchildren, or siblings.

The foregoing language is meant to be illustrative. Ultimately, the Our House's Conflict of Interest Policy relies on each Employee's, Trustee's and Officer's sound judgment. Recognizing that it is difficult to anticipate all potential conflicts in advance,

Employees, Trustees and Officers are reminded that questions regarding the conflict of interest policy may be raised informally and confidentially at any time with the President of the Board, the Chair of the Committee on Trusteeship, Board Attorney or the Executive Director of Our House, Inc.

All conflict of interest disclosures and related discussions will be held in confidence to the maximum extent possible, but shall be shared with the Chair of the Board, the Committee on Trusteeship, and the Executive Director, Board Attorney, and external auditors.

All Trustees and Officers must annually disclose actual and potential conflicts of interest by writing a Confidential Conflict of Interest Disclosure Statement, and these disclosures must be updated as new information becomes available that could affect the Trustee's or Officer's stated interests.

Executive Director and Board Attorney will compile the disclosures into a confidential database and prepare for each Trustee and Officer a written acknowledgment of the disclosure that identifies any pending Our House, Inc. transactions that may be affected by the disclosure.

The President of the Board will also review all disclosed potential conflicts of interest before making Board committee assignments.

Regardless of these efforts, any Employee, Trustee and Officer having an actual or potential conflict of interest must: (i) promptly call the conflict to the attention of the Chair of the Board, Executive Director and/or Board Attorney, and (ii) abstain from participating in or voting on the matter. Actions in this regard will be reflected in any official meeting minutes.

It is our policy that the board reviews this policy annually.

11.3 By Laws & Articles of Incorporation

ARTICLE I: NAME

1.0 The name of this corporation shall be **Our House, Inc.: New Birth to Violence Free Living**, referred to herein by the abbreviation of "Our House" or as "New Birth". The corporation is perpetual.

1.2 The fiscal year of Our House is October 1 to September 30.

1.3 The principal office of Our House in the State of Mississippi shall be in Greenville, Mississippi. The corporation may have such other offices as the Board of Directors may determine or as the affairs of the corporation may require from time to time.

1.4 Founding Members: These individuals are those committed persons who founded Our House, Inc. October 1995. They are: Dr. Patricia Ann Davenport, Ms. Doris S. Lee, Judge Margaret Carey-McCray, Dr. Roderick Mitchell, Ms. Denise Strub, Ms. Dr. Thomas Paul Williams.

1.5 As of October 1, 2012, our current service area is Attala, Bolivar, Carroll, Coahoma, Grenada, Holmes, Humphreys, Lafayette, Leflore, Montgomery, Panola, Quitman, Sharkey, Sunflower, Tallahatchie, Tunica, Washington, and Yalobusha counties in the Mississippi Delta. Primary focus area: Bolivar, Carroll, Grenada, Holmes, Humphreys, Leflore, Sharkey, Sunflower, Washington.

1.6 As of October 1, 2016, our current service area is Bolivar, Carroll, Grenada, Holmes, Humphreys, Montgomery, Leflore, Sharkey, Sunflower, Washington.

1.7 As of October 1, 2019, our current primary service area is Bolivar, Holmes, Humphreys, Leflore, Sunflower and Washington Counties.

ARTICLE II: VISION & MISSION STATEMENT

2.0 Vision: A world free of interpersonal violence

2.1 Mission: To lead, empower and inspire change by eliminating domestic violence and sexual violence through intervention, prevention, prosecution, victim protection and sustainable restoration in rural

communities; and, to enhance the lives of survivors of interpersonal violence by providing services that meet the psychological, spiritual and cultural needs of those we serve.

2.3 Objectives: The objectives for which this corporation is formed are exclusively charitable, education and scientific.

2.4 The purpose of Our House shall be, but not limited to the following:

- o a) to establish and maintain emergency temporary housing in the form of shelters, volunteer homes, safe houses, second stage shelters, agency locations, private hotels and motels, and other appropriate housing; and, to otherwise offer assistance in the help and care of victims of domestic violence; {however, it is not the purpose of Our House to operate any of its shelters as an acute general hospital or long term care facility }
- o b) to provide and care for all persons maintained in temporary shelters;
- o c) to provide peer support and other counseling services;
- o d) to provide advocacy services;
- o e) to coordinate court ordered treatment programs for abusers,
- o f) to launch a program to aid victims of domestic violence & rape;
- o g) and to provide 24 hour/7 days a week crisis intervention telephone line;
- o h) to provide direct and advocacy services to victims of sexual assault and survivors of homicide acts;
- o i) to acquire, hold, manage, convey, lease, sell, dispose of, exchange, mortgage, pledge and receive by gift, devise, bequeath, or otherwise, all kinds of property, real or personal, to enter into contracts, to borrow money and incur indebtedness in order to accomplish its purpose, and to give security when necessary to achieve its purposes, and to do any and all things of any character and kind that may from time to time be necessary in the proper management and administration of the affairs of the corporation;
- o j) to develop and maintain programs that target strengthening the "Family" structure as deem appropriate by the board, i.e. evidence-based program, trauma informed care environment;
- o k) to initiate primary prevention through increased public

awareness via special presentations, literature, and creative activities for youth and adults;

- o l) to assist in the development of African American Domestic Peace Project;
- o m) to develop a faith - based *ministry of helps* that will provide services to both secular and religious leaders; and,
- o n) to remain non-profit. It is expressly declared that this corporation is not organized for profit, and consequently, no dividends or profit shall be made to any of its members. (*a-g, Amended as of July 20, 2002*)

ARTICLE III: BOARD MEMBERSHIP

3.0 Membership is to consist of individuals primarily from the Mississippi Delta area.

3.1 Membership Types: There shall be three types of members: Active Members, Advisory Members and At-Large Members.

- o **A. Active Members:** These individuals are those committed persons who have an interest in supporting the purposes and mission of Our House. Every effort should be made to encourage minority members. These individuals shall have full voting rights & privileges. Maximum allowable active members: Ten. Term of office shall be unlimited. Founding members of Our House, Inc. shall remain on the Active Membership list with full rights & privileges.
- o **B. Advisory Members:** These members may consist of current employees of Our House, Inc. and non-profit organizational or governmental agencies who share the interest of Our House. Every effort should be made to encourage minority members. These members shall not have voting rights and privileges. Maximum allowable Advisory members: Five. Term of office shall be renewed every four years. Renewal upon current Active Board members' votes. These individuals may be elected to offices (*amended 2018*)
- o **C. At-Large Members:** These members are those who reside outside of our primary service area but share our interests and mission. Every effort should be made to encourage minority members. These individuals shall have full voting rights and

privileges. Maximum allowable At-Large Members: Two. Term of office shall be renewed every four years. Renewal upon current Active Board members' votes.

3.2 GOVERNANCE. The affairs of the corporation shall be managed by its Active Board of Directors. Active Directors shall be residents of the State of Mississippi. Active Board may delegate such authority as it desires from time to time proposes to delegate, and may form committees composed of voting Board members, non-voting Board members and non-Board members, and may delegate its authority or part thereof to said committees.

3.3 NUMBER. The number of elected voting Directors of the Corporation shall not be less than 5 but may be as many as 10 without the necessity of amendment to the by-laws. The elected voting Directors of the Corporation shall come from the Active and At-Large Membership. The total number of elected voting Directors shall be set by the Active and At-Large memberships and shall be set in multiples of two. No decrease in the number of voting Directors shall have the effect of shortening the term of any incumbent voting Director.

3.4 ELECTION AND TERM OF OFFICE. Active Executive Directors shall serve four (4) year terms. After having served for two successive four years terms as an officer, a director shall not be eligible for re-election until after a lapse of 1 term, or on special request of both the Active and At-Large members.

3.5 REMOVAL. Any Board Director may be removed from his/her position as Board Director for cause or by two-thirds vote of the Board Directors. Any Board Director may be removed from office following his/her unexcused absence from three consecutive Board Director's meetings {exception for members at-large}. Requests for excused absences must be made at the meeting from which the Board Director is absent or at the next meeting following the absence, and Board of Directors' approval of the absence must be reflected in the minutes of the appropriate meeting of the Board of Directors. A Board Director removed under the provisions of this Section shall be given written notice of the Board of Director's action within one week following the meeting of the Board of Director at which the action was taken. The Board Director may have a hearing on the removal before the board of Directors provided that a request for a hearing is made within thirty days of the notice of

removal.

3.6 VACANCY. A Directorship shall be vacant upon the happening of any one of the following events:

- o a) Death of the person holding such directorship;
- o b) Resignation of the person holding such directorship;
- o c) Refusal of a person elected to a directorship to manifest her/his assent to serve;
- o d) Removal of a director by the Board of Directors as provided in Section 3.5 of this Article of these by laws.

3.7 FILLING OF VACANCY. Any vacancy occurring in the Board of Directors may be filled at the next regular meeting of the Board following the occurrence of such vacancy. Such vacancy may be filled by the affirmative vote of a majority of the Directors. Such director to fill the unexpired term of the vacancy.

3.8 QUORUM. The majority of members 50% plus one^[1] present at board meetings shall constitute a quorum for the transaction of business. The acts of the majority of the Directors present at a meeting at which a quorum is present shall be the acts of Our House and the Board of Directors unless otherwise specifically required by law or by these by-laws. A Board Member may give his/her proxy for voting purposes in his/her absence. However, there must be a 2/3 voting board approval by active memberships and current participating founding members on any and all loans or major property purchases. *(amended June 30, 2007)*

3.9 REGULAR MEETINGS. A regular meeting of the Board of Directors shall be held at such time and place as may be from time to time fixed by resolution of the Board of Directors, but at least four meetings shall be held each calendar year. Conference call meeting is considered a regular meeting when a majority of the board are present on the conference call. The Executive Director of Our House, Inc. must be present at regular meeting to submit reporting data. *(This person has no voting privileges.)*

3.10 SPECIAL MEETINGS. Special meetings shall be held by the Board of Directors at the call or request of the president or any three members of board. The person (s) authorized to call meetings of the Board may fix any place for holding such meetings and shall state the time thereof. Notice of the call of a special meeting and purposes thereof shall

be in writing and shall be delivered not less than five business days before such special meeting.

3.11 ANNUAL MEETING. The annual meeting of the Board of Director shall be during the month of October on a date fixed by the Board of Directors.

3.12 COMPENSATION. No Director shall receive any compensation for services which he/she may render as Director or officer of the corporation. Except:

A. the Board may authorize the reimbursement of a Director for any expenses incurred by such Director in attendance of meetings in connection with the furtherance of the work of the corporation; and,

B. the Board may authorize the reimbursement of a Director who has received Board approved training in connection with the furtherance of the works of the corporation.

ARTICLE IV: OFFICERS

4.0 NUMBER. The officers of the corporation shall consist of a President, Vice President, Secretary & Treasurer, each of whom shall be elected by the Board from the Active membership. One person may be selected to hold more than one such office except that one person may not hold offices of president and secretary simultaneously. No officer shall execute, verify or acknowledge any instrument or document in more than one capacity. The board shall have power to appoint such other officers or agents of the Board may deem necessary for transaction of the business of the corporation.

4.1 ELECTION AND TERM OF OFFICE. The officers shall be elected from the Board membership by the directors of the Board at their annual meeting for a term of four years and shall serve until their respective successors are elected. Elections shall be held prior to the annual fall meeting and new officers take office after said annual meeting. Vacancies or new offices may be filled at any meeting of the Board.

4.2 PRESIDENT. The president shall be the principal executive officer of the corporation and shall in general supervise and control all of the business and affairs of the corporation. The president shall preside at all meetings of the Board. He/she may sign, with the Secretary, certificates, any deeds, mortgages, bonds, contracts, or other instruments which the

Board has authorized to be executed, except in cases where the where the signing and execution thereof shall be expressly delegated by the Board or by the bylaws to some other officer or agent of the corporation or shall be required by law to be otherwise signed or executed; and in general the president shall perform all the duties incident to the office of president and such other duties as may be prescribed by the Board from time to time. *{ The Executive Director may sign grant application, loan contracts and monthly reporting forms. }*

4.3 VICE PRESIDENT. The vice president shall, in the absence or incapacity of the president, perform the duties of that office.

4.4 SECRETARY. The secretary shall attend all meetings of the Board and of the executive committee and shall record true minutes of the proceedings of all such meetings. The secretary shall also give written notice of meetings to the directors and shall assure that the seal of the corporation is maintain at the administrative office of Our House and shall have authority to affix same to all instruments where its use is required.

4.5 TREASURER. If required by the Board, the treasurer shall give bond for the faithful discharge of his/her duties in such sum and with surety as the Board shall determine. He/she shall;

- o a) monitor all funds and sureties of the corporation; assure that the corporation receives and gives receipts for money due and payable to the corporation from any source whatsoever and deposit all such moneys in the name of the corporation in such banks, trusts or other depositories as shall be selected by the Board:
- o b) render to the president and the directors an account of the financial condition of the corporation with the assistance of the financial officer and executive director; and
- o c) in general, perform all of the duties of the office of treasurer and such other duties as from time to time may be assigned to her/him by the president of the Board.

ARTICLE V: COMMITTEES

5.0 Authority: The designation of committees and/or the delegation thereto of any authority shall not operate or be construed to diminish the authority or responsibility of the Board of Directors for the management

of the corporation. Committees will be limited to the purposes and powers as provided by the Board of Directors.

5.1 Committee Size: Each committee shall be comprised of minimum of two (2) committee members and a chairperson, appointed by the President.

ARTICLE VI: CONFLICT OF INTEREST

6.0 Conflict Statement: No members of the Board of Directors, Executive committee, or any committee or subcommittee of the organization may, in the exercise of any function of the organization, vote on any matter before the Board or Executive committee or any such entity respecting any individual or entity with which such member (or within the twelve (12) months preceding the vote) had any substantial ownership, employment, fiduciary, contractual, creditor or consultative relationship. Each member of the Board of Directors (Active, Advisory, and/or At-Large) shall have a disclosure of such relationship before any action is taken by the Board of Directors with respect to such matters in the exercise of any function of the organization and shall make any such relationship public in any meeting in which such actions are to be taken.

6.1 No board member that is an official or employee of a State or unit of local government or a non-governmental recipient/sub recipient shall participate personally through decisions approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, award, cooperative agreement, claim, controversy, or other particular matter in which award funds (including program income or other funds generated by Federally funded activities) are used, where to his/her knowledge, he/she or his/her immediate family, partners, organization other than a public agency in which he/she is serving as an officer, director, trustee, partner, or employee, or any person or organization with whom he/she is negotiating or has any arrangement concerning prospective employment, has a financial interest, or has less than an arm's-length transaction.

6.2 Board members should respect the following rolls of appearance for themselves: In the use of agency project funds, officials or employees of State or local units of government and non-governmental recipient/sub recipients shall avoid any action which might result in, or create the appearance of:

- § Using his or her official position for private gain;
- § Giving preferential treatment to any person;
- § Losing complete independence or impartiality;
- § Making an official decision outside official channels; or
- § Affecting adversely the confidence of the public in the integrity of the government or the program.

For example, where a recipient of federal funds makes sub-awards under any competitive process and an actual conflict or an appearance of a conflict of interest exists, the person for whom the actual or apparent conflict of interest exists would recuse him – or herself not only from reviewing the application for which the conflict exists, but also from the evaluation of all competing applications.

ARTICLE VII: GRIEVANCE PROCESS

7.0 Grievance: Any member with a grievance has the right to address the Board of Directors at any regularly scheduled or special Board meeting. The grievance should be in writing and made available to each Board member two weeks prior to the meeting which it will be heard. The member bringing the grievance will have fifteen minutes to present her/his concerns, then open the floor for discussion of no more than fifteen additional minutes. In regard to personnel issues, the board have the right to close the meeting for Board discussion and decision, this includes all employees and advisory members.

ARTICLE VIII: CONTRACTS, LOANS, CHECKS AND DEPOSITS

8.0 CONTRACTS. The Board may not authorize any officer or officers, agent or agents to enter into any contract, execute and deliver any instrument in the name of and on behalf of the corporation.

8.1 LOANS. No loans shall be contracted on behalf of the corporation and no evidence of indebtedness shall be issued in its name without a majority approval (2/3) of the active board members and current participating founding members.

8.2 CHECKS, DRAFTS, ETC. All checks, drafts or other orders for payment of any notes or other evidence of indebtedness issued in the name of the corporation shall be signed by such officer or officers, agent or agents of the corporation and in such manner as from time to time may

be determined by resolution of the Board.

8.3 DEPOSITS. All funds of the corporation not otherwise employed shall be deposited from time to time to the credit of the corporation in such bank, trust companies or other depositories as the Board may select.

8.4 FINANCIAL RECORDING. All funds received are guided by Federal Financial Policy and Procedures. *(amended as of June 30, 2007)*

ARTICLE IX: AMENDMENT OF BY LAWS

9.0 AMENDMENT: These bylaws may be amended, altered, changed, added to, or replaced by the affirmative vote of a majority of the current Active Board of Directors entitled to vote at any regular meeting of the Board if notice of the proposed amendment, alterations, change, addition or repeal be contained in the notice of the meeting, or by the affirmative vote of a majority of the voting Directors entitled to vote if the amendment, alteration, change, addition or repeal be proposed at a regular or special meeting of the board and adopted at a subsequent regular meeting.

ARTICLE X: PARLIAMENTARY PROCEDURE

10.0 Parliamentary Procedure: The rules contained in the Robert's Rules of Order shall govern all cases where applicable and when they do not conflict with other rules of this corporation.

ARTICLE XI: CODE OF ETHICS

11.0 Our House, Inc. has adopted a code of ethics to guide its board members, volunteers and staff in their conduct when acting on behalf of the Our House, Inc.

The Code contains broad principles reflecting the types of behavior the Our House, Inc. expects towards clients, donors, employees, peers and the public.

This policy is not intended as a stand-alone policy. It does not embody the totality of the Our House, Inc. ethical standards, nor does it answer every ethical question or issue that might arise. Rather, it is one element of a broader effort to create and maintain a quality organization that gives ethical conduct the highest priority. This Code will be reviewed periodically.

11.1 BOARD MEMBERS, VOLUNTEERS AND STAFF SHOULD:

- Listen to clients and make all reasonable efforts to satisfy their needs and concerns within the scope of our mission, and to strive for excellence and innovation and demonstrate professional respect and responsiveness to constituents, donors and others.
- Make an effort to understand, respect and support our clients from other cultures, exemplified by the contributions of our staff and executive leadership, and to contribute to an organizational culture that respects the diverse, individual contributions of staff and leadership.
- Comply with applicable federal, state and local laws, regulations and fiduciary responsibilities in an effort to create transparency in all of our operations.
- For the board of directors, provide credible and effective oversight to the organization's work without personal bias.
- Not accept commissions, gifts, payments, loans, promises of future benefits or other items of value from anyone who has or may seek some benefit from the Our House, Inc. in return, other than occasional gifts of nominal value that are in keeping with good business ethics.
- Abide by the governing documents and policies of the Our House, Inc.
- Be accountable for adhering to this Code of Ethics.
- Follow Our House, Inc.'s Conflict of Interest Policy.
- Implement and follow a Whistleblower Policy.
- Act at all times in accordance with the highest ethical standards and in the best interest of the Our House, Inc.'s clients, donors and reputation.
- Openly and honestly tell the truth.
- Honor our commitments and promises to the best of our abilities.
- Provide individualized services without respect for monetary gain.
- Appropriately acknowledge contributions from other individuals and organizations who help facilitate our goals.
- Not be deceptive in our fundraising activities or in prospecting for new members to join the Our House, Inc.'s board.
- Advocate for all nonprofit organizations, but not for any specific

initiative - being respectful to the sector as a whole.

- o Not lobby with the intent to influence individual candidates.

11.2 Compliance, Monitoring and Reporting: Our House, Inc. management is responsible for communicating this Code of Ethics to all members of the board of directors, volunteer, as well as staff, staff interns and staff volunteers and for ensuring its adherence at all times. Should anyone violate the code of ethics it should be reported immediately to the current CEO.

ARTICLE XII: PRIVACY

12.0 Privacy issues to consider around the safety for victims

- o Respect the confidentiality of sensitive information about the Our House, Inc.'s clients, family members and associates, donors, board and employees.
- o Assure that the information that a client provides will not be revealed to his/her batterer.
- o Do not discuss client's files with his/her batterers.
- o Clients should be interviewed privately and alone or with a professional interpreter (do not use family or friends).
- o Consider alias for safety of client.
- o Do not question the client in front of children, if possible.
- o Assist clients with safety planning.
- o Ensure client's rights to privacy.

ARTICLE XIII: ADDITIONAL SPECIFIC PROVISIONS

13.0. Our House is a non-profit corporation and is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501 (c) 3 of the Internal Revenue Code, or corresponding section of any future federal tax code.

13.1 No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof.

13.2. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, nor shall this organization participate in, or intervene in (including the publishing or distribution of statements) any political campaign, or on behalf of any candidate for public office.

13.3 Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code; or, (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

13.4 Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE XIV: DISSOLUTION

14.0 In the event of liquidation or dissolution of the corporation, whether voluntary or involuntary, no member shall be entitled to any distribution or division of its remaining property or its proceeds, and the balance of all money and other property received by the corporation from any source, after the payment of all debts and obligations of the corporation, shall go to any charitable, religious, scientific, or educational organization designated by a majority vote of the Board of Directors, which would then qualify under the provisions of Section 501 (c)(3) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended and/or state law. Any of such assets not distributed shall be disposed of by the Circuit Court of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organizations as said Court shall determine which are organized and operated exclusively for such purposes.

[1] *(i.e. if current membership is 5 members therefore 3 members will constitute a majority)*

12.Policy: Child Abuse

12.1 Child Abuse Reporting Act

CHILD ABUSE REPORTING ACT POLICY

SECTION 2. Section 43-21-353, Mississippi Code of 1972, is amended as follows:

43-21-353

§ 43-21-353. Duty to inform state agencies and officials.

1. An attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, child care giver, minister, law enforcement, public or private school employee or any other person having reasonable cause to suspect that a child is a neglected child or an abused child, shall cause an oral report to be made immediately by telephone or otherwise and followed as soon thereafter as possible by a report in writing to the Department of Human Services, and immediately a referral shall be made by the Department of Human Services to the youth court intake unit, which unit shall promptly comply with Section 43-21-357. Where appropriate, the Department of Human Services shall additionally make a referral to the youth court prosecutor. Upon receiving a report that a child has been sexually abused, or burned, tortured, mutilated, or otherwise physically abused in such a manner as to cause serious bodily harm, or upon receiving any report of abuse that would be a felony under the state or federal law, the Department of Human Services shall immediately notify the law enforcement agency in whose jurisdiction the abuse occurred and shall notify the appropriate prosecutor within forty-eight (48) hours, and the Department of Human Services shall have the duty to provide the law enforcement agency all the names and facts known at the time of the report; this duty shall be of a continuing nature. The law enforcement agency and the Department of Human Services shall investigate the reported abuse immediately and shall file a preliminary report with the appropriate prosecutor's office within twenty-four (24) hours and shall make additional reports as new or additional information or evidence becomes available. The Department of Human Services shall advise the clerk of

the youth court and the youth court prosecutor of all cases of abuse reported to the department within seventy-two (72) hours and shall update such report as information becomes available.

2. Any report to the Department of Human Services shall contain the names and addresses of the child and his parents or other persons responsible for his care, if known, the child's age, the nature and extent of the child's injuries, including evidence of previous injuries and any other information that might be helpful in establishing the cause of the injury and the identity of the perpetrator.
3. The Department of Human Services shall maintain a statewide incoming wide-area telephone service or similar service for the purpose of receiving reports of suspected cases of child abuse; provided that any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, child care giver, minister, law enforcement officer or public or private school employee who is required to report abuse under subsection (1) of this section shall report in the manner required in subsection (1).
4. Reports of abuse and neglect made under this chapter and the identity of the reporter are confidential except when the court in which the investigation report is filed, in its discretion, determines the testimony of the person reporting to be material to a judicial proceeding or when the identity of the reporter is released to law enforcement agencies, and the appropriate prosecutor pursuant to subsection (1). Reports made under this section to any law enforcement agency or prosecutorial officer are for the purpose of criminal investigation and prosecution only and no information from these reports may be released to the public except as provided by Section 43-21-261. Disclosure of any information by the prosecutor shall be according to the Mississippi Uniform Rules of Circuit and County Court Procedure. The identity of the reporting party shall not be disclosed to any one other than law enforcement officers or prosecutors without an order from the appropriate youth court. Any person disclosing any reports made under this section in a manner not expressly provided for in this section or Section 43-21-261, shall be guilty of a misdemeanor and subject to penalties prescribed by Section 43-21-267.
5. All final dispositions of law enforcement investigations described in subsection (1) of this section shall be determined only by the

appropriate prosecutor or court. All final dispositions of investigations by the Department of Human Services as described in subsection (1) of this section shall be determined only by the youth court. Reports made under subsection (1) of this section by the Department of Human Services to law enforcement agency and to the district attorney's office shall include the following, if known to the department:

- a) The name and address of the child;
 - b) The names and addresses of the parents;
 - c) The name and address of the suspected perpetrator;
 - d) The names and addresses of all witnesses, including the reporting party if a material witness to the abuse;
 - e) A brief statement of facts indicating that the child has been abused and any other information from Our House files or known to the social worker making the investigation, including medical records or other records, which may assist law enforcement or the district attorney in investigating and/or prosecuting the case;
 - f) What, if any, action is being taken by the Department of Human Services.
6. In any investigation of a report made under this chapter of the abuse or neglect of a child as defined in Section 43-21-105(m), the Department of Human Services may request the appropriate law enforcement officer with jurisdiction to accompany the department in its investigation, and in such cases the law enforcement officer shall comply with such request.
 7. Anyone who willfully violates any provision of this section shall be, upon being found guilty, punished by a fine not exceed Five Thousand Dollars (\$5,000.00), or by imprisonment in jail not to exceed one (1) year, or both.
 8. If a report is made directly to the Department of Human Services that a child has been abused or neglected in out-of-home setting, a referral shall be made immediately to the law enforcement agency in whose jurisdiction the abuse occurred and the department shall notify the district attorney's office within forty-eight (48) hours of such report. The Department of Human Services shall investigate the out-of-home setting report of abuse or neglect to determine whether the child who is

the subject of the report, or other children in the same environment, comes within the jurisdiction of the youth court and shall report to the youth court the department's findings and recommendation as to whether the child who is the subject of the report or other children in the same environment require the protection of the youth court. The law enforcement agency shall investigate the reported abuse immediately and shall file a preliminary report with the district attorney's office within forty-eight (48) hours and shall make additional reports as new information or evidence becomes available. If the out-of-home setting is a licensed facility, an additional referral shall be made by the Department of Human Services to the licensing agency. The licensing agency shall investigate the report and shall provide the Department of Human Services, the law enforcement agency and the district attorney's office with their written findings from such investigation as well as that licensing agency's recommendations and actions taken.

Sources: Laws, 1979, ch. 506, § 41; Laws 1980, ch. 550, § 17; Laws, 1984, ch. 342; Laws, 1985, ch.360; Laws, 1993, ch. 552, § 1; Laws, 1994, ch. 387, § 1; Laws, 1994, ch. 591, § 3; Laws, 1995, ch. 335, § 1; Laws, 1996, ch.323, §2; Laws, 1997, ch. 440, § 10; Laws, 1998, ch. 340, § 1; Laws, 198, ch. 557, § 1, eff from and after July 1, 1998.

13.Policy: Children

13.1 Child Abuse Reporting Policy

CHILD ABUSE REPORTING ACT POLICY

SECTION 2. Section 43-21-353, Mississippi Code of 1972, is amended as follows:

43-21-353

§ 43-21-353. Duty to inform state agencies and officials.

1. An attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, child care giver, minister, law enforcement, public or private school employee or any other person having reasonable cause to suspect that a child is a neglected child or an abused child, shall cause an oral report to be made immediately by telephone or otherwise and followed as soon thereafter as possible by a report in writing to the Department of Human Services, and immediately a referral shall be made by the Department of Human Services to the youth court intake unit, which unit shall promptly comply with Section 43-21-357. Where appropriate, the Department of Human Services shall additionally make a referral to the youth court prosecutor. Upon receiving a report that a child has been sexually abused, or burned, tortured, mutilated, or otherwise physically abused in such a manner as to cause serious bodily harm, or upon receiving any report of abuse that would be a felony under the state or federal law, the Department of Human Services shall immediately notify the law enforcement agency in whose jurisdiction the abuse occurred and shall notify the appropriate prosecutor within forty-eight (48) hours, and the Department of Human Services shall have the duty to provide the law enforcement agency all the names and facts known at the time of the report; this duty shall be of a continuing nature. The law enforcement agency and the Department of Human Services shall investigate the reported abuse immediately and shall file a preliminary report with the appropriate prosecutor's office within twenty-four (24) hours and shall make additional reports as new or additional information or evidence becomes available. The Department of Human Services shall advise the clerk of the youth court and the youth court prosecutor of all cases of abuse reported to the department within seventy-two (72) hours and shall

update such report as information becomes available.

2. Any report to the Department of Human Services shall contain the names and addresses of the child and his parents or other persons responsible for his care, if known, the child's age, the nature and extent of the child's injuries, including evidence of previous injuries and any other information that might be helpful in establishing the cause of the injury and the identity of the perpetrator.
3. The Department of Human Services shall maintain a statewide incoming wide-area telephone service or similar service for the purpose of receiving reports of suspected cases of child abuse; provided that any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, child care giver, minister, law enforcement officer or public or private school employee who is required to report abuse under subsection (1) of this section shall report in the manner required in subsection (1).
4. Reports of abuse and neglect made under this chapter and the identity of the reporter are confidential except when the court in which the investigation report is filed, in its discretion, determines the testimony of the person reporting to be material to a judicial proceeding or when the identity of the reporter is released to law enforcement agencies, and the appropriate prosecutor pursuant to subsection (1). Reports made under this section to any law enforcement agency or prosecutorial officer are for the purpose of criminal investigation and prosecution only and no information from these reports may be released to the public except as provided by Section 43-21-261. Disclosure of any information by the prosecutor shall be according to the Mississippi Uniform Rules of Circuit and County Court Procedure. The identity of the reporting party shall not be disclosed to any one other than law enforcement officers or prosecutors without an order from the appropriate youth court. Any person disclosing any reports made under this section in a manner not expressly provided for in this section or Section 43-21-261, shall be guilty of a misdemeanor and subject to penalties prescribed by Section 43-21-267.
5. All final dispositions of law enforcement investigations described in subsection (1) of this section shall be determined only by the appropriate prosecutor or court. All final dispositions of investigations by the Department of Human Services as described in subsection (1) of

this section shall be determined only by the youth court. Reports made under subsection (1) of this section by the Department of Human Services to law enforcement agency and to the district attorney's office shall include the following, if know to the department:

- a) The name and address of the child;
 - b) The names and addresses of the parents;
 - c) The name and address of the suspected perpetrator;
 - d) The names and addresses of all witnesses, including the reporting party if a material witness to the abuse;
 - e) A brief statement of facts indicating that the child has been abused and any other information from Our House files or known to the social worker making the investigation, including medical records or other records, which may assist law enforcement or the district attorney in investigating and/or prosecuting the case;
 - f) What, if any, action is being taken by the Department of Human Services.
6. In any investigation of a report made under this chapter of the abuse or neglect of a child as defined in Section 43-21-105(m), the Department of Human Services may request the appropriate law enforcement officer with jurisdiction to accompany the department in its investigation, and in such cases the law enforcement officer shall comply with such request.
7. Anyone who willfully violates any provision of this section shall be, upon being found guilty, punished by a fine not exceed Five Thousand Dollars (\$5,000.00), or by imprisonment in jail not to exceed one (1) year, or both.
8. If a report is made directly to the Department of Human Services that a child has been abused or neglected in out-of-home setting, a referral shall be made immediately to the law enforcement agency in whose jurisdiction the abuse occurred and the department shall notify the district attorney's office within forty-eight (48) hours of such report. The Department of Human Services shall investigate the out-of-home setting report of abuse or neglect to determine whether the child who is the subject if the report, or other children in the same environment, comes within the jurisdiction of the youth court and shall report to the youth court the department's findings and recommendation as to

whether the child who is the subject of the report or other children in the same environment require the protection of the youth court. The law enforcement agency shall investigate the reported abuse immediately and shall file a preliminary report with the district attorney's office within forty-eight (48) hours and shall make additional reports as new information or evidence becomes available. If the out-of-home setting is a licensed facility, an additional referral shall be made by the Department of Human Services to the licensing agency. The licensing agency shall investigate the report and shall provide the Department of Human Services, the law enforcement agency and the district attorney's office with their written findings from such investigation as well as that licensing agency's recommendations and actions taken.

Sources: Laws, 1979, ch. 506, § 41; Laws 1980, ch. 550, § 17; Laws, 1984, ch. 342; Laws, 1985, ch.360; Laws, 1993, ch. 552, § 1; Laws, 1994, ch. 387, § 1; Laws, 1994, ch. 591, § 3; Laws, 1995, ch. 335, § 1; Laws, 1996, ch.323, §2; Laws, 1997, ch. 440, § 10; Laws, 1998, ch. 340, § 1; Laws, 198, ch. 557, § 1, eff from and after July 1, 1998.

13.2 Working with Minors

STATEMENT FOR WORKING WITH MINORS

This statement will be completed by all applicants for employment for any position (contractual or salary) involving the supervision or custody of minors (under 18 years of age) or for any position in which the applicant is in any way involved with or has access to minors, no matter how remote.

The completion of the statement will help to assure Our House, Inc. will provide a safe and secure environment to those children and youths who participate in its program and who uses its facilities.

As the applicant, I do hereby understand that Our House, Inc. will rely upon the information provided by me in considering my application to work with minors, that the foregoing information and the following statements are true:

1. In my prior employment, I have never used a name other than set forth below.

2. I am qualified to work with minors in the programs of Our House, Inc.
3. I have never been arrested as a result of a charge of child abuse or of actual or attempted sexual molestation of a minor (not including any arrest or charge that has been expunged).
4. I have never been convicted of child abuse or a crime involving actual or attempted sexual molestation of a minor.
5. I authorize any of the churches or other organizations and their representatives and my personal references listed above to give Our House, Inc. any information they may have regarding my character as appropriate or inappropriate to work with minors. I release all such organizations and individuals from any liabilities that may result from their furnishing such information to Our House, Inc. I waive any right that I may have to inspect any records containing such information.
6. I am aware that Our House, Inc. is a community outreach program that focuses on family wellness and non violence and in the event that my application is accepted, I agree that I will conduct myself in my work with minors in a manner which is consistent with the policies of Our House, Inc.
7. Having provided the foregoing information and having affirmed that the foregoing statements are true, I recognize that any false information or statements are punishable under the laws relating to perjury. I acknowledge that I have read the above statements and agree to adhere to the aforementioned policies and verify that I have never been convicted nor arrested for a crime of:
 - a) child abuse,
 - b) crime involving actual or attempted sexual molestations of a minor or adult, or
 - c) convicted as a batterer in a domestic violence situation.

Signature of Employee/Date

Signature of Supervisor/Date

13.3 Storage

STORAGE, REVIEWING, RETENTION AND DESTRUCTION OF RECORDS POLICY

Our House Policy regarding storage, retention and the destruction of records are as follows:

- 1) Maintenance:** It is our policy that we maintain records in secured locked filing cabinets, providing access only to designated staff.
- 2) Program records,** such as financial documents or personnel files, will be kept separately from case files (i.e., shelter intake files). Only designated staff should have authority to review case files and/or make notations in case files.
- 3) Board members** should not have access to case files or program records, except in specific situations determined by the Executive Director along with the program's attorney, if applicable.
- 4) Funders and researchers** should have access only to aggregate statistical information and must agree to sign confidentiality agreements as an added protection.
- 5) Volunteers** or students are working as advocates, can make case file entries only under the supervision of staff with authority to write in case files. If a student is required to make notes for the purpose of training or supervision by faculty at an educational institution, all identifying material must be deleted, including names of staff, volunteers, survivors, and child.
- 6) Battered Women's Access to "Consumer" Case Files:** Consumers using program services are entitled to examine their own case files in the presence of program staff.
- 7) No files** should be removed from the office by consumer, staff or volunteers, nor should any documents be removed from the files.
- 8) Consumers** may request the correction or removal of inaccurate, irrelevant, outdated, or incomplete information from their case files.
- 9) Consumers are permitted** to add information to their case files but only information that the domestic violence program's policy authorizes for inclusion in such files.
- 10) Documents** that the consumer wishes the program to store for safekeeping, shall be included in her file and should be returned to her upon

exiting the shelter.

11) If the “consumer” case file should contain information from an outside source, the consumer may not review such documents (*except court papers*) and should be directed to the originating source of such information.

12) Consumers and their attorneys may request copies of the contents of the consumer case file.

13) Program staff should not permit anyone to make photocopies of case files or other program records. However, the consumer or her attorney (with executed release of information) may make handwritten notes about the contents of the file. (Staff should advise consumer that such notes may be dangerous, depending on who has access or learns of their contents.) Additionally, staff should advise consumer not to show such notes to a third party, such as a relative or friend, because doing so may constitute a waiver of any privilege related to the case file or any communications that

14) Retention and Destruction: When a consumer is no longer using any of the domestic violence program’s services, certain records regarding her situation should be destroyed. This purging should not occur until she has ceased using all of the program’s services, not just after leaving the shelter.

15) Retention: All files will be retain for a period of nine (9) years. Thereafter, documentation may be shedder. This timeframe may be adjustment based on funding agencies and rules and regulations guided by the IRS.

16) Safekeeping of consumer files, securing against loss or access by unauthorized persons: All current consumer files will be maintain in a locked fireproof cabinet. Only staff person on duty will have access to files. All staff are required to immediately file consumer’s information into the lock cabinet after reviewing it. Only staff who have been released off of their initial three month hire date may have access to the consumer’s files.

17) Notification of agency confidentiality policy shall be shared with all consumer during their initial admission intake.

14. Policy: Civil Rights Act

14.1 Title VII of the Civil Rights Act of 1964

Title VII of the Civil Rights Act of 1964

EDITOR'S NOTE: The following is the text of Title VII of the Civil Rights Act of 1964 (Pub. L. 88-352) (Title VII), as amended, as it appears in volume 42 of the United States Code, beginning at section 2000e. Title VII prohibits employment discrimination based on race, color, religion, sex and national origin. The Civil Rights Act of 1991 (Pub. L. 102-166) (CRA) and the Lily Ledbetter Fair Pay Act of 2009 (Pub. L. 111-2) amend several sections of Title VII. In addition, section 102 of the CRA (which is printed elsewhere in this publication) amends the Revised Statutes by adding a new section following section 1977 (42 U.S.C. 1981), to provide for the recovery of compensatory and punitive damages in cases of intentional violations of Title VII, the Americans with Disabilities Act of 1990, and section 501 of the Rehabilitation Act of 1973. Cross references to Title VII as enacted appear in italics following each section heading. Editor's notes also appear in italics.

An Act

To enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Civil Rights Act of 1964".

* * *

DEFINITIONS

SEC. 2000e. [Section 701]

For the purposes of this subchapter-

(a) The term “person” includes one or more individuals, governments, governmental agencies, political subdivisions, labor unions, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in cases under Title 11 [*originally, bankruptcy*], or receivers.

(b) The term “employer” means a person engaged in an industry affecting commerce who has fifteen or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year, and any agent of such a person, but such term does not include (1) the United States, a corporation wholly owned by the Government of the United States, an Indian tribe, or any department or agency of the District of Columbia subject by statute to procedures of the competitive service (as defined in section 2102 of Title 5 [*United States Code*]), or

(2) a bona fide private membership club (other than a labor organization) which is exempt from taxation under section 501(c) of Title 26 [*the Internal Revenue Code of 1986*], except that during the first year after March 24, 1972 [*the date of enactment of the Equal Employment Opportunity Act of 1972*], persons having fewer than twenty-five employees (and their agents) shall not be considered employers.

(c) The term “employment agency” means any person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent of such a person.

(d) The term “labor organization” means a labor organization engaged in an industry affecting commerce, and any agent of such an organization, and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization.

(e) A labor organization shall be deemed to be engaged in an industry affecting commerce if (1) it maintains or operates a hiring hall or hiring office which procures employees for an employer or procures for employees opportunities to

work for an employer, or (2) the number of its members (or, where it is a labor organization composed of other labor organizations or their representatives, if the aggregate number of the members of such other labor organization) is (A) twenty-five or more during the first year after March 24, 1972 [*the date of enactment of the Equal Employment Opportunity Act of 1972*], or (B) fifteen or more thereafter, and such labor organization-

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended [*29 U.S.C. 151 et seq.*], or the Railway Labor Act, as amended [*45 U.S.C. 151 et seq.*];

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, general committee, joint or system board, or joint council subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection.

(f) The term “employee” means an individual employed by an employer, except that the term “employee” shall not include any person elected to public office in any State or political subdivision of any State by the qualified voters thereof, or any person chosen by such officer to be on such officer’s personal staff, or an appointee on the policy making level or an immediate adviser with respect to the exercise of the constitutional or legal powers of the office. The exemption set forth in the preceding sentence shall not include employees subject to the civil service laws of a State government, governmental agency or political subdivision. With respect to employment in a foreign country, such term includes an individual who is a citizen of the United States.

(g) The term “commerce” means trade, traffic, commerce, transportation, transmission, or communication among the several States; or between a State and any place outside thereof; or within the District of Columbia, or a

possession of the United States; or between points in the same State but through a point outside thereof.

(h) The term “industry affecting commerce” means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry “affecting commerce” within the meaning of the Labor-Management Reporting and Disclosure Act of 1959 [*29 U.S.C. 401 et seq.*], and further includes any governmental industry, business, or activity.

(i) The term “State” includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act [*43 U.S.C. 1331 et seq.*].

(j) The term “religion” includes all aspects of religious observance and practice, as well as belief, unless an employer demonstrates that he is unable to reasonably accommodate to an employee’s or prospective employee’s religious observance or practice without undue hardship on the conduct of the employer’s business.

(k) The terms “because of sex” or “on the basis of sex” include, but are not limited to, because of or on the basis of pregnancy, childbirth, or related medical conditions; and women affected by pregnancy, childbirth, or related medical conditions shall be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work, and nothing in section 2000e-2(h) of this title [*section 703(h)*] shall be interpreted to permit otherwise. This subsection shall not require an employer to pay for health insurance benefits for abortion, except where the life of the mother would be endangered if the fetus were carried to term, or except where medical complications have arisen from an abortion: Provided, That nothing herein shall preclude an employer from providing abortion benefits or otherwise affect bargaining agreements in regard to abortion.

(l) The term “complaining party” means the Commission, the Attorney General, or a person who may bring an action or proceeding under this subchapter.

(m) The term “demonstrates” means meets the burdens of production and persuasion.

(n) The term “respondent” means an employer, employment agency, labor organization, joint labor management committee controlling apprenticeship or other training or retraining program, including an on-the-job training program, or Federal entity subject to section 2000e-16 of this title.

APPLICABILITY TO FOREIGN AND RELIGIOUS EMPLOYMENT

SEC. 2000e-1. [Section 702]

(a) Inapplicability of subchapter to certain aliens and employees of religious entities

This subchapter shall not apply to an employer with respect to the employment of aliens outside any State, or to a religious corporation, association, educational institution, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities.

(b) Compliance with statute as violative of foreign law

It shall not be unlawful under section 2000e-2 or 2000e-3 of this title *[section 703 or 704]* for an employer (or a corporation controlled by an employer), labor organization, employment agency, or joint labor-management committee controlling apprenticeship or other training or retraining (including on-the-job training programs) to take any action otherwise prohibited by such section, with respect to an employee in a workplace in a foreign country if compliance with such section would cause such employer (or such corporation), such organization, such agency, or such committee to violate the law of the foreign country in which such workplace is located.

(c) Control of corporation incorporated in foreign country

(1) If an employer controls a corporation whose place of incorporation is a foreign country, any practice prohibited by section 2000e-2 or 2000e-3 of this title *[section 703 or 704]* engaged in by such corporation shall be presumed to be engaged in by such employer.

(2) Sections 2000e-2 and 2000e-3 of this title *[sections 703 and 704]* shall not apply with respect to the foreign operations of an employer that is a foreign person not controlled by an American employer.

(3) For purposes of this subsection, the determination of whether an employer controls a corporation shall be based on-

(A) the interrelation of operations;

(B) the common management;

(C) the centralized control of labor relations; and

(D) the common ownership or financial control, of the employer and the corporation.

UNLAWFUL EMPLOYMENT PRACTICES

SEC. 2000e-2. *[Section 703]*

(a) Employer practices

It shall be an unlawful employment practice for an employer -

(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or

(2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

(b) Employment agency practices

It shall be an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of his race, color, religion, sex, or national origin, or to classify or refer for employment any individual on the basis of his race, color, religion, sex, or national origin.

(c) Labor organization practices

It shall be an unlawful employment practice for a labor organization-

(1) to exclude or to expel from its membership, or otherwise to discriminate against, any individual because of his race, color, religion, sex, or national

origin;

(2) to limit, segregate, or classify its membership or applicants for membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's race, color, religion, sex, or national origin; or

(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) Training programs

It shall be an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs to discriminate against any individual because of his race, color, religion, sex, or national origin in admission to, or employment in, any program established to provide apprenticeship or other training.

(e) Businesses or enterprises with personnel qualified on basis of religion, sex, or national origin; educational institutions with personnel of particular religion

Notwithstanding any other provision of this subchapter, (1) it shall not be an unlawful employment practice for an employer to hire and employ employees, for an employment agency to classify, or refer for employment any individual, for a labor organization to classify its membership or to classify or refer for employment any individual, or for an employer, labor organization, or joint labor management committee controlling apprenticeship or other training or retraining programs to admit or employ any individual in any such program, on the basis of his religion, sex, or national origin in those certain instances where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise, and (2) it shall not be an unlawful employment practice for a school, college, university, or other educational institution or institution of learning to hire and employ employees of a particular religion if such school, college, university, or other educational institution or institution of learning is, in whole or in substantial part, owned, supported, controlled, or managed by a particular religion or by a particular religious corporation, association, or

society, or if the curriculum of such school, college, university, or other educational institution or institution of learning is directed toward the propagation of a particular religion.

(f) Members of Communist Party or Communist-action or Communist-front organizations

As used in this subchapter, the phrase “unlawful employment practice” shall not be deemed to include any action or measure taken by an employer, labor organization, joint labor management committee, or employment agency with respect to an individual who is a member of the Communist Party of the United States or of any other organization required to register as a Communist-action or Communist-front organization by final order of the Subversive Activities Control Board pursuant to the Subversive Activities Control Act of 1950 [50 U.S.C. 781 et seq.].

(g) National security

Notwithstanding any other provision of this subchapter, it shall not be an unlawful employment practice for an employer to fail or refuse to hire and employ any individual for any position, for an employer to discharge any individual from any position, or for an employment agency to fail or refuse to refer any individual for employment in any position, or for a labor organization to fail or refuse to refer any individual for employment in any position, if-

(1) the occupancy of such position, or access to the premises in or upon which any part of the duties of such position is performed or is to be performed, is subject to any requirement imposed in the interest of the national security of the United States under any security program in effect pursuant to or administered under any statute of the United States or any Executive order of the President; and

(2) such individual has not fulfilled or has ceased to fulfill that requirement.

(h) Seniority or merit system; quantity or quality of production; ability tests; compensation based on sex and authorized by minimum wage provisions

Notwithstanding any other provision of this subchapter, it shall not be an unlawful employment practice for an employer to apply different standards of compensation, or different terms, conditions, or privileges of employment pursuant to a bona fide seniority or merit system, or a system which measures earnings by quantity or quality of production or to employees who work in

different locations, provided that such differences are not the result of an intention to discriminate because of race, color, religion, sex, or national origin, nor shall it be an unlawful employment practice for an employer to give and to act upon the results of any professionally developed ability test provided that such test, its administration or action upon the results is not designed, intended or used to discriminate because of race, color, religion, sex or national origin. It shall not be an unlawful employment practice under this subchapter for any employer to differentiate upon the basis of sex in determining the amount of the wages or compensation paid or to be paid to employees of such employer if such differentiation is authorized by the provisions of section 206(d) of Title 29 [*section 6(d) of the Labor Standards Act of 1938, as amended*].

(i) Businesses or enterprises extending preferential treatment to Indians

Nothing contained in this subchapter shall apply to any business or enterprise on or near an Indian reservation with respect to any publicly announced employment practice of such business or enterprise under which a preferential treatment is given to any individual because he is an Indian living on or near a reservation.

(j) Preferential treatment not to be granted on account of existing number or percentage imbalance

Nothing contained in this subchapter shall be interpreted to require any employer, employment agency, labor organization, or joint labor-management committee subject to this subchapter to grant preferential treatment to any individual or to any group because of the race, color, religion, sex, or national origin of such individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, religion, sex, or national origin employed by any employer, referred or classified for employment by any employment agency or labor organization, admitted to membership or classified by any labor organization, or admitted to, or employed in, any apprenticeship or other training program, in comparison with the total number or percentage of persons of such race, color, religion, sex, or national origin in any community, State, section, or other area, or in the available work force in any community, State, section, or other area.

(k) Burden of proof in disparate impact cases

(1) (A) An unlawful employment practice based on disparate impact is

established under this subchapter only if-

(i) a complaining party demonstrates that a respondent uses a particular employment practice that causes a disparate impact on the basis of race, color, religion, sex, or national origin and the respondent fails to demonstrate that the challenged practice is job related for the position in question and consistent with business necessity; or

(ii) the complaining party makes the demonstration described in subparagraph (C) with respect to an alternative employment practice and the respondent refuses to adopt such alternative employment practice.

(B) (i) With respect to demonstrating that a particular employment practice causes a disparate impact as described in subparagraph (A)(i), the complaining party shall demonstrate that each particular challenged employment practice causes a disparate impact, except that if the complaining party can demonstrate to the court that the elements of a respondent's decisionmaking process are not capable of separation for analysis, the decisionmaking process may be analyzed as one employment practice.

(ii) If the respondent demonstrates that a specific employment practice does not cause the disparate impact, the respondent shall not be required to demonstrate that such practice is required by business necessity.

(C) The demonstration referred to by subparagraph (A)(ii) shall be in accordance with the law as it existed on June 4, 1989, with respect to the concept of "alternative employment practice".

(2) A demonstration that an employment practice is required by business necessity may not be used as a defense against a claim of intentional discrimination under this subchapter.

(3) Notwithstanding any other provision of this subchapter, a rule barring the employment of an individual who currently and knowingly uses or possesses a controlled substance, as defined in schedules I and II of section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), other than the use or possession of a drug taken under the supervision of a licensed health care professional, or any other use or possession authorized by the Controlled Substances Act [21 U.S.C. 801 et seq.] or any other provision of Federal law, shall be considered an unlawful employment practice under this subchapter only if such rule is adopted or applied with an intent to discriminate because of race, color, religion, sex, or national origin.

(l) Prohibition of discriminatory use of test scores

It shall be an unlawful employment practice for a respondent, in connection with the selection or referral of applicants or candidates for employment or promotion, to adjust the scores of, use different cutoff scores for, or otherwise alter the results of, employment related tests on the basis of race, color, religion, sex, or national origin.

(m) Impermissible consideration of race, color, religion, sex, or national origin in employment practices

Except as otherwise provided in this subchapter, an unlawful employment practice is established when the complaining party demonstrates that race, color, religion, sex, or national origin was a motivating factor for any employment practice, even though other factors also motivated the practice.

(n) Resolution of challenges to employment practices implementing litigated or consent judgments or orders

(1) (A) Notwithstanding any other provision of law, and except as provided in paragraph (2), an employment practice that implements and is within the scope of a litigated or consent judgment or order that resolves a claim of employment discrimination under the Constitution or Federal civil rights laws may not be challenged under the circumstances described in subparagraph (B).

(B) A practice described in subparagraph (A) may not be challenged in a claim under the Constitution or Federal civil rights laws-

(i) by a person who, prior to the entry of the judgment or order described in subparagraph (A), had-

(I) actual notice of the proposed judgment or order sufficient to apprise such person that such judgment or order might adversely affect the interests and legal rights of such person and that an opportunity was available to present objections to such judgment or order by a future date certain; and

(II) a reasonable opportunity to present objections to such judgment or order;
or

(ii) by a person whose interests were adequately represented by another person who had previously challenged the judgment or order on the same legal grounds and with a similar factual situation, unless there has been an

intervening change in law or fact.

(2) Nothing in this subsection shall be construed to-

(A) alter the standards for intervention under rule 24 of the Federal Rules of Civil Procedure or apply to the rights of parties who have successfully intervened pursuant to such rule in the proceeding in which the parties intervened;

(B) apply to the rights of parties to the action in which a litigated or consent judgment or order was entered, or of members of a class represented or sought to be represented in such action, or of members of a group on whose behalf relief was sought in such action by the Federal Government;

(C) prevent challenges to a litigated or consent judgment or order on the ground that such judgment or order was obtained through collusion or fraud, or is transparently invalid or was entered by a court lacking subject matter jurisdiction; or

(D) authorize or permit the denial to any person of the due process of law required by the Constitution.

(3) Any action not precluded under this subsection that challenges an employment consent judgment or order described in paragraph (1) shall be brought in the court, and if possible before the judge, that entered such judgment or order. Nothing in this subsection shall preclude a transfer of such action pursuant to section 1404 of Title 28 [*United States Code*].

OTHER UNLAWFUL EMPLOYMENT PRACTICES

SEC. 2000e-3. [*Section 704*]

(a) Discrimination for making charges, testifying, assisting, or participating in enforcement proceedings

It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice made an unlawful employment practice by this subchapter, or because he has made a charge, testified, assisted, or

participated in any manner in an investigation, proceeding, or hearing under this subchapter.

(b) Printing or publication of notices or advertisements indicating prohibited preference, limitation, specification, or discrimination; occupational qualification exception

It shall be an unlawful employment practice for an employer, labor organization, employment agency, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to print or publish or cause to be printed or published any notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by such a labor organization, or relating to any classification or referral for employment by such an employment agency, or relating to admission to, or employment in, any program established to provide apprenticeship or other training by such a joint labor-management committee, indicating any preference, limitation, specification, or discrimination, based on race, color, religion, sex, or national origin, except that such a notice or advertisement may indicate a preference, limitation, specification, or discrimination based on religion, sex, or national origin when religion, sex, or national origin is a bona fide occupational qualification for employment.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SEC. 2000e-4. *[Section 705]*

(a) Creation; composition; political representation; appointment; term; vacancies; Chairman and Vice Chairman; duties of Chairman; appointment of personnel; compensation of personnel

There is hereby created a Commission to be known as the Equal Employment Opportunity Commission, which shall be composed of five members, not more than three of whom shall be members of the same political party. Members of the Commission shall be appointed by the President by and with the advice and consent of the Senate for a term of five years. Any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed, and all members of the Commission shall continue to serve until their successors are appointed and qualified, except that no such member of the Commission shall continue to serve (1) for more than sixty days when the Congress is in session unless a nomination to fill such vacancy shall

have been submitted to the Senate, or (2) after the adjournment sine die of the session of the Senate in which such nomination was submitted. The President shall designate one member to serve as Chairman of the Commission, and one member to serve as Vice Chairman. The Chairman shall be responsible on behalf of the Commission for the administrative operations of the Commission, and, except as provided in subsection (b) of this section, shall appoint, in accordance with the provisions of Title 5 [United States Code] governing appointments in the competitive service, such officers, agents, attorneys, administrative law judges [originally, hearing examiners], and employees as he deems necessary to assist it in the performance of its functions and to fix their compensation in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of Title 5 [United States Code], relating to classification and General Schedule pay rates: Provided, That assignment, removal, and compensation of administrative law judges [originally, hearing examiners] shall be in accordance with sections 3105, 3344, 5372, and 7521 of Title 5 [United States Code].

(b) General Counsel; appointment; term; duties; representation by attorneys and Attorney General

(1) There shall be a General Counsel of the Commission appointed by the President, by and with the advice and consent of the Senate, for a term of four years. The General Counsel shall have responsibility for the conduct of litigation as provided in sections 2000e-5 and 2000e-6 of this title [sections 706 and 707]. The General Counsel shall have such other duties as the Commission may prescribe or as may be provided by law and shall concur with the Chairman of the Commission on the appointment and supervision of regional attorneys. The General Counsel of the Commission on the effective date of this Act shall continue in such position and perform the functions specified in this subsection until a successor is appointed and qualified.

(2) Attorneys appointed under this section may, at the direction of the Commission, appear for and represent the Commission in any case in court, provided that the Attorney General shall conduct all litigation to which the Commission is a party in the Supreme Court pursuant to this subchapter.

(c) Exercise of powers during vacancy; quorum

A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and three members thereof shall constitute a quorum.

(d) Seal; judicial notice

The Commission shall have an official seal which shall be judicially noticed.

(e) Reports to Congress and the President

The Commission shall at the close of each fiscal year report to the Congress and to the President concerning the action it has taken [*originally, the names, salaries, and duties of all individuals in its employ*] and the moneys it has disbursed. It shall make such further reports on the cause of and means of eliminating discrimination and such recommendations for further legislation as may appear desirable.

(f) Principal and other offices

The principal office of the Commission shall be in or near the District of Columbia, but it may meet or exercise any or all its powers at any other place. The Commission may establish such regional or State offices as it deems necessary to accomplish the purpose of this subchapter.

(g) Powers of Commission

The Commission shall have power-

(1) to cooperate with and, with their consent, utilize regional, State, local, and other agencies, both public and private, and individuals;

(2) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents the same witness and mileage fees as are paid to witnesses in the courts of the United States;

(3) to furnish to persons subject to this subchapter such technical assistance as they may request to further their compliance with this subchapter or an order issued thereunder;

(4) upon the request of (i) any employer, whose employees or some of them, or (ii) any labor organization, whose members or some of them, refuse or threaten to refuse to cooperate in effectuating the provisions of this subchapter, to assist in such effectuation by conciliation or such other remedial action as is provided by this subchapter;

(5) to make such technical studies as are appropriate to effectuate the purposes and policies of this subchapter and to make the results of such studies available to the public;

(6) to intervene in a civil action brought under section 2000e-5 of this title [section 706] by an aggrieved party against a respondent other than a government, governmental agency or political subdivision.

(h) Cooperation with other departments and agencies in performance of educational or promotional activities; outreach activities

(1) The Commission shall, in any of its educational or promotional activities, cooperate with other departments and agencies in the performance of such educational and promotional activities.

(2) In exercising its powers under this subchapter, the Commission shall carry out educational and outreach activities (including dissemination of information in languages other than English) targeted to-

(A) individuals who historically have been victims of employment discrimination and have not been equitably served by the Commission; and

(B) individuals on whose behalf the Commission has authority to enforce any other law prohibiting employment discrimination, concerning rights and obligations under this subchapter or such law, as the case may be.

(i) Personnel subject to political activity restrictions

All officers, agents, attorneys, and employees of the Commission shall be subject to the provisions of section 7324 of Title 5 [*originally, section 9 of the Act of August 2, 1939, as amended (the Hatch Act)*], notwithstanding any exemption contained in such section.

(j) Technical Assistance Training Institute

(1) The Commission shall establish a Technical Assistance Training Institute, through which the Commission shall provide technical assistance and training regarding the laws and regulations enforced by the Commission.

(2) An employer or other entity covered under this subchapter shall not be excused from compliance with the requirements of this subchapter because of any failure to receive technical assistance under this subsection.

(3) There are authorized to be appropriated to carry out this subsection such sums as may be necessary for fiscal year 1992.

(k) EEOC Education, Technical Assistance, and Training Revolving Fund

(1) There is hereby established in the Treasury of the United States a revolving fund to be known as the “EEOC Education, Technical Assistance, and Training Revolving Fund” (hereinafter in this subsection referred to as the “Fund”) and to pay the cost (including administrative and personnel expenses) of providing education, technical assistance, and training relating to laws administered by the Commission. Monies in the Fund shall be available without fiscal year limitation to the Commission for such purposes.

(2)(A) The Commission shall charge fees in accordance with the provisions of this paragraph to offset the costs of education, technical assistance, and training provided with monies in the Fund. Such fees for any education, technical assistance, or training--

(i) shall be imposed on a uniform basis on persons and entities receiving such education, assistance, or training,

(ii) shall not exceed the cost of providing such education, assistance, and training, and

(iii) with respect to each person or entity receiving such education, assistance, or training, shall bear a reasonable relationship to the cost of providing such education, assistance, or training to such person or entity.

(B) Fees received under subparagraph (A) shall be deposited in the Fund by the Commission.

(C) The Commission shall include in each report made under subsection (e) of this section information with respect to the operation of the Fund, including information, presented in the aggregate, relating to--

(i) the number of persons and entities to which the Commission provided education, technical assistance, or training with monies in the Fund, in the fiscal year for which such report is prepared,

(ii) the cost to the Commission to provide such education, technical assistance, or training to such persons and entities, and

(iii) the amount of any fees received by the Commission from such persons and entities for such education, technical assistance, or training.

(3) The Secretary of the Treasury shall invest the portion of the Fund not required to satisfy current expenditures from the Fund, as determined by the Commission, in obligations of the United States or obligations guaranteed as to

principal by the United States. Investment proceeds shall be deposited in the Fund.

(4) There is hereby transferred to the Fund \$1,000,000 from the Salaries and Expenses appropriation of the Commission.

14.2 Civil Rights Enforcement Provisions

ENFORCEMENT PROVISIONS

SEC. 2000e-5. *[Section 706]*

(a) Power of Commission to prevent unlawful employment practices

The Commission is empowered, as hereinafter provided, to prevent any person from engaging in any unlawful employment practice as set forth in section 2000e-2 or 2000e-3 of this title *[section 703 or 704]*.

(b) Charges by persons aggrieved or member of Commission of unlawful employment practices by employers, etc.; filing; allegations; notice to respondent; contents of notice; investigation by Commission; contents of charges; prohibition on disclosure of charges; determination of reasonable cause; conference, conciliation, and persuasion for elimination of unlawful practices; prohibition on disclosure of informal endeavors to end unlawful practices; use of evidence in subsequent proceedings; penalties for disclosure of information; time for determination of reasonable cause

Whenever a charge is filed by or on behalf of a person claiming to be aggrieved, or by a member of the Commission, alleging that an employer, employment agency, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, has engaged in an unlawful employment practice, the Commission shall serve a notice of the charge (including the date, place and circumstances of the alleged unlawful employment practice) on such employer, employment agency, labor organization, or joint labor-management committee (hereinafter referred to as the "respondent") within ten days, and shall make an investigation thereof. Charges shall be in writing under oath or affirmation and shall contain such information and be in such form as the Commission

requires. Charges shall not be made public by the Commission. If the Commission determines after such investigation that there is not reasonable cause to believe that the charge is true, it shall dismiss the charge and promptly notify the person claiming to be aggrieved and the respondent of its action. In determining whether reasonable cause exists, the Commission shall accord substantial weight to final findings and orders made by State or local authorities in proceedings commenced under State or local law pursuant to the requirements of subsections (c) and (d) of this section. If the Commission determines after such investigation that there is reasonable cause to believe that the charge is true, the Commission shall endeavor to eliminate any such alleged unlawful employment practice by informal methods of conference, conciliation, and persuasion. Nothing said or done during and as a part of such informal endeavors may be made public by the Commission, its officers or employees, or used as evidence in a subsequent proceeding without the written consent of the persons concerned. Any person who makes public information in violation of this subsection shall be fined not more than \$1,000 or imprisoned for not more than one year, or both. The Commission shall make its determination on reasonable cause as promptly as possible and, so far as practicable, not later than one hundred and twenty days from the filing of the charge or, where applicable under subsection (c) or (d) of this section, from the date upon which the Commission is authorized to take action with respect to the charge.

(c) State or local enforcement proceedings; notification of State or local authority; time for filing charges with Commission; commencement of proceedings

In the case of an alleged unlawful employment practice occurring in a State, or political subdivision of a State, which has a State or local law prohibiting the unlawful employment practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, no charge may be filed under subsection (a) of this section by the person aggrieved before the expiration of sixty days after proceedings have been commenced under the State or local law, unless such proceedings have been earlier terminated, provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective date of such State or local law. If any requirement for the commencement of such proceedings is imposed by a State or local authority other than a requirement of the filing of a written and signed statement of the facts upon which the proceeding is based, the proceeding shall be deemed to have been commenced

for the purposes of this subsection at the time such statement is sent by registered mail to the appropriate State or local authority .

(d) State or local enforcement proceedings; notification of State or local authority ; time for action on charges by Commission

In the case of any charge filed by a member of the Commission alleging an unlawful employment practice occurring in a State or political subdivision of a State which has a State or local law prohibiting the practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, the Commission shall, before taking any action with respect to such charge, notify the appropriate State or local officials and, upon request, afford them a reasonable time, but not less than sixty days (provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective day of such State or local law), unless a shorter period is requested, to act under such State or local law to remedy the practice alleged.

(e) Time for filing charges; time for service of notice of charge on respondent; filing of charge by Commission with State or local agency ; seniority system

(1) A charge under this section shall be filed within one hundred and eighty days after the alleged unlawful employment practice occurred and notice of the charge (including the date, place and circumstances of the alleged unlawful employment practice) shall be served upon the person against whom such charge is made within ten days thereafter, except that in a case of an unlawful employment practice with respect to which the person aggrieved has initially instituted proceedings with a State or local agency with authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, such charge shall be filed by or on behalf of the person aggrieved within three hundred days after the alleged unlawful employment practice occurred, or within thirty days after receiving notice that the State or local agency has terminated the proceedings under the State or local law, whichever is earlier, and a copy of such charge shall be filed by the Commission with the State or local agency .

(2) For purposes of this section, an unlawful employment practice occurs, with respect to a seniority system that has been adopted for an intentionally discriminatory purpose in violation of this subchapter (whether or not that discriminatory purpose is apparent on the face of the seniority provision), when the seniority system is adopted, when an individual becomes subject to

the seniority system, or when a person aggrieved is injured by the application of the seniority system or provision of the system.

(3)(A) For purposes of this section, an unlawful employment practice occurs, with respect to discrimination in compensation in violation of this title, when a discriminatory compensation decision or other practice is adopted, when an individual becomes subject to a discriminatory compensation decision or other practice, or when an individual is affected by application of a discriminatory compensation decision or other practice, including each time wages, benefits, or other compensation is paid, resulting in whole or in part from such a decision or other practice.

(B) In addition to any relief authorized by section 1977A of the Revised Statutes (42 U.S.C. 1981a), liability may accrue and an aggrieved person may obtain relief as provided in subsection (g)(1), including recovery of back pay for up to two years preceding the filing of the charge, where the unlawful employment practices that have occurred during the charge filing period are similar or related to unlawful employment practices with regard to discrimination in compensation that occurred outside the time for filing a charge.

(f) Civil action by Commission, Attorney General, or person aggrieved; preconditions; procedure; appointment of attorney; payment of fees, costs, or security; intervention; stay of Federal proceedings; action for appropriate temporary or preliminary relief pending final disposition of charge; jurisdiction and venue of United States courts; designation of judge to hear and determine case; assignment of case for hearing; expedition of case; appointment of master

(1) If within thirty days after a charge is filed with the Commission or within thirty days after expiration of any period of reference under subsection (c) or (d) of this section, the Commission has been unable to secure from the respondent a conciliation agreement acceptable to the Commission, the Commission may bring a civil action against any respondent not a government, governmental agency, or political subdivision named in the charge. In the case of a respondent which is a government, governmental agency, or political subdivision, if the Commission has been unable to secure from the respondent a conciliation agreement acceptable to the Commission, the Commission shall take no further action and shall refer the case to the Attorney General who may bring a civil action against such respondent in the appropriate United States district court. The person or persons aggrieved shall have the right to intervene in a civil action brought by the Commission or the

Attorney General in a case involving a government, governmental agency, or political subdivision. If a charge filed with the Commission pursuant to subsection (b) of this section is dismissed by the Commission, or if within one hundred and eighty days from the filing of such charge or the expiration of any period of reference under subsection (c) or (d) of this section, whichever is later, the Commission has not filed a civil action under this section or the Attorney General has not filed a civil action in a case involving a government, governmental agency, or political subdivision, or the Commission has not entered into a conciliation agreement to which the person aggrieved is a party, the Commission, or the Attorney General in a case involving a government, governmental agency, or political subdivision, shall so notify the person aggrieved and within ninety days after the giving of such notice a civil action may be brought against the respondent named in the charge (A) by the person claiming to be aggrieved or (B) if such charge was filed by a member of the Commission, by any person whom the charge alleges was aggrieved by the alleged unlawful employment practice. Upon application by the complainant and in such circumstances as the court may deem just, the court may appoint an attorney for such complainant and may authorize the commencement of the action without the payment of fees, costs, or security. Upon timely application, the court may, in its discretion, permit the Commission, or the Attorney General in a case involving a government, governmental agency, or political subdivision, to intervene in such civil action upon certification that the case is of general public importance. Upon request, the court may, in its discretion, stay further proceedings for not more than sixty days pending the termination of State or local proceedings described in subsection (c) or (d) of this section or further efforts of the Commission to obtain voluntary compliance.

(2) Whenever a charge is filed with the Commission and the Commission concludes on the basis of a preliminary investigation that prompt judicial action is necessary to carry out the purposes of this Act, the Commission, or the Attorney General in a case involving a government, governmental agency, or political subdivision, may bring an action for appropriate temporary or preliminary relief pending final disposition of such charge. Any temporary restraining order or other order granting preliminary or temporary relief shall be issued in accordance with rule 65 of the Federal Rules of Civil Procedure. It shall be the duty of a court having jurisdiction over proceedings under this section to assign cases for hearing at the earliest practicable date and to cause such cases to be in every way expedited.

(3) Each United States district court and each United States court of a place

subject to the jurisdiction of the United States shall have jurisdiction of actions brought under this subchapter. Such an action may be brought in any judicial district in the State in which the unlawful employment practice is alleged to have been committed, in the judicial district in which the employment records relevant to such practice are maintained and administered, or in the judicial district in which the aggrieved person would have worked but for the alleged unlawful employment practice, but if the respondent is not found within any such district, such an action may be brought within the judicial district in which the respondent has his principal office. For purposes of sections 1404 and 1406 of Title 28 [*United States Code*], the judicial district in which the respondent has his principal office shall in all cases be considered a district in which the action might have been brought.

(4) It shall be the duty of the chief judge of the district (or in his absence, the acting chief judge) in which the case is pending immediately to designate a judge in such district to hear and determine the case. In the event that no judge in the district is available to hear and determine the case, the chief judge of the district, or the acting chief judge, as the case may be, shall certify this fact to the chief judge of the circuit (or in his absence, the acting chief judge) who shall then designate a district or circuit judge of the circuit to hear and determine the case.

(5) It shall be the duty of the judge designated pursuant to this subsection to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited. If such judge has not scheduled the case for trial within one hundred and twenty days after issue has been joined, that judge may appoint a master pursuant to rule 53 of the Federal Rules of Civil Procedure.

(g) Injunctions; appropriate affirmative action; equitable relief; accrual of back pay; reduction of back pay; limitations on judicial orders

(1) If the court finds that the respondent has intentionally engaged in or is intentionally engaging in an unlawful employment practice charged in the complaint, the court may enjoin the respondent from engaging in such unlawful employment practice, and order such affirmative action as may be appropriate, which may include, but is not limited to, reinstatement or hiring of employees, with or without back pay (payable by the employer, employment agency, or labor organization, as the case may be, responsible for the unlawful employment practice), or any other equitable relief as the court deems appropriate. Back pay liability shall not accrue from a date more than two years prior to the filing of a charge with the Commission. Interim earnings

or amounts earnable with reasonable diligence by the person or persons discriminated against shall operate to reduce the back pay otherwise allowable.

(2) (A) No order of the court shall require the admission or reinstatement of an individual as a member of a union, or the hiring, reinstatement, or promotion of an individual as an employee, or the payment to him of any back pay, if such individual was refused admission, suspended, or expelled, or was refused employment or advancement or was suspended or discharged for any reason other than discrimination on account of race, color, religion, sex, or national origin or in violation of section 2000e-3(a) of this Title [*section 704(a)*].

(B) On a claim in which an individual proves a violation under section 2000e-2(m) of this title [*section 703(m)*] and a respondent demonstrates that the respondent would have taken the same action in the absence of the impermissible motivating factor, the court-

(i) may grant declaratory relief, injunctive relief (except as provided in clause (ii)), and attorney's fees and costs demonstrated to be directly attributable only to the pursuit of a claim under section 2000e-2(m) of this title [*section 703(m)*]; and

(ii) shall not award damages or issue an order requiring any admission, reinstatement, hiring, promotion, or payment, described in subparagraph (A).

(h) Provisions of chapter 6 of Title 29 not applicable to civil actions for prevention of unlawful practices

The provisions of chapter 6 of title 29 [*the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932 (29 U.S.C. 105-115)*] shall not apply with respect to civil actions brought under this section.

(i) Proceedings by Commission to compel compliance with judicial orders In any case in which an employer, employment agency, or labor organization fails to comply with an order of a court issued in a civil action brought under this section, the Commission may commence proceedings to compel compliance with such order.

(j) Appeals

Any civil action brought under this section and any proceedings brought under subsection (i) of this section shall be subject to appeal as provided in

sections 1291 and 1292, Title 28 [*United States Code*].

(k) Attorney's fee; liability of Commission and United States for costs

In any action or proceeding under this subchapter the court, in its discretion, may allow the prevailing party, other than the Commission or the United States, a reasonable attorney's fee (including expert fees) as part of the costs, and the Commission and the United States shall be liable for costs the same as a private person.

14.3 Civil Actions by the Attorney General

CIVIL ACTIONS BY THE ATTORNEY GENERAL

SEC. 2000e-6. [*Section 707*]

(a) Complaint

Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by this subchapter, and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights herein described, the Attorney General may bring a civil action in the appropriate district court of the United States by filing with it a complaint (1) signed by him (or in his absence the Acting Attorney General), (2) setting forth facts pertaining to such pattern or practice, and (3) requesting such relief, including an application for a permanent or temporary injunction, restraining order or other order against the person or persons responsible for such pattern or practice, as he deems necessary to insure the full enjoyment of the rights herein described.

(b) Jurisdiction; three-judge district court for cases of general public importance: hearing, determination, expedition of action, review by Supreme Court; single judge district court: hearing, determination, expedition of action

The district courts of the United States shall have and shall exercise jurisdiction of proceedings instituted pursuant to this section, and in any such proceeding the Attorney General may file with the clerk of such court a

request that a court of three judges be convened to hear and determine the case. Such request by the Attorney General shall be accompanied by a certificate that, in his opinion, the case is of general public importance. A copy of the certificate and request for a three-judge court shall be immediately furnished by such clerk to the chief judge of the circuit (or in his absence, the presiding circuit judge of the circuit) in which the case is pending. Upon receipt of such request it shall be the duty of the chief judge of the circuit or the presiding circuit judge, as the case may be, to designate immediately three judges in such circuit, of whom at least one shall be a circuit judge and another of whom shall be a district judge of the court in which the proceeding was instituted, to hear and determine such case, and it shall be the duty of the judges so designated to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited. An appeal from the final judgment of such court will lie to the Supreme Court.

In the event the Attorney General fails to file such a request in any such proceeding, it shall be the duty of the chief judge of the district (or in his absence, the acting chief judge) in which the case is pending immediately to designate a judge in such district to hear and determine the case. In the event that no judge in the district is available to hear and determine the case, the chief judge of the district, or the acting chief judge, as the case may be, shall certify this fact to the chief judge of the circuit (or in his absence, the acting chief judge) who shall then designate a district or circuit judge of the circuit to hear and determine the case.

It shall be the duty of the judge designated pursuant to this section to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited.

(c) Transfer of functions, etc., to Commission; effective date; prerequisite to transfer; execution of functions by Commission

Effective two years after March 24, 1972 [*the date of enactment of the Equal Employment Opportunity Act of 1972*], the functions of the Attorney General under this section shall be transferred to the Commission, together with such personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with such functions unless the President submits, and neither House of Congress vetoes, a reorganization plan pursuant to chapter 9 of Title 5 [*United States Code*], inconsistent with the provisions of this subsection. The Commission shall carry out such functions in accordance with

subsections (d) and (e) of this section.

(d) Transfer of functions, etc., not to affect suits commenced pursuant to this section prior to date of transfer

Upon the transfer of functions provided for in subsection (c) of this section, in all suits commenced pursuant to this section prior to the date of such transfer, proceedings shall continue without abatement, all court orders and decrees shall remain in effect, and the Commission shall be substituted as a party for the United States of America, the Attorney General, or the Acting Attorney General, as appropriate.

(e) Investigation and action by Commission pursuant to filing of charge of discrimination; procedure

Subsequent to March 24, 1972 [*the date of enactment of the Equal Employment Opportunity Act of 1972*], the Commission shall have authority to investigate and act on a charge of a pattern or practice of discrimination, whether filed by or on behalf of a person claiming to be aggrieved or by a member of the Commission. All such actions shall be conducted in accordance with the procedures set forth in section 2000e-5 of this title [*section 706*].

EFFECT ON STATE LAWS

SEC. 2000e-7. [*Section 708*]

Nothing in this subchapter shall be deemed to exempt or relieve any person from any liability, duty, penalty, or punishment provided by any present or future law of any State or political subdivision of a State, other than any such law which purports to require or permit the doing of any act which would be an unlawful employment practice under this subchapter.

INVESTIGATIONS

SEC. 2000e-8. [*Section 709*]

(a) Examination and copying of evidence related to unlawful employment practices

In connection with any investigation of a charge filed under section 2000e-5 of this title [*section 706*], the Commission or its designated representative shall at all reasonable times have access to, for the purposes of examination, and the right to copy any evidence of any person being investigated or proceeded

against that relates to unlawful employment practices covered by this subchapter and is relevant to the charge under investigation.

(b) Cooperation with State and local agencies administering State fair employment practices laws; participation in and contribution to research and other projects; utilization of services; payment in advance or reimbursement; agreements and rescission of agreements

The Commission may cooperate with State and local agencies charged with the administration of State fair employment practices laws and, with the consent of such agencies, may, for the purpose of carrying out its functions and duties under this subchapter and within the limitation of funds appropriated specifically for such purpose, engage in and contribute to the cost of research and other projects of mutual interest undertaken by such agencies, and utilize the services of such agencies and their employees, and, notwithstanding any other provision of law, pay by advance or reimbursement such agencies and their employees for services rendered to assist the Commission in carrying out this subchapter. In furtherance of such cooperative efforts, the Commission may enter into written agreements with such State or local agencies and such agreements may include provisions under which the Commission shall refrain from processing a charge in any cases or class of cases specified in such agreements or under which the Commission shall relieve any person or class of persons in such State or locality from requirements imposed under this section. The Commission shall rescind any such agreement whenever it determines that the agreement no longer serves the interest of effective enforcement of this subchapter.

(c) Execution, retention, and preservation of records; reports to Commission; training program records; appropriate relief from regulation or order for undue hardship; procedure for exemption; judicial action to compel compliance

Every employer, employment agency, and labor organization subject to this subchapter shall (1) make and keep such records relevant to the determinations of whether unlawful employment practices have been or are being committed, (2) preserve such records for such periods, and (3) make such reports therefrom as the Commission shall prescribe by regulation or order, after public hearing, as reasonable, necessary, or appropriate for the enforcement of this subchapter or the regulations or orders thereunder. The Commission shall, by regulation, require each employer, labor organization, and joint labor-management committee subject to this subchapter which controls an apprenticeship or other training program to maintain such records

as are reasonably necessary to carry out the purposes of this subchapter, including, but not limited to, a list of applicants who wish to participate in such program, including the chronological order in which applications were received, and to furnish to the Commission upon request, a detailed description of the manner in which persons are selected to participate in the apprenticeship or other training program. Any employer, employment agency, labor organization, or joint labor-management committee which believes that the application to it of any regulation or order issued under this section would result in undue hardship may apply to the Commission for an exemption from the application of such regulation or order, and, if such application for an exemption is denied, bring a civil action in the United States district court for the district where such records are kept. If the Commission or the court, as the case may be, finds that the application of the regulation or order to the employer, employment agency, or labor organization in question would impose an undue hardship, the Commission or the court, as the case may be, may grant appropriate relief. If any person required to comply with the provisions of this subsection fails or refuses to do so, the United States district court for the district in which such person is found, resides, or transacts business, shall, upon application of the Commission, or the Attorney General in a case involving a government, governmental agency or political subdivision, have jurisdiction to issue to such person an order requiring him to comply.

(d) Consultation and coordination between Commission and interested State and Federal agencies in prescribing recordkeeping and reporting requirements; availability of information furnished pursuant to recordkeeping and reporting requirements; conditions on availability

In prescribing requirements pursuant to subsection (c) of this section, the Commission shall consult with other interested State and Federal agencies and shall endeavor to coordinate its requirements with those adopted by such agencies. The Commission shall furnish upon request and without cost to any State or local agency charged with the administration of a fair employment practice law information obtained pursuant to subsection (c) of this section from any employer, employment agency, labor organization, or joint labor-management committee subject to the jurisdiction of such agency. Such information shall be furnished on condition that it not be made public by the recipient agency prior to the institution of a proceeding under State or local law involving such information. If this condition is violated by a recipient agency, the Commission may decline to honor subsequent requests pursuant to this subsection.

(e) Prohibited disclosures; penalties

It shall be unlawful for any officer or employee of the Commission to make public in any manner whatever any information obtained by the Commission pursuant to its authority under this section prior to the institution of any proceeding under this subchapter involving such information. Any officer or employee of the Commission who shall make public in any manner whatever any information in violation of this subsection shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not more than \$1,000, or imprisoned not more than one year.

CONDUCT OF HEARINGS AND INVESTIGATIONS PURSUANT TO SECTION 161 OF Title 29

SEC. 2000e-9. *[Section 710]*

For the purpose of all hearings and investigations conducted by the Commission or its duly authorized agents or agencies, section 161 of Title 29 *[section 11 of the National Labor Relations Act]* shall apply.

POSTING OF NOTICES; PENALTIES

SEC. 2000e-10. *[Section 711]*

(a) Every employer, employment agency, and labor organization, as the case may be, shall post and keep posted in conspicuous places upon its premises where notices to employees, applicants for employment, and members are customarily posted a notice to be prepared or approved by the Commission setting forth excerpts from or, summaries of, the pertinent provisions of this subchapter and information pertinent to the filing of a complaint.

(b) A willful violation of this section shall be punishable by a fine of not more than \$100 for each separate offense.

VETERANS' SPECIAL RIGHTS OR PREFERENCE

SEC. 2000e-11. *[Section 712]*

Nothing contained in this subchapter shall be construed to repeal or modify any Federal, State, territorial, or local law creating special rights or preference for veterans.

REGULATIONS; CONFORMITY OF

REGULATIONS WITH ADMINISTRATIVE PROCEDURE PROVISIONS; RELIANCE ON INTERPRETATIONS AND INSTRUCTIONS OF COMMISSION

SEC. 2000e-12. *[Section 713]*

(a) The Commission shall have authority from time to time to issue, amend, or rescind suitable procedural regulations to carry out the provisions of this subchapter. Regulations issued under this section shall be in conformity with the standards and limitations of subchapter II of chapter 5 of Title 5 *[originally, the Administrative Procedure Act]*.

(b) In any action or proceeding based on any alleged unlawful employment practice, no person shall be subject to any liability or punishment for or on account of (1) the commission by such person of an unlawful employment practice if he pleads and proves that the act or omission complained of was in good faith, in conformity with, and in reliance on any written interpretation or opinion of the Commission, or (2) the failure of such person to publish and file any information required by any provision of this subchapter if he pleads and proves that he failed to publish and file such information in good faith, in conformity with the instructions of the Commission issued under this subchapter regarding the filing of such information. Such a defense, if established, shall be a bar to the action or proceeding, notwithstanding that (A) after such act or omission, such interpretation or opinion is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect, or (B) after publishing or filing the description and annual reports, such publication or filing is determined by judicial authority not to be in conformity with the requirements of this subchapter.

APPLICATION TO PERSONNEL OF COMMISSION OF SECTIONS 111 AND 1114 OF TITLE 18; PUNISHMENT FOR VIOLATION OF SECTION 1114 OF TITLE 18

SEC. 2000e-13. *[Section 714]*

The provisions of sections 111 and 1114, Title 18 *[United States Code]*, shall apply to officers, agents, and employees of the Commission in the performance of their official duties. Notwithstanding the provisions of sections 111 and 1114 of Title 18 *[United States Code]*, whoever in violation of the provisions of section 1114 of such title kills a person while engaged in or on account of the

performance of his official functions under this Act shall be punished by imprisonment for any term of years or for life.

TRANSFER OF AUTHORITY

[Administration of the duties of the Equal Employment Opportunity Coordinating Council was transferred to the Equal Employment Opportunity Commission effective July 1, 1978, under the President's Reorganization Plan of 1978.]

EQUAL EMPLOYMENT OPPORTUNITY COORDINATING COUNCIL; ESTABLISHMENT; COMPOSITION; DUTIES; REPORT TO PRESIDENT AND CONGRESS

SEC. 2000e-14. *[Section 715]*

[Original introductory text: There shall be established an Equal Employment Opportunity Coordinating Council (hereinafter referred to in this section as the Council) composed of the Secretary of Labor, the Chairman of the Equal Employment Opportunity Commission, the Attorney General, the Chairman of the United States Civil Service Commission, and the Chairman of the United States Civil Rights Commission, or their respective delegates.]

The Equal Employment Opportunity Commission *[originally, Council]* shall have the responsibility for developing and implementing agreements, policies and practices designed to maximize effort, promote efficiency, and eliminate conflict, competition, duplication and inconsistency among the operations, functions and jurisdictions of the various departments, agencies and branches of the Federal Government responsible for the implementation and enforcement of equal employment opportunity legislation, orders, and policies. On or before October 1 *[originally, July 1]* of each year, the Equal Employment Opportunity Commission *[originally, Council]* shall transmit to the President and to the Congress a report of its activities, together with such recommendations for legislative or administrative changes as it concludes are desirable to further promote the purposes of this section.

PRESIDENTIAL CONFERENCES; ACQUAINTANCE OF LEADERSHIP WITH PROVISIONS FOR EMPLOYMENT RIGHTS AND OBLIGATIONS; PLANS FOR FAIR ADMINISTRATION; MEMBERSHIP

SEC. 2000e-15. *[Section 716]*

[Original text: (a) This title shall become effective one year after the date of its enactment.

(b) Notwithstanding subsection (a), sections of this title other than sections 703, 704, 706, and 707 shall become effective immediately.

(c) The President shall, as soon as feasible after July 2, 1964 [the date of enactment of this title], convene one or more conferences for the purpose of enabling the leaders of groups whose members will be affected by this subchapter to become familiar with the rights afforded and obligations imposed by its provisions, and for the purpose of making plans which will result in the fair and effective administration of this subchapter when all of its provisions become effective. The President shall invite the participation in such conference or conferences of (1) the members of the President's Committee on Equal Employment Opportunity, (2) the members of the Commission on Civil Rights, (3) representatives of State and local agencies engaged in furthering equal employment opportunity, (4) representatives of private agencies engaged in furthering equal employment opportunity, and (5) representatives of employers, labor organizations, and employment agencies who will be subject to this subchapter.

TRANSFER OF AUTHORITY

[Enforcement of Section 717 was transferred to the Equal Employment Opportunity Commission from the Civil Service Commission (Office of Personnel Management) effective January 1, 1979 under the President's Reorganization Plan No. 1 of 1978.]

EMPLOYMENT BY FEDERAL GOVERNMENT

SEC. 2000e-16. *[Section 717]*

(a) Discriminatory practices prohibited; employees or applicants for employment subject to coverage

All personnel actions affecting employees or applicants for employment (except with regard to aliens employed outside the limits of the United States) in military departments as defined in section 102 of Title 5 *[United States Code]*, in executive agencies *[originally, other than the General Accounting Office]* as defined in section 105 of Title 5 *[United States Code]* (including employees and applicants for employment who are paid from nonappropriated funds), in the

United States Postal Service and the Postal Regulatory Commission, in those units of the Government of the District of Columbia having positions in the competitive service, and in those units of the judicial branch of the Federal Government having positions in the competitive service, in the Smithsonian Institution, and in the Government Printing Office, the Government Accountability Office, and the Library of Congress shall be made free from any discrimination based on race, color, religion, sex, or national origin.

(b) Equal Employment Opportunity Commission; enforcement powers; issuance of rules, regulations, etc.; annual review and approval of national and regional equal employment opportunity plans; review and evaluation of equal employment opportunity programs and publication of progress reports; consultations with interested parties; compliance with rules, regulations, etc.; contents of national and regional equal employment opportunity plans; authority of Librarian of Congress

Except as otherwise provided in this subsection, the Equal Employment Opportunity Commission [*originally, Civil Service Commission*] shall have authority to enforce the provisions of subsection (a) of this section through appropriate remedies, including reinstatement or hiring of employees with or without back pay, as will effectuate the policies of this section, and shall issue such rules, regulations, orders and instructions as it deems necessary and appropriate to carry out its responsibilities under this section. The Equal Employment Opportunity Commission [*originally, Civil Service Commission*] shall-

(1) be responsible for the annual review and approval of a national and regional equal employment opportunity plan which each department and agency and each appropriate unit referred to in subsection (a) of this section shall submit in order to maintain an affirmative program of equal employment opportunity for all such employees and applicants for employment;

(2) be responsible for the review and evaluation of the operation of all agency equal employment opportunity programs, periodically obtaining and publishing (on at least a semiannual basis) progress reports from each such department, agency, or unit; and

(3) consult with and solicit the recommendations of interested individuals, groups, and organizations relating to equal employment opportunity.

The head of each such department, agency, or unit shall comply with such

rules, regulations, orders, and instructions which shall include a provision that an employee or applicant for employment shall be notified of any final action taken on any complaint of discrimination filed by him thereunder. The plan submitted by each department, agency, and unit shall include, but not be limited to-

(1) provision for the establishment of training and education programs designed to provide a maximum opportunity for employees to advance so as to perform at their highest potential; and

(2) a description of the qualifications in terms of training and experience relating to equal employment opportunity for the principal and operating officials of each such department, agency, or unit responsible for carrying out the equal employment opportunity program and of the allocation of personnel and resources proposed by such department, agency, or unit to carry out its equal employment opportunity program.

With respect to employment in the Library of Congress, authorities granted in this subsection to the Equal Employment Opportunity Commission [*originally, Civil Service Commission*] shall be exercised by the Librarian of Congress.

(c) Civil action by employee or applicant for employment for redress of grievances; time for bringing of action; head of department, agency, or unit as defendant

Within 90 days of receipt of notice of final action taken by a department, agency, or unit referred to in subsection (a) of this section, or by the Equal Employment Opportunity Commission [*originally, Civil Service Commission*] upon an appeal from a decision or order of such department, agency, or unit on a complaint of discrimination based on race, color, religion, sex or national origin, brought pursuant to subsection (a) of this section, Executive Order 11478 or any succeeding Executive orders, or after one hundred and eighty days from the filing of the initial charge with the department, agency, or unit or with the Equal Employment Opportunity Commission [*originally, Civil Service Commission*] on appeal from a decision or order of such department, agency, or unit until such time as final action may be taken by a department, agency, or unit, an employee or applicant for employment, if aggrieved by the final disposition of his complaint, or by the failure to take final action on his complaint, may file a civil action as provided in section 2000e-5 of this title [*section 706*], in which civil action the head of the department, agency, or unit, as appropriate, shall be the defendant.

(d) Section 2000e-5(f) through (k) of this title applicable to civil actions

The provisions of section 2000e-5(f) through (k) of this title [*section 706(f) through (k)*], as applicable, shall govern civil actions brought hereunder, and the same interest to compensate for delay in payment shall be available as in cases involving nonpublic parties.

(e) Government agency or official not relieved of responsibility to assure nondiscrimination in employment or equal employment opportunity

Nothing contained in this Act shall relieve any Government agency or official of its or his primary responsibility to assure nondiscrimination in employment as required by the Constitution and statutes or of its or his responsibilities under Executive Order 11478 relating to equal employment opportunity in the Federal Government.

(f) Section 2000e-5(e)(3) [*Section 706(e)(3)*] shall apply to complaints of discrimination in compensation under this section.

PROCEDURE FOR DENIAL, WITHHOLDING, TERMINATION, OR SUSPENSION OF GOVERNMENT CONTRACT SUBSEQUENT TO ACCEPTANCE BY GOVERNMENT OF AFFIRMATIVE ACTION PLAN OF EMPLOYER; TIME OF ACCEPTANCE OF PLAN

SEC. 2000e-17. [*Section 718*]

No Government contract, or portion thereof, with any employer, shall be denied, withheld, terminated, or suspended, by any agency or officer of the United States under any equal employment opportunity law or order, where such employer has an affirmative action plan which has previously been accepted by the Government for the same facility within the past twelve months without first according such employer full hearing and adjudication under the provisions of section 554 of Title 5 [*United States Code*], and the following pertinent sections: Provided, That if such employer has deviated substantially from such previously agreed to affirmative action plan, this section shall not apply: Provided further, That for the purposes of this section an affirmative action plan shall be deemed to have been accepted by the Government at the time the appropriate compliance agency has accepted such plan unless within forty-five days thereafter the Office of Federal Contract Compliance has disapproved such plan

15.Policy: Community Educations/Outreach

15.1 Community Education Policy

COMMUNITY EDUCATION AND OUTREACH POLICY

1. Our House shall provide training to professionals regarding the dynamics of domestic violence and local resources available. Evaluation forms and sign – in sheets shall be used as means of verification of services provided.
2. Our House shall provide information to interested individuals and organizations in the community regarding domestic violence. Brochures and flyers will be designed and available for distribute on a daily basis. This information may be shared at health fairs, face book, twitter, educational booths, schools, office facilities, civic organizations, etc.
3. Our House shall provide outreach services and educations to victims of domestic violence, including underserved populations and individuals with disabilities and special needs within our current service area.

16. Policy: Confidentiality

16.1 Confidentiality

CONFIDENTIALITY

CONFIDENTIALITY POLICY

Confidentiality and privilege are core principles that directly impact safety and justice for battered women. When private information is shared, there is a shift in the balance of that relationship from the person sharing the information to the person receiving it. How that information may be used or revealed to others directly impacts the battered woman's safety and ability to seek justice. Sharing information about a specific battered woman threatens her autonomy and may threaten her safety, as well as her confidence in the domestic violence advocate and program.

A. CONFIDENTIALITY POLICY NOTICE TO CONSUMER/CLIENT

Staff and volunteers at Our House, Inc. will keep confidential all information communicated to them by survivors of domestic violence and sexual assault utilizing Our House services. This confidentiality agreement means that:

1. We will not disclose to any other person or entity whether we have had contact with you or provided services to you, or whether or not you are residing in our shelter;
2. We will not disclose to any other person or entity information or materials that you have disclosed or given to us or that we have disclosed or given to you.
3. We will oppose any subpoena or other legal effort to obtain this information from us, when you have not authorized the release of this information.

There are some exceptions to this confidentiality. The information that you give us may not be kept confidential if:

1. We learn or have reason to suspect that a minor child is being abused or neglected. In such a case, we will need to contact Child Protective Services;
2. We witness through sight or hearing an actual or imminent physical assault or other unlawful and dangerous act upon you by another

- person. In such case, we may contact law enforcement for assistance;
3. We learn or have reason to believe that you intend to harm yourself. In such case, we may notify law enforcement and or emergency medical personnel to seek assistance for you;
 4. We learn or have reason to believe that you intend to harm another person and have the means and ability to do so. In such case we may contact law enforcement and/or may warn the person who you intend to harm.
 5. If you give us written or verbal permission to release information to others, we will do so in accordance with the terms of that permission. You will have the right to revoke that permission at any time.

16.2 Details

1. B. OUR HOUSE DETAIL CONFIDENTIAL POLICIES ARE:

- Only individuals directly involved in a consumer's case or involved in a formal monitoring process to access the quality of services provided will have access to that consumer's file.
- Only individuals directly involved in a consumer's case or involved in a formal monitoring process to access the quality of services provided will have access to that consumer's file.
- No information from the consumer file will be released to another individual or agency not authorized to receive it without the written, informed consent of the consumer or his/her legal guardian.
- A consumer must give their consent for releasing or obtaining information by completing a written release/obtain of information statement that include the following: a) The name of the specific individual or agency that the information is being released to; b) The exact information that will be released; c) The purpose of releasing the information; d) The signature of the consumer; e)The signature of a witness; and f) The date the release will expire (maximum of six months) (see attached sample of release form)
- A new release form must be complete for each specific agent.
- No information in a consumer/client file that is provided by an agency outside of the member program shall be released to a third party. (*this statement must be on the release form*)

- **Staff, volunteers, consumers, board members and students must agree to sign a confidentiality agreement each year of partnership with Our House.**
- Staff, volunteers, consumers, board members must agree to serve in compliance of any federal and state laws addressing consumer/counselor confidentiality.
- To ensure anonymity for our consumers, each consumer file shall be randomly assigned a number and will be used to reference the consumer
- ü No other consumers' names should appear in a consumers file. If information regarding another consumer is to be referenced in a consumer file (other than their own), the consumer number is to be used.
- All entries in a consumer file should be dated, legible and signed.

16.3 Violations

C. VIOLATIONS POLICY Our House Policy regarding Penalties for violation of confidentiality requirements are as follows:

- If a staff person who is authorized to have access to confidential information is strongly suspected of violating the requirements in the signed confidentiality statement that person shall be immediately suspended from duties pending an investigation and determination of culpability.
- If a staff person who is authorized to have access to confidential information is determined upon investigation to have violated the requirements in the signed confidentiality statement that person shall be subject to the appropriate disciplinary action in the confidentiality statement which may include immediate termination.
- If a consumer/client violates the confidentiality requirement, they may be immediately relocated from the facility to ensure the safety of other consumers/clients.

16.4 Location

1. F. RECORD LOCATION POLICY

Our House policy on consumer/client records location: **Office records should be separated from a “consumer/client” file**, since many consumers/clients often receive services that do not include shelter. These shelter records are needed for the operations of the program, and do not focus on the issues or safety concerns of a specific consumer. Safe Shelter/hotels records that may be included in a consumer/client file:

- Intake forms
- Telephone logs
- Program or shelter logs
- Exit forms
- Chart of who is in shelter and any special instructions for the day
- Statistical forms that do not include identifying information
- Program policies
- Business records

16.5 Liability

G. LIMIT PROGRAM LIABILITY POLICY

It is Our House policy to maintain the following forms to Limit Program Liability:

- ***Permission Forms*** – signed by survivor on behalf of her children, these forms give program staff permission to have children participate in DV program activities
- ***Child’s Medical Authorization Form*** – signed by survivor, this form provides information about a child’s medical needs and gives program staff the authorization to approve emergency treatment.
- ***Release for Obtaining Medical Care*** – also signed by the survivor, this form authorizes the DV program to seek emergency medical care for the survivor
- ***Release Allowing Notification of Family*** – signed by the survivor, this form permits program staff to notify a survivor’s designated family

members (not the batterer) in the event of any specified emergency

- **Transportation release** –signed by the survivor on behalf of herself and/or her children. This form give program staff permission to transport consumer and her children to program activities and services
- **Liability Form** – to be signed by the survivor releasing Our House and their related parties from all liabilities associated with services

16.6 Electronic

H. ELECTRONIC FILE POLICY

Our House policy on Electronic files is:

- All document shared through electronic method must have a code number for consumer's information
- Virus protections must be purchase annually
- All data program purchase to retain consumer information must provide a security for the system/network sufficient to prevent unauthorized or "hacker" access
- If consumer has signed a release allowing information to be shared via email, consumer should be informed that consumer or family members may not be able to control the type or amount of information released or shared after a release is signed. Some or all of the information may be turned over to the defendant/batterer.

16.7 Storage

1. D. STORAGE, REVIEWING, RETENTION AND DESTRUCTION OF RECORDS POLICY

Our House Policy regarding storage, retention and the destruction of records are as follows:

1) Maintenance: It is our policy that we maintain records in secured locked filing cabinets, providing access only to designated staff.

2) Program records, such as financial documents or personnel files, will be kept separately from case files (i.e., shelter intake files). Only designated staff should have authority to review case files and/or make notations in case files.

3) Board members should not have access to case files or program records, except in specific situations determined by the Executive Director along with the program's attorney, if applicable.

4) Funders and researchers should have access only to aggregate statistical information and must agree to sign confidentiality agreements as an added protection.

5) Volunteers or students are working as advocates, can make case file entries only under the supervision of staff with authority to write in case files. If a student is required to make notes for the purpose of training or supervision by faculty at an educational institution, all identifying material must be deleted, including names of staff, volunteers, survivors, and child.

6) Battered Women's Access to "Consumer" Case Files: Consumers using program services are entitled to examine their own case files in the presence of program staff.

7) No files should be removed from the office by consumer, staff or volunteers, nor should any documents be removed from the files.

8) Consumers may request the correction or removal of inaccurate, irrelevant, outdated, or incomplete information from their case files.

9) Consumers are permitted to add information to their case files but only information that the domestic violence program's policy authorizes for inclusion in such files.

10) Documents that the consumer/client wishes the program to store for safekeeping, shall be included in her file and should be returned to her upon exiting the program.

11) If the "consumer/client" case file should contain information from an outside source, the consumer may not review such documents (*except court papers*) and should be directed to the originating source of such information.

12) Consumers/clients and their attorneys may request copies of the contents of the consumer case file.

13) Program staff should not permit anyone to make photocopies of case

files or other program records. However, the consumer/client or her/his attorney (with executed release of information) may make handwritten notes about the contents of the file. (Staff should advise consumer/client that such notes may be dangerous, depending on who has access or learns of their contents.) Additionally, staff should advise consumer/client not to show such notes to a third party, such as a relative or friend, because doing so may constitute a waiver of any privilege related to the case file or any communications that

14) Retention and Destruction: When a consumer/client is no longer using any of the agency's program's services, certain records regarding her situation should be destroyed. This purging should not occur until she has ceased using all of the program's services, not just after leaving the program.

15) Retention: All files will be retain for a period of nine (9) years. Thereafter, documentation may be shedder. This timeframe may be adjustment based on funding agencies and rules and regulations guided by the IRS.

16) Safekeeping of consumer/client files, securing against loss or access by unauthorized persons: All current consumer/client files will be maintain in a locked fireproof cabinet. Only staff person on duty will have access to files. All staff are required to immediately file consumer/client's information into the lock cabinet after reviewing it. Only staff who have been released off of their initial three month hire date may have access to the consumer's files.

17) Notification of agency confidentiality policy shall be shared with all consumer/client during their initial admission intake.

16.8 Advocate Confidentiality Law

MISSISSIPPI HB 1386 has passed

Advocate Confidentiality Law; establish procedures for disclosure.

An Act To Create The Advocate Confidentiality Law; To Provide That Communications Of Victims Of Domestic Violence, Sexual Assault, Stalking And Human Trafficking With Advocates Are Confidential; To Establish Procedures For Disclosure In Limited Circumstances; To Provide For In-camera

Review Before Disclosure; To Amend Section 93-21-109, Mississippi Code Of 1972, To Conform; And For Related Purposes.

Sponsors (3):

[Jill Ford \(R\)*](#), [Debra Gibbs \(D\)*](#), [Dana McLean \(R\)*](#)

Approved by Governor (on 6/29/2020)

[Official Document:](#)

<http://billstatus.ls.state.ms.us/2020/pdf/history/HB/HB1386.xml>

MISSISSIPPI LEGISLATURE

2020 Regular Session

To: Judiciary B

By: Representatives McLean, Ford (73rd), Gibbs (72nd)

House Bill 1386

(As approved by the Governor)

AN ACT TO CREATE THE ADVOCATE CONFIDENTIALITY LAW; TO PROVIDE THAT COMMUNICATIONS OF VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, STALKING AND HUMAN TRAFFICKING WITH ADVOCATES ARE CONFIDENTIAL; TO ESTABLISH PROCEDURES FOR DISCLOSURE IN LIMITED CIRCUMSTANCES; TO PROVIDE FOR IN-CAMERA REVIEW BEFORE DISCLOSURE; TO AMEND SECTION 93-21-109, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Communications with advocates deemed confidential. (1) **Definitions.** The following definitions apply in this section:

(a) "Advocate" means an employee, contractor, agent or volunteer of a victim service provider whose primary purpose is to render services to victims of domestic violence, sexual assault, stalking, or human trafficking and who has completed a minimum of twenty (20) hours of training in the areas of

dynamics of victimization, substantive laws relating to domestic violence, sexual assault, stalking and human trafficking, crisis intervention techniques, communications skills, working with diverse populations, an overview of the state's criminal and civil justice systems, information regarding pertinent hospital procedures, victim compensation, and information regarding state and community resources for victims of domestic violence, sexual assault, stalking, human trafficking, or mandatory training required by the Office Against Interpersonal Violence, whichever is greater. "Advocate" also means a person employed by a victim service provider who supervises any employee, contractor, agent or volunteer rendering services. The term advocate also means a third party (i) present to further the interest of the victim in receiving services; (ii) necessary for the transmission of the communication; or (iii) to whom disclosure is reasonably necessary to accomplish the purposes for the victim seeking services.

(b) "Confidential victim communications" means all information, whether written or oral, collected, transmitted or shared between a victim and an advocate in the course of that relationship and maintained by the victim service program in connection with services requested, utilized or denied. "Confidential victim communications" includes, but is not limited to, information received or given by the advocate in the course of the working relationship, advice, records, reports, notes, memoranda, working papers, electronic communications, case files, history, and statistical data that contain personally identifying information.

(c) "Domestic violence" means any alleged misdemeanor or felony act of domestic violence as defined by Section 99-3-7, knowing violation of a domestic abuse protection order under Section 93-21-21, or incidence of abuse as defined by Section 93-21-3(a), whether or not a civil or criminal action arises as a result of the alleged violation. The term "domestic violence" also includes any pattern of behavior or coercive control resulting in physical, emotional or psychological harm to a victim committed by a spouse or former spouse of the victim, a person with whom the victim lives or lived as a spouse, a person related as parent, child, grandparent, grandchild, or someone similarly situated to the victim, a person having a child in common with the victim, or a person with whom the victim has or had a dating relationship.

(d) "Human trafficking" means any alleged criminal act in violation of Section 97-3-54.1, whether or not a civil or criminal action arises as a result of the alleged violation.

(e) "Personally identifying information" means any information for or

about an individual, including information likely to disclose the location or identity of a victim of domestic violence, sexual assault, stalking, or human trafficking, including: (i) a first or last name; (ii) a home or other physical address; (iii) contact information, including a postal, email or internet protocol address; (iv) a social security number; or (v) any other information, including, but not limited to, date of birth, racial or ethnic background, marital status, children, disability, or religious affiliation that would serve to identify the individual.

(f) "Services" includes, but is not limited to, crisis hotlines, operation of safe homes and shelters, assessment and intake, case management, advocacy, individual and peer counseling, support in medical, legal, administrative, and judicial systems, transportation, relocation, and crisis intervention.

(g) "Sexual assault" means any alleged violation of Section 97-3-65, 97-3-95, 97-5-23, 97-5-24, 97-5-41, 97-29-3 or 97-29-7, whether or not a civil or criminal action arises as a result of the alleged violation.

(h) "Stalking" means any alleged violation of Section 97-3-107 or 97-45-15, whether or not a civil or criminal action arises as a result of the alleged violation.

(i) "Victim" means a person alleging domestic violence, sexual assault, stalking, or human trafficking, who consults a victim advocate for the purpose of obtaining, for the person, advice, counseling, or other services concerning mental, emotional, or physical injuries suffered as a result of the offense, whether or not services are actually received.

(j) "Victim service provider" means an organization whose primary purpose or mission is to provide services to victims of domestic violence, sexual assault, stalking, or human trafficking. This term includes umbrella organizations that have specific victim service programs as part of its organization. Any provisions regarding confidentiality only extend to the specific program providing victim services and not to the entire organization.

(2) Confidential victim communications protected from disclosure. (a) No advocate shall disclose any confidential victim communication or personally identifying information of a victim or be compelled to testify to or surrender any confidential victim communications or personally identifying information in any civil or criminal proceeding or in any legislative or administrative proceeding, without the prior informed, written and time-limited consent of the victim, except in the following

circumstances: (i) where disclosure is mandated under Section 43-21-353, Section 43-47-7, Section 43-47-37, Section 97-3-54.1(4), Section 97-5-51, Section 97-29-49, or any other applicable provision of state or federal law; (ii) where failure to disclose is likely to result in imminent risk of serious bodily harm or death of the victim or another person, or when the victim dies or is incapable of giving consent and disclosure is required for an official law enforcement investigation or criminal proceedings regarding the cause of the victim's death or incapacitation; or (iii) where disclosure is required pursuant to a valid court order.

(b) Upon motion of a party in a civil action or of the defendant in a criminal action, the court may compel disclosure of certain confidential victim communications or personally identifying information, if the court determines, after in-camera review, that all of the following conditions are met: (i) the information sought is relevant and material evidence of the facts and circumstances involved in an alleged criminal act which is the subject of a criminal proceeding; (ii) the probative value of the information outweighs the harmful effect, if any, of disclosure on the victim, the advocacy relationship and provision and receipt of services; and (iii) the information cannot be obtained by reasonable means from any other source.

The court shall document its determination to compel disclosure in writing or place its findings into the record of the proceeding. This proceeding does not entitle the requesting party to examine the records unless those records are made available by the court. The proceeding set in this paragraph (b) shall not supersede the provisions of Section 99-43-25 with regard to the protection of facts that could divulge the identity, residence, or place of employment of a victim.

(c) A release of information without the consent of the victim shall be limited in scope to the minimum amount necessary to comply with any mandated disclosure. The advocate or victim service provider must make reasonable attempts to notify the victim of the disclosure, to whom the disclosure was made, and for what purpose.

(d) A victim service program may not require consent to release of information as a condition of service to a victim.

(e) A legal guardian, guardian ad litem or parent may consent to release of confidential information for a victim who, due to incompetency, incapacity or minority, is incapable of consenting, except that no person who has committed or is alleged to have committed a crime against the victim shall be

granted this authority.

(3) Under no circumstances shall the location of a shelter, safe house or transitional housing for victims of domestic violence, sexual assault, stalking, or human trafficking be disclosed in any civil or criminal proceeding.

(4) A communication remains confidential for purposes of this section if made in the presence of or communicated to third parties: (a) present to further the interest of the victim in receiving services; (b) necessary for the transmission of the communication; or (c) to whom disclosure is reasonably necessary to accomplish the purposes for the victim is seeking services.

(5) Nonpersonally identifying information or data in the aggregate regarding services to clients and nonpersonally identifying demographic information may be disclosed by victim service providers for purposes of submitting reports, obtaining funding, conducting evaluation or complying with data collection requirements.

(6) An advocate or victim service provider who makes any disclosure in violation of this section shall be civilly liable to the person whose personal information was disclosed in the amount of Ten Thousand Dollars (\$10,000.00), plus any compensatory damages that the individual may have suffered as the result of the disclosure.

(7) Nothing in this section shall affect any confidentiality or privilege provisions established by law or court rule.

(8) Nothing in this section shall prevent the sharing of law enforcement or court-generated information gathered in furtherance of an investigation or prosecution of a crime.

(9) Nothing in this section shall prevent the disclosure of confidential victim communication by any governmental or private participant of a meeting of a multidisciplinary child protection team created pursuant to Section 43-15-51, such disclosures to be governed by Section 43-15-51(5).

(10) Nothing in this section shall prevent an advocate from a governmental organization from sharing victim information with necessary persons to accomplish the duties of the job or to satisfy statutory or constitutional requirements of disclosure, including, but not limited to, a right to due process in connection with an educational or other property interest.

(11) Nothing in this section shall be construed as creating a cause of action

for damages against the state or any of its agencies, officials, employees or political subdivisions.

SECTION 2. Section 93-21-109, Mississippi Code of 1972, is amended as follows:

93-21-109. * * * Records maintained by domestic violence shelters, except the official minutes of the board of directors of the shelter, and financial reports filed as required by statute with the board of supervisors or municipal authorities or any other agency of government, shall be withheld from public disclosure under the provisions of the Mississippi Public Records Act of 1983.

* * *

SECTION 3. This act shall take effect and be in force from and after July 1, 2020.

16.9 OVW-Federal Confidentiality Requirements

Acknowledgement of Notice of Statutory Requirement to Comply with the Confidentiality and Privacy Provisions of the Violence Against Women Act, as Amended

Under section 40002(b)(2) of the Violence Against Women Act, as amended (42 U.S.C. 13925(b)(2)), grantees and subgrantees with funding from the Office on Violence Against Women (OVW) are required to meet the following terms with regard to nondisclosure of confidential or private information and to document their compliance.

Your signature on the acknowledgement page this handbook that all applicants for grants and employees under those grants from OVW are acknowledging that that they have notice that, if awarded funds, they will be required to comply with this provision, and will mandate that subgrantees, if any, comply with this provision, and will create and maintain documentation of compliance, such as policies and procedures for release of victim information, and will mandate that subgrantees, if any, will do so as well.

(A) In general In order to ensure the safety of adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking, and their families, grantees and subgrantees under this subchapter shall protect the

confidentiality and privacy of persons receiving services.

(B) Nondisclosure Subject to subparagraphs (C) and (D), grantees and subgrantees shall not—

(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor. If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.

(C) Release

If release of information described in subparagraph (B) is compelled by statutory or court mandate—

(i) grantees and subgrantees shall make reasonable attempts to provide notice to victims affected by the disclosure of information; and

(ii) grantees and subgrantees shall take steps necessary to protect the privacy and safety of the persons affected by the release of the information.

(D) Information sharing

(i) Grantees and subgrantees may share—

(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

(ii) In no circumstances may —

(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.

(E) Statutorily mandated reports of abuse or neglect Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.

(F) Oversight Nothing in this paragraph shall prevent the Attorney General from disclosing grant activities authorized in this Act to the chairman and ranking members of the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate exercising Congressional oversight authority. All disclosures shall protect confidentiality and omit personally identifying information, including location information about individuals.

(G) Confidentiality assessment and assurances Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.

As an employee, volunteer and/board member, I hereby acknowledge that I will comply with the above statutory requirements.

17.Policy: Consumer/Client Grievances

17.1 Document of Grievances

A. DOCUMENT OF GRIEVANCES POLICY

Our House policy find the following grievances by the consumer of services must be document:

- Complaints of discrimination on the basis of race, color, sex, religion, national origin, age, disability, or political affiliation
- Lack of quality services
- Violation of consumer/client's rights
- Involuntary dismissal from shelter or outreach services
- Consumer/Client to consumer/client problems
- Consumer/Client to staff problems
- Violation of non-discrimination policy

17.2 Consumer/Client

B. CONSUMER 'S GRIEVANCES POLICY

Our House, Inc. consumer/client's grievances Policy is:

- Each consumer will be given opportunity to listen and talk to staff concerning problems and/or other consumers/clients.
- The Executive Director will be notified in the event a consumer /client is not pleased with the outcome of the grievance.
- A comment box is housed on the wall at each facility so that consumers/clients can share grievances concerning staff. The Executive Director checks the box so that the consumer/client's grievance can be discussed and a manner to discuss the grievance with the staff person in a professional resolve.
- Each grievance will be documented:
 - Consumer/client name;

- the stated problem;
- staff involved and steps taken.
- Documented outcome will be prepared and file in consumer/client's file.

17.3 Reporting

C. REPORTING GRIEVANCES POLICY

Our House Policy for reporting grievance are as follow:

- Our House has adopted the Complaint/Grievance Policy Procedure to ensure there is a fair process for handling complaints that may arise from the work of the program. Any person who has dealing with Our House's programs can make a complaint following the Complaint Procedure outlined below. Complaints can be submitted by consumers, advocates, service providers, agencies and any other people who rely on the program for services and support.
- Program staff will inform consumers of the Complaint Policy Procedure upon admission to the program. Program staff shall make the Complaint Policy /Procedure available to any one who has a complaint.

17.4 Compliant

D. COMPLIANT PROCEDURE POLICY

Consumers who have a compliant will adhere to the following steps:

1. Address your issue directly with the staff person within 30 days of identifying the problem.
2. If you are unable to address your problem directly with staff or it remains unresolved, you may choose to do the following:
 - Address your issue with the the Executive Director within the next 10 business days.
 - Supervisor will investigate complain and provide a written

response within 10 business day of receipt.

If the complaint remains unresolved, you may:

1. Put your complaint in writing within 10 business days of Supervisor's response. Address this to the Board President. Your complaint must include your name, address, email and phone number.
2. Write what you think the solution to the problem should be.
3. Submit your complaint to the Board President, Post Office Box 3956, Greenville, MS 38704.

Written complaints will be reviewed by the Board President within 15 business days of receipt. A final written response will be provided to the complainant within the following 15 business days.

The complainant may withdraw their complaint at any time during the process.

17.5 Grievance Summary

E. GRIEVANCE SUMMARY OF POLICIES

It is Our House Inc. policy that:

- All information regarding a grievance will be documented, including the name of the consumer filing the grievance, the stated problem, the staff or other consumers involved, steps taken to resolve, and the outcome.
- The Consumer/Client Grievance File, with all supporting documentation, shall be maintained a minimum of seven years. After seven years, this file may be destroyed.
- Information regarding the consumer grievance policy and procedure shall be included in the consumer handouts.
- Consumers/Clients with special needs or disabilities grievances will be taken directly to the Executive Director for review and appeal. The Executive Officer will bring these concerns before the Board of Directors as soon as practicable.
- Every effort will be made to resolve the problem. Retaliation in response to a grievance filed in good faith will not be tolerated.

- All consumer are encouraged to voice their concerns or suggestions regarding violations of policies to the Executive Officer.

17.6 Disability Services Grievance Procedure

F. DISABILITY SERVICES GRIEVANCE PROCEDURE

Our House is committed to a policy of ensuring that no otherwise qualified individual with a disability is excluded from participation in, denied the benefits of, or subjected to discrimination in shelter programs or activities due to his or her disability. The Our House is fully committed to complying with all requirements of the 1990 Americans with Disabilities Act as amended by the 2009 Americans with Disabilities Amendments Act (ADAAA) and the Rehabilitation Act of 1973 (section 504) as amended and to providing equal educational opportunities to otherwise qualified students with disabilities.

Any consumer/client who believes that he or she has been subjected to discrimination on the basis of disability, or has been denied access or accommodations required by law shall have the right to invoke the Grievance Procedure. This Grievance Procedure is designed to address disagreements or denials regarding requested services, accommodations. Retaliation of any kind against a complainant is strictly prohibited.

- Executive Director will investigate all pertinent facts and circumstances in support of the alleged violation.
- Disability Services may attempt resolution of a complaint through mutual agreement of the affected parties at any point during the course of the investigation.
- Should such resolution be achieved, the investigation shall be ended. The terms and conditions of the resolution agreement shall be issued to the complainant and to the appropriate faculty member, administrator or department charged with implementing the prescribed action. A copy of the agreement will be filed in the complainant's file.
- Where resolution through mutual agreement is not achieved, written findings from the investigation regarding probable cause, along with a recommendation for resolving the complaint, shall be forwarded simultaneously to the complainant and to the Executive Director.
- The consumer may appeal the findings of the Executive Director and

file a request to a hearing in from of the Board of Directors.

18. Policy: COVID-19

18.1 Resources for Advocates

OVW Resources

<https://www.ta2ta.org/resources-and-information-on-covid-19-response.html>

18.2 Information

Basic Information on COVID-19 Preparedness and Prevention

www.cdc.gov

www.domesticshelter.org

18.3 Instructions for children safety

Take steps to protect children and others

Help stop the spread of COVID-19 by doing the same things everyone should do to stay healthy. Teach your children to do the same.

- Clean hands often using soap and water or alcohol-based hand sanitizer.
- Avoid people who are sick (coughing and sneezing).
- Put distance between your children and other people outside of your home. [Keep children at least 6 feet from other people.](#)
- Children 2 years and older should wear a [cloth face covering](#) over their nose and mouth when in public settings where it's difficult to practice social distancing. This is an additional public health measure people should take to reduce the spread of COVID-19 in addition to (not instead of) the other everyday preventive actions listed above.
- Clean and disinfect high-touch surfaces daily in household common areas (like tables, hard-backed chairs, doorknobs, light switches,

remotes, handles, desks, toilets, and sinks).

- Launder items including washable plush toys as needed. Follow the manufacturer's instructions. If possible, launder items using the warmest appropriate water setting and dry items completely. Dirty laundry from an ill person can be washed with other people's items.

You can find additional information on preventing COVID-19 at [How to Protect Yourself](#) and at [Preventing COVID-19 Spread in Communities](#). Additional information on how COVID-19 is spread is available at [How COVID-19 Spreads](#).

18.4 CDC guidelines

Know how it spreads

- There is currently no vaccine to prevent coronavirus disease 2019 (COVID-19).
- The best way to prevent illness is to avoid being exposed to this virus.
- The virus is thought to [spread mainly from person-to-person](#).
 - Between people who are in close contact with one another (within about 6 feet).
 - Through respiratory droplets produced when an infected person coughs, sneezes or talks.
 - These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs.
 - Some recent studies have suggested that COVID-19 may be spread by people who are not showing symptoms.

Everyone Should

Wash your hands often

- [Wash your hands](#) often with soap and water for at least 20 seconds especially after you have been in a public place, or after blowing your nose, coughing, or sneezing.
- It's especially important to wash:
 - Before eating or preparing food
 - Before touching your face

- After using the restroom
- After leaving a public place
- After blowing your nose, coughing, or sneezing
- After handling your cloth face covering
- After changing a diaper
- After caring for someone sick
- After touching animals or pets
- If soap and water are not readily available, use a hand sanitizer that contains at least 60% alcohol. Cover all surfaces of your hands and rub them together until they feel dry.
- Avoid touching your eyes, nose, and mouth with unwashed hands.

Avoid close contact

- Inside your home: Avoid close contact with people who are sick.
 - If possible, maintain 6 feet between the person who is sick and other household members.
- Outside your home: Put 6 feet of distance between yourself and people who don't live in your household.
 - Remember that some people without symptoms may be able to spread virus.
 - [Stay at least 6 feet \(about 2 arms' length\) from other people.](#)
 - Keeping distance from others is especially important for [people who are at higher risk of getting very sick.](#)

Cover your mouth and nose with a cloth face cover when around others

- You could spread COVID-19 to others even if you do not feel sick.
- The cloth face cover is meant to protect other people in case you are infected.
- Everyone should wear a [cloth face cover](#) in public settings and when around people who don't live in your household, especially when other [social distancing](#) measures are difficult to maintain.
 - Cloth face coverings should not be placed on young children under age 2, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance.

- Do NOT use a facemask meant for a healthcare worker. Currently, surgical masks and N95 respirators are critical supplies that should be reserved for healthcare workers and other first responders.
- Continue to keep about 6 feet between yourself and others. The cloth face cover is not a substitute for social distancing.

Cover coughs and sneezes

- Always cover your mouth and nose with a tissue when you cough or sneeze or use the inside of your elbow and do not spit.
- Throw used tissues in the trash.
- Immediately wash your hands with soap and water for at least 20 seconds. If soap and water are not readily available, clean your hands with a hand sanitizer that contains at least 60% alcohol.

Clean and disinfect

- Clean AND disinfect [frequently touched surfaces](#) daily. This includes tables, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, and sinks.
- If surfaces are dirty, clean them. Use detergent or soap and water prior to disinfection.
- Then, use a household disinfectant. Most common [EPA-registered household disinfectant](#)[external icon](#) will work.

Monitor Your Health Daily

- Be alert for symptoms. Watch for fever, cough, shortness of breath, or [other symptoms](#) of COVID-19.
 - Especially important if you are [running essential errands](#), going into the office or workplace, and in settings where it may be difficult to keep a [physical distance of 6 feet](#).
- Take your temperature if symptoms develop.
 - Don't take your temperature within 30 minutes of exercising or after taking medications that could lower your temperature, like acetaminophen.
- Follow [CDC guidance](#) if symptoms develop.

<https://www.cdc.gov/coronavirus/2019-ncov/prevent->

[getting-sick/prevention.html](#)

19. Policy: Disabilities

19.1 Services for Persons with Disabilities

Our House's Policy is:

Our House, Inc. will take appropriate steps to ensure that persons with disabilities, including persons who are deaf, hard of hearing, or blind, or who have other sensory or manual impairments, have an equal opportunity to participate in our services, activities, programs and other benefits. The procedures outlined below are intended to ensure effective communication with patients/clients involving their medical conditions, treatment, services and benefits. The procedures also apply to, among other types of communication, communication of information contained in important documents, including waivers of rights, consent to treatment forms, financial and insurance benefits forms, etc. (*include those documents applicable to your facility*). All necessary auxiliary aids and services shall be provided without cost to the person being served.

All staff will be provided written notice of this policy and procedure, and staff that may have direct contact with individuals with disabilities will be trained in effective communication techniques, including the effective use of interpreters.

PROCEDURES:

1. Identification and assessment of need:

When an individual self-identifies as a person with a disability that affects the ability to communicate or to access or manipulate written materials or requests an auxiliary aid or service, staff will consult with the individual to determine what aids or services are necessary to provide effective communication in particular situations.

2. Provision of Auxiliary Aids and Services:

Our House, Inc. shall provide the following services or aids to achieve effective communication with persons with disabilities:

A. For Persons Who Are Deaf or Hard of Hearing

(i) For persons who are deaf/hard of hearing and who use sign language as their primary means of communication, staff is responsible for providing

effective interpretation or arranging for a qualified interpreter when needed.

In the event that an interpreter is needed, the *Our House, Inc.* is responsible for:

- Maintaining a list of qualified interpreters on staff showing their names, phone numbers, qualifications and hours of availability;
- Obtaining an outside interpreter.

(ii) Communicating by Telephone with Persons Who Are Deaf or Hard of Hearing

[Listed below are three methods for communicating over the telephone with persons who are deaf/hard of hearing. Select the method(s) to incorporate in your policy that best applies/apply to your facility.]

Our House, Inc. utilizes a Telecommunication Device for the Deaf (TDD) for external communication. The telephone number for the TDD is **(662.334-6873)**.

(iii) The TDD and instructions on how to operate it are located in all company's facilities; Note-takers; computer-aided transcription services; telephone handset amplifiers; written copies of oral announcements; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning; telecommunications devices for deaf persons (TDDs); videotext displays; or other effective methods that help make aurally delivered materials available to individuals who are deaf or hard of hearing.

(iv) Some persons who are deaf or hard of hearing may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the person will not be used as interpreters unless specifically requested by that individual and *after* an offer of an interpreter at no charge to the person has been made by the facility. Such an offer and the response will be documented in the person's file. If the person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided.

NOTE: Children and other residents will *not* be used to interpret, in order to ensure confidentiality of information and accurate

communication.

B. For Persons Who are Blind or Who Have Low Vision

(i) Staff will communicate information contained in written materials concerning treatment, benefits, services, safety plans, confidentiality forms, and consent to treatment forms by reading out loud and explaining these forms to persons who are blind or who have low vision.

The following types of large print, taped, Braille, and electronically formatted materials are available: **Safety Plans, confidentiality forms and intake forms.** These materials may be obtained by calling **the Executive Director.**

(ii) For the following auxiliary aids and services, staff will contact ***(responsible staff person or position and telephone number)***, who is responsible to provide the aids and services in a timely manner:

Qualified readers; reformatting into large print; taping or recording of print materials not available in alternate format; or other effective methods that help make visually delivered materials available to individuals who are blind or who have low vision. In addition, staff are available to assist persons who are blind or who have low vision in filling out forms and in otherwise providing information in a written format.

C. For Persons with Speech Impairments

To ensure effective communication with persons with speech impairments, staff will contact ***the Executive Director***, who is responsible to provide the aids and services in a timely manner:

Writing materials; typewriters; TDDs; computers; flashcards; alphabet boards; communication boards; and other communication aids.

Policy adopted from: <https://www.hhs.gov/civil-rights/for-providers/clearance-medicare-providers/auxiliary-aids-persons-disabilities/>

20. Policy: Domestic Violence Services

20.1 Our Approach to Domestic Violence Services

SERVICES PROVIDED POLICY

Our House has design and develop a program to provide services for victims of domestic violence in the Mississippi Delta

Our Approach/Policy to services is:

- Our House, Inc. operates a Domestic Violence Shelter program on a 24-hour basis and is equipped to house 15-20 women and children at any given time. The female domestic violence victim comes with bruises, broken bones, low self-esteem, broken hearts and shattered dreams. Some are all alone and some bring their children.
- Women who enter the program are encouraged to take advantage of our support group sessions. These group sessions cover information on alcohol, substance abuse education, self-esteem, motivation, relaxation, parenting skills and financial management.
- Within the first 72 hours, the women with the assistance of staff, review long-term and short-term plans for recovery. When women enter the program, they receive not only the services that Our House, Inc. directly provides, but access to a network of over 22 agencies from ten counties. This network includes schools, hospitals, businesses and social service agencies.
- Our House, Inc. is equipped to fight the battle of violence against women in our community. Our services include but is not limited to: 24-hour crisis hotline; safe lodging; three balanced meals per day; group and individual counseling to women and their children; court advocacy; information and referral service; alcohol and substance abuse education; assertiveness and building self-esteem groups; victims have access to a library with self-help books and videos; emergency transportation; limited child care; outreach and aftercare program; individual counseling for abusers voluntarily seeking help; advocacy and training for the judicial law enforcement system; community education; peer advocacy volunteer program; advocacy assistance in obtaining medical care, legal protection, housing, employment and social services.

As part of our service policy we have implied all components of the Domestic Violence Shelter as required by Mississippi Code 1972, section 93-21-107, in a manner which promotes genuine concern for victims of domestic violence and encourages community support in eliminating family violence from our society.

Description of our shelter program and service policies to victims of domestic violence and their children are as follows:

Shelter: The Shelter will be opened 24 hours a day, seven days a week. Services provided for female victims and their children within the shelter are room, personal hygiene items, clothing and counseling to a maximum of 15-20 (added people placed on sofas) individuals at any given time. To be admitted to the shelter, an individual must call the crisis hotline. An intake form will be completed to determine the immediate need of the individual, (i.e. police protection, relocation, outreach, and/or medical care.) The clients are informed that there is no definite time limit of stay. The normal stay is 30 days; however, each case is evaluated weekly by the Program Director. Included in the shelter care is an aftercare program for former victims and an outreach program for victims who choose not to come into the shelter but want to attend group counseling sessions.

Crisis intervention: The shelter will provide a twenty-four hour hotline for crisis calls. One local line (332-LOVE) for residents in Washington County and one 1-800 line (1-888-884-LOVE) for outside of the county. Staff and volunteers are on call at hospitals and police departments on a 24 hour basis for incoming calls from rape and domestic violence victims. The shelter will encourage emergency room personnel to notify the shelter if a victim (s) is going to be admitted to the hospital. If a police officer has to make a domestic violence arrest, he will notify the shelter for housing of the victim.

Temporary housing and food facilities: The Domestic Violence Shelter Facility is housed in Washington County, the facilities are on a spacious lot in a racially mixed neighborhood, where there are schools, churches, doctors, dentists, hospitals, a health department, Department of Human Services, police stations, etc. within a 5-mile radius. The Domestic Violence Shelter has the capacity to house 15 individuals at any given time. There is a spacious kitchen, dining room, living room area and four bedrooms.

Group Support and Peer Counseling: Support groups are provided for the female victims of domestic violence. This is provided by the program staff in a relaxed residential setting which will stimulate the freedom of expression

necessary to examine the physical, psychological, emotional and social aspects of abuse. Group meetings are held on Thursday, one at 11:00 a.m. in Greenville, Washington County for adult victims of domestic violence.

Legal Assistance: Legal and court advocacy is provided by our staff. If detailed legal assistance is needed that requires an attorney consumers are referred to North Mississippi Rural Legal Services. All referrals and follow-up are recorded in the individual consumer file.

Case Management: Daily advocacy for the consumer is recorded in their files. Goals and accomplishment by the consumer is recorded in their files daily and reviewed with the consumer at exiting.

Referrals to existing services: This component of the program is offered to female domestic violence victims and their children to assist them in moving toward specific goals in their recovery. The shelter maintains a listing of local community-based agencies that provide enrichment services to clients, i.e. food assistance, utilities assistance, medical care, job referrals, educational training, legal referrals and others. Each of these referrals are documented daily in the clients' files to reflect the growth and accomplishments of the goals of each individual. During the first initial intake with a client, their long-term and short-term goals are reviewed. Each client is responsible for submitting a written follow-up on all referrals made on a daily basis. Suggestions for social service agencies, businesses, schools, etc., are shared. Victims are also informed and/or given a list of resources for further use if they choose to exit the shelter program.

Counseling, Therapeutic/clinical services: Counseling/Therapeutic services for the victim of family violence is provided by mental health and community counseling centers. Our House's staff provides advocacy advice and will assist the client with outlining suggested referrals for medical care, legal assistance and group counseling services needed by the victim.

Information on re-education, marriage and family counseling, spiritual counseling, job counseling, training programs, housing referrals, and other available social services: The above information is offered to the female victims when reviewing their goals and objectives for recovery. GED programs and other limited training programs are offered at no cost to the public. The shelter makes referrals to South Delta Regional Housing Authority on acquiring Section 8 Housing. The Program Director and Counselor/Social Worker works with the clients on follow-through methods with apartment managers. Information on other local social services is

provided through pamphlets given to the client about the services or during the daily interview with the Program Director. All referrals to and from the Department of Human Services are documented in writing and a copy placed in their file.

Referral program for counseling for the victim and the offenders:

Our Shelter staff makes referrals to our in house counseling programs – MASH: Men Against Spousal Harm for offenders and LEAH: Letting Each Affiliation Heal-for victims. Group counseling is arranged based on the availability of the victim or the offender.

Procedures for Admission: Admission to the shelter will be offered on a volunteer basis for victims of domestic violence. The client must make the contact by calling the hotline.

Educational Programs: Training is provided for both the community at large and/or specialized groups such as nurses, attorneys and police officers relating to rape and domestic violence. The Victim Service Director, the advisory committee and a group of lawyers, city, county, justice and chancery court judges, and advocates conduct educational programs on a regular basis. The director will maintain contact with the law enforcement departments within Highway Patrol District Two by mailing out announcements of training programs offered to law enforcement departments. She will establish a contact person from at least two law enforcement departments. She will encourage the support of the Chief Officer in providing training sessions to his officers on the Probable Cause Arrest Law, Protection Order, Stalking Law, and Marital Rape Bill. In conducting law enforcement training, the Victim Service Director and the outreach coordinator will solicit the assistance of a law enforcement officer and an attorney to co-facilitate each workshop. The training sessions will deal with three components: the victim, services available for victims, and the legal rights of victims. At some training sessions, the director will have one of the shelter's volunteer lawyers to define the terminology written in the Probable Cause Arrest Bill.

20.2 Type of Victimization

A. TYPE OF VICTIMIZATION POLICY

All victims of domestic violence are considered potential consumers for the

New Beginning Shelter Services. Those whose lives are in immediate are given first priority to our services.

B. AGE RESTRICTIONS POLICY

Our age restriction policy are as follow:

- Clients/Consumers under 18 years of age are admitted into the shelter with their adult parent.
- A client/consumer under the age of 18 that is married, must show a certified marriage license before they are admitted into the shelter.
- Male consumers under 15 years of age are to be admitted with an adult parent. Male consumers 15 years and older will be admitted only with the approval of the director. Special needs male consumers ages 15 and above will be reviewed on a separate protocol. Special requirements will be discussed before admittance. (*Sleeping arrangements will be discussed in regards to all male*).
- Minor Children (0-17 years) who are in immediate danger are given first priority to be admitted into the shelter with their adult parent.
- Children are not admitted without adults.

20.3 Self-Care

C. LEVEL OF SELF-CARE POLICY

Our House does not have a licensed RN on staff. Those consumers who requires nursing care and daily monitoring of their medications and medical treatment will be referred to hospital or nursing home for services. Staff will provide outreach services for those consumers. Consumer must be able to take care of their basic needs, i.e. washing, dressing, and taking of medication*.

Consumers must be mentally capable for making decisions regarding their health and hygiene care. * See our policy on medication for further information.

20.4 Detoxification

D. ALCOHOL AND DRUG DETOXIFICATION POLICY

Our House policy is that while on the premises all consumers must be free from the influence of drugs or alcohol. This will help to ensure the health and safety of other consumers and staff and ensure consumers understand the service they received.

- No client/consumer of services shall be admitted to the shelter when under the influence of alcohol or drugs (whether illegal or not) or to substance abuse; · be in possession of alcohol or illegal drugs; · supply others with illegal drugs; · supply others with alcohol.
- Only the Victim Service Specialist or Executive Director can make an exception to this policy.
- When there is reasonable belief that an individual is under the influence of alcohol or drugs on premise (*for example if there was a strong smell of alcohol on the person's breath*), they must be referred to treatment and dismissed from the program. After the **detoxification** of the alcohol or drug that consumer may be consider for reentry into the shelter.

20.5 Eligibility

E. ELIGIBILITY POLICY

Consumer's eligibility for shelter services are:

Victims of domestic violence and their children (see exception of age below) who lives are in immediate danger are eligibility for admission to the shelter

Eligibility for services, and the existence of a conflict of interest, will be determined on a case-by-case basis, based on application of the program's mission statement to each situation.

Initially, eligibility will be determined by the staff or volunteer who conducts the assessment interview, whether by phone or in person, with the potential service participant.

The program will not provide services to anyone who is not eligible.

The program will not provide shelter services to anyone it perceives to be abusers and not victims of domestic violence. Referrals will be made for other services.

The program will terminate services to anyone it perceives to be an abuser and not a victim of domestic violence.

Services are not necessarily provided on a first-come, first-served basis, but rather on the basis of eligibility for the program's services.

Any final determination of eligibility will be made by the designated staff person or supervisor, rather than by a volunteer or intern.

Male victims of domestic violence are sheltered at a local hotel if there are no space at the shelter.

Consumer with extenuating circumstances will be referred to the Director for eligibility determination. Final decision for eligibility will be left to the discretion of the director.

All victims of domestic violence and their children are appropriate for outreach services.

All services for victims of domestic violence and their children are free.

20.6 Clients Rights

F. CLIENT/CONSUMER RIGHTS/ RESPONSIBILITIES AND CONSUMER GRIEVANCE POLICIES

A copy of the client.consumer rights and responsibilities will be posted at the shelter and outreach center as outlined under the Standards for Code of Ethics.

The Grievance process policy as outlined in this manual will be reviewed with consumer's upon admission

20.7 "House Rules"

G. SHELTER "HOUSE RULES" POLICY

House Rules will be outlined in the shelter's orientation manual. These rules will be reviewed with the consumer after their first 24 hours of admission. Violation of the rules are grounds for termination of services.

20.8 Shelter's Confidentiality, Violation and Services

H. CONFIDENTIALITY POLICY

Confidentiality Policy will be signed by all consumers agreeing to keep the name of the other consumers and their information shared confidential. The consumer must agree to respect and maintain confidentiality on all information pertaining to other consumers who seek help from this program.

The consumer will be informed that if they violate this pledge, they will not be allowed to receive additional services and will be immediately discharged from the program.

I. VIOLATION OF GUIDELINES AND CONSEQUENCES OF VIOLATIONS POLICY

All consumer will be informed that any violation of the house rules, confidentiality or safety will be grounds for dismissal from the shelter. Outreach services will still be offered to the consumer.

J. SERVICES AVAILABLE POLICY

All services for victims of domestic violence are listed in our shelter's orientation manual. Client/Consumer will have access to this orientation manual 24 hours a day. Services will include 24 hour emergency shelter, court/individual/educational advocacy and group session.

20.9 Child Discipline & Prohibiting Violence

K. CHILD DISCIPLINE POLICY

- No physical discipline of children since this is a refuge from violence
- Time out will be allowed
- Restriction of activities will be allowed

L. PROHIBITING VIOLENCE POLICY

- No physical discipline of children since this is a refuge from violence
- Client/Consumer will be asked to leave who are violent toward others, in some cases the police may be called in.

M. CHILD ABUSE POLICY

Our House adheres to SECTION 2. Section 43-21-353, Mississippi Code of 1972, is amended as follows: 43-21-353 that any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, child care giver, minister, law enforcement, public or private school employee or any other person having reasonable cause to suspect that a child is a neglected child or an abused child, shall cause an oral report to be made immediately by telephone or otherwise and followed as soon thereafter as possible by a report in writing to the Department of Human Services, and immediately a referral shall be made by the Department of Human Services to the youth court intake unit, which unit shall promptly comply with Section 43-21-357.

20.10 Release Forms

N. RELEASE OF LIABILITY POLICY

All consumers are given a release of liability statement to review and sign at admission (at least within the first 24 hours of services). This release of liabilities covers staff, volunteers and board members from any and all services provided by Our House's agents.

O. EMERGENCY MEDICAL RELEASE POLICY

An emergency medical release form is discussed with the consumer for herself and her children. She is encouraged to sign the medical release form to ensure that medical care is PROVIDED IMMEDIATELY FOR HER AND CHILDREN.

P. NOTIFICATION OF NEAREST RELATIVE POLICY

Each consumer is encouraged to inform staff of the nearest relative in case of emergency. This information is placed in their files.

Q. CHILD CARE DESIGNATION RELEASE POLICY

Each consumer is encouraged to inform staff of who they would like to be notified to take care of their children if the consumer becomes incapacitated. This information (*if provided*) is placed in the consumer's file.

R. RELEASE OF INFORMATION POLICY

Each consumer is required to sign a release of information prior to staff sharing information with any individual or agent. This release of information form is time sensitive and must be re-signed every six months. The release of information form must include details on who, what, where and why.

20.11 Shelter Orientation & Duration of Stay

S. ORIENTATION TO THE SHELTER FACILITY POLICY

Each consumer is given a tour of the shelter facility upon admission. The shelter orientation manual is reviewed with the consumer within 24 hours of admission.

T. DURATION OF STAY AND/OR LIMITATIONS POLICY

Our House policy is that the consumer is allowed to stay up to 30 days. Recommendation for extension (*up to an additional 30 days*) can be made by the Victim Service Director to the Executive Director.

- There is no limit of time for client/consumers to receive outreach services.

- Client/Consumers may be readmitted to the shelter up to three times, after which they will be referred to another shelter program.
- Client/Consumer who violated house rules or endangered the safety of others will not be admitted into the shelter again, but can receive outreach services.

20.12 Individualized Choices

U. INDIVIDUALIZED SERVICES POLICY

For each consumer who reside in the shelter their service plan shall consist of the following, but not be limited to:

- Client/Consumer's specific individual needs.
- Documentation of consumer input, and agreement with goals.
- Measurable consumer centered goals.
- Progress toward achieving goals.
- Safety plans.

V. RESPONSIBILITY TO MAKE CHOICES FOR SELF POLICY

Our House staff/advocates will discuss the power of control wheel; equality wheel; various domestic violence pamphlets and other brochures will be offered to the shelter client. It is the client's choices to accept the information to assist the client to make choices for healthy relationships. If the client does not desire to accept the information that is shared and it will not harm her children it is the client's choice to accept education on the dynamics of domestic violence. (See LEAH Orientation Packet) Group discussions are discussed from booklet.

W. RESPONSIBILITY TO BE HONEST IN PROVIDING INFORMATION THAT WILL ASSIST WITH SERVICES POLICY

Shelter staff/advocates strive to work with each consumer that is admitted with their short term and long term goals. In the event a consumer is not honest, the staff person or director will discuss the dishonesty with the consumer in a professional manner. Each dishonest action will be examined. Sometimes the issue of dishonesty will be discussed with the consumer if it is concerning the projected goals the staff is assisting the consumer with. If it the

dishonesty will not be harmful to the consumer or the staff the dishonesty might not be discussed with the consumer. Each situation will be evaluated by the director, per consumer and/or per incident.

20.13 Speaking Out on Rights for Clients

X. CONSUMERS HAVE THE RESPONSIBILITY TO SPEAK OUT WHEN THEY FEEL THEIR RIGHTS ARE VIOLATED POLICY

If a shelter consumer feels that their rights have been violated as it relates to the batterer, law enforcement or staff. They have the right to share their concerns with the Executive Director. The consumer also has the right to discuss her rights with shelter staff/advocate and the staff will allow the consumer to list the options and plan of action. Staff will assist the consumer with advocacy services, through telephone calls; accompany the consumer to the agency that will assist the consumer with the particular right. Referrals will be given to the consumer as well as advice to seek legal counsel if necessary.

- Staff/Advocate will discuss the means of acquiring the appropriate help whether from public officials; friends, family member, shelter advocates and staff. Once the consumer voice their concerns, options will be discussed with consumer.
- If the consumer's right has been violated concerning laws. Staff will make proper referrals and assistance to assist the consumer to acquire help and allow her voice to be heard.
- If shelter client/consumer feel their rights were violated concerning a staff, the consumer has the option to write the violation and place in the opinion box or file a grievance claim. The Executive Director will notify the consumer and schedule an appointment to meet with the consumer confidential.

20.14 Shelter Rules

Y. HOUSE RULES POLICY

Our House's house rules address the following in our orientation manual, but is

not limited to:

- Safety and security
- Curfew
- Smoking
- Household responsibilities
- Use of violence prohibited (use of corporal punishment is prohibited)
- Transportation
- Consequences of house rules violation

Z. DISCHARGE OF SHELTER RESIDENT POLICY

Prior to all consumer exiting the shelter:

- Inspection of consumer room with both the staff and consumer present
- All personal property are to be return to consumer with the consumer signing verifying receipt.
- Consumer must return any shelter property to staff and have it document in their files that they returned the property.
- Staff must return of medications to consumer and document in their files that the medicine was returned.
- Consumer is encourage to completion of a discharge form/ exit interview/ service evaluation. They are encourage to complete the Healing Voices survey online.
- Consumer is advised of our outreach programs and document in their files the continuous services that they have requested from Our House.

20.15 Involuntary Dismissal

A2. INVOLUNTARY DISMISSAL POLICY

- Our House's involuntary dismissal listing is based on safety for the consumer and safety for others. Even though the consumer may be dismiss from the shelter they are not necessary dismiss from receiving outreach services. Prior to any and all dismissal request staff will discuss with the consumer the reason why they are requested to leave. Documentation of the dismissal reasons will be placed in the consumer's

file. This file will be reviewed again should the consumer make contact for shelter again.

- Consumer's safety is in danger
- Consumer has placed others safety in danger
- Consumer does not adhere to house rules outlined in Shelter Orientation Manual
- Consumer is drinking alcohol or taking illegal drugs

20.16 Non-Shelter Clients/Consumers

B2. SERVICES FOR NON-SHELTER CONSUMERS POLICY

Services for non-shelter consumers are outlined under Standards XI in this manual. All services offered by Our House, Inc. Privacy for services and maintaining confidential reports are the same for non-shelter consumers as for sheltered consumers. All records for our non-shelter clients are maintained at the shelter for security purposes. It is our policy that all victims of domestic violence deserve to receive safe and private services. Our outreach services consist of but not limited to:

- Support groups
- Education regarding dynamics of domestic violence
- Empowerment and options
- Safety planning
- Legal information

C2. BATTERER INTERVENTION POLICY

Our House does not provide a therapy group session for batterers. We do provide a 26/52 week behavioral modification group class.

- Perpetrator may attend these sessions voluntary or be court ordered.
- There is a small management fee for each session.
- All instructors who conduct the classes are required to receive at least 40 hours of domestic violence training.

D2. FEES FOR VICTIM SERVICE POLICY

At no time will fees be charged to victims of domestic violence.

E2. ALCOHOL AND DRUG ABUSE, ON AND OFF THE PREMISES, POLICY

Being under the influence of alcohol or drugs can seriously impair an individual's judgement and reactions leading to an increased risk of accidents and injuries occurring. The aim of this policy is to ensure the safety of all consumers, staff and volunteer by having clear rules in place regarding use and possession of alcohol and drugs, and to support those who have reported a problem with alcohol or drug dependence.

For the purpose of the policy, alcohol dependence is defined as: "The habitual drinking of intoxicating liquor by a consumer, whereby the consumer may endanger the safety of others".

Drug dependence is defined as: "The habitual taking of drugs by a consumer other than drugs prescribed as medication, whereby the consumer may endanger the safety of others".

Principles

- All consumers will be treated consistently and fairly in line with this policy.
 - The rules on alcohol and drugs will be strictly enforced.
 - Consumers who admit to having a problem with alcohol or drugs shall be fully supported by Our House, Inc. they will be referred treatment prior to admission into the shelter for the safety of other consumers.
 - This policy is designed to comply with relevant legislation such as the Health and Safety at Work Act 1974 and the Misuse of Drugs Act 1971
- Scope

Our House policy is that while on the premises all clients/consumers must be free from the influence of drugs or alcohol. This will help to ensure the health and safety of other consumers and staff and ensure consumers understand the service they received.

No client/consumer of services shall be admitted to the shelter when under the influence of alcohol or drugs (whether illegal or not) or to substance abuse; · be in possession of alcohol or illegal drugs; · supply others with illegal drugs;

supply others with alcohol.

Only the Executive Director can make an exception to this policy .

When there is reasonable belief that an individual is under the influence of alcohol or drugs on premise (*for example if there was a strong smell of alcohol on the person's breath*), they must be referred to treatment and dismissed from the program.

Our House has the rights to search the premises at any time for contentment of alcohol or drugs. The possession of or dealing in illegal drugs on the premises will, without exception, be reported to the Police.

Our House will endeavor to ensure that advice and help are made available to any consumer who feels they have a problem with alcohol or drug misuse.

F2. VIOLATION OF RULES POLICY

All consumer who violate the safety rules, confidential policy, house rules or substance abuse policy will be discharge from the shelter. Outreach services will be offered to the consumer.

G2. ASSESSMENT AND / OR TREATMENT POLICY

Our House does not have a credentialed counseling on staff. All assessment and/or treatment plans related to therapeutic services will be referred to Community Counseling Center or Mental Health.

H2. MEDICATION POLICY

For all intent and purposes, Our House, Inc. does not administer or monitor any medication. This policy addresses over-the-counter, prescription, and herbal medication. The following standards are to be in placed:

- All Medication will be placed into a locked medication box/baggage by the consumer with the consumer having the only key. The medication will be stored in the staff kitchen in a locked cabinet. .
- If medication is needed, staff will allow the consumer to retrieve needed medication at their own risk from the staff kitchen.

Our House does not have a licensed physician or nurse on staff to administer or prescribe any medication. If medical attention or medication monitoring is needed, the consumer will be referred to the nearest hospital or nursing home

for services.

All medications left or no longer taken by client/consumer will be given to our local pharmacy for disposal.

20.17 Medical Needs

I2. MEDICAL NEEDS POLICY

Upon entering the shelter, all consumer are encouraged to sign a medical release form for cases of emergencies. They also encouraged to sign a release of liability form for the provision of emergency transportation either by the program or by ambulance. It is important that the consumer understands that their self-care and health are important to Our House, Inc.

It is explained to the consumer that on many occasions other consumers have been admitted to the shelter unaware of their medical condition until it is too late for them to give consent, i.e internal bleeding from a severe beating.

20.18 Services for Male Victim & Special Needs Victim

J2. SERVICE FOR MALE VICTIM POLICY

Our House believes that all victims should be treated equality. All of our services are offer to both female and male. However, due to the shelter's limited spacing, male victims will be housed at a local hotel or at the homeless shelter through our partnership with WISSCA.

- Male client/consumers will receive daily advocacy from staff.
- Male victims will be transport daily to our administration office for case management and advocacy services.

K2. DISABILITY AND/OR SPECIAL NEED POLICY

Our House believes that all victims should be treated equality. Some consumer may require more hands on advocacy.

- Immediately upon admission to the shelter the consumer will define their disability and/or special needs to the staff. The consumer will advise the staff on what they need and how staff can best help them.
- Contact will be made to ARC and other organizations within to community to assist staff in meeting the needs of the disable.

20.19 Universal Precaution

L2. UNIVERSAL PRECAUTION POLICY

Each consumer will be informed of the basic steps for protection against infectious diseases.

- There will be signs posted in the shelter with information on how to protect against infectious diseases.
- There will be signs posted at the shelter on the basic steps in universal precautions such as how to properly wash their hands.

20.20 Counseling

M2. THERAPEUTIC GROUP SUPPORT AND INDIVIDUAL COUNSELING POLICY

Therapeutic group support and individual counseling shall be provided by a credentialed or licensed individual in social work, counseling or a related field or by referral.

20.21 Mobile Phone

N2. MOBILE PHONE POLICY

All consumer's web based mobile phone are to be turned off and the battery to be removed when consumer are in the shelter. Due to the newest technology,

GPS locators can be traced. For the safety of all consumer and staff at the shelter facility. Consumers are not allowed to utilize their personal cell phone at the shelter. They may use their mobile phones at the Administration office.

20.22 Weapons

O2 CLIENT/CONSUMER WEAPON POLICY

Consumers of services of Our House, Inc. may not, at any time while on any property owned, leased or controlled by Our House, including anywhere that Our House, Inc. business is conducted or enrichment activities are provided, such as, parks, schools and so forth, possess or use any weapon.

Weapons include, but are not limited to, guns, knives or swords with blades over four inches in length, explosives, and any chemical whose purpose is to cause harm to another person.

Regardless of whether a consumer possesses a concealed weapons permit (CWP) or is allowed by law to possess a weapon, weapons are prohibited on any company property or in any location in which the consumer receives services from Our House, Inc. or on behalf of Our House, Inc.

Possession of a weapon can be authorized by the Our House, Inc.'s Executive Director to allow security personnel or a trained employee to have a weapon on agency property when this possession is determined necessary to secure the safety and security of agency consumers & employees. Only the Executive Director, or her/his designee, may authorize the carrying of or use of a weapon.

Consumers who violate this policy will be subject to dismissal from program services.

20.23 Record Keeping

RECORD KEEPING POLICY

It is Our House policy that each consumer admitted to the shelter shall have a file that includes the following:

- Age
- Sex
- Children admitted
- Types of abuse
- Admission of abuse
- Discharge date
- Acknowledgement that consumer has received house rules, consumer rights/ responsibilities, grievance policy, and confidentiality policy
- Acknowledgement that consumer entered the program voluntarily
- All appropriate releases and authorizations as listed in the intake requirements
- Intake form
- Individualized service or case plan
- Exit interview of resident at departure
- Verification that consumer has been informed of the Crime Victim Compensation Program
- That consumer files must be retained for a minimum of five years.
- That a data collection process has been purchase that conforms to require statistical reporting for the client/consumer's records. Current, program EmpowerDB Services.

21.Policy: Employee Conduct

21.1 General Code

GENERAL CODE OF CONDUCT POLICY

Our House expects all employees to observe certain standards of behavior while at work and at company-sponsored events. Employees shall be responsible for ensuring that their own conduct and the conduct of any of their guests at a company-sponsored function are respectful and not offensive to anyone in attendance. Additionally, any officer or executive of Our House whose actions bring embarrassment or reflect negatively on Our House may be subject to disciplinary actions.

All employees of Our House are at-will employees, and this document does not alter the at-will employment status nor does it constitute a contract of continued employment. At-will employment means that employees are free to resign their employment at any time, for any reason, and Our House retains the same right, and that employment may be terminated, with or without cause, and with or without prior notice, at any time at the option of either Our House or the employee.

When possible, Our House will address unacceptable conduct with progressive corrective action. However, some conduct may be of such a nature as to justify immediate termination of employment.

Below is a list of conduct that is considered unacceptable conduct and may result in corrective action, up to and including termination. This list is not intended to be all-inclusive, but is merely a guide to the types of behavior that are unacceptable as an employee of Our House.

- Reporting to work under the influence of alcohol and/or drugs. Using, selling, or possessing illegal drugs on Our House premises or while on Our House business;
- Posting any literature, handbills, petitions, posters, or other materials on the premises without the approval of Chief Executive Officer.
- Possession of weapons on the premises;
- Engaging in any manner or form of discrimination and/or harassment,

regardless of whether it is sexual, racial, religious, or related to another's gender, age, sexual orientation, or disability or making any defamatory remark regarding any co-worker, client, guest, or Board member;

- Misuse or waste of Our House time and/or property;
- Misuse, theft, waste, or destruction of Our House's property or that of another employee;
- Fighting, threatening, intimidating, or coercing fellow employees during working hours or at Our House-sponsored functions;
- Using foul or offensive language;
- Disclosure or use of confidential or proprietary information without proper authorization;
- Misuse of Our House telephones, facsimiles, computers, letterhead, or other communication devices;
- Clocking in for another employee;
- Engaging in work for personal gain on Our House time;
- Insubordination, including, but not limited to refusal to follow supervisor's instructions, disrespectful behavior, etc.; (See Insubordination Policy)
- Acting outside an employee's job authority;
- Representing Our House to other agencies, political bodies, or the community at large, without proper approval from the Chief Executive Officer;
- Act of omission or commission that potentially endangers residents, self, or fellow employees;
- Giving false information or failure to disclose pertinent information in pre-employment documents;
- Gambling on the premises;

- Illegal or immoral conduct on Our House property; and
- Felony conviction

Additionally, any of the following misconduct may result in disciplinary action, up to and including, termination of employment.

Failure to:

- Complete all documents and records accurately and completely;
- Maintain satisfactory attendance and punctuality;
- Performs duties and operate equipment with care to protect the safety of employee in an appropriate manner;
- Obtain authorization to remove Our House property or property of another employee from its location;
- Remain in one's work area, on the job, and awake during working hours;
- Report to work fit for duty;
- Notify supervisor of any prescription medication being taken that could affect the employee's performance on the job;
- Pass a mandatory drug and/or alcohol test or refusal to take a drug and/or alcohol test;
- Report client accident/injury or abuse;
- Meet mandatory training requirements within specified time frames;
- Comply with safety rules or any of Our House's policies;
- Adhere to therapeutic and/or programmatic principles;
- Comply with federal laws or programmatic policies regarding client confidentiality (i.e., HIPPA)

21.2 Conduct Discipline Policy

EMPLOYEE CONDUCT DISCIPLINE POLICY

The purpose of this section is to establish a policy for disciplining employees for conduct inconsistent with Our House, Inc.'s standards and policies.

Enforcement of Our House, Inc.'s rules and maintaining discipline among employees is the responsibility of supervisors.

Management at all program levels shall maintain standards of conduct and work performances in accordance with the best interests of Our House, Inc. and of personnel assigned to them. These standards shall apply to all employee activities at the office, and on Our House business away from the office.

In all cases involving employee discipline, the Chief Executive Officer must be contacted for counsel and guidance prior to any disciplinary action. The final decision as to the appropriate action, if any, shall be the responsibility of the supervisory authority involved.

Verbal and Written Warnings

Minor infractions of Our House's rules and regulations will be discussed verbally with the employee by the supervisor prior to invoking more severe discipline.

Repeated disregard of Our House, Inc. rules and regulations will be reduced to writing, and should contain specific information about the incident. A copy of the warning will be given to the employee, and a copy forwarded to the Chief Executive Officer for inclusion in the employee's personnel record. After three written warnings, an employee may be placed on suspension without pay or recommended for termination.

In extraordinary circumstances, as determined by the Chief Executive Officer the employee may be placed on immediate suspension with pay pending a hearing on the matter.

The supervisor may attempt to correct unacceptable behavior with a verbal warning and/or counseling and/or other appropriate informal means, whenever practical, prior to taking formal action against an employee.

21.3 Professional/Outside Conduct

PROFESSIONAL/OUTSIDE CONDUCT POLICY

The work Our House performs and the employee who represents Our House will determine Our House's prestige and reputation in the community. It is expected that employees will maintain the highest degree of behavior, integrity, and honesty. The community will judge Our House by the actions of our employees.

Staff are expected to maintain appropriate physical and/or emotional boundaries with all clients and their guardians/significant others.

- Staff members are prohibited from engaging in any form of relationship beyond that which is required to carry out their duties as an employee with current clients and their guardians/significant others. Staff members are expected to respect the nature and integrity of their therapeutic relationship with clients. Staff members are strongly discouraged from pursuing social relationships with former clients and their guardians/significant others after discharge;
- Staff members are prohibited from engaging in sexual relationships with clients and/or their guardians/significant others at any time the client are enrolled in the organization and thereafter. Staff members are prohibited from engaging in the active care of any client or from interacting in any official capacity with their guardians/significant others when a sexual relationship has existed with any of those individuals prior to the client entering the organization. Staff members to which this provision applies must disclose the relationship to their supervisor immediately upon learning of the client's enrollment in the organization;
- No employee should derive any material personal benefits from having transacted business on behalf of the organization, other than those conferred upon them directly by the organization. This includes any promise or offer of employment, giving of money, tickets to special events, and actions intended to promote the staff to others who may offer such. Reasonable allowances are made for acts of gratitude by clients and/or their guardians/significant others involving small gifts

of appreciation having monetary value of not more than \$10.00. Staff members shall disclose all such instances to their immediate supervisor;

- Staff members are prohibited from representing themselves as competent to provide services for which they are not credentialed, as appropriate, or not competent to provide, outside their specific job description, or which are clearly the purview of other staff;
- Staff members are expected to place the welfare and safety of clients and their families in matters affecting them above all other concerns. Staff members are expected to urge changes in the lives of clients only in the interest of promoting recovery from the illness that the organization is charged to treat;
- Staff members are expected to remain aware of personal skills and limitations. Staff members should be willing to recognize when it is the best interest of clients to request to be excused from participating in an aspect of care;
- Staff members are expected to exhibit responsible concern for the well being of professionals and peers and the organization's community by not ignoring manifestations of illness or unethical conduct in colleagues;
- Staff members are expected to accept responsibility for staff training, continuing education, and professional development as part of the organization's commitment to providing quality client care in a safe, secure, and therapeutic environment.
- Staff shall treat as confidential and privileged any identifying health information relating to client care in accordance with the Code of Federal Register 42, Part 2 and the Health Insurance Portability Accountability Act of 1996.
- Staff shall separate personal interests from those of the organization to prevent preferential treatment in purchasing goods, and services (not to exclude buying or selling of stocks, bonds, or other securities). Staff responsible for procuring goods and services shall disclose to the Chief Executive Officer when a vendor or potential vendor is a close relative.
- Staff should inform the Chief Executive Officer of any outside employment or activity that may present a conflict of interest with the

organization, detract from the viability of the organization, or generate personal financial gain at the expense of Our House.

- All staff shall work to maintain name recognition of the organization in the business and professional community, and shall conduct themselves at all times in a manner that is congruent with the professional and business standards of integrity.
- All staff professionally responsible for adhering to a professional code of ethics is supported by the organization in doing so. If at any time the staff should note discrepancies between the professional code of ethics and the organization's code of ethics, they should immediately report such to their supervisor to seek further consultation/resolution

This conduct, and other conduct outside of regular working hours which would reflect unfavorably on Our House, will be considered a violation of the Code of Conduct and subject the employee to disciplinary action, which may include immediate termination.

In addition, the employees may be disciplined in accordance to Our House's Harassment Policy and/or the policy on Romantic Sexual Relationships if the outside conduct shall fall within these categories.

21.4 Proper Communication

PROPER COMMUNICATION INSIDE AND OUTSIDE OF OUR HOUSE'S PROPERTIES

Our House believes that communication is at the heart of good employee and community relations. Our House encourages employees to share their concerns, seek information, provide input, and resolve work-related issues by discussing them with their supervisors until they are fully resolved. It may not be possible to achieve the results an employee wants, but the supervisor needs to attempt to explain in each case why a certain course of action is preferred. If an issue cannot be resolved with communication with the supervisor, then that issue should be communicated up the chain of command until the issue is resolved (up the entire chain, if necessary). The supervisor should set up a time for both he and the employee to discuss the issue with the next in command. If the issue related to the safety, permanency, and/or well

being of our consumers or the safety /well being of staff and has risen to the level of concern that the staff involved believes it requires immediate attention, the issue should be brought to the immediate attention of senior management.

When an employee communicated with the external entities, the employee should keep in mind that he or she is representing Our House. The employee should strive to present him or herself in a professional positive manner. Our House recognizes communication outside Our House is required as a part of fulfilling the everyday requirements of the job; however when the communication moves beyond the everyday scope of responsibilities, and/or beyond the typical circle of individuals with whom the employee typically communicate, and/or has critical, sensitive, or legal implications, then the communication must first be approved by the Chief Executive Officer.

Regardless of the situation, employees should be able to discuss openly any work-related problems and concerns without fear of retaliation. Managers and supervisors are expected to listen to employee concerns, encourage their input, and seek resolution to the issues and concerns. Often this process will require setting a meeting in the near future. Managers and/or supervisors are to set these meetings as quickly as possible, and employees are expected to understand that issues and concerns, may not always be addressed at the moment they arise. Discussing these issues and concerns with management will help to find a mutually acceptable solution for nearly every situation.

If an employee has a concern about discrimination and/or harassment or any issue he or she wishes to grieve, Our House has set up special procedures to report and address those issues. The proper reporting procedures are set forth in Our House's Harassment and Discrimination policy and in Our House's Grievance policy.

22.Policy: Employee Discipline & Grievance Issues

22.1 Schedule of Offenses and Disciplinary Action

A. SCHEDULE OF OFFENSES AND AUTHORIZED DISCIPLINARY ACTION

Group One includes the following offenses: The accumulation of three (3) written reprimands within a three (3) month period will result in suspension without pay not to exceed three (3) working days. Four written reprimands within a six (6) month period may result in dismissal.

1. unexcused tardiness;
2. abuse of work time such as unauthorized time away from work area or
3. failure to notify supervisor promptly upon completion of assigned work;
4. obscene or abusive language;
5. conviction of a moving traffic violation while in a company vehicle
6. failure to report to work without giving proper notice to supervisor
7. leaving the work site without permission during work hours.

Group Two Offenses

Acts and behavior in this group are of most serious nature. Commission of one (1) Group Two offenses may be disciplined by written reprimand and/or may result in suspension without pay up to thirty days, or dismissal.

Group Two includes the following offenses:

1. unauthorized absence or leave in excess of three (3) consecutive working days without proper notification and satisfactory explanation;
2. use of alcohol or the unlawful manufacture, distribution, dispensing, possession or use of controlled substances while on the job or on the employer's premises;
3. reporting to work under the influence of, or when ability is impaired by, alcohol or the unlawful use of controlled substances;

4. falsification of records, such as, but not limited to, vouchers, reports, time records, leave records, employment applications, or other official documents;
5. willful or negligent defacement of or damage to the records or property of the office, another employee or business invitee of Our House Program
6. acts of physical violence or fighting;
7. violation of safety rules where there exists a threat to life or human safety;
8. unauthorized possession or use of firearms, dangerous weapons or explosives;
9. threatening or coercing employees, supervisors, or business invitees of office including stalking;
10. criminal conviction for a felony or misdemeanor while employed. A plea or verdict of guilty, or a conviction following a plea of no contest to a charge of a felony or a misdemeanor is deemed to be a conviction within the meaning of this offense;
11. acts of conduct occurring on or off the job which are plainly related to job performance and are of such nature that to continue the employee in the assigned position could constitute negligence in regard to Our House's duties to the public
12. engaging in prohibited activity;
13. leaving the work site without permission where there exist a threat to life or human safety;
14. theft on the job.
15. a breach of Our House security or confidentiality;
16. willful violation of Personnel Board Policies, rules and regulations;
17. operation of a company-owned motor vehicle without a valid Mississippi Driver's License.
18. insubordination, including, but not limited to, resisting management directives through actions and/or verbal exchange, and/or failure to refuse to follow supervisor's instruction, perform assigned work, or otherwise comply with applicable established written policy;

19. unauthorized use or misuses of Our House property or records.

22.2 Documentation of Corrective Actions

DOCUMENTATION OF CORRECTIVE AND DISCIPLINARY ACTIONS

When the appointing supervisor or designated representative has taken corrective action preliminary to a formal disciplinary action, a written account of such action will be placed in the employee's personnel file. Formal disciplinary actions include written reprimand, suspension, demotion, and dismissal.

When the employee has been reprimanded, a copy of the reprimand shall be placed in his/her personnel file. All reprimands must be in writing.

Documentation of corrective actions, disciplinary measures, and written reprimands may be kept indefinitely in the employee's personnel file.

Before any reprimand or other adverse comment is placed in an employee's personnel file, the employee shall be given:

1. a copy of the material to be placed in his or her file; and
2. a written notice that the material will be placed in his or her personnel file.

The appointing authority shall keep a copy of the notice, which shall contain either the employee's acknowledgment that he or she has received the material and the notice, or a statement signed by the person who delivered the material and the notice that the employee refused to sign such an acknowledgment.

The appointing authority shall determine what job-related information will be included in each employee's personnel file. However, the inclusion of any information which may adversely affect a permanent employee's compensation or employment shall be a grievable appealable issue.

22.3 Grievable Issues

GRIEVABLE ISSUES

The following issues are grievable:

1. disciplinary actions, including reprimands, demotions, and suspensions;
2. application of personnel policies, procedures, rules, regulations, ordinances, and statutes;
3. acts of reprisal against an employee for using the grievance procedure;
4. complaints of discrimination on the basis of race, color, sex, religion, national origin, age, disability, or political affiliation
5. performance appraisal ratings to the extent they affect an employee's employment status or compensation;
6. permanent relocation of employees as a disciplinary measure, for political reasons and/or where the employee can present substantive evidence that the management decision to relocate the employee was arbitrary or capricious.

2.2.4 Grievance and Appeal

GRIEVANCE AND APPEAL

Employees of Our House should read the handbook in its entirety and remain fully informed on policies and procedures. Opportunities for employees to express their opinions, discuss complaints, or seek information that affects positions will be made available. If a problem affecting work should arise, all levels of management are available to listen, counsel, or discuss the problem.

All grievances should be processed through an employee's chain of command whenever possible. However, consultation with Chief Executive Officer is available to an employee or supervisor at any point in the grievance procedure. All parties are encouraged to involve the Chief Executive Officer in any grievance process. Every effort will be made to resolve the problem. Retaliation in response to a grievance filed in good faith will not be tolerated. However, an employee who files a grievance in bad faith will be subject to disciplinary action, not to exclude termination.

All employees are encouraged to voice their concerns or suggestions regarding employee policies to the Chief Executive Officer. The Chief Executive Officer will bring these concerns before the senior management team as soon as practicable.

A permanent employee may file a grievance on those issues listed below, through the grievance procedure. A probationary employee or contractual employer may grieve only alleged acts of discrimination based on race, color, creed, religion, national origin, sex, age, disability, or political affiliation in any personnel action of employment practice.

1. The employee who has a grievance must first make a written request for a conference with the supervisor taking action within five (5) working days to see if the grievance can be settled or reconsidered.
2. If the grievance is not settled or reconsidered by the direct supervisor within five (5) working days, the employee may request in writing that the direct supervisor schedule a grievance conference with the next authority in the chain of command.
3. If the grievance still is not resolved, to the employee's satisfaction, a written request may be made to the direct supervisor within two (2) working days for a conference with the Chief Executive Officer. The Chief Executive Officer will make the final decision on all grievances, except in the case of supervisory employees who report directly to the Chief Executive Officer.
4. Supervisory employees who report directly to the Chief Executive Officer shall follow steps 1 and 2, except that in step 2, they will make a written request for a grievance meeting with the Board of Directors.

Our House, in its discretion, may determine that in certain instances this grievance procedure will not be followed. It also may determine that, in its discretion, an employee should be suspended during the period of the review procedure, with the understanding that the employee will receive full compensation for the period of suspension if the review reveals that he/she lacks responsibility for the problem grieved. An employee may not utilize the grievance procedure for issues regarding the rights of other employees that do not affect the employee raising the grievance.

In all matters regarding complaints of harassment, employees must utilize the policy and procedure outlined in the harassment polic.

23. Policy: Ethics Code or Rights

23.1 Policy: Code of Ethics Policy

1. A. CODE OF ETHICS POLICY

Our House, Inc. has adopted a code of ethics policy to guide its board members, volunteers and staff in their conduct when acting on behalf of the Our House, Inc.

The Policy contains broad principles reflecting the types of behavior the Our House, Inc. expects towards consumers, donors, employees, peers and the public.

This policy is not intended as a stand-alone policy. It does not embody the totality of the Our House, Inc. ethical standards, nor does it answer every ethical question or issue that might arise. Rather, it is one element of a broader effort to create and maintain a quality organization that gives ethical conduct the highest priority. This policy will be reviewed periodically.

Our House's code of ethic policy for Board members, volunteer and staff are as follows:

- Listen to our consumers and make all reasonable efforts to satisfy their needs and concerns within the scope of our mission, and to strive for excellence and innovation and demonstrate professional respect and responsiveness to constituents, donors and others.
- Make an effort to understand, respect and support our consumers from other cultures, exemplified by the contributions of our staff and executive leadership, and to contribute to an organizational culture that respects the diverse, individual contributions of staff and leadership.
- Comply with applicable federal, state and local laws, regulations and fiduciary responsibilities in an effort to create transparency in all of our operations.
- For the board of directors, provide credible and effective oversight to the organization's work without personal bias.
- Not accept commissions, gifts, payments, loans, promises of future benefits or other items of value from anyone who has or may seek some benefit from the Our House, Inc. in return, other than occasional gifts of

nominal value that are in keeping with good business ethics.

- Abide by the governing documents and policies of the Our House, Inc.
- Be accountable for adhering to this Code of Ethics.
- Follow Our House, Inc.'s Conflict of Interest Policy located on page 53 of employees' manual
- Implement and follow a Whistleblower Policy which states that there will be no retaliation for reporting of violation of any and all policies and standards that govern Our House, Inc.'s service program.
- Act at all times in accordance with the highest ethical standards and in the best interest of the Our House, Inc.'s consumers, donors and reputation.
- Openly and honestly tell the truth.
 1. Honor our commitments and promises to the best of our abilities.
 2. Provide individualize services without respect for monetary gain.
 3. Appropriately acknowledge contributions from other individuals and organizations who help facilitate our goals.
 4. Not be deceptive in our fundraising activities or in prospecting for new members to join the Our House, Inc.'s board.
 5. Advocate for all nonprofit organizations, but not for any specific initiative - being respectful to the sector as a whole.
 6. Not lobby with the intent to influence individual candidates.

24. Policy: Ethics and Service Providers

24.1 Service Providers Code of Ethic

B. SERVICE PROVIDERS CODE OF ETHIC SUMMARY

Our House, Inc.'s Service Providers **Code of Ethics Policy** which govern service provider's behavior and interactions are:

For Consumers:

- Respect and protect civil and legal rights.
- Respect rights to privacy and confidentiality. Exceptions are made subject only to laws requiring suspected criminal conduct to be reported in order to prevent future victimization or miscarriages of justice.
- Provide each consumer with individualized services, working with regard to his or her welfare without regard for monetary gain.
- If admission to the shelter could create a potential risk to the shelter, the consumer shall be referred elsewhere.
- Serve as an advocate when requested and, in that capacity, act on behalf of the consumer in a nonjudgmental manner without regard to personal convictions.

For Colleagues, other professionals and the public:

- Work with colleagues in such a way as to promote mutual respect and improve services.
- Work to promote crime prevention and violence prevention as a public service and as an adjunct to consumer services.
- Work to actively pursue social change to benefit consumer rights.

For Professional Conduct:

- Maintain confidentiality about consumers.
- Report the misconduct of any colleague to Executive Director. If the

Executive Director is the offender then the report should be made to the Board of Directors.

Provide nonjudgmental services to consumers, or provide referrals.

25. Policy: Ethics and Compliance

25.1 Compliance, Monitoring and Reporting

D. COMPLIANCE, MONITORING AND REPORTING POLICY

Our House, Inc. management is responsible for communicating this Code of Ethics to all members of the board of directors, volunteer, as well as staff, staff interns and staff volunteers and for ensuring its adherence at all times. Should anyone violate the code of ethics, it should be reported immediately to the current Executive Director.

26.Policy: Ethics & Privacy

26.1 Privacy

C. PRIVACY POLICY

Privacy issues to consider around the safety for victims are:

- Respect the confidentiality of sensitive information about the Our House, Inc.'s consumers, family members and associates, donors, board and employees.
- Assure that the information that a consumer provides will not be revealed to his/her batterer.
- Do not discuss consumer's files with his/her batterers.
- Consumers should be interviewed privately and alone or with a professional interpreter (do not use family or friends).
- Consider alias for safety of consumer.
- Do not question the consumer in front of children, if possible.
- Assist consumers with safety planning.
- Ensure consumer's rights to privacy.

27.Policy: Ethics & Bill of Rights

27.1 Bill of Rights and Responsibilities

1. E. CONSUMER/CLIENT BILL OF RIGHTS AND RESPONSIBILITIES POLICIES

Our House, Inc.'s Policy regarding Consumers' Bill of Rights are:

- a) Consumers have the right to privacy and uncensored communication.
- b) Consumers have the right to a grievance process. This may include a written complaint, hearing or other procedures as described in the policy and procedural manual.
- c) Consumers have the right to individualized services and to give input into goals/plans made in their treatment plan.
- d) Consumers have the right to confidentiality of communication with staff, both verbal and written.
- e) Consumers have the right to be treated with dignity and respect.
- f) Consumers have the right to make their own decisions.
- g) Consumers have the right not to be shamed or blamed for having been a victim of domestic violence.
- h) Consumers have the right to be free from all forms of abuse: physical, mental, emotional, psychological or sexual.
- i) Consumers have the right to worship in the religious faith of their choice.
- j) Consumers have the right to seek counsel.
- k) Consumers have the right to a safe and humane environment.
- l) Consumers have the right not to be discriminated against in the provision of services due to age, race, creed, sex, ethnicity, color, national origin, marital status, sexual orientation, handicap, or religion.

Our House, Inc. Consumer's Responsibilities Policy are as follows:

- a) Consumers have the responsibility to treat staff and other consumers with dignity and respect.

- b) Consumers have the responsibility to keep the location of the shelter and related offices and any information, (learned or shared), regarding other consumers or staff, confidential.
- c) Consumers have the responsibility to know and to follow the shelter guidelines.
- d) Consumers have the responsibility, with the assistance of program staff, to set goals for themselves (and their children) and to work toward accomplishing those goals during their stay.
- e) Consumers have the responsibility to be willing to listen to all parties before forming an opinion, and to try to resolve problems with staff and other consumers through the established grievance process.
- f) Consumers have the responsibility to be honest regarding their personal situations and to share information that will assist staff in planning and coordinating their services.
- g) Consumers have the responsibility to examine all information available and make choices for themselves and their family, after reviewing all of their options.
- h) Consumers have the responsibility to become educated about the dynamics of victimization, and to discuss with staff if they feel they are being re-victimized or if they feel that they are being blamed for their victimization.
- i) Consumers have the responsibility to express their feelings and opinions in a responsible manner and to be tolerant of opinions that differ from theirs.
- j) Consumers have the responsibility to speak out when they feel that their rights are being violated and to learn about their individual rights.

It is Our House, Inc. policy that:

- All consumers be informed of both their rights and responsibilities upon admission into any and all service programs. A copy of this policy may be found in the Shelter Orientation Packet and posted on the wall at the shelter and administrative building.

It is Our House, Inc. policy that:

- If any staff, consumer, board member or volunteer violate the Consumer's Bill of Rights and Responsibilities that this may be ground for disciplinary actions by the Executive Director.

- If the Executive Director violate the consumer's rights and responsibility this action will be taken before the Board of Trustees for review.

Our House, Inc.'s Consumer's Bill of Rights and Responsibilities Policies **do not** prevent discharging a consumer/client who has not complied with the house rules or who otherwise meets established program criteria for dismissal.

28.Policy: Fiscal Management

28.1 Fiscal Management

A. FISCAL MANAGEMENT POLICY

1. Our House Fiscal Management Policies are:
 - That the **Board of Directors** formulates financial policies, delegates administration of the financial policies to the Executive Director and reviews operations and activities.
 - That the **Executive Director** has management responsibility including financial management.
 - That current job descriptions will be maintained for all employees, indicating financial duties and responsibilities.
 - That financial duties and responsibilities must be separated so that no one employee has sole control over cash receipts; disbursements; payroll; reconciliation of bank accounts; etc.
 - That all employees involved with financial procedures shall take vacations or leaves of at least 5 consecutive work days each year. During such periods, back-up personnel who have been cross-trained in their duties will perform their tasks.
 - That a blanket employee dishonesty coverage in the amount of **\$50,000** shall be maintained.
 - That Professional financial service providers will be established annually. Which include but not limited to: **Peachtree** (accounting software), **ADP** (payroll services), the **Travelers/Workman Compensation, Blue Cross/Blue Shield, & Dental/Vision** (insurance), **Planters, Southern Bankcorp, & Regions**(banking), **Hartford** (restricted investments and retirement services), and **Kimble Accounting Services** (internal auditor) **Banks, Finley and White** (independent auditors).
 - That **Financial Officer** will maintain a current and accurate log of the chart of accounts, job accounts and accounting classes.
 - That these policies and procedures will be reviewed bi-annually by the **Executive Director with recommendation for changes yearly to the Board of Director when**

necessary .

- o That all financial management of the program and to maintain appropriate documentation for a minimum of five years.
- o That the agency recognized that it has a fiduciary responsibility to the victims of domestic violence and the communities in which they function.

B. DOCUMENTATION AVAILABLE TO THE PUBLIC POLICY

Our House Policy is that the following documents will be available for review by funding sources and MCADV shelter credential committee and maintained in the Financial Officer's office: *Prior to reviewing all agents must sign a confidentiality form.*

- Proof of 501 (c) (3) letter
- Copies of programs' fiscal policies and procedures with corresponding amendments and updates.
- Copy of annual budget for current fiscal year.
- Copy of current annual audit and copy of current 990.
- Proof of nonprofit registry with the Secretary of State
- Board Minutes reflecting financial monitor of : Each program is responsible for providing documentation of Board oversight of the financial monitoring of the program including, but not limited to:
 - o a) Annual development and review of budget
 - o b) Review of all financial reports
 - o c) Review of annual audit

C. FIDUCIARY HANDLING OF FUNDS POLICY

Our House Policy regarding the fiduciary handling of monies within the organization are to be included in the Fiscal Management Policy Manual for the following:

- That methods of internal control for the organization, include process for adequate controls and segregation of duties
- That No checks written to cash.
- That payroll is reviewed by the Director and that all timesheets are signed by the Director
- That financial statements are presented to the Board at every meeting

- That the Board Treasurer/Secretary shall be the direct Board member working with financial officer or shelter Executive Director on finances
- That payment of appropriate payroll taxes are made bi-weekly.
(Current all payroll taxes are paid through Automatic Data Payroll (ADP).)

D. INSURANCE COVERAGE POLICY

Our House Policy is that the following insurance coverage and appropriate documentation be maintain in the financial officer's office:

- Dishonesty insurance (Bond)
- Professional liability insurance for employees
- Workers compensation
- Unemployment compensation (if applicable)
- General liability insurance
- Property insurance or rental insurance (as appropriate)
- Vehicle insurance for agency owned vehicles or leased vehicles

29. Policy: Harassment

29.1 General Provisions

HARASSMENT POLICY

General Provisions

Our House will not tolerate illegal discrimination of any kind or by any individual in the workplace or affecting the workplace. Discriminatory conduct includes harassment, and it consists of verbal or physical conduct that shows hostility toward an employee because of his/her race, skin color, religion, gender, national origin, age, disability, military status or other protected category. Sexual harassment is just one form of prohibited harassment.

Prohibited conduct include, but not limited to, epithets, derogatory, or suggestive comments, slurs, offensive posters, cartoons, pictures, or drawings. Prohibited sexual harassment also includes unwelcome physical, verbal or visual sexual advances, gestures, requests for sexual favors, or other sexually-oriented conduct which is offensive or objectionable to recipient.

A violation of this policy occurs when: (1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of the individual's employment; (2) submission to or rejection of such conduct by an individual is used as a basis for employment decision affecting such individual; (3) such conduct has the purpose of effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

29.2 Complaint Procedure

Complaint Procedure

Our House cannot address claims of harassment or discrimination unless employees bring these claims to the attention of management. Failure to report claims of harassment prevents Our House from taking steps to remedy the problem and preventing future occurrences.

Therefore, an employee who believes he/she has been subjected to harassment or any other form of illegal discrimination is strongly encouraged immediately to report such conduct to his/her supervisor or other supervisors in the chain of command and participate in the investigation. If he/she is not comfortable reporting the information to these individuals, then he/she should report it to the Chief Executive Officer.

Members of management, at all levels, are responsible for informing Personnel Department of any complaints received. In addition, if member of management have not received a complaint, but they suspect conduct that might violate Our House's Harassment Policy, they must immediately inform the Personnel Department or the Chief Executive Officer, regardless of how members learned of the conduct.

29.3 Investigation of Resolution Complaints

Investigation of Resolution Complaints

All complaints will be promptly and discreetly investigated by the member of management who is not involved in the alleged incident, or by the Chief Executive Officer. The complaint and identity of the complainant will remain confidential to the extent possible while still enabling management to investigate the matter effectively. A disposition of the complaint will be made that is designed to stop the inappropriate conduct and prevent any future occurrences.

Depending of the seriousness of the complaint, interim measures, including suspension of the alleged offender or the complainant, may be taken during the investigation.

Persons who are found to have engaged in harassment or illegal discrimination will be subject to discipline up to and including termination. Our House reserves the right to take disciplinary action in cases of inappropriate behavior, even if that behavior does not amount to a violation of law.

Note: If an employee believes that he/she is the subject of harassment or subjected to a hostile, offensive, or intimidating work environment, or if he/she is not sure whether certain behavior is harassment or whether it covered under the harassment policy, the employee is encouraged to inform the offending person directly that such conduct is offensive and must stop.

29.4 Retaliation Prohibited

Retaliation Prohibited

Our House's Harassment Policy also prohibits retaliation against any employee who reports inappropriate discriminatory or harassing conduct, or who assists in the investigation of the complaint. No employee will be disciplined or treated adversely for providing such a report.

30. Policy: LEP Plan

30.1 Purpose Of Meaningful Access

The purpose of this plan is to ensure Our House, Inc. provides free meaningful access to the range of advocacy and program services promoting the social and emotional well-being of individuals and their children limited in their English language proficiency experiencing or impacted by gender-based violence.

All agencies that receive federal assistance must take adequate steps to ensure that individuals and their children, program advocates, staff, board, or volunteers, allied professionals and the general public with limited English proficiency receive the language assistance necessary to allow them meaningful access to the range of advocacy and program services.

30.2 Definitions

A. Definition of Terms

Effective Communication: The Limited English Proficient individual is able to receive information about and understand the range of services available. Further, the individual must be able to meaningfully communicate the circumstances and needs to the service provider.

Gender based Violence: Gender-based violence is used to describe violence that occurs as a result of the normative role expectations associated with each gender, along with the unequal power relationships between the two genders or same gender, within the context of a specific society, including domestic violence, sexual violence, adolescent relationship abuse, and stalking. While women, girls, men, and boys can be victims of gender-based violence, the majority of persons affected by gender-based violence are women and girls, as a result of unequal distribution of power in society between women and men. This is not to say that gender-based violence against men does not exist. For instance, men can become targets of physical or verbal attacks for transgressing predominant concepts of masculinity because they have sex with men. Men can also become victims of violence in the family – by partners or children.

Interpretation: The oral or spoken transfer of a message from one language into another.

Limited English Proficient (LEP): A person who is unable to speak, read, write or understand the English language well enough to allow him or her to interact effectively with service providers.

Meaningful Access: The standard of access required of federally funded entities to comply with Title VI's language access requirements which includes the availability of free language assistance that results in accurate and effective communication.

Primary Language: Primary languages are the languages other than English that are most spoken by persons in the service area of the Program.

Translation: The written transfer of a message from one language into another

30.3 Language Access Plan

A. Individuals Covered by the Plan

The Our House, Inc. will provide free meaningful access to persons who are unable to speak, read, write or understand the English language well enough to effective interaction with service providers:

1. Individuals and/or their children experiencing or impacted by gender – based violence accessing the range of advocacy and program services;
2. Advocates, administrative staff, directors, board members and volunteers of Our House, Inc.;
3. Allied and/or partner organizations (health care providers, community-based organizations, social services, educational systems, criminal justice systems); and
4. Community members who do not speak, read, write or understand English or who do speak, read, write or understand English on a limited basis.

B. Commitment to Provide Meaningful Access

Our House, Inc. primary focus is to promote the social and emotional well-

being of individuals and their children experiencing or impacted by gender-based violence.

Therefore, Our House, Inc. will develop, and secure sustainable language resources as needed in both oral and written form so that no individual and/or their children will be denied access to information or services.

C. Affirmative Offer of Language Assistance

Our House, Inc. staff will be proactive by initiating an offer for language assistance to individuals who have difficulty communicating in English requesting access to the range of advocacy and program services we offer, including vital documents that are critical for accessing federally funded services or benefits or are documents required by law such as:

1. Crisis information, Intake forms, confidentiality waivers, safety plans, and all brochures generated by Our House, Inc. for use by individuals and/or their children experiencing or impacted by gender-based violence.
2. Community education materials generated by Our House, Inc. for distribution.
3. Referral information to community or governmental resources.

30.4 Utilizing the Language Access Plan: Notice of Right

Notice of Right to Language Assistance

Our House, Inc. is committed to promoting the social and emotional well-being of individuals and/or their children limited in their English language proficiency or impacted by gender-based violence. Mississippi Coalition Against Domestic Violence will compile and maintain the following resources so that individuals with limited English proficiency will be informed of their right to free and timely interpreter services.

1. **LEP Plan:** Our House, Inc. will utilize the LEP Plan to develop and improve plans to promote the social and emotional well-being of individuals and their children limited in their English language proficiency experiencing or impacted by gender-based violence.
2. **Notice of Right to Language Assistance Flyer:** Our House, Inc.

will have fliers titled “Notice of Right to Language Assistance” available.

3. **“I Speak” Cards:** Our House, Inc. will display laminated business-sized cards that say in both English and Spanish, “I need a Spanish interpreter.”
4. **Language Assistance Posters:** Our House, Inc. will display posters in intake areas that read “Free Interpreter services are available. Please ask for assistance.” This statement will be repeated in Spanish.
5. Other ways to provide notice to LEP individuals include stating in outreach documents that language services are available from Our House, Inc. Announcements could be in brochures, booklets, and in outreach and recruitment information. These statements should be translated into the principle languages and working with community-based organizations and other allies to inform LEP individuals of Our House, Inc.’s services, including the availability of language assistance services.

30.5 Utilizing the Language Access Plan: Working with Interpreters

Working with Interpreters

General Guidance

1. **Identify language need:** Our House, Inc. will promptly determine the language for which interpreter services are needed, if necessary, with the aid of “I Speak” Flashcards or Language Identification poster. In addition, when records are kept of interactions with clients, the language used to communicate will be included as part of the record.
2. **Do not use minor children** Our House, Inc. will not use minor children to interpret, in order to ensure confidentiality of information and accurate communication.
3. **Medium of interpretations:** Our House, Inc. will assess which medium of interpretation (telephone or in person) is appropriate based on the presenting situation, available resources and preference of the individual.
4. **Competency Standards:** Our House, Inc. will use telephone interpretive services through Pacific Interpreters.

Interpretation Resources (by order of preference)

1. Telephone Interpreter Services

Statewide Hotline and National Hotline

Example: Pacific Interpreters, Inc., now a Language Line Solutions Company, is a language services provider, with video remote interpreting and offering telephonic interpreting 24/7/365 in over 200 languages and American Sign Language.

Helpful hints for Telephone Interpreters

Identify the purpose of your call

Enunciate and avoid contractions

Speak in short sentences

Speak slowly and pause frequently

Avoid use of double negatives

Speak in first person

Avoid colloquialisms and acronyms

Briefly explain technical terms

Check in with interpreter regarding his/her understanding, your rate and pattern of speech

Check in with caller to ensure his/her understanding

Be Patient

2. In-Person Interpreter Services

Professional Services: Our House, Inc. will use Pacific Interpreters as its professional interpreting service. Pacific Interpreters has agreed to provide competent interpreter services. Their services are available 24/7/365.

3. Family and/or friends as Interpreters

Family members or friends of the LEP individual will not be used as an interpreter unless specifically requested by that person and after the LEP

person has understood that they have the right to an interpreter at no cost to them. Whenever possible Mississippi Coalition Against Domestic Violence will accommodate constituents' wishes to have family or friends serve as interpreters. However, Mississippi Coalition Against Domestic Violence will not use minor children as interpreters. Mississippi Coalition Against Domestic Violence will consider issues of confidentiality, privacy, conflict of interest, and interpreter competency when family members or friends have been requested.

Things to consider:

- Was constituent offered free interpreter services?
- Did constituent understand their right to free services?
- What is the nature of information being shared?
- What is the level of safety risk for the constituent?

30.6 Utilizing the Language Access Plan: Translation Resources

Translation Resources (written materials)

Our House, Inc. will provide translation of vital documents or information listed below:

1. What are “Vital Documents or Information”?

Vital documents or information are those that are critical for accessing federally funded services or benefits or are documents required by law. For the purposes of Our House, Inc.'s services to survivors and other constituents the following are deemed vital documents:

- Any and all sexual and domestic violence or related brochures generated by Our House, Inc. for use by survivors.
- Community education materials generated by Our House, Inc. for distribution.
- Crisis information or referral information to area resources.

Intake forms, confidentiality waivers, etc.

2. Quality Standards for Translated Materials

Our House, Inc. uses Pacific Interpreters for translation services. Community

education materials ordered from a vendor who supplies the English language materials will also order available companion Spanish materials.

30.7 LEP Plan Administration

A. Collection of Language Preference Information

In order to provide quality services to LEP individuals, Our House, Inc. e must periodically identify the language needs of its constituents. The organization will do so by recording and gathering the following information:

1. Our House, Inc. will record the number of direct requests for services, training and publications in principle languages other than English from survivors and other constituents.
2. Our House, Inc. will identify and track the language needs and the language tools used by and offered to their respective clients and community.
3. Our House, Inc. will use Census data, statewide crisis hotline data, school data and other available data to assess and track the language needs across the state.

B. Staff Training

Our House, Inc. will distribute the LEP plan to all staff and will have a current electronic copy available so all staff will be knowledgeable of LEP policies and procedures. One staff may be appointed to monitor implementation of the plan and conduct staff training as needed.

1. All staff providing technical assistance, training or receiving in-bound calls will receive annual LEP training, or training upon employment, and then annually.
2. LEP plan information will be incorporated into the Our House, Inc. employee handbook.
3. LEP training will include information on the following topics:
 - o Our House, Inc. legal obligation to provide language assistance;
 - o Our House, Inc. LEP plan and procedures;
 - o Responding to LEP individuals;
 - o Obtaining Interpreters (phone, face-to-face, training);

- Using and working interpreters;
- Translation procedures; and
- Documenting language requests

C. Monitoring

Our House, Inc. will conduct an annual evaluation of its LEP plan to determine its overall effectiveness, review the progress of stated goals and identify new goals or strategies for serving LEP constituents. The appointed staff will lead the evaluation with the assistance of other staff. The evaluation will include the following:

1. Assessment of the number of persons with LEP in our service area;
2. Assessment of the number and types of language requests collected during the past year;
3. Assessment of whether existing language assistance services are meeting the of constituents with LEP; and
4. Assessment of whether staff members understand Our House, Inc.'s LEP plan and procedures, how to carry them out, and whether language assistance resources and arrangements for those resources are up-to-date and still accessible.

30.8 Authorities

A. Federal Authorities

1. **Title VI of Civil Rights Act of 1964**, 42 U.S.C. §2000 et seq.: 45 CFR §80, Nondiscrimination Under Programs Receiving Federal Financial Assistance through the U.S. Department of Health and Human Services Effectuation of Title VI of the Civil Rights Act of 1964
2. **Office for Civil Rights Policy Guidance**, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English proficient Persons, 68 FR 47311 (2003). <http://www.hhs.gov/ocr/lep/>
3. **Department of Justice regulation**, 28 CFR §42.405(d)(1), Department of Justice, Coordination of enforcement of Non-discrimination in Federally Assisted Programs, Requirements for Translation

30.9 Resources

USCIS VAWA UT

This pamphlet adapted by the National Immigrant Women's Advocacy Project contains easy to understand information about the forms of immigration relief available to immigrant victims of violence, including information on VAWA, U and T visa relief, Special Immigrant Juvenile Status and Deferred Action for Childhood Arrivals.

English, Spanish, Russian, Chinese, Korean

<http://niwaplibrary.wcl.american.edu/cultural-competency/multilingual-materials-for-victims/dhs-immigration-options-for-crime-victims>

Questions and Answers for Immigrant and Refugee Women

This pamphlet was written by the Family Violence Prevention Fund/Futures Without Violence for immigrant survivors of domestic violence and outlines basic legal rights and options.

<https://www.futureswithoutviolence.org/questions-answers-for-immigrant-and-refugee-women/>

Arabic

<http://www.futureswithoutviolence.org/userfiles/file/ImmigrantWomen/arabi>

Chinese

<http://www.futureswithoutviolence.org/userfiles/file/ImmigrantWomen/chine>

English

<http://www.futureswithoutviolence.org/userfiles/file/ImmigrantWomen/englis>

Korean

<http://www.futureswithoutviolence.org/userfiles/file/ImmigrantWomen/korea>

Spanish

<http://www.futureswithoutviolence.org/userfiles/file/ImmigrantWomen/spani>

Tagalog

<http://www.futureswithoutviolence.org/userfiles/file/ImmigrantWomen/tagalo>

Vietnamese

<http://www.futureswithoutviolence.org/userfiles/file/ImmigrantWomen/vietn>

Russian

<http://www.futureswithoutviolence.org/userfiles/file/ImmigrantWomen/russia>

Department of Justice Know Your Language Rights

This Department of Justice pamphlet contains information for individuals who are limited English proficient and their advocates regarding language access rights.

Arabic, Cambodian, Chinese, Creole, English, Hmong, Korean, Russian, Spanish, Vietnamese <http://www.justice.gov/crt/about/cor/pubs.php>

National Center for Victims of Crime Stalking

This pamphlet from the National Center for Victims of Crime contains information about stalking and what to do if you or someone you know is being stalked.

English http://victimsofcrime.org/docs/src/aybs_english_bw.pdf?sfvrsn=2

Spanish http://victimsofcrime.org/docs/src/aybs_spanish_bw.pdf?sfvrsn=6

Understanding the Nature and Dynamics of Domestic Violence

While domestic violence has certain similarities to other forms of family violence, it has certain unique characteristics. This book describes some of the forms of abuse, the use of power and control by abusers, how domestic violence affects children, the importance of empowerment and advocacy for survivors, and fundamental issues related to the judicial system.

English and Spanish <http://www.mocadv.org/Publications.aspx>

Deaf Power and Control Wheel

DeafHope created this illustrated Power and Control Wheel specifically for Deaf survivors of domestic violence.

http://www.ncdsv.org/images/DeafHope_DeafPowerControlWheel_2006.pdf

Men and Boys as Allies and Survivors

<http://www.nnadv.org/wp-content/uploads/2013/11/Men-and-Boys-as->

Allies-and-Survivors.pdf

LGBT NATIONAL HELP CENTER

Chat Website: www.glnh.org (green area on right)

Phone Number: 1.888.843.4564 (hotline for all ages); 1.800.246.PRIDE (7743) (talkline for youth to youth). Both are M-F 1pm-9pm PST, Sat 9am-2pm PST.

All volunteers for the help center are either gay, lesbian, bisexual, or transgender.

As a non-emergency, www.glbtnearme.org is a website that has resources you can search by service category or by zip code.

OTHER HELPFUL RESOURCES

Earth Words: Abuse Information in more than 80 languages:
<http://www.hotpeachpages.net/lang/index.html>

Asian & Pacific Islander Institute on Domestic Violence:
<http://apiidv.org>

Domestic Violence Materials in Asian and Pacific Islander Languages:
<http://apiidv.org/files/TranslatedMaterialsList-APIIDV-6.2011.pdf>

Existe Ayuda
<http://www.ojp.usdoj.gov/ovc/pubs/existeayuda/>

24-hr help line: 651.772.1611

Office #: 651.646.5553

Email: info@casadeesperanza.org

Kansas Coalition Against Sexual and Domestic Violence (resources in Spanish, Vietnamese): <http://www.kcsdv.org/>

Texas Association Against Sexual Assault (resources in Spanish, Vietnamese, Burmese):
<http://www.taasa.org/>

30.10 Pacific Interpreters' Contact Info

Pacific Interpreters, Inc., now a Language Line Solutions Company, is a language services provider, with video remote interpreting and offering telephonic interpreting 24/7/365 in over 200 languages and American Sign Language.

Number to call for translation: 1-855-289-4540

Our House's Code: 847205

Click on (1) for Spanish

Click on (6) for all others

To order supplies: 1800-324-8060

31. Policy: Method of Employment

31.1 Application

METHOD OF EMPLOYMENT POLICY

- *Application for Employment*
 - An employment application will be furnished for prospective qualified employees and must be completed and evaluated before employment.
- *Employment of Staff*
 - The Chief Executive Officer, who is employed by the Board of Directors, along with the professional employees, has the responsibility of the employment of the employees.
- *Applicant's Responsibility*
 - The applicant is responsible for making known all pertinent facts about training and experience, or any other information affecting competence and suitability as a prospective employee. An applicant who presents false or misleading information or excludes pertinent information during the application or employment process will not be considered for employment. If already employed, the employee will be subject to possible termination of employment. The applicant will be expected to produce, prior to hire, such written documentation as may be required. Additionally, the applicant must supply all the information required by the licensing bodies of Our House. In cases where exceptions have been made, if the employee does not produce the required pre-employment documents within one month of hire, the employee will be terminated.
 - 1. A drug/alcohol examination will be requested after a conditional offer of employment has been made. Employment is conditioned upon an applicant being free of any drug/alcohol. Payment for the initial examination is to be paid for by the applicant. Applicant must show proof of payment for drug/alcohol testing prior to hiring. Additionally, random examinations shall be conducted; these examinations will be paid for by the employer.
 - 2. A physical examination may be requested. An applicant's health being such that the individual can

perform the essential functions of the job with or without reasonable accommodation. Also, an applicant's health shall not endanger others or interfere with other employee's job performances.

- 3. An applicant applying for a job that requires a valid driver's license must show proof of a good driving record (motor vehicle report or driving history from the Highway Patrol) before he/she may be hired. An employee whose position requires him/her to drive Our House vehicles or his/her own vehicle for Our House business must be insurable by Our House insurance carrier. An employee who uses his/her personal vehicle must provide evidence of automobile insurance with at least \$50,000.00 of liability coverage.
- *Background Checks*
 - Our House will conduct appropriate, legally permissible and mandated inquiries into the background of a prospective employee. Those inquiries may include reviews of federal, state and local criminal history records, child abuse and sex offender registries, and credit histories. Additionally, every employee and applicant may be fingerprinted and is required to clear all appropriate background checks. Our House shall obtain current criminal records background checks and current child abuse registry checks on all persons employee periodically.

See additional information under Policy for Background checks.

31.2 Announcement of Recruitment

Announcement of Recruitment

Current employees/volunteers who have completed at least six (6) months of continuous service with Our House, Inc., or applicants who have left employment with Our House, Inc. within the past twelve (12) months and who have satisfactorily completed at least four (4) months of continuous employment with Our House, Inc. may submit applications for any job classification at any time. The individuals will receive priority in our selection process.

31.3 Eligibility to Become Employed

Eligibility to Become Employed

Eligibility to become employed will be based on qualifications and demonstrated competence for a position as described in the appropriate job description, as well as on satisfaction of all mandated pre-employment background checks and other pre-employment documentation.

31.4 Eligibility Determination

Eligibility Determination

An applicant's eligibility for a particular job is evaluated by established standards to determine if he/she meets the minimum qualifications. If the applicant meets the minimum qualifications, the application is scored based on the related education, training, and experience, of the applicant.

Applicants will be notified by mail of the date and site of the orientation session, or written examination, if one is required. Said notice will be sent to the address provided on the application.

31.5 Employee Classifications

Employee Classifications

It is the policy of Our House to classify an employee as full-time, part-time, or temporary, and as exempt or non-exempt for the purposes of compensation administration. These classifications will be made based on the employee's job description, duties, and federal guidelines. An employee may be categorized as follows:

- 1. A full-time employee is an individual who is hired to work a normal forty-hour work week and is hired for an indefinite period.
- 2. A part-time employee is an individual who is hired to work less than

a normal 40-hour work week and is hired for an indefinite period. A part-time employee may work either a fixed or flexible number of hours per week.

- 3. A temporary employee is an individual who is hired to work either a part-time or a full-time schedule for a specified, limited period.
- 4. A non-exempt employee is subject to the minimum wage and overwhelming provisions of the Fair Labor Standards Act (FLSA) and may be paid on an hourly or salary basis.
- 5. An exempt employee is exempt from the overtime provisions of the FLSA. Exempt employees are paid on a salary basis.

It is the prerogative of Our House to schedule and hire employees to cover time deemed necessary to meet the needs of Our House.

31.6 Personal Information

Personal Information Changes

It is your responsibility to inform your supervisor and the personnel department of any changes in name, address, telephone number, and the individual to notify in case of emergency.

31.7 Job Description

Job Description

Upon hiring, an applicant will be provided with a written job description for their role and responsibilities at Our House. Employees are to adhere to their job description when completing tasks. Occasionally, employees are required to assist other staff with special projects and activities. Though these duties may not be listed in the employee main job description, they are required duties to the satisfactory of Our House overall vision and mission.

31.8 Nepotism

G. Nepotism

Employment of personnel in a position supervised by, in the line of supervision, or in a position which can be affected by a relative (including, but not limited to, children or spouses) is prohibited. Our House recognizes, however, that in the current social services market, recruitment of professional personnel to meet the high standards of Our House is difficult, and, accordingly, employment of related persons is sometimes unavoidable.

31.9 Selection of Employees

Selection of Employees

Our House, Inc. maintains a list of qualified applicants to be used in filling vacant service positions. This list is maintained for one year. Our House, Inc. will review all qualified applicants on file prior to opening the job position to the public.

31.10 Orientation Period

Orientation Period

There will be an orientation period for each new employee and for each person promoted from one position to another, unless for certain positions orientation is dispensed with by the Chief Executive Officer.

- 1. Length of Orientation Period: The usual length of the orientation period is 3 months, which can be extended at Our House's discretion.
- 2. Purpose of the Orientation Period: The purpose of the orientation period is to permit the employee to learn what is involved in the position and to demonstrate capacity for performance. It is also a period for both the employee and the employer to evaluate if this is an appropriate and suitable fit between all parties concerned. If at any time before the completion of the 3 month orientation period, the employee's performance or other employment conditions have not been

satisfactory, the supervisor, may recommend termination of the employee's services. Likewise, the employee may resign at any time during the 3 month orientation period.

31.11 Work Schedules

Employee Work Schedules

Our House administration offices shall be opened and staffed for the normal conduct of business from 9:00 a.m. until 6:00 p.m., Monday through Friday unless otherwise noted by supervisor. (Exception is made for staff that works at our 24 hour/7 days Shelter Program)

1. A normal work schedule is defined as eight hours per day, 40 hours per week.
2. Each part-time employee shall be provided a schedule of working hours.
3. To provide for maximum flexibility in scheduling employees, the appointing supervisor may develop modified work schedules providing for flextime or compressed work schedules. "Flextime" is a schedule which offers management a choice, within limits, to vary employee arrival and departure times from work. A "compressed work schedule" allows management to schedule the basic work requirement in less than the usual five workdays a week.

31.12 Retirement Plan

Retirement Plan

Full Time Employees with continuous months of service who satisfactorily completed their probation period will be eligible to participate in the retirement plan. This retirement plan will be paid 100% by the employer; the base payment will be 5% of gross salary.

Participation is restricted to employees whose wages are subject to payroll taxes and are reported on W-2 forms. The employee's social security number will serve as a membership number. After one completed calendar year of employment, full time employee will be eligible to participate in the

Retirement plan.

Current is not active/available (2017)

32. Policy: Orientation & Staff Development

32.1 Orientation Period

A. ORIENTATION PERIOD FOR NEW HIRE POLICY

Our House Policy for orientation period for new hire is:

- **Length of Orientation Period:** The usual length of the orientation period is 3 months, which can be extended at Our House's discretion.
- **Purpose of the Orientation Period:** The purpose of the orientation period is to permit the employee to learn what is involved in the position and to demonstrate capacity for performance. It is also a period for both the employee and the employer to evaluate if this is an appropriate and suitable fit between all parties concerned. If at any time before the completion of the 3 month orientation period, the employee's performance or other employment conditions have not been satisfactory, the supervisor, may recommend termination of the employee's services. Likewise, the employee may resign at any time during the 3 month orientation period.

32.2 Orientation for Volunteers

1. B. ORIENTATION PERIOD FOR VOLUNTEER POLICY

Our House Policy for orientation period for volunteers is that:

Direct service provider volunteers: These volunteer provides direct service to consumers and their children. Their orientation period is the same as for employees. These volunteers receives job descriptions and are trained by their immediate supervisor on their role and responsibilities.

Educational advocate volunteers: These are volunteers who assist with conferences, workshops, rallies, and outreach awareness. These volunteers are required to sign confidentiality forms and to be informed of our services. These volunteer do not have direct contact with our consumers.

Student, Intern, and CDW volunteers: These volunteers are required to complete the confidentiality form and to be instructed on their daily duties by

a supervisor on staff. The number length of commitment for these volunteer range between 10-40 hours, yearly.

32.3 Staff Development

C. STAFF DEVELOPMENT POLICY

Our House Policy for staff development (in-service training) is:

- That Our House share have at least 10 staff meetings per year.
- That all Our House full time staff received at least 6 staff development (in-service training) trainings each year. The staff development will consist of:
 - Domestic violence related topics
 - Review of policies and procedures
 - Code of Ethics at least one a year
 - Confidentiality policy at least one a year
- That all full time staff must participate in at least 6 staff development a year
- That all part-time staff must review the minutes of the staff development with their immediate supervisor within a two week period.
- That staff development also consist of employees participating in webinars and writing an assessment report on the webinar.
- That staff, if funding allows, shall be offered an opportunity to attend outside continuing education sessions.
- Documentation of outside training will be maintain in each employee personnel file.
- Documentation of in-service/ staff development will be maintain in the staff meeting folder with a copy of meeting sign in sheet
- Documentation of orientation will be maintained as a form of evaluation in each employee's personnel file folder.

Our House supports the concept of staff development. Our House supports learning through an individual supervisor, peer group supervision, special case consultations, a library of professional periodicals and books and other in-service learning activities.

Additionally, Our House may provide, at the Chief Executive Officer's discretion, educational leave and financial support for professional learning at workshops or conferences that meet specific Our House and individual needs and as Our House resources permit.

32.4 Training Policy

D. TRAINING POLICY

Our House Policy training policy for staff is:

- That all new hire are required to receive at least 40 hours of training covering reviewing the policy and procedure manual, domestic violence training manual, shelter orientation packets and all forms related to services.
- That all current full time employee, including Executive Director, receives at least 20 hours of continuous training each calendar year of employment.
- All part-time employee received at least 10 hours of continuous training each calendar year.
- Document for training will be maintain in each employee personnel file and/or record on the staff minutes for staff development/in service training.
- That Training for staff, volunteers and board member may consist of the following categories. ***Special attention will be given to understanding trauma and engaging in trauma-sensitive practices.*** This is not an exclusive list only an example of topics.

a) Awareness Issues

- *Power and Control Wheel*
- *Equality Wheel*
- *Effects on Victims*
- *Clarification of Myths*
- *Cycle of Violence*

- *Why Women Stay*
- *Effects on Children*

- *Stages of Battered Victim's Experience*
- *Why Men Bother*
- *Lethality Assessment*

b) Crisis Intervention/ Counseling Issues

- *Strategies and Techniques*
- *Empowerment*
- *Problem Solving*
- *Safety plans and/or goals*
- *Crisis Counseling*
- *Communication*
- *Listening Skills*

● c) Cultural and Lifestyle Issues

- *Homophobia*
- *Diversity*
- *Racism/Ageism/Sexism/Classism*
- *Religious Issues*
- *Disabilities*
- *Cultural/ Language*
- *Drugs/ Alcohol*

d) Legal Issues

- *Warrants*
- *Laws*
- *Law Enforcement Response*
- *Child Custody*
- *Protection Orders*
- *Courts*
- *Judicial Response*
- *Perpetrator Treatment*

e) Confidentiality Issues

- *Policies/ Requirements*
- *Implications for Record Keeping*
- *Exceptions to Confidentiality*
- *Legal Issues*
- *Response to Subpoenas*

f) Types of Victimization

- *Child Abuse*
- *Physical Abuse*
- *Elder Abuse*
- *Sexual Abuse – Rape and Adult*
- *Mandated Reporting*
- *Survivors of Childhood Sexual Assault*

g) History/ Philosophy of Battered Women’s Movement

- *National, State*

h) Community Resources

- *Information on Resources Available*
- *Advocating on Victim’s Behalf*
- *Networking*

i) Emergency procedures training is required to understand universal precautions and handling a fire extinguisher

32.5 Training for New Executive Director

E. TRAINING FOR NEW EXECUTIVE DIRECTOR POLICY

Our House Policy for training new Executive Director is as follows:

- The new Executive Director should review the Domestic Violence Training Manual and MCASA Training Manual and make a verbal report to the Board of Trustees on the contents of the Manual within the

first 60 days of employment.

- The new Executive Director should make an appointment with the current Director or President of the Mississippi Coalition Against Domestic Violence & current Director or President of the Mississippi Coalition Against Sexual Assault to review the minimum standards of operation, and the certification process within her/his first eight weeks of employment.
- The new Executive Director shall receive training within the first 30 days on the fiscal policy and procedures for the daily financial operation by the current financial officer and the Board President.
- The new Executive Director will adhere to the overall training policies for all staff.

33.Policy: Romantic Relationships

33.1 Romantic or Sexual Relationships

ROMANTIC OR SEXUAL RELATIONSHIPS POLICY

Consensual romantic or sexual relationships between managers or supervisors and subordinate employees often lead to unhappy complications, uncomfortable working relationships, morale problems, sexual harassment claims and the appearance of impropriety, leading to difficulties for employees, supervisors, and Our House. Our House strongly discourages workplace romantic or sexual relationships between the employees, as they are usually contrary to the best interests of all parties and Our House.

It is the policy of Our House that managers and supervisors are strictly prohibited from engaging in consensual romantic or sexual relationships with any employee(s) in his or her direct line of supervision, regardless of location. Any manager/supervisor who violates this policy will be subject to termination.

If a romantic or sexual relationship between a manager or supervisor and an employee should develop, it shall be the responsibility and mandatory obligation of the managing supervisor to disclose promptly the existence of the relationship to the Chief Executive Officer. The employee may make the disclosure as well, but the burden of doing so shall be upon the manager or supervisor. Failure to report such a relationship subjects the manager or supervisor to disciplinary action.

In cases of married couples where both spouses are employed by Our House, it is the burden of both employees to report the marriage to the Chief Executive Officer.

In addition, and in order for Our House to deal effectively with any potentially adverse consequences which might result from such a relationship and the working environment which it might cause, an employee who believes that he/she has been adversely affected by such a relationship, notwithstanding to disclosure, is encouraged to make his/her views about the matter known to the Chief Executive Officer. Alternatively, such an employee may report adverse affects to his/her supervisor, at which time said supervisor will treat the report as a claim of harassment under the harassment policy set forth in this handbook. If the supervisor is an involved party, then the employee can make

a report to the Chief Executive Officer or the next level in the chain of command that does not involve the supervisor.

This policy shall apply without regard to gender and without regard to the sexual orientation of the participants in a relationship as described above.

Of course, romantic or sexual relationships between employee and a client or resident are strictly prohibited under all circumstances.

34. Policy: Safety of Person & Facility

34.1 Toxic Substance

A. TOXIC SUBSTANCE POLICY

All toxic substance shall be maintain in an upper cabinet out of reach for children or locked room.

34.2 Universal Precautions

B. UNIVERSAL PRECAUTIONS POLICY:

Hand washing instruction shall be posted at all of Our House's facilities. Information on the importance of the universal precaution policy will be placed in the shelter's orientation manual for consumers.

34.3 Fire Extinguishers & Smoke Alarms

C. FIRE EXTINGUISHERS & SMOKE ALARMS POLICY:

Fire extinguishers must be inspected annually by an approved vendor (usually the supplier of the extinguisher). The extinguishers should be checked monthly. Smoke alarms should be checked monthly for operation and the batteries replaced twice a year. Records for the maintenance of these inspections will be kept in a folder at the shelter and in a folder at the administration office. The New Beginning Shelter will be inspected and approved annually by the Fire Marshall or Chief (or designee) of Washington County. These inspection will be file for at least 5 years in the Fire Inspection folder at each facility.

34.4 Maintenance of Electrical System

D. REGULAR MAINTENANCE OF ELECTRICAL SYSTEM POLICY:

The following items will be checked daily by staff

- Fraying wires
- Wear around outlets
- Wires and plugs beneath carpets
- Overload of outlets
- No open sockets or electrical outlets
- No extension cords

34.5 Upkeep of Facilities

E. GENERAL UPKEEP, MAINTENANCE, AND REPAIR OF THE FACILITY POLICY:

The following will be checked by staff daily. Staff will recorded on their time sheet the monitoring of these concerns:

- That there is no gas leak, checking the circuits
- That the temperature in shelter is below 80 degrees in the summer and above 60 degrees in the winter.
- That the floors, bathrooms, and food preparation areas must be kept clean.
- That there are functioning hot water in all areas of kitchens and bath areas.
- That there are functioning (flushing) toilets in all bath areas.
- That there is adequate security on doors and windows.
- That all appliances in working order.
- That food items are properly stored; no uncovered food in cooler or freezer; and no food stored on the floor.
- That the roof free from leaks.
- That the drains are unclogged.
- That the consumer is safely using the bunk beds.
- That the disposal of garbage and trash is done in a sanitary manner.
- That terminix pest control is contacted the control of insects and

rodents. A copy of the yearly contract will be kept in the Finance Office

- Currently, Our House, Inc. do not have an outdoor play area. Safety is first.

34.6 Emergencies

F. EMERGENCIES POLICY

Our House believes the safety of our consumers and staff are a major concern and every effort will be made to ensure their safety and to document all incidents of emergencies. Below are our procedures for emergencies. Note: All Fire and safety drills must be documented by staff and maintained in a special folder.

The following are our emergencies protocols:

Inclement weather (to include provision for emergency lighting)

Policy: All consumer and staff are to go to the further closet and wait out the storm. Emergency lights are placed in the shelter and the batteries are checked monthly.

Escape routes Policy: All escape routes are posted at the shelter and administration facility in every room.

34.7 External Threats

G. EXTERNAL THREATS LURKING IN THE CYBER WORLD POLICY

When staff or consumer operate online, our agency is prone to massive external threats from thieves and viruses. The internet space is our outside environment and our company's website is our physical office. All computers are to maintain an **Anti-Virus Program**. **This will protect our data and information from hackers.**

All consumer's web based mobile phone are to be turned off with the tracer off or the battery removed when consumer are in the shelter. Due to the newest

technology, GPS locators can be traced. For the safety of all consumer and staff at the shelter facility, consumers are not allowed to utilize their personal cell phone at the shelter. They may use their mobile phones at the Administration office.

34.8 Physical Security

H. PHYSICAL SECURITY POLICY:

To understand physical security, we first need to understand *physical threats*.

There are three main types of physical threats:

External physical threats:

- Flooding, lightning, earthquake, wind, tornado, hurricane, ice, fire, chemical

Internal physical threats:

- Fire, environmental failure, liquid leakage, electrical interruption

Human physical threats:

- Theft, vandalism, sabotage, espionage, errors

To prevent these threats from becoming reality, *physical security controls* are implemented. Our physical security controls include:

Exterior physical security controls:

- Bar doors, Video camera

Entrance physical security controls:

- Doors and Gates with Locks
- Alarm system with key cards

Administrative physical security controls:

- Security Codes and Escorts to and from shelter

Property physical security controls:

- Monitoring/Detection Systems, Lighting by Security Plus

Environmental physical security controls:

- HVAC System, Power Protection, Water and Fire Protection/Monitoring

34.9 Safety and Evacuation

I. SAFETY AND EVACUATION POLICY

Safety and Evacuation Plan are randomly conducted. A safety and evaluation plan is put into place to protect employees, clients and visitors in case of disaster.

Part of this policy is for staff to:

- Assure that all consumers and visitors are accounted for prior to exiting the building.
- Direct consumers to the nearest exit for departure from building.
- To encouraged consumers to exit without talking in order to hear instructions from staff.
- Recount for all consumers and visitors after evacuation of building to assure that all persons have left the building. Each staff department head is responsible for their employees, clients and any/all visitors for their department during an evacuation.
- Have access to building floor plans, alarms and fire extinguishers.
- Quarterly conduct a walk through evacuation drill to review various routes for exiting buildings to assure that no area is cluttered or

blocked.

Handicap Instructions: Should there be a handicap person (wheelchair or other); staff is to assist them first to the nearest exit door.

Emergency call list: Staff on duty at each location 507/509 Central or 1213 VFW Road, Greenville, MS should maintain a wallet size listing of all employees emergency numbers. Staff cut all utilities off, i.e. water line, gas main valves, and electrical lines.

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34.11 Specific Building Emergency Plans

J. SPECIFIC BUILDING EMERGENCY PLAN POLICIES

507/509 Central Street Policy

- Staff shall lead clients out of the front exits doors.
- If front doors are blocked, they should precede to the back exit doors.
- If all doors are blocked, they should go out of side windows.
- Building is on first floor.

1213 VFW – Administration Building Policy

- Staff should lead all persons to the center of the hall way.
- Upstairs administration and program staff should go to the nearest exit stairway to their office and meet in the downstairs lobby.
- Staff on the first floor should head to the lobby of the building.
- All staff should exit from the lobby of the building.
- If the lobby doors are blocked, staff should depart from the exit doors in the main conference room.
- Staff can leave from the back door.
- All staff should meet in the front parking lot for a head count of employees.
- Staff is to make sure all visitors are account for prior to leaving the building.

1213 VFW – Gym Area Policy

- Staff should exit out of the nearest exit doors, there are four doors.

- Do not go to the entrance door that leads to the drama room.
- After departing from the side exit doors, staff should had to the front of the administration building for a head count.
- Staff is to make sure all visitors are account for prior to leaving the building.

1 2 1 3 VFW – Drama Room Policy

- Staff should exit out of the nearest exit doors, there are four doors.
- After departing from the side exit doors, staff should had to the front of the administration building for a head count.
- Do not try to leave by going through the gym area.
- Staff is to make sure all visitors are account for prior to leaving the building.

3 4 . 1 2 Fire & Tornado

K. FIRE & TORNADO DRILLS POLICY:

507/509 Central Street

Fire drills will be held once a month. The signal is 2 short rings of the bell.

Instructions:

- Persons at 507 should walk to front door exit without talking.
- Persons at 509 should walk to back door exit without talking.
- If either door is blocked persons should exit from opposite entrance door or from bedroom windows.

Tornado drills are signaled by 5 long rings of the bell.

Instructions:

- Walk to the proper place in the living room area of building nearest to the front room doors (if possible both side of the building should meet in 507 living room);
- Sit on floor with head down and covered, and back to the wall;
- Staff and clients should not talk because they will not be able to hear the

instructions.

Disaster Supplies Kit should be kept in the kitchen of both facilities Containing--

- First aid kit and essential medications.
- Canned food and can opener.
- At least three gallons of water per person.
- Protective clothing, bedding, or sleeping bags.
- Battery -powered radio, flashlight, and extra batteries.
- Special items for infant, elderly, or disabled family members.
- Written instructions on how to turn off electricity, gas, and water if authorities advise you to do so. (Remember, you'll need a professional to turn natural gas service back on.)

Stay Tuned for Storm Warnings

- Listen to your local radio and TV stations for updated storm information.
- Know what a tornado WATCH and WARNING means:
 - A tornado WATCH means a tornado is possible in your area.
 - A tornado WARNING means a tornado has been sighted and may be headed for your area. Go to safety immediately.

When a Tornado WATCH Is Issued...

- Listen to local radio and TV stations for further updates.
- Be alert to changing weather conditions. Blowing debris or the sound of an approaching tornado may alert you. Many people say it sounds like a freight train.

When a Tornado WARNING Is Issued...

- If you are inside, go to the safe place you picked to protect yourself from glass and other flying objects. The tornado may be approaching your area.
- If you are outside, hurry to the main building or lie flat in a ditch or low-lying area.
- If you are in a car or mobile home, get out immediately and head for safety (as above).

After the Tornado Passes...

- Watch out for fallen power lines and stay out of the damaged area.
- Listen to the radio for information and instructions.
- Use a flashlight to inspect for damage and do not use candles at any time.

1213 VFW Road

Fire drills will be held once a month. The signal is 2 short ring of the bell.

Instructions:

- Walk to proper exit without talking.
- Staff and clients in restrooms, drama room, auditorium or gym should go directly to the nearest exit.

Tornado drills are signaled by 5 long rings of the bell.

Instructions:

- Walk to the proper place in the hall directly in the center to the nearest exits;
- Sit on floor with head down and covered, and back to the wall;
- Staff and clients should not talk because they will not be able to hear the instructions.

Tornado Plan

- All persons in the building should go to the ladies bathroom on the first floor or to the center of the hall way outside of the ladies bathroom in the first building.

Disaster Supplies Kit Containing--

- First aid kit and essential medications.
- Canned food and can opener.
- At least three gallons of water per person.
- Protective clothing, bedding, or sleeping bags.
- Battery -powered radio, flashlight, and extra batteries.
- Special items for infant, elderly, or disabled family members.

- Written instructions on how to turn off electricity, gas, and water if authorities advise you to do so. (Remember, you'll need a professional to turn natural gas service back on.)

Stay Tuned for Storm Warnings

- Listen to your local radio and TV stations for updated storm information.
- Know what a tornado WATCH and WARNING means:
 - A tornado WATCH means a tornado is possible in your area.
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- Listen to local radio and TV stations for further updates.
- Be alert to changing weather conditions. Blowing debris or the sound of an approaching tornado may alert you. Many people say it sounds like a freight train.

When a Tornado WARNING Is Issued...

- If you are inside, go to the safe place you picked to protect yourself from glass and other flying objects. The tornado may be approaching your area.
- If you are outside, hurry to the main building or lie flat in a ditch or low-lying area.
- If you are in a car or mobile home, get out immediately and head for safety (as above).

After the Tornado Passes...

- Watch out for fallen power lines and stay out of the damaged area.
- Listen to the radio for information and instructions.
- Use a flashlight to inspect for damage and do not use candles at any time.

34.13 Bomb Threat

L. REPORTING A BOMB THREAT POLICY

Remain calm. Do not alarm other consumers or employees.

IF THREAT IS BY TELEPHONE:

- Keep the caller on the line for as long as possible. Be polite and show interest.
- Ask: Location of Bomb, Time set to explode, Where is the bomb located?, What does it look like? What kind of bomb is it?, What will make it explode?, Did you place the bomb? Yes No, Why? What is your name?
- Do not hang up, even if the caller does. Not replacing the handset enables the call to be traced.
- If possible, write a note to a colleague to call the authorities or, as soon as the caller hangs up, immediately notify authorities yourself.
- If your phone has a caller ID display, copy the number and/or letters on the window display.

Note: Caller's voice and accent, background sounds, estimated age of caller, and Tone of threat

IF A SUSPICIOUS OBJECT OR PACKAGE IS FOUND:

- Do not touch
- Keep areas clear
- Contact authorities

Signs of a suspicious package include: No return address, Excessive postage, Stains, Strange odor, Strange sounds, Unexpected Delivery, Poorly handwritten,

- Misspelled Words, Incorrect Titles, Foreign Postage, and Restrictive Notes

IF THREAT IS BY LETTER:

- Do not handle more than necessary
- Where possible, the item should be placed into a plastic pocket to preserve any physical evidence.

WHEN CONTACTING AUTHORITIES

- Do not use mobile phones or other electronic equipment that may trigger a device.
- Turn off mobile phones

34.14 Security Bomb Assessment

M. SECURITY BOMB THREAT ASSESSMENT POLICY

Where possible, a threat assessment team shall communicate and consider the information available, assess the legitimacy of the threat and determine the course of action. Where concerns for safety exist **police shall be notified and requested to attend, manage the incident and investigate.**

34.15 Evacuation

N. EVACUATION POLICY

Our House staff will contact the police to assist with the evacuation the building.

- 1.) Employees and visitors should be prepared to evacuate and await further instruction from police.
- 2.) Evacuate the building as instructed to do so by the police.
- 3.) Persons may be asked to remove all personal belongings, such as bags and briefcases when evacuating.

34.16 Incident Recording

O. INCIDENT RECORDING POLICY

A Security Incident Report will be completed for ALL reported threats.

34.17 Hostage Prevention

P. OUR HOUSE, INC. HOSTAGE PREVENTION POLICY

It is Our House policy that all staff knows the lay out of the shelter and administration facility for speedy escape routes.

It is Our House policy that all consumers upon admission are given visual tour of the lay out of the shelter, especially the exits.

It is our policy that hostage drills are conducted at the same time as the fire drills are conduct.

To provide hostage take overs the following are in place:

- Locks: a solid dead bolt
- Doors: Solid core metal security doors
- Windows: that cannot manipulate from the outside.
- Alarm Systems: 24 hour monitoring system in
- Private Security: Proper monitoring of trees, shrubs, rocks, telephone poles, fences, cars etc. to make sure that they are not blocking the line of sight from the street.
- Safe Room: The kitchen is consider the safe room with a back entrance to the laundry room for hiding until police arrive.
- Details on how to act in a hostage situation is included in the shelter orientation manual.

35. Policy: Sexual Assault Services

35.1 Sexual Assault Training 101: Introduction

The Mississippi Coalition Against Sexual Assault (MSCASA) was created in 1988. It was formed when the Rape Crisis centers in Mississippi, several in existence since the 1970's, banded together statewide to expand education, training, and public awareness to address sexual violence in our society, forming a designated provider of these services.

Mississippi Coalition Against Sexual Assault is a non-profit organization supported by the Office on Violence Against Women, Office of Justice Programs, and the U.S. Department of Justice to provide training and technical assistance that builds upon strong community partnerships with the goals of strengthening services for victims of sexual assaults, dating violence, and stalking and promoting comprehensive prevention strategies around the state.

The **vision** of the MS Coalition Against Sexual Assault is to enhance services to victims of violence, educate the community, and provide resources, referrals, and outreach to those affected by sexual assault, dating violence, and stalking.

Rape crisis center programs are in Biloxi, Columbus, Greenville, Hattiesburg, Jackson, Meridian, Natchez, Oxford and Tupelo. Mississippi's nine (9) sexual assault centers provide core services to the sexual assault survivor and family members free of charge. Further information about the centers and the organization can be accessed through the website at www.mscasa.org.

This Training Manual, developed by the Board of Directors, Executive Director, staff and volunteers, was created to assist sexual assault victim Advocates with basic training skills that will assist in providing core and comprehensive services to victims/survivors and significant others, including family members. The goal of this manual is to 1) provide enough basic information to the Advocate at the beginning of employment to allow

understanding of specific and general dynamics of sexual assault, 2) help in understanding the needs of diverse communities and develop the skills necessary to work with diverse populations, 3) help develop core skills using role-plays and sample presentations, 4) build on and enhance skills already acquired through education and/or experience and 5) ensure that all of the information needed to provide victim services is within the scope of timely delivery.

35.2 Sexual Assault Definitions

INTRODUCTION

The table below is a condensed outline of the MSCASA Core and Enhanced services that are provided through the Sexual Assault Services Program (SASP) at each Rape Crisis Center. The mission of the SASP is to provide intervention, advocacy, accompaniment, support services, and related assistance for adult, youth, and child victims of sexual assault, family and household members of victims, and those collaterally affected by the sexual assault.

CORE AND ENHANCED SERVICES

Service	Goal	Action
24-Hour Hotline: Telephone hotline services that are available 24/7.	Provide immediate assistance to caller.	Action immediate communication
Information and Referral: Timely response to requests for information and assistance related to sexual violence.	Provide the person with specialized sexual violence related information and resources.	Referral provision survival hours

Crisis Intervention:	Reduce the level of trauma by strengthening coping skills.	Emp safe trau need
Timely response to victim in a crisis of sexual violence to address immediate needs.		

Advocacy/ Accompaniment:	Provide support, services and knowledge through relevant systems and providers.	Edu thrc justi mak
In-person personal support and acting on behalf of victims.		

Community Awareness/ Outreach:	Increase community’s awareness and knowledge about available programs and services.	Corr edu care colla
Inform public about sexual violence, programs and services.		

ENHANCED SERVICES

Service	Goal	Acti
System Coordination:	Develop client-centered comprehensive continuum of services for all victims.	Part disc effe dive
Development of relationships with programs/providers in providing an array of essential services.		

Counseling/Support Groups:	Assist in private and/or group settings in finding trauma centered resolutions in recovery.	Exp feeli envi actic
Individual and group guidance that assist in understanding the effects and responses to trauma.		

Prevention Education:	Increase awareness through institutions providing knowledge and education.	Rais by e cam mat
Inform diverse systems how to address effective strategies in preventing sexual violence.		

In the following chapters, you will find information detailing specifics of the above referenced module. This information is intended to guide and assist with training and understanding of sexual assault in the different areas where services are provided.

This chapter will attempt to define sexual assault to assist the advocate in understanding the diverse types of violent sexual acts, its history and the effects it has on society.

What is sexual assault?

Sexual assault is “any type of sexual contact or behavior that occurs without the explicit consent of the recipient.” Falling under the definition of sexual assault are sexual activities such as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape. The following terms and definitions describe the many categories of sexual assault.

- Rape: Forced sexual contact with someone who does not or cannot consent.
- Attempted rape: An unsuccessful effort to have forced sexual contact without consent.
- Child molestation: Any sexual contact with a child.
- Fondling: touching the private body parts of an individual without consent.

- **Incest:** Sexual contact between family members who are too closely related to marry.
- **Sexual harassment:** Unwelcome sexual advances, requests for sexual favors, other verbal, visual, or physical conduct of a sexual nature; sexual innuendo; offensive jokes; and repeated unwanted invitations.
- **Stalking:** Following and unexpectedly showing up to track an individual, threaten, or cause fear.
- **Sexual Abuse:** the sexual assault of children or other instances of ongoing sexual assault perpetrated by a person in a position of trust or intimacy.
- **Cyberstalking:** Electronically mail or electronically communicate to another repeatedly, whether or not conversation ensues, to threaten, terrify or harass.
- **Same Sex Sexual Assault:** When the victim and the perpetrator are of the same gender.
- **Forcible Sodomy:** Forcible sexual contact with the mouth and the anus.
- **Obscene Electronic Communications:** Any comment, request, suggestion or proposal by means of telecommunication or electronic communication which is obscene, lewd or lascivious with intent to abuse, threaten or harass any party to a telephone conversation, telecommunication or electronic communication.
- **Dating Violence:** A pattern of abusive and coercive behaviors used to maintain power and control over a former or current intimate partner.

Sexual assault is a crime of violence and can happen to anyone at any time. There are no boundaries of distinction as it crosses age, ethnic, gender and racial lines.

35.3 Crisis Intervention

Crisis Intervention

Crisis describes how a person's body and mind react to an event that is

unusual, particularly an event that is potentially life threatening. A crisis, or crisis reaction, is a response to a crisis situation or event. It is a normal reaction to an abnormal life event. So, when stress or a crisis occurs the equilibrium is thrown off balance.

Physical reactions to a crisis situation:

- Frozen Fright – physical shock, disorientation, immobilization and numbness (the body freezes and is unable to react).
- Fight or Flight – the body begins to mobilize, adrenaline and heart rate increases, sweating exhaustion and hyperventilating.
- Adaptation – when the body can neither fight nor flight and forced to adapt to unnatural situation.

Emotional reactions to a crisis situation:

- Stage 1: Shock, disbelief, denial. There is an initial cognitive reaction of shock (the mind cannot recognize the crisis event).
- Stage 2: Emotional confusion; fear, anger, guilt or self-blame, shame or humiliation (memory may be incomplete).
- Stage 3: Return to balance; equilibrium balance but different than before.

When responding to crisis, you may primarily function as an initial point of contact for the victim and a support/point person for them. The Advocate begins by providing a timely response in discussing and answering questions, and providing support for what the victim needs and is experiencing whether it is emotional or physical. Responding to the crisis by phone is made available 24 hours a day, seven (7) days a week. During the initial call or intake, the Advocate seeks to reduce the level of trauma experienced by the victim because of sexual violence by assisting victims in strengthening their coping skills through calmness, enablement and empathic response.

Crisis intervention is a process to help the victim:

- Understand what happened
- Realize that they are not alone, help is available
- Cope with reactions and prepare for long term responses
- Build on natural resiliency and strengths
- Problem solve around practical problems

Crisis intervention is not therapy and does not attempt to “fix” people. It involves the Advocate immediately addressing safety concerns; providing supportive assistance; responding to feelings expressed by the survivor and staying with her/his emotional focus; validating feelings and concerns; identifying and supporting strengths and healthy coping skills; helping the survivor anticipate the next steps; discussing decisions to be made; and providing educational information to address any misconceptions the survivor may have about sexual assault (e.g. self-blame).

During this phase of the hotline call or initial contact the Advocate is expected to be engaging and listening actively to the victim, responding with compassion and understanding.

Provide non-judgmental validation. This is an opportunity for the Advocate to explore and encourage expression of thoughts and feelings.

Offer reassurance and acceptance. Stay on track; why did they call and how can you help?

Facilitate the restoration of power and control for the victim. Explore all options and involve the victim in decision making.

Affirm or congratulate the victim’s decision to contact the agency rather than utilize an unhealthy coping skill.

Mobilize, support and discuss resources – Offer appropriate resources based on the victim’s specific situation.

Provide information about the effects of sexual violence and possible reactions to trauma

Provide general information about medical and legal issues

Demonstrate respect for cultural differences and practices

Discuss immediate, short-term, and long-term options.

Provide information about the extent and limits of privacy and confidentiality

If a client calls immediately after the attack, they may be experiencing crisis in the form of shock. If they call a week after the attack, the crisis may be brought forward by the treatment received from family, friends, the police or hospital staff. If they call months or years after the attack, they may be in a state of crisis brought forward by an activity, anniversary or incident that

triggered memories of the assault.

Information and Referral

Information and referral is the practice of bringing victims and services together. The information used to determine the most appropriate resource is usually collected from initial and ongoing assessments. Stated victim needs assist the Advocate in making appropriate referrals for the victim and their family. The Advocate should be aware of, and ready to refer to, internal resources within the agency and external resources outside of the agency.

Follow these guidelines when preparing victims for a referral:

- Ensure that the victim can articulate his or her needs.
- Check on victim eligibility and the appropriateness of the services.
- Summarize the services needed or delivered.
- Tell the victim what documentation to take to the appointment.
- Explain why it is important to attend a referral appointment.
- Discuss what the victim may expect to occur at the referral appointment.
- Provide the victim with the date, time, address, phone number, contact name for the referral appointment, and expectation of service.
- Discuss the expected cost of the visit.
- Discuss any barriers that the victim may face when accessing the referral, and find ways to address them.
- Systematically organize and provide multiple referrals as needed.
- Discuss how you will follow up with the victim after the referral appointment.
- Assist with Victim Compensation information.
- Refer clients to website links with current information about the crime and services

When finding and making referrals apply the five “R’s”:

1. Ready – Make sure the resource is readily available for the victim.
2. Relevant – The services must be relevant to the victim.
3. Relate – Relay the information to the referral source(s).
4. Revise – Revise on a periodic basis.

5. **Respect** – Victims must be treated with respect by referring agencies.

It is important to match each victim to the most appropriate service provider. If necessary, visit the referral source to be sure they are providing the services that the victim needs. Also, during your visit you may observe how clients are treated and if you'd like to continue using them as a referral source.

Maintain an updated referral network by following-up on current resources, ensure that the services desired are being delivered, and staying up to date on services provided. Be sure to document all referrals by including the service used, who referred the service, the reason for the referral and any feedback from the provider or the victim. Make sure that the victim is involved with the decision and that his or her needs are met. Always follow up with the victim after he or she has met with the referring agency.

The Three E's

If possible, advocates should attempt to utilize each of the three E's (empathize, educate, and empower) in every call at least once.

1. **EMPATHIZE:** Let the caller know that you are aware of the emotion that they are providing. This does not mean that you know/fully understand their situation, but you can understand why they are attaching this specific emotion to their story. The advocate should be comfortable with allowing emotions of all types to be expressed safely.
2. **EDUCATE:** In the conversation, you may have an opportunity to explore potential responses to sexual assault and trauma. This information can often be a source of comfort to the caller and can help explain potential resources for various responses.
3. **EMPOWER:** Take the time to remind the caller what steps they have taken. Focus on the power of embracing their specific emotions. Find strength in their story that they did not notice. Help them take the next step by reminding them that they have the power and control over their own life.

Advocacy/Accompaniment

The role of the advocate termed advocacy and/or accompaniment refers to in-person personal support and/or assistance in accessing sexual violence related services, and acting on behalf of and in support of victims. This may include responding to his/her medical emergency and accompanying or joining the victim at the hospital to provide support and facilitating communication

between him /her, significant others and the medical staff.

Always keep in mind that the client is your primary focus; it is on his or her behalf that you are advocating. The advocate might be the initial person on site with the victim while they make their first report to the police or accompany the victim to court, helping the client negotiate her/his way through the courts and other systems. These services may be provided on a 24-hour basis to ensure that victims' interests are represented and their rights upheld. The goal of the Advocate is to assist the victim in receiving needed services and adequate support, regain personal power and control, and gain knowledge of the medical and criminal justice system. Providing advocacy for the victim also include promoting responsiveness of individual service.

The Advocate is responsible for providing:

- Ongoing personal support to include outreach and personal visits (e.g. in-patient or residential care settings).
- Arranging for services to enhance recovery. This may include:
 - Follow-up health care
 - Finding safe housing or termination of a lease
 - Addressing missed work or related employment issues with employer
 - Assistance in making informed decisions about medical care (including forensic exam) and police reporting.
 - Accompaniment to medical exam, appointments, interviews, court proceedings and other necessary appointments or services.
 - Support in accessing civil remedies, such as referral to pro bono attorney.
 - Assist in preparing for court; informing the victim of his/her rights in legal settings.
 - Active monitoring of case through the legal system.
 - Aiding with sexual violence injunctions and other protective and no-contact orders
 - Assistance with Crime Victim Compensation applications.
 - On-going case management to ensure continuity of services, including advocating on clients' behalf with community governmental or criminal justice system based responders and service providers.

The Advocate should be flexible and willing to assist with the various challenges that may impede the victim's progress in achieving a sense of normality. This may include defining problems and identifying solutions, identifying resources, and communicating with resources in the community on behalf of the victim.

Establish a working relationship

Because victims are in the process of regaining trust, little things become important. Advocates should take care to keep appointments and follow through with what they have agreed to do – this is critical for establishing trust. Also, establish and maintain healthy boundaries for the relationship.

Finally, be clear about confidentiality and explain the agency's policies and procedures - including situations that *must* be reported, such as suicidal/homicidal ideation or child abuse.

Create a safe, accessible environment. It is the responsibility of the advocate to ensure that interactions with the client are "safe." Be clear about physical touching; any touch or closeness must be appropriate and occur only with clear permission of the survivor. This also includes ensuring that the physical/visual space in which you work together does not feel unsafe for the survivor.

35.4 The Sexual Assault Forensic Exam

THE SEXUAL ASSAULT FORENSIC EXAM

The “Rape Kit”

You may have heard the term “rape kit” to refer to the Sexual Assault Evidence Kit (SAEK). The term rape kit refers to the kit itself—a container that includes a checklist, materials, and instructions, along with envelopes and containers to package any specimens collected during the exam. The contents of the kit vary and may include:

- Bags and paper sheets for evidence collection
- Comb
- Documentation forms
- Envelopes

- Instructions
- Materials for blood samples
- Swabs

The Sexual Assault Exam

As an advocate, you may offer to transport or accompany the sexual assault victim to a hospital for medical care and to be seen by a sexual assault nurse examiner (SANE) or forensic medical examiner. The hospital should be one that has a SANE program. Understand that victims may feel embarrassed and humiliated that their bodies were exposed during the sexual assault and must be exposed again during the examination. Enter the examination room with the victim's permission but allow privacy when requested.

The length of the exam may take 2-4 hours, but the actual time will vary based on several different factors. The victim will be asked about current medications, pre-existing conditions, and other questions pertaining to their health history. The victim will also be asked about the details of what has happened to help identify all potential areas of injury as well as places on the body or clothes where evidence may be located.

Generally, what will take place during the examination includes an evaluation of the risks of having contracted a sexually transmitted disease or becoming pregnant (and that medications exist to prevent both); the taking of blood and urine specimens; and the collection of other physical evidence for DNA profiling, to aid in the apprehension and prosecution of the offender. **The exam** may include a full body examination, including internal examinations of the mouth, vagina, and/or anus. It may also include taking samples of blood, urine, swabs of body surface areas, and sometimes hair samples. The trained professional performing the exam may take pictures of your body to document injuries and the examination. With permission, they may also collect items of clothing, including undergarments. Any other forms of physical evidence that are identified during the examination may be collected and packaged for analysis.

A Sexual Assault Exam consists of the following steps. Each step should be explained to the victim by the SANE prior to conducting it. This will alleviate anxieties the victim may experience during the exam. The Advocate can help to create a calm and caring environment; reassuring the victim and providing comfort measures. It is strongly suggested that the Advocate talk to the victim during the process providing guidance and encouragement when things

become difficult. It may also be helpful to hold the victim's hand while being examined. Respect the victims' privacy when required during the exam.

Detailed Steps to a Sexual Assault Forensic Exam (Rape Kit)

Step 1: Foreign Material

- The nurse will ask the victim to stand over a piece of paper and undress. This collects foreign material that may be on the victim's clothes.
- A sheet can be held around the victim during this time to give her/him some privacy.

Step 2: Outer Clothing

- The nurse will place the outer clothing in a paper bag to facilitate drying.

Step 3: Contact

- Contact may be made for someone to bring more clothes, as their clothes will be sent as evidence.

Steps 4/5: Collection of undergarments for evidence

- The victim's bra and underwear will be collected as evidence.
- If the victim does not want to give her bra, tell her that she doesn't have to. If there could be DNA evidence on it, strongly encourage her to give it.

Step 6: Debris collection

- Any debris that may be on the victim such as dirt, leaves or fibers in hair may be collected during this step.

Step 7: Right hand fingernail scrapings

- The nurse will ask the victim to hold his/her right hand over a piece of paper and scrape their fingernails with a small plastic tool.

Step 8: Left hand fingernail scrapings

- The nurse will ask the victim to hold his/her left hand over a piece of paper and scrape their fingernails with a small plastic tool.

Step 9: Collection of dried secretions

- This step is to collect samples of fluids that may be deposited in/on an area other than an orifice.
- It is recommended that an alternative light source be used during this step.

Step 10: Oral and skin contact evidence

- The nurse will swab areas where the perpetrator's mouth encountered any non-genital part of the victim's body. (Ex: If he licked/kissed her neck, chest, arms, etc.) The swab may be moistened with sterile water before the collection is done.

Step 11: Pubic hair combings

- The nurse may ask the victim to perform this step. The victim will allow any evidence to be collected via the comb and droppings on a piece of paper.

Step 12: Pulled pubic hair

- The nurse may ask the victim to perform this step also. Check for any loose pubic hairs that may have been dislodged during the assault.

Step 13: Oral swabs

- The nurse will swab the mouth for any type of specimen. This is ONLY collected if mouth to genital contact occurred.

Step 14: Vulvar swabs

- The nurse will moisten swabs with water and swab the vulvar area.

Step 15: Vulvar/Penile swabs

- These swabs are ONLY collected if mouth to vulva for females or mouth to penis for male victims occurred.

Step 16: Vaginal swabs

- The nurse will perform a pelvic exam.
- Swabs will be collected from inside the vagina

- Photos may be taken any time during the exam to show that there is or is not any findings

Step 17: Rectal Swabs

- Swabs are not inserted, just swabbed around the area.
- This step checks for any DNA around the rectum.

Step 18: Collection of Pulled Head Hairs

- Hairs are pulled from the head to compare with hairs found at the crime scene or on the perpetrator.
- The kit asks for 5 hairs from 5 places on the head.

Step 19: Blood samples

- The nurse should draw the blood needed for the kit and DNA tests at the same time.
- The kit has an expiration date. The ONLY thing in the kit that can expire is the blood tube.

Step 20 / 21: Collection of other evidence

- Anything else that may need to be collected will be placed in the corresponding envelopes in the kit.

When the exam is over make sure the victim has clothing. If not, see if the hospital can give him/her something to wear or call a trusted friend or relative to bring some clothes. Be certain that the victim has a safe place to go. If the victim is okay, after discharge, you may accompany the victim to a safe place, if needed.

References

<http://www.calcasa.org/wp-content/uploads/2011/05/Training-Standards.pdf> California Coalition Against Sexual Assault

<http://www.ccasa.org/wp-content/uploads/2014/01/sexual-assault-advocacy-and-crisis-line-training-guide.pdf> Colorado Coalition Against Sexual Assault

<https://www.ovcttac.gov/> Office of Victims of Crime, Department of Justice

<https://www.rainn.org/articles/rape-kit> RAINN (Rape, Abuse & Incest National Network)

35.5 Responding to Sexual Assault

RESPONDING TO SEXUAL ASSAULT

“The life-stage a person was in when the abuse occurred is a factor in how a person experiences, processes and recovers from a sexual assault.”

Children

When children are victimized by sexual abuse, their psychological passage through the natural stages of growing up can be disrupted. In addition, the child—and later the adult—may have to cope with the trauma of the victimization again and again in each developmental stage of life.

Furthermore, child victims suffer not only the physical and emotional trauma of their victimization but, once the crime is reported, the trauma of being thrust into the stressful “adult” world of the criminal justice system. There, adults who were unable to protect them in the first place are responsible for restoring the child victims’ sense that there are safe places where they can go and safe people to whom they can turn.

Considerations for the victim may include:

- Choosing a secure, comfortable setting for interviewing child victims. Allow time for the child to establish trust and rapport with you.
- Talking in language appropriate to victims’ ages and, especially with young children, do not use jargon, long sentences, or a lot of pronouns that can be confusing.
- Assuring that they have done nothing wrong and that they are not in trouble.
- Complimenting victims frequently on their good behavior and for answering your questions., as well as for telling you when they do not understand a question.
- Being mindful of the limited attention span of children.

Childhood experiences, both positive and negative, have a tremendous impact on future violence victimization and perpetration, and lifelong health and

opportunity. As such, early experiences are an important public health issue. Much of the foundational research in this area has been referred to as Adverse Childhood Experiences (ACEs).

Adolescents

Throughout adolescence, teens are typically engaged in a process of forming their own identities independent of their families, largely influenced by their friends and social media. They are also influenced by internal hormonal activity causing rapid and sometimes mind-boggling growth, bodily transformation, and emotional mood-swings. It is during this already confusing and emotionally difficult time of life that many young people confront the problem of being sexually assaulted or abused. Types of victimization include stranger rape, acquaintance rape, incest, sexual abuse, as well as molestation and attempted rape.

Considerations for the victim may include:

- Entering the “advocate – teen” relationship as an ally. This is a great opportunity for the advocate and the young person to experience an equal power dynamic based on a respectful relationship.
- Recognizing – and respecting – the adolescent's ambivalence, cautiousness, and fears about seeking services will help establish rapport.
- Exploring adolescents' support systems.
- Giving information and letting them know that they are not alone in the dilemma.
- Understanding that teens may need to incorporate physical and emotional safety planning.

Male Victims

The male box is a symbol for what it is like to be “a man”. There are social “walls” and “boundaries” around us that impact how men behave. These walls make sure that men act according to the gender roles society has prescribed for them. Inside the box represents what society says is okay for men to be like or how to behave. Outside the box are terms men are called when they step outside the box and act differently than society's behavior code allows.

While survivors of sexual assault share many of the same feelings, there are issues that are unique to the male survivor. Like many survivors, male survivors may experience rage, self-blame, guilt, and other familiar reactions.

They may also develop special concerns about their own sexuality and a reluctance to seek help. The advocate should be aware of these issues that may affect male survivors and the approaches that can help in recovery.

Considerations for the victim may include:

- Ending denial by telling people who are safe for and important to the survivor.
- Building a support network.
- Addressing any coping mechanisms that have negative consequences.
- Addressing other effects that the violence has had on the survivor's life in a safe space.

Elderly

When older people are victimized, they may suffer worse physical, psychological, and financial injuries than other age groups. For example, when victims who are 65 years of age or older are injured, they are about twice as likely to suffer serious physical injury and to require hospitalization as any other age group. Because the physiological process of aging brings with it a decreasing ability to heal after an injury, older people may also never fully recover physically or psychologically from the trauma of their victimization. In addition, this trauma may be worsened by their financial situation.

Considerations for the victim may include:

- Being attentive to whether victims are tired or not feeling well.
- Asking victims if they are having any difficulty understanding you. Be sensitive to the possibility that they may have difficulty hearing or seeing.
- Giving victims adequate time to hear and comprehend your words during the interview.
- Asking questions one at a time, and wait for a response before proceeding to the next question. Repeat key words and phrases. Ask open-ended questions to ensure that you are being understood.
- Trying to reduce or minimize the stressors and pressures on victims. Be patient.

LGBTQI

Sexual assault can happen to any one regardless of race, ethnicity, class, age, gender, gender identity and expression, or sexual orientation. While the **LGBTQI** (lesbian, gay, bisexual, transgender, queer/questioning, and intersex) community is at approximately the same risk as heterosexuals of being sexually assaulted by someone they know, homophobia, biphobia, and transphobia put LGBTQI people at a greater risk of being a victim of sexual violence.

Considerations for the victim may include:

- Being sensitive to the victim's fear of exposure to insensitive or homophobic, biphobic, and transphobic responses from the criminal justice system, medical responders, and other support services.
- Allowing the victim to educate you about issues specific to LGBTQI victims.
- Making the victim comfortable by accepting differences.
- Being comfortable in providing advocacy to a multitude of complications related to employment, housing, education, financial safety, personal safety, and privacy.
- Being sure to separate what you want to know about them from what you need to know to best advocate for them. Knowing their gender identity and/or sexual orientation may not be relevant to the services they are receiving.

Persons with disabilities

Sexual victimization for people with a disability is much greater than for those who do not have a disability. Perpetrators specifically target this population under the assumption that victims will be unable to escape or report the crime. In addition, people who have a disability are often victimized repeatedly by the same perpetrators, who may be their caregivers.

Considerations for the victim may include:

- Asking victims if they have any special needs and using the word "challenged" rather than "disability."
- Asking victims directly how the two of you can most effectively communicate with each other and how you can best assist them.
- Speaking directly to victims, even when they are accompanied by another person.
- Listening to your tone of voice and monitor your behavior to make sure

that you are not talking down to victims or treating victims as children.

- Never assuming that people with disabilities suffer less emotional trauma and psychological injury than other crime victims.

Intimate Partner Violence

Intimate Partner Sexual Violence (IPSV) is a comprehensive term that includes not only marital rape, but all other forms of sexual violence that take place within a current or former intimate relationship. Sexual assault may occur in the context of any relationship – whether partners are legally married, living together, or dating and regardless of whether they are in gay, lesbian, or heterosexual relationships. IPSV often occurs repeatedly within a relationship and involves both sexual assault and domestic violence.

Considerations for the victim may include:

- Explaining that because rape is often falsely characterized as non-consensual sex between two strangers, survivors may have difficulty identifying IPSV as a crime.
- Following his/her pace and body language while being aware of your own feelings.
- Ask about other violence within the relationship such as physical or emotional abuse.
- Being careful not to judge the victim's decisions.

Drug-Facilitated Sexual Assault

Victims of drug-facilitated sexual assault may “come to” with a confused, groggy feeling. They may have partial or complete lack of memory of the situation and be slow to put the pieces back together. Not knowing what happened, their reactions may understandably be more exaggerated than victims who remember the details. They may feel a sense of helplessness, undirected anger, guilt or shame, and tremendous anxiety about unknowns. Because drug induced scenarios are difficult to prove and prosecute, they may experience even more frustration with the legal process than other victims.

Considerations for the victim may include:

- Explaining to the victim that perpetrators often take advantage of someone who is intoxicated and/or voluntarily taken recreational drugs.

- Exploring other methods by which the victim was drugged
- Understanding that the victim may have partial or complete memory loss
- Be patient. The victim may have undirected anger, guilt, and tremendous anxiety
- Encouraging him/her to get to a hospital as soon as possible as evidence is time sensitive.

DOCUMENTATION

Documentation records the work the Advocate does with the victim and collaborating agencies. When taking, and keeping notes, a “less is more” approach is advised. The Advocate should be careful to record and retain only the minimum amount of information needed in each case.

The purpose of documentation is to:

- Maintain proper service delivery
- Coordinate services
- Supervise worker or victim progress
- Evaluate services
- Provide accountability to victims, agencies and other providers.

One way the Advocate can make sure he/she isn’t inadvertently recording information that could cause a victim to lose trust in the victim service provider is to have a computer screen or papers where the victim can see what you are recording about them, their story, and their personal identifying information.

Some victim service providers believe that the only way that they can provide any help to a victim at all is to solicit a full history from a victim regardless of the purpose for doing so. Victims maintain the right to control how much they share with victim service providers, especially since as a victim of a crime they likely had control over the most personal of things taken away from them by the perpetrator. In truth, the Advocate can provide a lot of help and support to a victim without soliciting sensitive and invasive information about past, unrelated victimizations.

Increasingly, the National Association of Social Workers’ ethical principles and risk management concerns have influenced the way that social workers/Advocates write and document their practice. The following is a guide

for Advocates to use when recording notes.

Remember: what you put into written form may be scrutinized and if it is not documented it hasn't been done.

Key elements of documentation:

- Write just enough to make your point. Include enough, but not too much detail. Do not over document by including irrelevant details.
- Use correct grammar and spelling. Lack of writing skill lowers your credibility.
- Print or write legibly.
- Document what you know (direct observation), not what you think.
- Be specific and avoid characterizations like “poor outcome”, “good result”, “moderate compliance,” “drunk,” “aggressive,” or “combative”.
- Document in a timely manner to preserve accurate recollection.
- Avoid acronyms and abbreviations unless they appear on an approved list.
- Use precise descriptions and specific language.
- Avoid vague language or ambiguity. Vague language includes phrases such as “it seems,” “I suppose,” “it appears,” “I believe,” and “I feel.”

Documentation should be objective and factual describing only the events connected to each contact with the victim or on behalf of the victim. It should include:

- **Date of service**
- **Staff who provided service** (use in third person i.e., Advocate, Volunteer, Supervisor, etc.)
- **Type of contact or interaction** (Remember that interactions can be office or home visits, phone calls, court accompaniments, referrals, etc.)
- **Purpose** (Why did victim come in or call? What is the purpose of the contact? What is the goal of the contact or interaction?)
- **Type of service provided** (Enter the type of intervention, e.g. What did you do? What happened? What was discussed? Service needs identified? Mental health needs identified? Fill out the assessment and service plan. What did you recommend?)
- **Individual to whom service is provided** (use in third person rather than name; i.e., Victim, Client, etc.)

- **Reason why service is needed**
- **Provisions for future or ongoing service and follow-up** (What are the next steps agreed upon between you and the victim? Who will do what? What will the victim do? What will you do? What is the timeframe? What referrals did you make?)

The documentation should reflect a start and end time and use specific brief descriptions. Over-documenting a face-to-face visit or contact should be avoided.

Confidentiality

Confidentiality refers to the agreement between the program and the victim/survivor about how his/her personal identifiable information will be handled. It is important to maintain confidentiality because it is the victim's right, it gives the victim more control and the ability to make informed decisions about whom to tell, and promotes safety of disclosure.

Advocates have a responsibility to maintain confidentiality, to the limits of the law, about each case with which they are involved.

Sexual assault may represent a loss of control. It is extremely important that the victim can retain control after the assault. Deciding who will know about the sexual assault is an important part of regaining control. Maintaining confidentiality is one way to help the victim regain control over who does and does not know that the sexual assault occurred.

The fundamentals of releases and waivers:

- A victim should be notified of what is happening with his/her information and who has access to the information. This includes any legal Duty to Share information or any other limits to confidentiality
- Releases of information should be victim-initiated and victim-centered to enhance the services provided to the victim.
- It's the victim information. It's his or her choice as to what information is shared and with whom the information is shared.
- This includes what information may be included about the victim in a database.
- A written release is required any time that personal information is shared outside of a confidential relationship.
- Before obtaining a release, determine whether there is another way to

meet the victim's needs without revealing his/her confidential information.

- The who (Who are you? /Who are the partners?) and what (What is your role and obligation for maintaining the confidentiality of the victim?) will guide you in whether you need a release.
- An agency can't require a victim to sign a consent form to allow the release of information to receive services. Agencies don't need a signed waiver to allow the release of information from a victim to provide him or her with services.

Maintaining confidentiality means:

§ Not talking to the media about the case without the victim's permission.

§ Not using the victim's name when discussing the case with coworkers.

§ Not discussing cases with your family.

§ Not talking about cases on an elevator or in a public place.

§ Not using any details of cases, even anonymously. Especially in a small community, it is all too easy to breach client confidentiality unknowingly.

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35.6 Prevention Education

In this Chapter, we will explore prevention and prevention education, community awareness and outreach.

PREVENTION

The goal of sexual violence prevention is simple—to stop it from happening in the first place. The solutions, however, are just as complex as the problem.

Prevention efforts should ultimately decrease the number of individuals who perpetrate sexual violence and the number of individuals who are victims. Many prevention approaches aim to reduce risk factors and promote protective factors for sexual violence. In addition, comprehensive prevention strategies

should address factors at each of the levels that influence sexual violence—individual, relationship, and community.

The most common prevention strategies currently focus on the victim, the perpetrator, or bystanders. Strategies that try to equip a potential victim with knowledge, awareness, or self-defense skills are referred to as “risk reduction techniques.” Strategies focused on a potential perpetrator attempt to change risk and protective factors for sexual violence to reduce the likelihood that an individual will engage in sexually violent behavior. The goal of bystander prevention strategies is to change social norms that accept violence and empower men and women to intervene with peers to prevent an assault from occurring.

Bystander Intervention

Bystander intervention is an inclusive prevention strategy aimed at reducing violence by increasing awareness of issues and empowering individuals to speak up when witnessing potentially violent situations.

Bystander intervention is the acknowledgment that most of us are not perpetrators of abuse and do not support these attitudes and behaviors. Many people witness various forms of violence but don't define it as such. For instance, if you overhear sexist comments being made by males about a passing female, you are witnessing a form of sexual violence. Although it may feel uncomfortable to intervene, we have a moral responsibility for taking action.

People often tend to shy away from what might be considered “not our business.” By not speaking up and intervening when we see abusive acts, we send the message that these forms of violence are acceptable. Men have an unnamed stake in increasing awareness and prevention of sexual violence. Men know girlfriends, sisters, wives, daughters, and friends, including other men and boys, who are affected by sexual assault. Men are equally outraged by acts of abuse that a small minority of men perpetrates against many, and they need to know that other males who feel correspondingly support them. The public focus needs to shift from men as potential perpetrators to men as potential allies as well as individuals who have experienced sexual assault and been affected by violence perpetrated against friends, family members, loved ones, etc.

"In the end, we will remember not the words of our enemies but the silence of our friends."

– Dr. Martin Luther King Jr.

PREVENTION EDUCATION

Primary prevention prepares communities to stop sexual violence before it occurs by engaging local and state sexual assault and public health experts in promoting protective factors and reducing risk factors. These efforts are comprehensive, multidisciplinary, and informed by the best available data and evidence. Primary prevention involves a continuum of activities that provide developmentally appropriate behavior change skills throughout the lifespan. Empirical evidence shows that primary prevention programs are more likely to stop sexual violence across a lifetime than any other single intervention.

Through prevention education the Advocate instruct general members of the community about how to appropriately address sexual violence and make available education and effective strategies as to how to prevent it. This is achieved through educational institutions and sponsorship. This helps to increase community awareness through community agencies, clubs, organizations, health care institutions, law enforcement, other allied professionals, youth-serving organizations and under-served populations; as well as survivors.

The Advocate may address prevention education in the community by:

Awareness raising efforts
Educating multiple systems of care (schools, medical, law enforcement, etc)
Integration of skill building and role play prevention
Distribution of materials
Providing education on sex offending behaviors
Providing interactive instructions in presentations

Community Awareness and Outreach

It is central for Advocate to assist in increasing public awareness and knowledge about the issues and prevalence of sexual violence and to make the community aware of available programs and services that address the needs of the survivors.

Outreach Strategies for Sexual Assault Advocate

Reaching Out to Survivors of Sexual Assault

- Include diverse images of individuals on written materials addressing sexual assault
- Include articles of sexual assault in agency newsletter.

Facilitate Presentations

- Include examples of victims in presentations about sexual assault.
- Invite victims to participate on survivor panels. (Consider safety options)
- Facilitate presentations and available services at various types of events and forums.
- Talk to audiences as if they might be victims or may know victims.
- After presentations, stay and join activities or visit to build relationships.

Attend Events Where Older Individuals Gather

- Host a booth at events where individuals gather offering information on sexual violence and give-away items.
- Purchase give-away items (e.g., pens, magnets, magnifying glasses) that have contact information for APS, domestic abuse programs, victim advocacy, and aging services along with other aging network services phone numbers so an abuser will not get suspicious.

Make Your Agency Accessible and Welcoming

- Display information in your office that would be useful for victims
- Create a service directory of resources for victims of sexual assault in your community.
- Wear a button or have a sign in your office stating that you are someone who listens to questions about abuse.

Build Relationships with Professionals from Other Disciplines to Increase Referrals

- Organize cross-training of sexual assault victim advocates, aging services, and APS staff.

- Organize training for other allied professionals like law enforcement, prosecutors, Judge's, health care professionals, and Faith communities.
- Organize brown bag lunches with other professionals who work with older victims to network and discuss successes and challenges.
- Provide information on abuse in later life at elder abuse and aging conferences and events.
- Research abuse in nursing homes, assisted living, and other regulated facilities in your area. Offer to provide training to staff on identifying and responding to abuse.
- Provide information to beauty parlors, dentists, and massage therapists.

Enhance Public Awareness

- Write articles for your local newspapers and newsletters.
- Include victims in activities for Sexual Assault Awareness Month (April) and National Victims' Rights Week (April).
- Distribute materials where older people gather. Put up posters in clinics frequented by older patients, beauty parlors, grocery stores, and senior centers.
- For radio and television public awareness messages, target public service announcements and/or advertising, specifically mentioning abuse in later life.

Commonly, April is Sexual Violence Awareness Month nationwide. Advocates can involve their communities by hosting and participating in events and forums, public speaking and distribution of materials. Providing the community resources and information about sexual violence should be continuous through educating multiple systems of care and with all cultures within the community.

System Coordination

The coordination of service systems entails the development of working relationships and agreements (formal and informal) among programs and providers with a role in the provision of sexual violence services, to ensure a victim's access to the full array of both core and enhanced services. The goal here is to operate a permanent, client-centered system which offers a comprehensive continuum of sexual violence services for all victims, regardless of gender, sexual orientation, race, religion, color, age, ancestry,

ethnic background, language, socio-economic, or immigration status, which is mutually accountable despite individual changes over time in regulations, procedures or people who provide services.

Advocates, when collaborating with other organizations through the coordination of systems should:

- Clearly define the problem or issue to be addressed.
- Invite all key stakeholders and change agents to the table; develop mission or vision statement
- Seek out and respect diversity.
- Analyze the problem or issue; assess gaps in services and barriers to services with the goal of minimizing.
- Brainstorm possible strategies or solution; develop measurable objectives.
- Assign goals and objectives in order of priority.
- Develop and assign responsibilities for action.
- Develop a timing and action schedule.
- Develop memorandums of understanding and interagency agreements.
- Develop a list of resources for success.
- Pay significant attention to evaluation and performance measures; accountability
- Establish methods of ongoing communication.
- Make a commitment to manage change.
- Develop recommendations for “fine tuning” ongoing strategies for success.
- Make efforts to identify other initiatives that could benefit from collaboration.

Participating in or establishing a local Sexual Assault Response Team (SART)/multidisciplinary sexual assault coordinating council is strongly encouraged. System coordination should include partnership with disciplines from law enforcement, district attorney, hospitals, social service organizations. With these disciplines at the table discussion of improvement of sexual assault response, seamless referrals and service provision should be priority.

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36. Policy: Subpoenas/Warrants

36.1 Definitions Policy

DEFINITIONS POLICY

Arrest Warrant – an order from a court that gives law enforcement the authority to arrest specified person/s who are suspected of having committed a crime; law enforcement may also have authority, in some circumstances, to arrest a person without a warrant.

Response Protocol – a domestic violence program’s official plan, prepared in advance, that spells out employees’ response to service of various legal documents or presentation of warrants; with subpoenas, a staff will likely have time to go before a judge and argue why the subpoena should not be enforced; an arrest or search warrant, however, requires immediate response.

Search Warrants – orders from a court that give law enforcement the authority to search a specified location for certain item/s or person/s; must be based on “probable cause,” that is 1) a reasonable person, given the circumstances or facts of a situation, would believe that certain items or persons can be found in the specified location and 2) the items can be seized as evidence or contraband or the person can be located and thus subject to arrest (with an arrest warrant); law enforcement may also have authority, in some circumstances, to search a location without a warrant.

Service of Process – the delivery of documents with legal significance to the person who must be notified, such as a notice that a lawsuit or petition has been filed in court; accepting service of such documents places the named recipient in the position of having to obey any orders and to respond to the filings or risk negative legal actions.

Subpoenas – an order to produce information in a civil or criminal case (subpoena *duces tecum*); the information sought may include consumer case files, phone records, administrative records documenting services provided to individuals, letters, e-mails, or other materials developed when working with a battered woman; will specify the source and nature of the information sought, a deadline for response or surrender of the information, and a requirement for the presence of the individual responsible for the records

(custodian) if no information is provided as ordered; may also be an order directing an individual to appear at a certain date and time to give testimony, whether in a trial, hearing, or deposition.

36.2 Subpoena Response Policy

SUBPOENA RESPONSE POLICY

There are two types of subpoenas: a subpoena of the person and a subpoena *duces tecum*. A subpoena of the person requires that specified individual to attend a court hearing or deposition and provide testimony. A subpoena *duces tecum* requires a person (custodian of the records) to produce specified records, documents, or other physical items. In some counties, a subpoena must be signed by a judge or court clerk; in other states, individual attorneys may issue them. When a subpoena is first served, the first step is to identify which kind it is and the type of proceeding it involves (criminal, civil, grand jury, deposition, etc.). The document should be read carefully to determine who signed or issued the subpoena, what action is required, and how the subpoena was served. Additionally, it is vital to obtain legal advice immediately.

A subpoena of the person must be served on the specified witness. Any person who is at least 18 years old and has no connection to the legal case may serve a subpoena; in other cases, law enforcement may provide service. Generally, proper service of such a subpoena requires that a copy be personally delivered to the witness, but it does not require that witness to sign or cooperate in accepting the subpoena. In some situations, service may also be legally effective if the subpoena is literally dropped at the witness' feet. Other requirements may include providing an actual copy of the subpoena to the witness or reading the subpoena aloud in the presence of the witness. If a witness cannot be located, other methods of service are permitted, such as leaving the subpoena at the witness' employment, with another adult in the witness' household or through publication in a newspaper.

Service of a subpoena *duces tecum* (for documents) must be personally served upon the person having possession, custody, or control of the requested records or evidence. However, when records of an incorporated organization are subpoenaed, any board member or officer can be served. **The Victim Service Director or the Executive Director shall be designated a staff**

member to act as the custodian of the records and thus be responsible for such subpoenas when served. It is important to note that refusal to comply with such a subpoena could result in contempt findings against the custodian of the records. Thus, **if Our House receives a subpoena, staff should immediately consult with the program attorney to determine the validity of the request and how to respond.**

36.3 Search Warrants Policy

SEARCH WARRANTS POLICY

A search warrant is a written order, signed by a judge or magistrate, authorizing law enforcement to search a specified location, person/s, or physical item/s that may be evidence in a later legal proceeding. The specific rules governing search warrants and the following statutory and constitutional requirements generally must be met:

- The warrant must specifically describe the items or persons to be seized; general exploratory searches are prohibited.
- The warrant must specify the correct address and a description of the location to be searched.
- The search warrant must be properly dated and signed by a judicial officer who has evaluated the accompanying affidavit/s to determine that sufficient probable cause exists to issue the warrant; the date of the warrant should be fairly recent as well.
- Law enforcement must make an “announcement” of authority and purpose prior to entering the search location, although courts have found in some cases that “exigent circumstances” permit noncompliance with the announcement requirement.
- Law enforcement must present a copy of the search warrant, including attached affidavits, to the occupant of the location to be searched.

When conducted, the search has to be tailored to locate the items described in the warrant. For example, if the search warrant is for a vehicle, law enforcement cannot reasonably search through closets and dressers as these would not be locations where a vehicle is likely to be found. While conducting the search, if the police come upon other “contraband,” the item/s may be

seized. Individuals at the search location may be allowed to leave or may be temporarily detained although they should not be subject to search themselves.

If law enforcement officers present themselves at Our House, Inc. with a search warrant, staff should request the opportunity to surrender the item/s or person/s named in the warrant, in order to avoid disruption of others in the shelter and maintain their confidentiality. Additionally, staff members should accompany law enforcement officers as the search is conducted, again to minimize disruption to others in the program or shelter.

The general rule is that a search warrant is required before law enforcement may enter a private location. There are, however, several exceptions to this requirement, although they are strictly limited. These exceptions include: 1) voluntary consent by resident to search, absent other refusal; 2) exigent circumstances or “hot pursuit;” and 3) reasonable grounds to enter a location while doing a cursory safety check for potential security risks.

36.4 Arrest Warrants Policy

ARREST WARRANTS POLICY

An arrest warrant is an order authorizing law enforcement to place a specified person under arrest for possible commission of a crime. Arrest warrants alone do not give law enforcement the right to enter a shelter to arrest a battered woman named in the warrant, because the shelter is not the battered woman’s home. **If law enforcement wishes to arrest someone they believe to be in shelter, officers must obtain a search warrant for the person at the shelter location or get the consent of the Executive Director or her designee** (*although some types of emergency or exigent circumstances may allow law enforcement to enter shelter without such a search warrant*).

When law enforcement officers arrive at shelter with an arrest warrant, the staff member who answers the door should review the documents and then advise the officers that they will not be permitted to enter the shelter based only on an arrest warrant. If possible, staff should speak with the officers outside or away from the

residential area of the shelter. Staff should then determine why the officers are there and verify their identities, as well as reviewing the warrant. **If a search warrant is presented, along with the arrest warrant, staff should request the opportunity to discuss the matter with the battered woman and allow her to surrender herself, rather than have the shelter searched for her.** At no time should staff advise the battered woman to flee or to otherwise resist arrest. If the battered woman refuses to surrender and there is no search warrant, law enforcement will obtain a warrant to search the shelter, securing the shelter premises in the meantime so that she cannot leave. **Whenever any arrest or search warrant is presented, staff should immediately contact the Executive Director or her designee.** Because many arrest warrants and search warrants have subsequent documents that are filed with the court (public record), **the Executive Director should take every step necessary to ensure that the shelter's location/address remains confidential in these documents.**

36.5 Service of Process - Lawsuits Policy

E. SERVICE OF PROCESS – LAWSUITS POLICY

Courts (or clerk's offices) regularly issue documents that inform individuals about court actions or filings. These can include:

- Notice that a lawsuit has been filed against the individual
- Notice of a time scheduled for a court hearing
- An order to testify or provide information in a legal proceeding
- A copy of a temporary or final court order that impacts the person notified

For such documents to have legal effect, the person involved must have notice of their contents. The delivery of such documents to the person entitled to notice is called service of process. Mississippi State laws may include some or all of the following ways to complete service of process:

- Giving the court documents directly to the person affected during or at

the conclusion of a court hearing

- Giving the court documents directly to the person affected at some location outside of the court, for example at home or work
- Have a law enforcement officer, private agent, or any person over 18 years old deliver the documents to the person affected
- Having the court documents presented to the affected person's legal representative
- Delivering the court documents to the person affected through registered mail

The policy for this guideline is to assist the battered woman to keep her location confidential for safety reasons, the execution of service of process may reveal her whereabouts if presented or mailed to her at the shelter or other safe location. **If a battered woman is aware that she is to be served court documents, program staff should strategize with her about the safest way to receive service under the state's law.** She may wish to be served at work or through her legal representative, or she may be able to present herself at the clerk's office or law enforcement agency to be served there.

Our House staff should not accept service of a process on behalf of a battered woman at the program or shelter. If service is attempted for shelter or program consumer, staff should inform the battered woman and help her arrange for alternate, safe service. If the service of process is attempted for the program, staff should know of the attorney or designated agent who can accept service on behalf of the program and advise the process server of that person's identity.

36.6 Program Protocols Policy

PROGRAM PROTOCOLS FOR SUBPOENAS AND WARRANTS POLICY

It is vital that Our House discuss how staff will respond to subpoenas and warrants on an annual basis prior to the actual receipt of one. Annually, Our House will review their record-keeping procedures. Carefully examine what kinds of records are maintained, how much factual information is kept, and whether verbatim statements of battered women and their children are recorded that can be potentially harmful if the records are release.

Subpoenas Policy :

1. Provisions for handling subpoenas for consumers: **If a battered woman is aware that she is to be served court documents, program staff should strategize with her about the safest way to receive service under the state's law.** She may wish to be served at work or through her legal representative, or she may be able to present herself at the clerk's office or law enforcement agency to be served there.
2. Program policy on what information and what records, if any, will be released
3. No information on the consumer will be release without the consumer's consent. The Victim Service Director and/or the Executive Director should be contacted immediately.
4. The Executive Director shall be designate a "custodian of the records."
5. Our House, Inc. Board attorney should be notified of all legal documents from the court.
6. Procedures for acceptance of subpoena / responding to subpoenas and warrants:
 - a) If a process server comes to the shelter or the administration office, the Victim Service Director should be notified immediately. In her absence the Executive Director should be contacted.
 - b) If the sheriff presents a search warrant, The Executive Director should be notified immediately. In her absence, the Victim Service Director and/or Board attorney.
 - c) Only the Victim Service Director and the Executive Director are authoriased to accept subpoenas.
 - d) When in doubt, contact the Victim Service Director or the Exective Director for questions.

36.7 Warrants Policy

Warrants Policy :

1. **Procedure for acceptance of warrants, etc.** When law enforcement officers arrive at shelter with an arrest warrant, the staff

member who answers the door should review the documents and then advise the officers that they will not be permitted to enter the shelter based only on an arrest warrant. If possible, staff should speak with the officers outside or away from the residential area of the shelter. Staff should then determine why the officers are there and verify their identities, as well as reviewing the warrant.

1. **What information and what records, if any, will be released:**
Whenever any arrest or search warrant is presented, staff should immediately contact the Executive Director or her designee. The Director or Our House Board attorney will determine what information will be released.

1. **Provisions for handling warrants for consumers:** If a search warrant is presented, along with the arrest warrant, staff should request the opportunity to discuss the matter with the battered woman and allow her to surrender herself, rather than have the shelter searched for her.

1. **Legal response to warrants and other illegal documents:**
Whenever any arrest or search warrant is presented, staff should immediately contact the Executive Director or her designee. The Director or Our House Board attorney will determine what information will be released.

1. **If legal document are presented for child pick up orders,** then staff should notify the consumer immediately, contact the Victim Service Director and/or the Executive Director. They will review the documents and determine the next steps in the process. The Board Attorney will also be contacted.

Our House, Inc. Programs must obtain an informed consent from the battered

women before releasing any records or testifying.

Handling Arrest and Search Warrants Policy includes:

- That all staff should maintain the confidentiality of the program's or consumer's location, if necessary.
- That the designated staff member to execution of any warrant is the Victim Service Director and/or Executive Director
- That warrants will be executed during regular, daytime business hours and served in the administrative areas (rather than shelter) of the program.
- That law enforcement to knock and announce their presence and their intention to execute an arrest warrant prior to entering the shelter.

37. Policy: Tobacco

37.1 Tobacco Policy

Our House has adopted policies on smoking that are designated to secure a healthy and safe environment for clients and employees, as well as to eliminate tobacco-by-products from its premises. This policy is not intended to intrude on the privacy of individuals where their conduct or performance at work is not affected.

This policy is not intended to discriminate against persons who consume tobacco products in services, recruitment, or advancement.

All Our House employees are expected to take personal responsibility for observing this policy and should feel free to draw this policy to the attention of colleagues, contractors and visitors.

This should include the display of “No Smoking” notices and the inclusion of appropriate statements in publicity material, appointment notices, invitations to events, external contracts and the like. In order to promote the health and safety of both clients and employees,

Our House will ensure that its premises are free from tobacco smoke and tobacco by products. No form of tobacco use will be permitted anywhere on Our House grounds, in Our House vehicles, or within 200 feet of all Our House properties.

However, from the date of this printing of this handbook until such time as the new policies become effective, all tobacco consumption must be contained to the employee’s personal automobile, and all tobacco by-products (cigarette butts, ashes, etc.) must remain in the employees automobile at all times and be disposed of at a location other than Our House grounds.

Disposal of tobacco by - Personnel Handbook - Revised October 2014 Page 24 products at a site other than Our House grounds is necessary to protect Our House’s clients from contact with tobacco.

This policy applies to all buildings, parking lots, play areas or any other areas under Our House custody and control, whether or not clients, employees, or visitors are present.

Exception is made for shelter clients on a case by case situation

38.Policy: Social Media

38.1 Overview

SOCIAL MEDIA POLICY

This policy provides guidance for employee use of social media, which should be broadly understood for purposes of this policy to include blogs, wikis, microblogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites and services that permit users to share information with others in a contemporaneous manner.

38.2 Procedures Principles

PROCEDURES

The following principles apply to professional use of social media on behalf of Our House, Inc. as well as personal use of social media when referencing Our House, Inc.

- - Employees need to know and adhere to the Our House, Inc.'s Code of Conduct, Employee Handbook, and other company policies when using social media in reference to Our House, Inc.
 - Employees should be aware of the effect their actions may have on their images, as well as Our House, Inc.'s image. The information that employees post or publish may be public information for a long time.
 - Employees should be aware that Our House, Inc. may observe content and information made available by employees through social media. Employees should use their best judgment in posting material that is neither inappropriate nor harmful to Our House, Inc., its employees, or clients.
 - Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content, or images that are defamatory, pornographic,

proprietary, harassing, libelous, or that can create a hostile work environment.

- Employees are not to publish, post or release any information that is considered confidential or not public. If there are questions about what is considered confidential, employees should check with the Executive Director of Our House, Inc.
- Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees should refer these inquiries to authorize Our House, Inc.'s spokespersons.
- If employees find encounter a situation while using social media that threatens to become antagonistic, employees should disengage from the dialogue in a polite manner and seek the advice of a supervisor.
- Employees should get appropriate permission before you refer to or post images of current or former employees, members, clients or volunteer. Additionally, employees should get appropriate permission to use a third party's copyrights, copyrighted material, trademarks, service marks or other intellectual property.
- Social media use shouldn't interfere with employee's responsibilities at Our House, Inc.
- Our House, Inc.'s computer systems are to be used for business purposes only. When using Our House, Inc.'s computer systems, use of social media for business purposes is allowed (ex: Facebook, Twitter, Snap chap, Instant gram, Our House, Inc.'s blogs and LinkedIn), but personal use of social media networks or personal blogging of online content is discouraged and could result in disciplinary action.
- Subject to applicable law, after-hours online activity that violates Our House, In.'s Code of Conduct or any other company policy may subject an employee to disciplinary action or termination.
- If employees publish content after-hours that involves work or subjects associated with Our House, Inc., a disclaimer should be used, such as this: "The postings on this site are my own and may not represent Our House, Inc.'s positions, strategies or opinions."
- It is highly recommended that employees keep Our House, Inc. related social media axccounts separate from person accounts.

38.3 Summary

Be Honest: Disclosing Your Identity only on social media

Be Clear: Your Views Are Your Own

Be Careful: What You Share and How You Share It

- **Protecting Our House, Inc.’s Information:** You should never reveal non-public company information, financial or otherwise, on a site accessible to anyone. You also should not comment in Social Media about information or topics covered by the advocate-client privilege.
- **Protecting Other Peoples’ Information:** As you use Social Media, you should always be mindful of the rights of others. Many Social Media sites impose restrictions regarding proprietary information and content; confidentiality; and the brands, trademarks and copyrights of others. It is important to be mindful of these restrictions when quoting others or sharing photos, music, videos or other content and not to post material that would potentially violate copyright infringement laws, intellectual property laws, publicity laws, or trademark laws. When posting any statements, make sure you do not post content without securing all necessary permissions first. You should not post personal information about another person, such as his or her medical condition, performance, employment status, or government identifier/social security number. Hurt feelings, damaged relationships and even lawsuits can result from bringing other people or their property into an online setting without their permission.

Be Respectful: Think carefully about “friending” co-workers (including leaders or direct reports) on external Social Media sites. For example, consider whether a friend request may be viewed by the recipient as harassing, intimidating or unwelcomed. Conversely, you should not feel pressured to accept friend or follower requests from those you work with. It’s your choice how much you want to combine your personal and professional online lives.

- **In addition**, you should refrain from posting content that may be construed as grossly offensive or of menacing character, or causing inconvenience, annoyance, danger, obstruction or insult. You should also be cautious about publishing any content on Social Media, which could be construed as contempt of court, i.e. publication which is calculated to bring a Court or a Judge into contempt, or to lower his authority, or to interfere with the due course of justice or the lawful process of the Court.

Be Aware: Online Communications Travel Fast, Remain Forever and are Not Really “Private”: The internet is public, and it has a long memory. Even information you may think you have protected as “private” on some Social Media sites may be accessed by others. Consider everything you post to the Internet as potentially discoverable by anyone. Keep in mind that technology makes it virtually impossible to completely “delete” something online and incredibly easy to send a post to millions of other users. Before you share anything, make sure you will not regret saying it, even if a reporter, a relative, your manager or colleague were to view it.

Be Responsible in all your posting

- **Personal References on Social Media Sites:** Our House, Inc.’s policy prohibits employees from providing professional references or recommendations for current or former employees, contract workers or consultants, either written, verbal or through Social Media, including platforms like LinkedIn. While Our House, Inc. does not prohibit employees from providing personal references for friends or family, employees should not make LinkedIn recommendations for anyone that they have worked with while at Our House, Inc., regardless of whether that individual is an employee, client, or anyone else.
- **Responding to Negative Content You May See about Our House, Inc.:** Do not try and resolve issues or/nor problems yourself online.

39. Policy: Telephone/Email/Internet

39.1 Cellphone

CELLPHONE

PERSONAL CELLPHONE USAGE POLICY

Objective

This policy outlines the use of personal cellphones at work and the safe use of cellphones by employees while driving.

Policy

Cellphones should be turned off or set to silent mode during office hours, meetings, conferences and in any circumstance where incoming calls may be disruptive.

Personal cellphones

While at work, employees are expected to refrain from the usage of cell phones unless the employee is on call. Personal calls during the workday can interfere with employee productivity and be distracting to others. Employees are encouraged to make any personal calls during nonwork time when possible and to ensure that friends and family members are aware of Our House, Inc's policy.

Our House will not be liable for the loss of personal cellphones brought into the workplace.

Safety issues for cellphone use

All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cellphones at all times.

Employees whose job responsibilities include regular or occasional driving and who are issued a cellphone for business use are expected to refrain from using

their phone while driving; use of a cellphone while driving is not required by the company. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are required to use hands-free operations or pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Employees are encouraged to refrain from discussion of complicated or emotional matters and to keep their eyes on the road while driving at all times. Special care should be taken in situations where there is traffic or inclement weather, or the employee is driving in an unfamiliar area.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Video or audio recording devices from cellphones

The use of camera or other video or audio recording-capable devices on company premises is prohibited without the express prior permission of Executive Director and of the person(s) subject to recording. Video or audio recording in restrooms is strictly prohibited.

Consequences for Violators

Employees violating this policy will be subject to discipline, up to and including termination of employment.

39.2 Office Phone

OFFICE PHONE POLICY

Our House business phones are not to be used for personal use. Exception are made for emergency calls. All Emergency call usage should be reported to your supervisor. Family & Friends should be informed of this policy. Frequent violation of this policy will cause disciplinary action in the form of suspension without pay or termination.

39.3 Google Voice Phone

Google Voice Phone

This is a free service. Google voice will attain you a private phone number to use as your mobile phone that will ring into your cellphone or computer.

Google Voice will transcript texts and voice messages.

Using Google voice will allow staff person to kept their personal ID confidential.

39.4 Fluent Stream

Fluent Stream is Our House, Inc.'s Internet Phone Company.

This company will allow key personnel to transfer the office line based on the employee's extension to their cell phone and/or office laptop.

Staff may utilize this phone services to call and receive calls. The reflected on the caller ID will be Our House, Inc.

39.5 Internet

INTERNET

As a condition of providing Internet (use of the word Internet throughout this policy includes use of email-system) access to its employees, Our House places certain restrictions on workplace use of Internet. The system used for Internet access is the property of Our House and the contents of any e-mail communications are accessible at all times by management for any business purpose. The e-mail system may be subject to periodic, unannounced inspections and should be treated like other shared filing systems.

Be advised that use of Internet access and/or email system for any reason creates Our House documents using Our House asset. These documents, like any other documents or correspondence created while performing Our House business, are not private and may be read by others at Our House or outside Our House under certain circumstances. Also be advised that, even though a message or web page may be deleted from the system, a record may remain on

the computer system, either on daily backups of date or in other ways.

Accordingly, be advised that an employee should not have expectation of privacy in any use of the system. Internet access may be monitored, and actual web site connections may be recorded.

Our House will provide each employee with a business email address. This email address will be discontinued after termination of employment.

Our House encourages employee use of Internet:

- to communicate with fellow employees and clients-codes regarding matters within an employee's assigned duties.
- to acquire information related to or designed to facilitate the performance of regular assigned duties; and
- to facilitate performance of any task or project in a manner approved by an employee's supervisor.

Please be advised that use of the Internet access provided by Our House expressly prohibits the following:

- Dissemination or printing of copyrighted materials (including articles and software) in violation of copyright laws.
- Sending, receiving, printing, or otherwise disseminating proprietary data, trade secrets, client information, or any other confidential information of Our House in violation of Our House policy.
- Offensive or harassing statements or language including disparagement of others based on race, skin color, religion, gender, national origin, age, disability, military status, or other protected category.
- Sending or receiving sexually oriented messages or images.
- Operating a business, usurping business opportunities or soliciting money for personal gain, or searching for jobs outside Our House.
- Sending chain letters, gambling, or engaging in any other activity in violation of local, state, or federal law.
- Sending any technical data to any foreign country without approval of the Chief Executive Officer.

Disciplinary action for violation for Our House's Internet Acceptable Use Policy may include, but not limited to, termination, suspension, or transfer of the offending employee. In cases, involving less serious violations, disciplinary action may consist of a warning or reprimand. Remedial action may also include counseling, changes in work assignments, or other measures designed to prevent future misconduct. The measure of the discipline will correspond to the gravity of the offense as weighted by its potential effect on Our House and its employees. Nothing in this policy precludes any person from being subject to criminal or civil penalties under state or federal law.

SERVICE PROVIDERS

Acceptable service providers are Yahoo, Chrome, Edge, Explorer and Suddenlink.

39.6 E-mail Use

E-MAIL ACCEPTABLE USE

Due to the increased threat of virus attacks, unsolicited e-mails (spam) and excess e-mail overloading Our House's system, the following e-mail usage policy has been implemented.

REQUESTS

- Personal use of the e-mail system should be avoided.
- Requests should be sent to senders of non-business e-mail to redirect such correspondence to personal e-mail addresses.
- E-mail addresses should not be given out for non-business purposes.

Personal e-mail traffic affects Our House's Internet access as well as increases risk for virus attacks.

39.7 Allowable Services

REQUIREMENTS

- All non-business list services (such as Facebook, Snapchat, instant gram notifications, weather services, etc.) should not be subscribed to.
- Personal e-mail should not be forwarded to other employees.
- Instant messenger services (i.e. Instant Messenger, etc.) should be removed.
- All software/shareware obtained from the Internet prior to installation.
- E-mail attachments should not be opened by the recipient unless the recipient recognizes the sender.

The following services should not be used or installed on Our House systems:

- Facebook
- Window Live Instant Messaging
- Real Audio Player (this has caused several computer problems to date)
- iTunes unless you have a Mac computer (this can cause the computer to crash)

These suggestions and requirements have been implemented for the well-being of Our House.

39.8 Texting

Texting is not allow while driving.

40.Policy: Texting

40.1 Texting

TEXTING POLICY

Our House, Inc. actively ban employees while on duty from text messaging while driving any vehicle during the course of performing work related duties, such as conducting education awareness, and other outreach/advocacy activities to decrease crashes caused by distracted drivers. This may cause grounds for termination.

41.Policy: Whistleblower

41.1 OJP - Whistleblower

WHISTLEBLOWER POLICY

Recipients of OJP grants and cooperative agreements (and any subrecipients at any tier) must comply with, and are subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee of an OJP recipient by the OJP recipient as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

Recipients of OJP grants and cooperative agreements (and any subrecipients at any tier) must inform their employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712. Potential fraud, waste, abuse, or misconduct involving or relating to funds under the OJP award should be reported to the Office of the Inspector General by-- (1) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 950 Pennsylvania Avenue, N.W. Room 4706, Washington, DC 20530; (2) e-mail to: oig.hotline@usdoj.gov; and/or (3) the DOJ OIG hotline: (contact information in English and Spanish) at (800) 869-4499 (phone) or (202) 616-9881 (fax). Additional information is available from the DOJ OIG website at <https://www.usdoj.gov/oig> and in the DOJ Whistleblower Information document attached to this email.

The Whistleblower Protection Program was established to ensure that employees and applicants who disclose allegations of serious wrongdoing or gross mismanagement are free from fear of reprisal for their disclosures.

Protected Disclosures Disclosure by current and former Federal employees and applicants of the following types of wrongdoing are covered by the Whistleblower Protection Act of 1989:

- a violation of any law, rule, or regulation,
- mismanagement,
- a gross waste of funds,

- an abuse of authority, or
- a substantial and specific danger to public health or safety.

Other Information for Potential Whistleblowers Employees who report allegations of serious wrongdoing or gross mismanagement must provide sufficient information for the OIG to commence an inquiry. This is particularly important when the employee wishes to remain confidential.

Employees are reporting parties, not investigators.

Protection of a disclosing-employee's identity is not absolute but will always be maintained to the fullest extent possible.

Employees must be candid and truthful with investigators or others to whom they disclose alleged wrongdoing or mismanagement.

An employee's right to protection against reprisal does not extend immunity for the employee's own involvement in wrongdoing or mismanagement.

Disclosures of information protected by law should be made to a Government agency, such as the OIG, that is authorized to receive and investigate such a disclosure.

What is Whistleblower Retaliation? The Whistleblower Protection Act of 1989 prohibits retaliation. This means it is unlawful for agencies to take or threaten to take a personnel action against an employee because he or she disclosed wrongdoing. Personnel actions can include poor performance review, demotion, suspension or termination. In addition, the law prohibits retaliation for filing an appeal, complaint, or grievance; helping someone else file or testifying on their behalf; or cooperating with or disclosing information to the OIG. For a pamphlet prepared by the Office of Special Counsel (OSC) containing more information, click on Know Your Rights When Reporting Wrongs.

Filing a Complaint of Reprisal, The HUD OIG refers complainants who believe they have been improperly retaliated against to the following entities:

The Office of Special Counsel (OSC). OSC is an independent agency enforcing whistleblower protections and certain other actions within the Federal government. Information on filing a complaint with OSC may be found on their website at www.osc.gov (link is external).

The Merit Systems Protection Board (MSPB). Certain employees may be able to appeal directly to MSPB. More information on whistleblower MSPB appeals is

available at www.mspb.gov/appeals/whistleblower.htm(link is external).

The HUD OIG Whistleblower Protection Ombudsman provides education about protections for current or former HUD employees who make protected disclosures. The Ombudsman coordinates with HUD administrations and staff offices to increase awareness of prohibitions on whistleblower retaliation. In addition, the program disseminates information on rights and remedies against retaliation for making protected disclosures. Specifically, the Ombudsman provides employee complainants with information on how to contact organizations that address reprisal allegations.

This program was authorized by the Whistleblower Protection Enhancement Act of 2012, which became law on November 27, 2012. By law, the Ombudsman is prohibited from acting as a complainant's legal representative, agent, or advocate.

EMPLOYEE NOTIFICATIONS PURSUANT TO WHISTLEBLOWER PROTECTION ENHANCEMENT ACT OF 2012

As required by the Whistleblower Protection Enhancement Act of 2012, Pub. L. No. 112-199, §§104(b)(2), 115(a)(2), Notice is hereby given that it is a prohibited personnel practice for the agency to implement or enforce any nondisclosure policy, form, or agreement, that does not contain the following statement prescribed at 5 U.S.C. 2302(b) (13):

“These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this [nondisclosure policy, form, or] agreement and are controlling.”

Protection from workplace retaliation means that an employer cannot take an "adverse action" against workers, such as:

- Firing or laying off
- Blacklisting
- Demoting

- Denying overtime or promotion
- Disciplining
- Denial of benefits
- Failure to hire or rehire
- Intimidation/harassment
- Making threats
- Reassignment affecting prospects for promotion
- Reducing pay or hours

42.Training: Domestic Violence

42.1 Domestic Violence 101

Our House has developed a detail domestic violence training manual to be use when educating new hires and volunteers about services needed by survivors.

Below is outline of the contents of the training module.

DESCRIPTION
Training Tips
Our House Programs
I Got Flowers Today
Autobiography In Five Short Chapters
SECTION ONE: FACTS
Community Domestic Violence Assessment
Myths & Facts About Domestic Violence
Fast Facts On Domestic Violence
SECTION TWO: VICTIM TYPES
Profile Of A Battered Woman
Why Women Stay
Long Term Effects Of Domestic Violence
How Domestic Violence Affect Children
Warning Signs That A Child May Be In Distress
Indicators Of Child Abuse
Men As Victims Of Domestic Violence
Basic Of Elderly Abuse
How To Help Survivors Of Domestic Violence
SECTION THREE: BATTERERS
Profiles Of Batterers
Why Do Men Batterers
Working With Perpetrators Of Abuse
Batterer Severity Scale
SECTION FOUR: ABUSE
Abuse Definition

DESCRIPTION
Cycle Of Violence
Integrity Wheel
Power And Control Wheel
Equality Wheel
SECTION FIVE: SERVICE, RIGHTS AND
Service Model
Victims' Bill Of Rights
Code Of Ethics
Client's Responsibilities
Ethical Communication
Boundaries
Care For The Caretakers
SECTION SIX: RELIGIOUS BELIEF
Religious Belief
Leah
SECTION 7: SAMPLES OF SAFETY PL
Safety Plan Narrative
Items To Take With Them
Safety Plans Based On Locations
Safety Plans Based On Relationships
SECTION 8: CRIME RIGHTS
Victim Compensation
Ms Crime Rights
Request For Rights
Other Legal Sites
SECTION NINE: WORKING WITH VOLUNTEERS
How We Can Help
Functions Of Staff And Volunteers
Working With Youth
Mutual Consent
Screening
Social Attitude Scale
Valve Survey

DESCRIPTION
Values Clarification
Avoiding Dependency
Making Referrals
Signs Of Burnout
Burnout
Volunteers Job Descriptions
Confidentiality
SECTION TEN: CRISIS INTERVENTION
Crisis Theory
Outline Of Crisis Intervention
Crisis Checklist
Victim Stabization
Interaction
SECTION 11: HELPING SKILLS
Language Of Acceptance
Active Listening
Summary Of Listening Skills
Five Steps Progression
Working With People
Communication With People
SECTION 12: CONTACTS
Telephone Calls - Handling, Difficult And Typical Calls
Phone Questionnaire And Intake
Police Questioning
Initial Contact
Follow-Up Calls
MANUALS AND FORMS
OUR HOUSE COMMITMENT
Review of Policies and Procedures Manual (separate booklet)
Review of Shelter Forms
Shelter Orientation Manual
Employee Personnel Manual

43.Training: Sexual Assault

43.1 MCASA 101 Advocacy Training

Our House, Inc. utilizes the Mississippi Coalition Against Sexual Assault 101 Advocacy Training Manual.

Below is an outline of the training. A copy of the curriculum is located in the Executive Director's office

INTRODUCTION 4

Chapter 1 *What is Sexual Assault 7*

Chapter 2

The Effects of and Impact of Sexual Assault 10

Chapter 3

The role of the Advocate 16

Chapter 4

Prevention and Community Awareness 41

Chapter 5

Cultural Competence and Diversity 46

Chapter 6

Trauma, Trauma Informed Care and Healing 48

Chapter 7

Role Plays 56

Chapter 8

Self-Care 60

Chapter 9

Victim's Rights and Assistance 67

Chapter 10

Definitions 77

Chapter 11

Mississippi's Sexual Assault and Stalki 84

Chapter 12

National Resources and References 100

43.2 History of Sexual Assault

History of Sexual Assault

In ancient times, it was an acceptable practice in some cultures for men to rape women. When a man wanted a woman to become his wife he would rape her and take her home. From this type of behavior, what has evolved over the years is known as a “rape culture”.

A “rape culture” accepts and supports men’s use of violence against women. Rape is not a natural result of intimacy or affection. It is a socially learned violent behavior that operates within a larger context. Ideas, gender roles, conditioning, customs, media, and institutions have influenced the development and acceptance of male sexual violence.

In the South there exists a “Bible Belt” culture. This culture favors words from the Bible to define the roles of the male and female in a marriage.

Consequently, it gives men permission to misuse and exploit their roles to dominate women, expecting complete submission. From this perception, the “Bible Belt” culture promotes and encourages male privilege. Male privilege is the impression that social, economic, and political advantages or rights are made available to men solely because of their sex; thus, staging the breeding ground for sexual violence.

Today, many social forces act on the individual to breed misogyny and shape ideas about male dominance and the devaluation of women, which can normalize abusive behavior. Society has become desensitized to this societal ill

and acceptance of violence against women is seen as normal. Advertisements, movies, video games, the mishandling of court cases, etc. have contributed to this desensitization of violence against women.

The Economic Burden of Sexual Violence

Sexual violence is a significant problem in the United States and prevention is a priority for CDC's Injury Center. Studying the economic impact of rape helps us better understand the burden of sexual violence.

According to the 2011 U.S. National Intimate Partner and Sexual Violence Survey (NISVS), more than 23 million women and nearly 2 million men report experiencing rape at some point in their lives. These numbers, combined with previous studies and current administrative data, were used in a new CDC study, "Lifetime Economic Burden of Rape Among United States Adults" to estimate the lifetime cost of rape in the U.S. Previous estimates focused on rape-related criminal justice costs-such as cost per sexual assault incident. CDC's estimate includes more comprehensive information, including the cost per rape incident victims' long-term mental and physical health outcomes.

The results of the findings estimated the lifetime cost of rape per victim or a population economic burden over victims' lifetime based on data indicating the number of adults that have been raped.

This estimate included \$1.2 trillion in medical costs (39% of total); \$1.6 trillion (52%) in lost work productivity among victims and perpetrators; \$234 billion (8%) in criminal justice activities; and \$36 billion (1%) in other costs, including victim property loss or damage. Government sources pay an estimated \$1 trillion (32%) of the lifetime economic burden.

Certain forms of trauma, such as intentional violence and/or witnessing violence, sustained discrimination, poverty, and ensuing chaotic life conditions are directly related to chronic fear and anxiety, with serious long-term effects on health and other life outcomes. Trauma has no boundaries regarding age, gender, socioeconomic status, race, ethnicity, geography or sexual orientation. It affects the individual, families, and communities by disrupting healthy development, adversely affecting relationships, and contributing to mental health issues including substance abuse, domestic violence, and child abuse. Everyone pays a price when a community produces multi-generations of people with untreated trauma by an increase in crime, loss of wages, and threat to the stability of the family.

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www.duluth-model.org Domestic Abuse Intervention Project, The Duluth Model Power and Control Wheel

<http://www.goodtherapy.org/learn-about-therapy/issues/sexual-abuse> Good Therapy

www.ncdsv.org National Center on Domestic and Sexual Violence

<http://www.usdoj.gov/ovw> Office on Violence Against Women; U.S. Department of Justice

www.rainn.org Rape Abuse and Incest National Network (RAINN)

43.3 Overview of Sexual Assault

An overview of the effects of sexual assault and the impact it has on its victims.

Most experts agree sexual assault is never only about sex. Instead, it is often an attempt for the perpetrator to gain power and control over another human being. However, regular use of other abusive behaviors by the batterer, when reinforced by one or more acts of physical violence, make up a larger system of abuse to include the correlation between discrimination, oppression and sexual violence. Though this crime is executed utilizing different approaches it is important to remember that the victim is never to blame for the actions of the offender.

Figure 1: National Center on Domestic and Sexual Violence (The Duluth Model)

The Power and Control diagram, created in 1984 by staff at the Domestic

Abuse Intervention Project in Duluth, Minnesota, is a particularly helpful tool in understanding the overall pattern of abusive and violent behaviors used to establish and maintain control over the victim. It illustrates some of the different forms of abuse that rob the victim of power and control in an abusive situation. Very few relationships begin with physical violence. Most abusive relationships commence with more subtle forms of emotional and psychological control that set the stage for more severe violence. Sexual abuse may be one component in a much larger cycle of personal violence.

Emotional/Psychological

- Put downs, public humiliation, shaming, ridiculing
- Insulting valued beliefs, religion, ethnicity, or class
- Telling the victim that s/he caused the hurtful act
- Isolating someone from friends or family
- Threatening the victim or victim's loved ones
- Punching walls or throwing things at partner
- Threatening to "out" partner
- Threatening suicide

Economic

- Making all financial decisions without allowing input from partner
- Prohibiting a partner from working
- Controlling money or requiring partner to account for dollars spent
- Requiring partner to work but not allowing access to money
- Harassing partner at work, affecting job status

Physical

- Hitting, punching, slapping, shoving, kicking, biting, hair pulling, choking, stabbing, shooting, and beating with objects
- Physical intimidation, such as throwing objects, punching walls
- Locking someone in or out of the house

- Harming or threatening family pets

*Stalking or following the victim

Sexual

- Criticizing someone sexually
- Withholding sex and affection as punishment
- Accusing victim of affairs or (batterer) boasting about affairs
- Calling someone names like “whore” or “frigid”
- Coercing a person into any unwanted sexual acts
- Harming sexual body parts
- Forcing partner to have unprotected sex or sabotaging birth control
- Rape

The Effects of Sexual Assault

Sexual violence can have psychological, emotional, and physical effects on a survivor. These effects aren't always easy to deal with, but with the right help and support they can be managed.

Most sexual assault survivors sustain significant psychological trauma regardless of the relationship between the perpetrator and victim; whether there was drug or alcohol use prior to the assault; the method of attack; the presence or absence of physical injuries; or whether the assault is attempted or completed.

There are many short- and long-term effects of sexual assault and rape. The physical, mental and spiritual effects following sexual assault and rape are difficult to cope with and it is common for a survivor to feel shaken or unlike him or herself. It is a complex form of trauma that breaches the physical, mental and spiritual trust of a person against their will. This can affect a person's mentality, especially during youth when the brain is highly elastic during its formative years. Below are some of the common mental effects of sexual assault and rape:

PTSD. Post-traumatic stress disorder (PTSD) is a mental health condition that

is triggered by a terrifying event. Some common symptoms associated with PTSD are flashbacks, nightmares, severe anxiety and uncontrollable thoughts about the event. Many people who go through traumatic events have difficulty adjusting and coping for a while. But with time and support, such traumatic reactions usually get better.

Depression. Depression is more than common feelings of temporary sadness. Symptoms can include prolonged sadness, feelings of hopelessness, unexplained crying, changes in appetite with significant weight loss or gain, loss of energy or loss of interest and pleasure in activities previously enjoyed. Depression can affect a person's outlook, which can lead to feelings of hopelessness. This, in turn, can impact his or her thought process and ability to make decisions.

Dissociation. Dissociation usually refers to feeling like one has "checked out" or is not present. In some instances of dissociation, people may find themselves daydreaming. But in situations where dissociation is chronic and more complex it may impair an individual's ability to function in the "real" world, such as not being able to focus on work related duties or being able to concentrate on schoolwork.

Coping with the effects of sexual assault and rape can be overwhelming. Some survivors may engage in substance abuse of drugs or alcohol to help him or her cope with the overwhelming feelings. Because a survivor's control and sense of safety security have been taken away by the perpetrator, engaging in these self-injurious behaviors can also bring a sense of control over a person's environment and serve as a release of tension. Although not always performed with suicidal intent, substance abuse can result in severe harm or death. And though these coping strategies may seem to bring immediate relief, that feeling is only temporary and these behaviors can lead to more challenges in the future.

After a sexual assault, the victim may have many reactions and, in the middle of the trauma, the survivor has many decisions to make. Survivors may not know if their actions, reactions, and feelings are normal. Often, the survivor feels alone and scared. They may often question themselves about the assault and appropriate next steps.

How should I feel after being sexually assaulted?

Who can I tell about this?

What are my legal rights?

What should I do immediately?

Should I go to the hospital?

Will anyone believe me?

Was this my fault?

Why did this happen to me?

What if I was drugged?

What if I have a sexually transmitted disease?

It is common for a survivor of sexual violence to experience an array of feelings that may be confusing and can create more anxiety, such as anger, distrust and feeling unsafe. There is no “correct” way to react to these experiences, and each person who experiences a traumatic event responds differently.

In addition to the mental and emotional effects of trauma, sexual assault and rape are crimes that violate the body and bring many physical responses to the forefront. The perpetrator can impose physical harm on a victim. Sometimes, there is no physical injury or harm at all to a survivor—that does not mean what happened was not sexual abuse or assault.

There can also be physical effects to trauma that become apparent, either in the immediate aftermath of the experience or that manifest in waves later. The immediate physical effects a person can experience after a sexual assault or rape can include:

- Bruising
- Bleeding (vaginal or anal)
- Difficulty walking
- Soreness
- Broken or dislocated bones
- A person could also experience internal damage that may not be easily identifiable unless he or she sees a doctor.

Additionally, there can be emotional impacts that affect the mind, body and

spirit of the victims. Due to high levels of stress created by the abuse, a person can experience chronic fatigue, shortness of breath, muscle tension, involuntary shaking, changes in eating and sleeping patterns and even sexual dysfunction. In women, issues with menstrual cycle or fertility are also common.

Impact upon the Victim

In her review of the direct research conducted with sexual assault victims, Dr. Mary Koss, a pioneering sexual assault psychologist, found that responses to the trauma of sexual assault will differ based on many factors operating in the victim's life. Variables include (but are not limited to):

When speaking with a caller, you may want to think about how these types of factors affect sexual assault survivors in different ways, from person to person. However, there is no model that can predetermine how sexual assault survivors will cope. People respond differently to the experience based on who they are, what they learned about sex and/or sexual assault in the process of growing up, how supportive their friends and family are, and whether they received professional help and appropriate intervention.

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43.4 Responding to Victims

This chapter consists of information as to how to respond to various victims via the hotline, advocacy and accompaniment. It is suggested that considerable attention be given to this chapter and should be referred to when the provision of service to the victim becomes unclear.

What is Advocacy?

Advocacy is a term defined as "one who pleads the cause for another," as in individual advocacy, or "one who argues for, defends, maintains, or recommends a cause or proposal." As an advocate, it is significant to believe that every individual you are advocating for is entitled to fair and equal rights and participation in social, educational, and economic opportunities.

There are several aspects of advocacy that facilitate a successful relationship. It is important that the advocate demonstrates certain qualities to promote a trusting and effective relationship. Some are:

Emotional Support: Let the client know you hear the feelings she/he is expressing and validate those feelings.

Respect: Let the client know you honor her/his experience and identify her/his courage for reaching out for support.

Warmth: Let the client know your willingness to help and listen. Use a warm tone and everyday language.

Genuineness: The client should feel like your messages, whether they are verbal or nonverbal, match your feelings.

Boundaries: Some callers may ask about your personal experience with sexual assault. In the event of these questions, re-focus the caller and reiterate that you are here to talk with them about *their* experiences. It is not appropriate to reveal your own ideas, attitudes, and experiences. You can, however, educate the caller about the prevalence of sexual assault.

THE ROLE OF AN ADVOCATE

The role and responsibilities as an advocate may vary. Depending on the needs of the agency, your responsibilities may include answering the hotline, hospital and legal advocacy/accompaniment, case management, and community outreach. The core and enhanced services that are to be provided to the victim are outlined. This list is in no way inclusive of all the services provided. It would be advantageous to the advocate to discuss, in detail, all of the duties of an advocate within the agency.

Hotline Intervention

Hotline intervention involves the short-term use of specific skills and strategies to help victims, significant others and family members, cope with the confusion resulting from sexual assault or related events via phone. The hotline is a 24-hour, seven day a week telephone line that provide immediate telephone crisis intervention services made available and accessible by local or toll-free calls to all primary and secondary victims of sexual violence.

Hotlines largely receive calls from primary and secondary victims. The hotline offers various opportunities and support for callers seeking immediate assistance, needing information about local resources and available services in the community as well as medical and legal issues. It also provides the caller an interchange of encouragement to talk about their feelings to someone who is empathic, confidential, compassionate and respects their experience. An advocates task is to actively listen, support, validate feelings, assist with problem clarification and solving, explain possible behavioral reactions to the trauma, provide information and education, provide information about medical and legal matters, and offer referrals if needed. Sensitivity to cultural differences and practices are essential.

Expressing Empathy

Expressing empathy means recognizing the emotion that we think the other person is experiencing. You are acknowledging that they are experiencing something—emotions, difficulty coping with various problems, etc.

To express empathy, identify the emotions you believe the victim has and restate those emotions back to the victim to clarify and focus attention on their feeling. Try to be more accurate and descriptive when acknowledging a person's feeling; this will help the victim identify what they are truly feeling. Rather than *happy* or *sad*, try using words like *relieved*, *disgusted*, *impatient*, *anxious*, *delighted* and *skeptical*. If you're uncertain about the emotions the victim is experiencing, you might also want to preface an empathetic statement with: "Let me see if I have this right," or "Please tell me if this is accurate." Never say, "I know (or I understand) how you feel." You do not. Even if you have personally experienced a similar event, your reactions and your victim's reactions are subject only to you.

Expressing empathy may not come natural for some individuals. Listed below are some examples of empathetic phrases you may be able to use while speaking with a victim.

- "An experience like that must be terribly frustrating."
- "It sounds like that was a very bad experience for you."
- "I can appreciate how difficult this is to go through."
- "You're right. You know, I wouldn't like that very much, either."
- "I can't imagine what you must be feeling."
- "I know how confusing it must be when..."

People have a right to feel their emotions, regardless of whether you agree with them or would feel the same way. Always respect those emotions.

It is easy, as an advocate, to be influenced by our own attitudes, beliefs and assumptions when interacting with clients. It is critical that we take the time to identify our own preconceptions and assumptions about sexual assault before stepping into our role as an advocate. That way we can be as present, non-judgmental and supportive as possible for primary and secondary victims of sexual assault.

Active Listening

Listed below are some techniques of active listening. Using your own style and words will make you more comfortable, as well as allow the victim to build

trust and be open with you.

NEUTRAL ACKNOWLEDGEMENTS: Be sure that the caller knows that you are interested and listening. Be okay with silence if the caller needs some time to gather their thoughts and/or emotions!

REFLECTIVE STATEMENTS: Show the caller that they are being heard and understood by clarifying what the caller has said. This is a way of checking out what the person is saying and making sure you understand. It is also a way to help the caller identify or clarify their own thoughts and feelings.

PARROT-PHRASING: Repeating some of the client's words. Client: "I'm furious that my husband doesn't understand." Advocate: "You're angry that your husband doesn't understand."

REFLECTION OF FEELINGS: Verifies your understanding of the feeling and meaning of what the person has just said. Oftentimes, it attaches a feeling to a specific source.

OPEN-ENDED QUESTIONS: These types of questions encourage the caller to explore the situation and to independently process their feelings. Open ended questions give the caller an opportunity to speak freely and honestly. Closed: "Were you upset when she said that to you?" Open: "How did you feel when she said that to you?"

FOCUSING: Focusing is a way of concentrating on a specific time, event, concern, or feeling. Try to keep the conversation in the present. Explore how the problem is affecting the caller now. This is an opportunity to talk about counseling and/or support groups that are available.

VALIDATING: Validation is key! Help the caller to understand that their feelings are valid, normal, common, and not good or bad.

SUMMARIZING: Let the caller know what has been covered.

Expressing Affirmation

As an Advocate, you are expected to express affirmation when communicating via the hotline or speaking with the victim. Affirmation may be expressed through all aspects of your victim/advocate relationship.

Affirmations are statements that recognize victim strengths. They build the victim's confidence in his/her ability to change. To be effective, however, affirming statements must be genuine and honest. They must also be

consistent with what the victim is saying and what he/she is capable of. Above all, they must exemplify the core qualities of respect and sincerity.

Examples of Affirming Statements

- “I appreciate that you were able to make that decision on your own.”
- “That’s a very perceptive question.”
- “I think it’s great that you want to do something about this problem.”
- “You came through that experience remarkably well.”
- “You’re certainly a resourceful person, to have been able to ...”
- “YOU took a BIG step; you should be very proud of yourself.”
- “You did a great job, especially considering the stress you were under.”
- “If I were in your position, I would find it difficult too!”
- “You seem to be a very strong-willed person.”

Setting Boundaries

You will be at your best as an advocate when your boundaries are in place and you have minimized unnecessary “chatter.” In the moments of supporting the client, it is crucial to establish a boundary between what may be occurring for us personally and what the client is actually experiencing. *Remember always that this is first and foremost her/his emotional experience, not ours.*

As you begin your training as an advocate, you are not expected to immediately know the “right” answers and responses. Your comfort level and familiarity with related issues will hopefully grow over your time working in this field. You will find your own way of responding to different types of questions.

Responding to the 24-Hour Hotline

The 24-hour hotline is telephone line that is operated 24-hours a day, seven (7) days a week, and is operated by the agency to provide immediate telephone crisis intervention services. These services are available and accessible by local or toll free to all primary and secondary victims of sexual violence within the region served by the agency. Advocates should respond to all calls within a reasonable amount of time providing immediate assistance to the caller.

As the call begins the stage is set to speak freely and frankly, developing trust between the Advocate and the caller. At the onset of the call the Advocate should:

- Offer comfort
- Use caller's name
- Speak in a calm voice
- Adjust your tone to the caller's tone
- Be okay with silence. Communication does include allowing silences or long pauses.
- The advocate may need to say statements like, "It's all right not to talk. Take your time."
- Let the caller know that it is okay to go slow, to cry, or to repeat self, etc.
- You can also use "door openers" when you are establishing rapport or if the caller feels "stuck" later in the call. These are invitations to the client to talk or say more:
 - "I'd really like to hear what you're thinking."
 - "How would you feel talking about it?"
 - "Sounds like you have some feelings/thoughts about this." "How do you feel about that?"

After a rapport is established, begin asking questions about safety. You may be required to utilize a hotline form developed by the agency. Some other questions to consider are:

- What are you feeling like right now?
- Where are you right now? Is this a safe place for you?
- Will this living arrangement expose you to the threat of further assault or harassment?
- Is there a need for emergency shelter or alternative housing options?
- Do you have children? What are their ages? Where are they right now?
- Do you know the perpetrator?
- Does the perpetrator know where you are?
- Does the perpetrator have your phone number?
- Has the perpetrator contacted you since the assault?
- Are you considering reporting the assault to law enforcement?
- Do you need assistance?
- Are you willing to have a medical exam? Do you need someone to accompany you?
- Are you in school? or Do you work?

- Does the perpetrator know your schedule?
- Will you see the perpetrator when you are out in public?
- Do you have your own transportation or access to transportation?
- Is there someone you can trust to escort you so you can feel safer in transport?

These questions may set the victim at ease and he/she may determine that the person on the other end of the phone may actually care. This may lead to open dialogue and discussion about the client and their situation and help to establish some type of safety plan.

43.5 Safety Planning

Establishing a Safety Plan

A safety plan is intended to assist victims in securing their physical safety and personal well-being. The plan is not a substitute for law enforcement and professional help.

An effective safety plan *empowers the victim to reclaim a sense of safety and security* by addressing immediate safety needs and outlining strategies to help reduce incidents of harm. Unfortunately, constructing and implementing a safety plan cannot ensure that an individual will not face violence again; its goal is to help victims be as safe as possible given their current circumstances. As you are assisting the victim with a plan of safety please keep in mind that:

- Victims may neither have nor want to share the answers to all the questions you ask. And that's okay.
- You do not need to ask every question provided. In fact, doing so may be overwhelming (to you and the victim).
- Allow the victim's experiences and current situation to help determine which questions are appropriate.
- Safety planning is an ongoing process, not a one-time conversation.

Your initial conversation with the victim should give you a sense of his/her immediate safety needs, which, in turn, will help you and the victim identify safety issues that require immediate attention and those that can be addressed in subsequent meetings.

Types of safety plans to consider.

Safety planning if victims have left their current address:

- Inquire of the emotional state and safety of the victim
- Explore housing and safety options with the victim (Housing options should include living arrangements and safety of the children, if applicable)
- Explore seeking medical attention and completing a “rape kit”
- Explore feelings of reporting perpetrator to Law Enforcement
- Discuss victim’s rights and victim’s compensation
- Make referrals as needed
- Explore individuals whom the victim can trust and inform about the abuse

Safety planning if victims choose to stay at their current address:

- Explore individuals the victim can trust who could respond to a crisis, make a list.
- Find a safe place to go during arguments. Avoid rooms with no exits or rooms with weapons (e.g. kitchen).
- Teach children where to go to be safe and to call for help.
- Sleep in public spaces like the living room.
- Regularly clear the cache, history, and cookies on the home computer.
- Establish a code word or sign that means “get out,” or with your support network that means “I need help.”
- Memorize all important numbers.
- Keep an old cell phone available. Cell phones without service may be used to call 911 if the battery is charged.
- Back car into the parking spot so you can leave quickly.

Safety planning if victims choose to leave their current situation:

- Pack a bag that includes all important papers and documents, such as birth certificates, bank statements, marriage license, passport, social security cards, bills in your name, prescription drugs, and medical records. Include cash, keys, and credit cards. Hide the bag well. If it’s discovered, call it a “hurricane bag” or “fire bag.”
- Do not tell children your plans until it is time to leave. Reassure them

they will be safe.

- Locate the nearest domestic violence shelter or homeless shelter.
- Keep support network in the loop but do not tell them your new location until your safety is secure and you're confident that you can trust them with this information.
- Notify your employer, friends and family that you have left the abusive relationship and that you want no contact with the abuser.
- Change all appointments, medical, dental, legal, etc.
- Change phone and phone number as there are devices that can be placed on phones that monitors your current and present location.
- Change the password to your computer or take it with you when leaving.

Safety planning when victims are being stalked:

- **STALKING SHOULDN'T BE KEPT A SECRET.** Tell parents, loved ones, a trusted adult, or the local police to determine if a report can be made.
- Keep cell phones charged and have emergency contact numbers programmed under a different name.
- Memorize all important numbers.
- Take different routes when driving or use different modes of transportation.

Current and long-term safety can be an ongoing concern for victims of sexual assault. Safety planning should be periodic and conducted throughout the Advocate/client relationship. However, if the victim fears for their life and feel that they are in imminent danger they should call 911 immediately.

Assessment

An assessment is a gathering of critical information from the victim or family member. The Advocate should be able to assess the present state (mentally, emotionally and physically) of the victim as well as their immediate and possibly short-term needs.

The assessment is derived from pertinent questions usually outlined on a hotline or intake form designed by the agency. The questions include client safety information, identifying data, referral source, contact information, description of the abuse, perpetrator's information, background information, and other concerns.

In conducting the assessment, be respectful and empathic, communicate clearly, make the victim feel comfortable and ask questions in a caring, non-threatening manner. If the victim is too upset to answer all of the questions, you may have the victim to answer them at a later time. Support the victim by being a good listener and offering help. Provide options and allow them to make their own choices.

During the evaluation, the Advocate should be able to determine what are the victim's needs, set measurable and obtainable goals, and what referrals need to be made. Remember:

Assessment IS NOT fact finding.
--

It is an evaluation of:

A. Safety – Assess the level of current safety (physical and emotional) and need for medical attention, if appropriate.

B. Type of victimization – This may be important information to have in order to effectively help the survivor and provide the best resources and information.
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C. Current level of crisis – An evaluation of the current priorities and decisions that need to be addressed immediately.

D. Interconnecting Issues–Background and intersection of multiple issues may change advocacy needs. For example, does s/he have specific needs or concerns pertaining to their immigration status, employment, or sexual orientation?

43.6 Responding to Sexual Assault

RESPONDING TO SEXUAL ASSAULT *“The life-stage a person was in when the abuse occurred is a factor in how a person experiences, processes and recovers from a sexual assault.”*

Children

When children are victimized by sexual abuse, their psychological passage through the natural stages of growing up can be disrupted. In addition, the child—and later the adult—may have to cope with the trauma of the victimization again and again in each developmental stage of life.

Furthermore, child victims suffer not only the physical and emotional trauma of their victimization but, once the crime is reported, the trauma of being thrust into the stressful “adult” world of the criminal justice system. There, adults who were unable to protect them in the first place are responsible for restoring the child victims’ sense that there are safe places where they can go and safe people to whom they can turn.

Considerations for the victim may include:

- Choosing a secure, comfortable setting for interviewing child victims. Allow time for the child to establish trust and rapport with you.
- Talking in language appropriate to victims’ ages and, especially with young children, do not use jargon, long sentences, or a lot of pronouns that can be confusing.
- Assuring that they have done nothing wrong and that they are not in trouble.
- Complimenting victims frequently on their good behavior and for answering your questions., as well as for telling you when they do not understand a question.
- Being mindful of the limited attention span of children.

Death

Mechanism by Which Adverse Childhood Experiences Influence Health and Well-being Throughout the Lifespan

Conception

(ACEs) Centers for Disease Control and Prevention

Childhood experiences, both positive and negative, have a tremendous impact on future violence victimization and perpetration, and lifelong health and opportunity. As such, early experiences are an important public health issue. Much of the foundational research in this area has been referred to as Adverse Childhood Experiences (ACEs).

Adolescents

Throughout adolescence, teens are typically engaged in a process of forming their own identities independent of their families, largely influenced by their friends and social media. They are also influenced by internal hormonal activity causing rapid and sometimes mind-boggling growth, bodily transformation, and emotional mood-swings. It is during this already confusing and emotionally difficult time of life that many young people confront the problem of being sexually assaulted or abused. Types of victimization include stranger rape, acquaintance rape, incest, sexual abuse, as well as molestation and attempted rape.

Considerations for the victim may include:

- Entering the “advocate – teen” relationship as an ally. This is a great opportunity for the advocate and the young person to experience an equal power dynamic based on a respectful relationship.
- Recognizing – and respecting – the adolescent's ambivalence, cautiousness, and fears about seeking services will help establish rapport.
- Exploring adolescents' support systems.
- Giving information and letting them know that they are not alone in the dilemma.
- Understanding that teens may need to incorporate physical and emotional safety planning.

Male Victims

The box below is a symbol for what it is like to be “a man”. There are social “walls” and “boundaries” around us that impact how men behave. These walls make sure that men act according to the gender roles society has prescribed for them. Inside the box represents what society says is okay for men to be like or how to behave. Outside the box are terms men are called when they step outside the box and act differently than society's behavior code allows. These terms are used to pressure men, to keep men “boxed” in.

To be a REAL MAN society says you need to be:

Tough In Control

Strong Assertive

Never show weakness or pain

Be sexually experienced

Have many sexual partners

Don't cry

Male Gender Box

Wimp

Gay

The words outside

the box keeps you

boxed in.

Fag

Mama's Boy

Sissy

Queer

While survivors of sexual assault share many of the same feelings, there are issues that are unique to the male survivor. Like many survivors, male survivors may experience rage, self-blame, guilt, and other familiar reactions. They may also develop special concerns about their own sexuality and a

reluctance to seek help. The advocate should be aware of these issues that may affect male survivors and the approaches that can help in recovery.

Considerations for the victim may include:

- Ending denial by telling people who are safe for and important to the survivor.
- Building a support network.
- Addressing any coping mechanisms that have negative consequences.
- Addressing other effects that the violence has had on the survivor's life in a safe space.

Elderly

When older people are victimized, they may suffer worse physical, psychological, and financial injuries than other age groups. For example, when victims who are 65 years of age or older are injured, they are about twice as likely to suffer serious physical injury and to require hospitalization as any other age group. Because the physiological process of aging brings with it a decreasing ability to heal after an injury, older people may also never fully recover physically or psychologically from the trauma of their victimization. In addition, this trauma may be worsened by their financial situation.

Considerations for the victim may include:

- Being attentive to whether victims are tired or not feeling well.
- Asking victims if they are having any difficulty understanding you. Be sensitive to the possibility that they may have difficulty hearing or seeing.
- Giving victims adequate time to hear and comprehend your words during the interview.
- Asking questions one at a time, and wait for a response before proceeding to the next question. Repeat key words and phrases. Ask open-ended questions to ensure that you are being understood.
- Trying to reduce or minimize the stressors and pressures on victims. Be patient.

LGBTQI

Sexual assault can happen to anyone regardless of race, ethnicity, class, age,

gender, gender identity and expression, or sexual orientation. While the **LGBTQI** (lesbian, gay, bisexual, transgender, queer/questioning, and intersex) community is at approximately the same risk as heterosexuals of being sexually assaulted by someone they know, homophobia, biphobia, and transphobia put LGBTQI people at a greater risk of being a victim of sexual violence.

Considerations for the victim may include:

- Being sensitive to the victim's fear of exposure to insensitive or homophobic, biphobic, and transphobic responses from the criminal justice system, medical responders, and other support services.
- Allowing the victim to educate you about issues specific to LGBTQI victims.
- Making the victim comfortable by accepting differences.
- Being comfortable in providing advocacy to a multitude of complications related to employment, housing, education, financial safety, personal safety, and privacy.
- Being sure to separate what you want to know about them from what you need to know to best advocate for them. Knowing their gender identity and/or sexual orientation may not be relevant to the services they are receiving.

Persons with disabilities

Sexual victimization for people with a disability is much greater than for those who do not have a disability. Perpetrators specifically target this population under the assumption that victims will be unable to escape or report the crime. In addition, people who have a disability are often victimized repeatedly by the same perpetrators, who may be their caregivers.

Considerations for the victim may include:

- Asking victims if they have any special needs and using the word "challenged" rather than "disability."
- Asking victims directly how the two of you can most effectively communicate with each other and how you can best assist them.
- Speaking directly to victims, even when they are accompanied by another person.
- Listening to your tone of voice and monitor your behavior to make sure that you are not talking down to victims or treating victims as

children.

- Never assuming that people with disabilities suffer less emotional trauma and psychological injury than other crime victims.

Intimate Partner Violence

Intimate Partner Sexual Violence (IPSV) is a comprehensive term that includes not only marital rape, but all other forms of sexual violence that take place within a current or former intimate relationship. Sexual assault may occur in the context of any relationship – whether partners are legally married, living together, or dating and regardless of whether they are in gay, lesbian, or heterosexual relationships. IPSV often occurs repeatedly within a relationship and involves both sexual assault and domestic violence.

Considerations for the victim may include:

- Explaining that because rape is often falsely characterized as non-consensual sex between two strangers, survivors may have difficulty identifying IPSV as a crime.
- Following his/her pace and body language while being aware of your own feelings.
- Ask about other violence within the relationship such as physical or emotional abuse.
- Being careful not to judge the victim's decisions.

Drug-Facilitated Sexual Assault

Victims of drug-facilitated sexual assault may “come to” with a confused, groggy feeling. They may have partial or complete lack of memory of the situation and be slow to put the pieces back together. Not knowing what happened, their reactions may understandably be more exaggerated than victims who remember the details. They may feel a sense of helplessness, undirected anger, guilt or shame, and tremendous anxiety about unknowns. Because drug induced scenarios are difficult to prove and prosecute, they may experience even more frustration with the legal process than other victims.

Considerations for the victim may include:

- Explaining to the victim that perpetrators often take advantage of someone who is intoxicated and/or voluntarily taken recreational drugs.
- Exploring other methods by which the victim was drugged

- Understanding that the victim may have partial or complete memory loss
- Be patient. The victim may have undirected anger, guilt, and tremendous anxiety
- Encouraging him/her to get to a hospital as soon as possible as evidence is time sensitive.

DOCUMENTATION

Documentation records the work the Advocate does with the victim and collaborating agencies. When taking, and keeping notes, a “less is more” approach is advised. The Advocate should be careful to record and retain only the minimum amount of information needed in each case.

The purpose of documentation is to:

- Maintain proper service delivery
- Coordinate services
- Supervise worker or victim progress
- Evaluate services
- Provide accountability to victims, agencies and other providers.

One way the Advocate can make sure he/she isn’t inadvertently recording information that could cause a victim to lose trust in the victim service provider is to have a computer screen or papers where the victim can see what you are recording about them, their story, and their personal identifying information.

Some victim service providers believe that the only way that they can provide any help to a victim at all is to solicit a full history from a victim regardless of the purpose for doing so. Victims maintain the right to control how much they share with victim service providers, especially since as a victim of a crime they likely had control over the most personal of things taken away from them by the perpetrator. In truth, the Advocate can provide a lot of help and support to a victim without soliciting sensitive and invasive information about past, unrelated victimizations.

Increasingly, the National Association of Social Workers’ ethical principles and risk management concerns have influenced the way that social workers/Advocates write and document their practice. The following is a guide for Advocates to use when recording notes.

Remember: what you put into written form may be scrutinized and if it is not documented it hasn't been done.

Key elements of documentation:

- Write just enough to make your point. Include enough, but not too much detail. Do not over document by including irrelevant details.
- Use correct grammar and spelling. Lack of writing skill lowers your credibility.
- Print or write legibly.
- Document what you know (direct observation), not what you think.
- Be specific and avoid characterizations like “poor outcome”, “good result”, “moderate compliance,” “drunk,” “aggressive,” or “combative”.
- Document in a timely manner to preserve accurate recollection.
- Avoid acronyms and abbreviations unless they appear on an approved list.
- Use precise descriptions and specific language.
- Avoid vague language or ambiguity. Vague language includes phrases such as “it seems,” “I suppose,” “it appears,” “I believe,” and “I feel.”

Documentation should be objective and factual describing only the events connected to each contact with the victim or on behalf of the victim. It should include:

- **Date of service**
- **Staff who provided service** (use in third person i.e., Advocate, Volunteer, Supervisor, etc.)
- **Type of contact or interaction** (Remember that interactions can be office or home visits, phone calls, court accompaniments, referrals, etc.)
- **Purpose** (Why did victim come in or call? What is the purpose of the contact? What is the goal of the contact or interaction?)
- **Type of service provided** (Enter the type of intervention, e.g. What did you do? What happened? What was discussed? Service needs identified? Mental health needs identified? Fill out the assessment and service plan. What did you recommend?)
- **Individual to whom service is provided** (use in third person rather than name; i.e., Victim, Client, etc.)

- **Reason why service is needed**
- **Provisions for future or ongoing service and follow-up** (What are the next steps agreed upon between you and the victim? Who will do what? What will the victim do? What will you do? What is the timeframe? What referrals did you make?)

The documentation should reflect a start and end time and use specific brief descriptions. Over-documenting a face-to-face visit or contact should be avoided.

Confidentiality

Confidentiality refers to the agreement between the program and the victim/survivor about how his/her personal identifiable information will be handled. It is important to maintain confidentiality because it is the victim's right, it gives the victim more control and the ability to make informed decisions about whom to tell, and promotes safety of disclosure.

Advocates have a responsibility to maintain confidentiality, to the limits of the law, about each case with which they are involved.

Sexual assault may represent a loss of control. It is extremely important that the victim can retain control after the assault. Deciding who will know about the sexual assault is an important part of regaining control. Maintaining confidentiality is one way to help the victim regain control over who does and does not know that the sexual assault occurred.

The fundamentals of releases and waivers:

- A victim should be notified of what is happening with his/her information and who has access to the information. This includes any legal Duty to Share information or any other limits to confidentiality
- Releases of information should be victim-initiated and victim-centered to enhance the services provided to the victim.
- It's the victim information. It's his or her choice as to what information is shared and with whom the information is shared.
- This includes what information may be included about the victim in a database.
- A written release is required any time that personal information is shared outside of a confidential relationship.
- Before obtaining a release, determine whether there is another way to

meet the victim's needs without revealing his/her confidential information.

- The who (Who are you? /Who are the partners?) and what (What is your role and obligation for maintaining the confidentiality of the victim?) will guide you in whether you need a release.
- An agency can't require a victim to sign a consent form to allow the release of information to receive services. Agencies don't need a signed waiver to allow the release of information from a victim to provide him or her with services.

Maintaining confidentiality means:

- Not talking to the media about the case without the victim's permission.
- Not using the victim's name when discussing the case with coworkers.
- Not discussing cases with your family.
- Not talking about cases on an elevator or in a public place.
- Not using any details of cases, even anonymously. Especially in a small community, it is all too easy to breach client confidentiality unknowingly.

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