

11.29.1 Definitions

- A. "Dating Relationship" means a social relationship of a romantic nature. Factors to consider in making this determination include:
 - 1. The length of time the relationship has existed;
 - 2. the nature of the relationship; and
 - 3. the frequency of interaction between the parties.
- B. "Domestic Violence" means: (a) Physical harm, bodily harm, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking of one family or household member by another family or household member.
- C. "Family or household members" means spouses, former spouses, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.
- D. "Perpetrator" is a person who commits an act of domestic violence, sexual assault and/or stalking against a victim. Other terms used to describe a perpetrator may include "offender," "batterer," "abuser," or "assailant."
- E. "Sexual Assault" means one or more of the following:
 - 1. Rape or rape of a child;
 - 2. Assault with intent to commit rape or rape of a child;
 - 3. Incest or indecent liberties;
 - 4. Child molestation;
 - 5. Sexual misconduct with a minor;
 - 6. Custodial sexual misconduct;
 - 7. Crimes with a sexual motivation; or
 - 8. An attempt to commit any of the aforementioned offenses
- F. "Stalking" is when, without lawful authority:
 - 1. A person intentionally and repeatedly harasses or repeatedly follows another person; and
 - 2. The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person; and
 - 3. A reasonable person in the same situation and under the same circumstances as the person being harassed or followed would feel fear that the stalker intends to injure the person, another person, or property of that person or of another person; and
 - 4. The stalker either:
 - a. Intends to intimidate, harass or frighten the person, or
 - b. Knows or reasonably should know that the person is intimidated, harassed or afraid.
- G. "Victim" is a person who has been subjected to domestic violence, sexual assault and/or stalking. Other terms used to describe a victim may include "survivor" or "client."
- H. "Workplace" is the building or work area constituting the principle place where work is performed or assigned, including common areas and private or personal work areas; and remote areas where an employee is engaged in official business; and any vehicle, either employer- or privately owned, when used for official business purposes.
- I. "Workplace Safety Planning" is a process specific to the workplace that a victim/survivor of domestic violence may use with or without the help of a management or other workplace representative to protect both physical and emotional safety of the victim and other people in

the workplace.

11.29.2 Domestic Violence, Sexual Assault, and Stalking in the Workplace Policy

- A. The City of Seattle is committed to providing a safe and secure workplace and will not tolerate domestic violence, sexual assault, or stalking by or toward any employee or other person while in the City workplace or while conducting City business at any other location. When potential threats are identified, department rules, including a security assessment, that implement the Workplace Violence Prevention Program will be used. Temporary employees may utilize the resources of the Domestic Violence and Sexual Assault Prevention Program created by Personnel Rule 8.4.4.
- B. The City of Seattle does not take any adverse employment action against a temporary worker on the basis that a temporary worker is, or is perceived to be, a victim of domestic violence, sexual assault, or stalking.
- C. The City of Seattle is committed to supporting temporary workers who are victims of domestic violence, sexual assault, or stalking. The City will provide assistance, in consideration of the needs of the victims/survivors, within accepted policies and practices. This may include resource and referral information, work schedule adjustments or leave as may be provided under RCW 49.90.005 et. seq, assistance in developing a workplace safety plan, workplace relocation, assistance in processing changes in benefits information as allowable during non-enrollment periods, and/or consideration in performance evaluations of the impact domestic violence, sexual assault, or stalking may have on an employee's work performance. The temporary workers' needs for confidentiality and self-determination will be respected whenever possible. The City reserves the right to disclose limited information and take action when it is clearly necessary to protect the safety of City employees.
- D. Temporary workers shall not use City resources to perpetrate domestic violence, sexual assault or stalking; shall not threaten, or commit an act of domestic violence, sexual assault, or stalking in the workplace; or misuse job-related authority in order to assist perpetrators in locating a victim and/or in perpetrating an act of domestic violence, sexual assault, or stalking.
- E. A temporary worker who has committed an act of sexual assault, domestic violence or stalking, when such an action has a relationship to or impact on any employee's work for the City of Seattle regardless of whether such an act occurred in or near the workplace shall be terminated. A relationship or impact exists when, for example, sexual assault, domestic violence or stalking are committed at the workplace or when City resources such as phones, fax machines, e-mail, or City maintained information are used to further such actions.

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