



Preparing for the OVW Special Condition on Workplace-Related Sexual Misconduct and Domestic/Dating Violence

www.workplacesrespond.org/ovwgrantees

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Background

OVW grant recipients and subrecipients must:

Have a policy, or issue a policy within 270 days of the award date, to address **workplace-related incidents of sexual misconduct, domestic violence, and dating violence** involving an **employee, volunteer, consultant, or contractor**.

Background

The policy must address:

- 1) **allegations of workplace-related incidents** of sexual misconduct, domestic violence, and dating violence by an employee, volunteer, consultant, or contractor;
- 2) **workplace supports** for employees, volunteers, consultants, or contractors who are victims of sexual misconduct, domestic violence, or dating violence; and
- 3) **adjudications** that will result in an employee, volunteer, contractor, or consultant being **prohibited from occupying positions that could undermine the ability of the recipient or subrecipient to carry out the grant-funded project**, such as positions working with victims and other vulnerable populations.

Background

The recipient must make its policy available to OVW upon request. Subrecipients must make their policies available to the recipient upon request.

Additional Considerations

Policy required by the award condition:

- Organizational reach
- Workplace Supports
- Adjudications

Blog



The screenshot shows the top of the Department of Justice website. The header includes the Department of Justice seal and the text "THE UNITED STATES DEPARTMENT OF JUSTICE". Below the header is a navigation menu with links for "ABOUT", "OUR AGENCY", "PRIORITIES", "NEWS", "RESOURCES", and "CAREER". The main content area is titled "Home » Office on Violence Against Women (OVW)". On the left is a sidebar with a "Home" link and a list of categories: "About the Office", "OVW Blog", "OVW Podcast", "Legislation and Regulations", "Domestic Violence", "Sexual Assault", "Dating Violence", "Stalking", "How to Apply for OVW Funding", and "After Receiving OVW". The main article is titled "SEXUAL HARASSMENT POLICIES NOW REQUIRED FOR ALL OVW GRANTEES" and is dated "September 2, 2020". The author is "Laura L. Rogers, Principal Deputy Director, Office on Violence Against Women". The article text discusses the importance of workplace safety and the new requirement for sexual harassment policies for all OVW grantees.

<https://www.justice.gov/ovw/blog/sexual-harassment-policies-now-required-all-ovw-grantees>

Technical Assistance



<https://www.workplacesrespond.org/ovwgrantees>

Implementation Guide

- Convene a Working Group
- Develop a Consensus Purpose Statement
- Customize Persons Covered & Definitions
- Draft the Policy
- Identify & Promote Workplace & Community Supports

- Model Policy
- Model Code of Conduct
- Model Contractual Language

Scenario 1

Melissa, your coworker who you supervise, approaches you at a training conference and tells you the following:

- Last night Frank, another coworker, invited Melissa to dinner to discuss their individual projects. The conversation was very lively as the two talked about their work and the work of their organizations.
- After dinner, Frank asked if Melissa would like to continue the conversation in his room. Melissa had been enjoying the conversation and wanted to get Frank's input on some work related challenges she had been experiencing, so she agreed.

Scenario 1

- Melissa tells you that Frank tried to kiss her once they were in his room. She rebuked his advances and told him she was not interested in him in that way. Frank backed off.
- Although Melissa was caught off guard by Frank's aggressions, she felt that what happened was a misunderstanding and stayed a bit longer. After about 30 minutes, Melissa decided it was time to call it a night.

Scenario 1

- As she was saying good night, Frank leaned in and hugged her. Melissa says that she quickly hugged him backed, but that when she released, Frank continued to hold her. She was not able to move away from him. He then tried to kiss her again. She told him to stop, but he ignored her and continued to kiss her neck and face. She was finally able to get out of his grasp and immediately left his room.

Scenario 1

- What type of conduct is Melissa reporting?

Scenario 1

- Application of the Special Condition
- Melissa's immediate needs
- Frank's immediate needs
- Policy best practices

Scenario 2

- For the past month, you have been working with Jesse, a volunteer who is contributing to an upcoming presentation.
- The two of you have had several phone conversations and sent numerous emails back and forth while developing the material for the presentation.
- At first, these interactions were very professional. However, the emails and conversations with Jesse are becoming “friendlier.”

Scenario 2

- Although Jesse has not said or done anything overtly, you get the sense that they are “hitting” on you. They have been making innuendos that feel as if they are trying to figure out your relationship status.
- In addition, they have sent “friend/follow requests” to you for Facebook, Instagram, and Twitter. The whole thing is beginning to feel very awkward and uncomfortable.
- You decide to google Jesse and came across a newspaper article suggesting that Jesse is a perpetrator of domestic violence.

Scenario 2

- What is the nature of Jesse's conduct?

Scenario 2

- Is the concern justified here?
- Application of the Special Condition
- Policy best practices

Scenario 3

- Several months after wrapping up a week's long training conference, you receive a call from Noah, a grantee.
- He tells you that Jack, a consultant you hired to present at the conference, has been sending him text messages.
- Noah remembers filling out a form to receive more information on Jack's research project, but the text messages are of a personal nature and not work related.

Scenario 3

- After receiving the initial texts, Noah replied to Jack stating that he enjoyed Jack's session at the conference, but that he provided his contact information only for professional purposes. Jack apologized and did not send any more text messages to Noah for a couple of months.
- Last month the two of them were on a conference call together and immediately following the call, Jack sent Noah a text message with a partially nude photo of himself.

Scenario 3

- Noah replied telling Jack how inappropriately he was behaving. Noah then blocked Jack's number from his phone.
- Last week Noah received an email from Jack asking why he was not responding to his text messages. Noah replied and asked that Jack refrain from contacting him at all in the future.

Scenario 3

- The following day Noah received an email on his work account from Jack. Jack was demanding to know what he had done wrong to cause Noah to ignore his text messages and emails.
- Noah reported Jack to his organization's HR department, who instructed him to inform you of the situation.

Scenario 3

- What type of conduct is Noah reporting?

Scenario 3

- Application of the Special Condition
- Noah's immediate needs
- Addressing Jack
- Policy best practices

For Additional Implementation Resources & Support

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