

Required for VAWA STOP and SASP Projects Only



Policy for response to workplace-related incidents of sexual misconduct, domestic violence and dating violence

On behalf of the subrecipient, and in support of this grant agreement, I certify under penalty of perjury to the U.S. Department of Justice, that all of the following are true and correct:

- 1) I have the authority to make the following representation on behalf of myself and the subrecipient organization.
- 2) I certify that this organization has a policy, or will issue one within 270 days of the award date, to address responses to workplace-related incidents of sexual misconduct, domestic violence, and dating violence involving an employee, volunteer, consultant, or contractor.

Scope of policy:

The policy must address the following:

- 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. A policy may provide that certain adjudications do not prohibit an individual from occupying such a position but must include standards for granting such an exemption for an individual.

Definitions:

“Adjudication” includes a conviction, issuance of a final protection order, court-ordered diversion, or other judicial finding that the employee, volunteer, consultant, or contractor has engaged in domestic violence, dating violence, sexual assault, or stalking. The recipient may choose to include additional, related offenses, such as sex trafficking, as “adjudications.”

“Domestic violence,” “dating violence,” “sexual assault,” and “stalking” have the meanings given in 34 U.S.C. § 12291(a).

“Sexual misconduct” means sexual assault, stalking, and sexual harassment.

“Sexual harassment” means 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, whether such activity is carried out by a supervisor or by a co-worker, volunteer, or contractor.

An individual is considered to be in the **“workplace”** of the recipient or subrecipient while in, or using the resources of, the recipient’s or subrecipient’s offices or facilities, using its equipment or vehicles, engaging in approved telework, on work-related travel, or otherwise conducting business on behalf of the recipient or subrecipient. The availability and nature of the response to a workplace-related incident may depend on the location at issue. June 2020 – Page 2

“Workplace-related incidents” of sexual misconduct, domestic violence, and dating violence include acts, attempted acts, or threatened acts by or against employees, consultants, volunteers, or contractors, that occur in the workplace or that occur outside the workplace but have an impact on the workplace or otherwise undermine the ability of the recipient or subrecipient to carry out the grant-funded project.

Monitoring:

The subrecipient must make its policy available to the Governor’s Crime Commission upon request.

Project Name

Project Number

Agency

Authorizing Official Signature

Printed Name

Date

Project Director Signature

Printed Name

Date