



DOMESTIC VIOLENCE PROTOCOL

Revised 2020

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**PROTOCOL FOR THE MANAGEMENT OF DOMESTIC VIOLENCE
SITUATIONS IN THE WORKPLACE**

I. Introduction

Domestic Violence is a serious problem in our country. It is a pattern of behavior in which a person tries to control the thoughts, beliefs or behavior of their partner, friend or significant other. Domestic Violence is a cycle of abuse that can manifest itself through physical and / or verbal aggression, threats, intimidation, sexual, psychological, or emotional assault, destruction of property, isolation, and deprivation of liberty. These actions are explained in Law No. 54 of August 15, 1989, also known as the "Law for the Prevention and Intervention with Domestic Violence."

Domestic Violence is undoubtedly a serious social and public health issue that affects thousands of families in Puerto Rico despite the progress made with the approval of the Law. It is a matter that transcends the private space of the home, so it is also a workplace matter.

II. Background

Domestic violence may take place primarily at home, but it also transcends the workplace. It is not limited to physical violence, but also all kinds of psychological or emotional violence. In 2015, nine thousand thirty-nine (9,039) incidents of domestic violence were officially reported; in 2016 eight thousand nine hundred twelve (8,912); in 2017 eight thousand two hundred and seventeen (8,217); in 2018 eight thousand two hundred twenty-seven (8,227) and in 2019, preliminarily, three thousand eight hundred eighty (3,880) incidents. The graph below shows the total number of murders related to

Alianza Municipal de Servicios Integrados, Inc. (AMSI)

incidents of domestic violence as documented by the police. Most of the victims were women.

Domestic violence incidents and deaths reported

2015 to 2019

Year	Incidents	*Murders		
		Masculine	Femenine	Total
2015	9,039	1	9	10
2016	8,912	1	8	9
2017	8,217	3	11	14
2018	8,227	3	23	26
2019	3,880**	1	10	11
Total	38,275	9	61	70

*Deaths confirmed as related to domestic violence

** Preliminary

Source: Data from the Puerto Rico Police Bureau, Domestic Violence Division. Preliminary data as of November 21, 2019.

According to these statistics, there is an urgent need to expand the available resources to be more effective in the prevention and eradication of Domestic Violence. Hence, the Government of Puerto Rico established Law No. 217 of September 29, 2006, requiring all employers to implement a Protocol to develop policies and procedures to handle situations of Domestic Violence that impact the workplace or employment.

AMSI Inc. recognizes that Domestic Violence is a serious social and public health problem and based on the requirements of the Law, commits to creating a healthy workforce, both physically and emotionally, and establishes a Protocol to execute a Public Policy on intolerance to Domestic Violence. AMSI is committed to handling situations of this type that could arise in the work areas. This Protocol will be called "Protocol for the Management of Domestic Violence Situations in the Workplace" and will provide uniformity to the measures and

the procedure to be followed when a Collaborator is a victim of Domestic Violence inside or outside the workplace.

Developing effective preventive and security measures, will allow the handling of cases that may be dangerous in the work environment and will protect the Collaborators from aggressions inside and outside the workplace, promoting peace and harmony among all.

III. Legal Basis

- Article I, Section 1 of the Constitution of the Commonwealth of Puerto Rico determines that the dignity of the human being is inviolable, that all persons are equal before the law and prohibits discrimination based on sex, among other reasons.
- Article I, Section 16 of the Constitution of the Commonwealth of Puerto Rico recognizes the right of every person to be protected from risks to their health and personal integrity in their workplace.
- Article VII of the Federal Civil Rights Act of 1964, prohibits discrimination in employment based on sex, among other reasons. The United States Supreme Court has interpreted sexual harassment at work as a manifestation of discrimination covered by this Act.
- Law Number 16 of August 5, 1975, as amended, known as the Occupational Health and Safety Law determines that each employer must provide to their employees a workplace that is free of risks that may lead to death or physical harm.
- Law No. 20 of April 11, 2001, as amended, or Law of the Office of the Procurator for Women creates the office and role of the Procurator for Women and revokes Law No. 57 of May 30 of 1973 that created the Commission for Women's Affairs. This Law serves as Public Policy of the Commonwealth of Puerto Rico to guarantee the full development and

respect of the human rights of women and their enjoyment of their freedoms.

- Law No. 54 of August 15, 1989, as amended, known as the Law for the Prevention and Intervention with Domestic Violence, creates the Public Policy of the Commonwealth of Puerto Rico in relation to Domestic Violence, where it recognizes that it is one of the most complex and serious problems our society is facing, and it is strongly repudiated. The Law provides legal, civil and criminal solutions for people who are victims of Domestic Violence.
- Law No. 69 of July 6, 1985, as amended, is the Law for Equal Employment Rights for both men and women. This Law prohibits discrimination based on sex.
- Law No. 100 of June 30, 1959, as amended, protects employees and applicants for employment against discrimination based on sex, among other reasons. This Law applies to government agencies that operate as businesses or private companies.
- Law No. 184 of August 3, 2004, as amended, known as the Public Servers Human Resources Administration Law, establishes the principle of merit and the prohibition of discrimination based on sex. One of its objectives is to maintain an environment of harmony and satisfaction at work that results in a high degree of motivation and a spirit of service. It rules over licenses and other benefits for people who work in the public service.
- Law No. 271 of December 26, 2006 prohibits discrimination in the workplace due to being fired or perceived as a victim of Domestic Violence, sexual assault or stalking.
- Law 284 of August 24, 1999, Law Against Stalking in Puerto Rico, reiterates the Public Policy of the Government of Puerto Rico to fight against any type of manifestation of violence that threatens the values of peace, security, dignity and respect. This Law provides a protection order

like Law 54. The process to obtain it is the same and can be requested through the court.

- Law Number 538 of September 30, 2004 amends Law 54. This Law provides that any employer can request a protection order in favor of one of its employees, visitors or another person at the place of employment, if he / she has been a victim of Domestic Violence or conduct classified as a crime according to Law 54 and said conflict occur in the workplace. The employer must notify the employee of its intention.
- Law No. 542 of September 30, 2004 amends Law 54. This amendment establishes that when the court deems it necessary or issues a protection or stalking order, the promoted party must hand the Puerto Rico Police any firearm in their possession and this will be followed by the suspension of the corresponding license for the same period that the Order lasts.
- The (VAWA) - Violence Against Women Act. Of 1994 is a Federal Legislation that provides legal protection for abused women. It prohibits any person who is convicted of a minor crime of Domestic Violence or against whom a protection order has been issued, from possessing firearms and ammunition.
- The Occupational Safety and Health Act of 1970 (OSHA) establishes that every employer is responsible for offering employees a workplace free from known hazards that are causing or are likely to cause death or serious physical harm.

IV. Definitions

- **Assailant-** Person who uses physical force or psychological violence, intimidation or persecution against a partner, ex-partner, spouse, ex-spouse, or the person who lives or has cohabited, or with whom they maintain or have sustained a consensual relationship, or with whom they have procreated a child.
- **Stalking-** Watching, following, waiting cautiously intending to control someone else's life.
- **Cohabiting-** Maintaining a consensual relationship like that of spouses.
- **Collaborator** - Any person who provides services in exchange for salary regardless of whether they have a career role, regular or probationary status, transitory or trust-based role, or full-time for the Municipal Alliance of Integrated Services, Inc.
- **Convicted** - Person who has been legally charged with a crime.
- **Spouse-** Partner or married person.
- **Serious emotional harm-** When as a result of Domestic Violence the victim repeatedly manifests one or more of the following characteristics: paralyzing fear, feelings of helplessness or hopelessness, feelings of frustration and failure, feelings of insecurity, isolation, weakened self-esteem or other similar behavior as a result of repeated acts or omissions.
- **Intimidation-** Means any repetitive action or word that results in moral pressure on the mood of a person who, for fear of suffering physical or emotional harm, damage to their property or causing harm to other people, is forced to act against their will.
- **Workplace-** Any space in which a person performs functions as an employee and the surroundings of that space. When it comes to a building or physical structure, it includes the surrounding spaces, such as gardens and parking.

- **Protection Order-** Any mandate issued in writing under the seal of a court, in which dictates measures against a person who commits acts of Domestic Violence to refrain from doing so.
- **Persecution-** Keeping a person under constant or frequent surveillance while at or close to places like the home, school, work or other places that the person visits frequently or by the vehicle in which the person travels in a way that can instill worry or fear in an average person.
- **Person who commits acts of Domestic Violence-** Person who uses physical force or psychological violence, intimidation or persecution against a partner.
- **Relationship-** Means association between spouses, ex-spouses, people who cohabit or have cohabited, those who maintain or have sustained an intimate consensual relationship, those who have procreated a son or a daughter together and those who support or have sustained a romantic or dating relationship of some sort. Includes relationships between people of the opposite sex and people of the same sex.
- **Victim / survivor-** Any person who has been the object Domestic Violence acts.
- **Domestic Violence-** Use of physical force, psychological or sexual violence, intimidation or persecution against a person by a partner to cause physical harm, damage to property or to third parties and / or to cause serious emotional harm.
- **Psychological violence-** A constant pattern of conduct exercised in dishonor, discrediting or contempt for personal worth, unreasonable limitation to access and management of common property, blackmail, constant surveillance, isolation, deprivation of access to adequate food or rest, threats of depriving the custody of the sons or daughters, or destruction of objects precious to the person.

V. Applicability

This procedure will be applicable to all Collaborators of the Municipal Alliance of Integrated Services, Inc. (AMSI) who are victims of Domestic Violence.

VI. Public Policy Implementation

It is AMSI's policy to keep its workforce healthy and fit by promoting the well-being and safety of all employees in the workplace. To achieve this, AMSI Inc., sets up as Public Policy the **Intolerance to Acts of Domestic Violence in the Workplace**, given that such acts constitute a criminal form of aggression against the Collaborators and a manifestation of gender discrimination. AMSI adopts all the necessary measures aimed at preventing harm and any negative consequences these acts may lead to.

AMSI Inc. understands that this problem must be addressed promptly, since besides affecting the well-being of its Collaborators, it triggers various situations that affect the overall performance such as absenteeism, decreased productivity, and increase in premiums for medical plans, among other things.

Through this Protocol, the Procedure for the Management of Situations of Domestic Violence in the Workplace is established. The procedure seeks to help comply with the commitment to maintain a safe work area for everyone and aims to prevent and avoid situations of Domestic Violence, as described above. To guarantee the safety and wellbeing of both the victim and the rest of the Collaborators and visitors, this procedure offers the necessary tools and resources to any Collaborator who is a victim of acts of Domestic Violence in the workplace.

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To guarantee the safety and wellbeing of both the victim and the rest of the Collaborators and visitors, this procedure offers the necessary tools and resources to any Collaborator who is a victim of acts of Domestic Violence in the workplace.

Acts of Domestic Violence can occur in person, e.g., chasing the victim around the work area, harassing, or stalking them in nearby places. It also includes intimidating or threatening a person through phone calls, text messages or through regular mail, email, fax or verbal and physical aggression when leaving or entering the workplace.

Any Collaborator who is affected or has knowledge of any situation or related incident must notify it as soon as possible.

AMSI, Inc., will provide support and the necessary guidance to any collaborator facing a situation of Domestic Violence who requests it, and will not take any unfavorable action against them. AMSI is committed to offering help to find resources and necessary treatments.

Personnel in Charge of Domestic Violence Issues

Collaborator **Gladys Rosario Rodriguez** will be responsible for Domestic Violence matters at AMSI, and she will coordinate with collaborator **Carmen M. Maldonado Castro** the trainings that will be offered.

Collaborator **Rosa Carrasquillo Lieras** will look after the compliance with the Public Policy and the Protocol for the handling of situations of Domestic Violence at AMSI.

Functions and Duties of the Collaborators in Charge of Domestic Violence Issues:

- Publish their phone numbers (**Annex-1**) and the place where Collaborators can reach out for assistance.
- Coordinate with the Area Administrator or the Center Manager, to whom the Collaborator, victim / survivor of Domestic Violence reports, or with the assigned Collaborator, all the necessary steps to offer help. They will prepare together with the affected Collaborator an action and safety plan.
- Offer training to supervisory staff and the rest of the personnel on the handling of Domestic Violence cases to raise awareness about the problem and the Protocol to follow together with the authorized Representative of the Division of Human Resources of AMSI.
- Responsible for offering the necessary follow-up to the victim.
- Plan, organize, coordinate, supervise and enforce all matters related to the Protocol.
- Submit a report on the work done to the Executive Administrator. Said report will be of a statistical nature and will not identify particular cases (use form AMSI-2018 PPR / 167 - Incidence Statistics Management of Domestic Violence Situations at AMSI, Inc.)
- Must be trained to understand the problem of Domestic Violence and develop skills to interact with victims in a safe, confidential and non-judgmental manner.
- Will serve as support for the management of situations of Domestic Violence and the execution of the processes established in this protocol.

Responsibilities of Supervisory Personnel

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All supervisory personnel will have the responsibility to collect information and remain aware of the situations of Domestic Violence faced by the Collaborators they supervise. In addition, it will be responsible for providing support with Domestic Violence cases of any Collaborator affected, even if they are not under their supervision.

- All Supervisors will be responsible for guiding the affected Collaborator, carrying out an analysis of their needs and designing a safety plan together with the Collaborator and will have the support and advice of the person in charge of Domestic Violence matters.
- The safety plan should be designed to protect the victim and other personnel.
- Inform the victim / survivor on the licenses that could be used and possible arrangements at work that promote the safety of the survivor.
- By not complying with these responsibilities, preventing the victim from receiving the necessary attention, intimidating them or ignoring the situation, the Supervisor will be disciplined in accordance with the Law and AMSI's Internal Regulations regarding corrective and disciplinary measures.

Support Orientation for Collaborators

The following Protocol aims to offer support and help coordinate the necessary help for any Collaborator who is a victim of Domestic Violence in or out of the workplace.

- The Collaborator may turn to any supervisor to initiate and receive the support and help needed to handle the Domestic Violence situation. The Supervisor will immediately reach out to the Collaborator designated to handle Domestic Violence matters.

- The information obtained will be kept under strict confidentiality and the Collaborator (victim / survivor of Domestic Violence) will be consulted on any decision regarding the security measures adopted.
- It is vital that Collaborators report any Domestic Violence issue to be able to act, support the affected Collaborator and provide greater security for them and their co-workers.
- The affected Collaborator may be at ease as their permanence at work and working conditions will not be negatively affected.
- AMSI will ensure that the Employee Assistance Program provides services for victims of Domestic Violence.

Dissemination of the Protocol

The Human Resources Division of the Administrative Affairs Area will be responsible for the dissemination of this Protocol.

- When first joining AMSI, all collaborators will receive orientation on the content of the Domestic Violence Protocol. Each collaborator will certify in writing that they were oriented and that they will be able to access a digital version of the document on the network.
- As part of the Protocol's implementation process, the person in charge of Domestic Violence matters in coordination with the authorized Representative of the Human Resources Division of the Administrative Affairs Area will be responsible of notifying every Collaborator. Each Collaborator will sign an **AMSI-2018 PPR / 158** certification indicating that they have been oriented and that they received a copy of the Protocol through the electronic network. This certification will remain in the personnel file.

- A copy of this Protocol will remain in the Administrative Affairs Area and will be kept online for easy access by all Collaborators.
- All supervisory personnel will be oriented and trained on the content, management and their role in the implementation of the Protocol.
- A brief orientation on this Protocol will be offered two (2) times a year.

Help locations for the Collaborator

A Directory of **Help Agencies for Situations of Domestic Violence (Annex-2)** is included below and includes available resources outside of AMSI such as shelters, legal aid services, emotional support services and risk reduction programs for victims / survivors of Domestic Violence.

- **Prevention and Safety**

To maintain an organizational environment that protects everyone in the workplace, AMSI establishes general safety measures and Individual Safety Plans. Prevention measures are the safest, cost-effective, and efficient way to maintain a safe organizational environment and are necessary to help prevent incidents of Domestic Violence in the workplace and improve staff safety.

- **Safety Measures**

- Staff will be informed about the tools available to disseminate information about threats, harassment, or other conduct considered Domestic Violence.
- Reception staff will be trained to prevent and identify incidents of Domestic Violence in the workplace. They must inform their supervisor, who will then notify the Administrative Affairs Area.
- A daily registry of visitors will be kept (AMSI-2018 P / 025).

- Control will be maintained at all access points around the workplace.
- AMSI will maintain an education and awareness program on Domestic Violence for all agency personnel.
- If there are security personnel, they must be oriented and always alerted.
- **Interview with the Collaborator who's a victim / survivor of Domestic Violence**
 - If a Supervisor observes that a Collaborator may be going through a situation of Domestic Violence, they must talk to the person about it. Supervisors must guarantee complete confidentiality and inform the collaborator of their responsibility to offer support you help identify what actions can be taken to ensure their safety. The supervisor must keep written evidence of the steps taken.
 - The Supervisor should promote a comfortable and safe environment to discuss Domestic Violence issues. There must be privacy and the matter must be handled with great sensitivity, as the Collaborator may feel skepticism.
 - If a Collaborator has confessed to being a survivor of Domestic Violence, Supervisors must do the following:
 - Respect the confidentiality.
 - Listen without judging. Let them know that no one deserves to be attacked, that all people have the right to live in peace, that it is not their fault and that there are people who can help them, including the supervisor.
 - Ask if they have been physically assaulted and if they need medical help. If so, supervisors should help them receive

- it. Make arrangements with the Administrative Affairs Area and verify the balance of sick days or other licenses.
- Find out if the assaults have caused any temporary or permanent disability and if the Collaborator needs accommodation at work.
 - Find out if there are firearms in the house, if the aggressor can access them easily, if they have received death threats on themselves or family member, if the aggressor uses and abuses alcohol or drugs, if they portrait jealousy, if the aggressions happen regularly, if the aggressor is insubordinate, threatens to commit suicide and / or has previous arrests.
 - Find out if the collaborator has a protection order or needs one and guide them in this regard.
 - Find out if they live with their partner to act with caution and refer them to a service agency. Supervisors must refer to the Administrative Affairs Area to refer Collaborators to the Employee Assistance Program.
 - -If the Collaborator has not expressed that they are going through a situation of Domestic Violence, the supervisor must be sensitive and ask direct questions that are not threatening in nature to the collaborator. They may approach the subject by indicating that they have perceived certain issues with their service or in the overall performance of the job that are out of the ordinary, so they presume they may be going through a delicate personal situation. Supervisors must affirm that their responsibility is to ensure the Collaborator's safety in the workplace and

that no measures will be taken that are detrimental to their employment.

- If the Collaborator refuses to receive the services that were offered after the orientation, depending on the severity of the Domestic Violence issue and if it has taken place in the workplace, the employer will proceed to inform the Collaborator that a protection order will be requested as provided by **Law No. 538** of September 30, 2004 (see section on Legal Basis of this Protocol).

- **Confidentiality**

It is important that all personnel, whether from the Administrative Affairs Area or the Supervisors, consider the ethical criteria to carry out interventions with victims of Domestic Violence. Confidentiality and respect for the privacy of the victim should be emphasized.

- The Supervisor must keep all the information shared by the victim in strict confidentiality. This means that all information offered by or related to the victim cannot be shared with third parties without their consent, except when a situation arises that endangers their life or that of a minor or other person, when mandated by a court order or under extremely dangerous circumstances.
- The victim will have access to the intervention files and to all documents included in it.
- The Office of the Procurator for Women will have resources available to help with these interventions, as well as to offer services to the referred victims.
- The privacy of the victim will be respected, they will not be forced to share details of their personal life that are not relevant to the intervention and the problem of Domestic Violence. Supervisors

must have a compelling professional reason to request that information.

VII. Case Management Procedure and Individual Safety Plan

- When a Supervisor receives information and identifies a situation of Domestic Violence, they will write a referral using the Referral Sheet **AMSI-2018 PPR / 159** and hand it to the Collaborator designated to manage situations of Domestic Violence.
- This Collaborator will examine the situation and meet with the Collaborator involved.
- The Collaborator designated for to manage situations of Domestic Violence will interview the Collaborator involved using the Initial Interview form **AMSI-2018 PPR / 160** and will establish an Agreement of Confidentiality with them, signing both parties the form **AMSI-2018 PPR / 16 1**.
- The Collaborator designated to manage situations of Domestic Violence, together with the Collaborator involved and their Supervisor will prepare an Individual Safety Plan using form AMSI-2018 PPR / 163. The Collaborator looking after situations of Domestic Violence will be responsible for preparing the Safety Plan within a maximum of 72 hours after the situation of Domestic Violence is reported. A victim / survivor protection order will not be necessary to prepare the Safety Plan.
- Actions to be taken will be decided as needed. The following factors should be considered:
 - Risk situations the victim might be facing.
 - Dangerousness of the aggressor.
 - Exposure of minors to abuse.
 - Economic and shelter needs of the victim and their children.

- Threats by the aggressor to relatives or friends of the victim.
- Risks for the collaborators or visitors.

The following possible actions may be considered:

- Arrange the place where the Collaborator is located; never turning their back to a door, hall or window with access to the street.
- Limit access to the victim / survivor.
- Relocate the victim / survivor to a safer place if agreed.
- Change the victim / survivor schedule.
- Transfer the victim / survivor to another region or town with their consent.
- Assistance will be provided to the victim / survivor to gather information that may act as evidence for legal proceedings.
- If security personnel is available, a companion will be offered to the victim / survivor when walking to the parking lot and to exit or enter the building.
- The safety plan must include actions to be taken if foreseeable complications arise, how to contact relevant agencies, shelters, know which Courtroom to go to, etc.
- Obtain a photograph of the person committing acts of Domestic Violence so they can be identified by the security and reception personnel.
- With the consent of the affected Collaborator, you may alert and instruct any Collaborators in charge of answering the phones about possible threatening or stalking calls to avoid letting them through. Keep evidence if the threats come in through documents sent by fax, text messages or by email.

- If a copy of the protection order is provided, it must be kept in a confidential place in the **confidential file**. The victim's consent must be obtained to inform security personnel so they can help comply with the order.
- The measures to be followed if a court has granted a protection order and it has been violated will be included in the safety plan. A copy will be distributed - with the consent of the victim / survivor - to the personnel helping protect the Collaborator from the aggressor. If the protection order is requested by the employer, the same safety measures and procedure will be followed, notifying the victim / survivor.
- Collaborators from the same area as the affected person will be informed about the Safety Plan. The collaborators will sign a **Confidentiality Agreement-Safety Plan** (form **AMSI-2018 PPR / 162**) to guarantee everyone's safety, including the affected collaborator.
- If deemed necessary, a protection order will be requested for the work center.
- Refer the victim / survivor to the appropriate agencies or to organizations specializing in Domestic Violence to receive support services.
- The **AMSI-2018 PPR / 164** Referral Authorization sheet will be completed.
- The situation will be followed up, as necessary.

VIII. Domestic Violence Situations

Domestic Violence in the Workplace:

- Immediately inform the Supervisor to take safety measures for the victim and other collaborators.
- Call (9-1-1) for support.

- Identify a place that provides safety for the victim.
- Provide companionship and support to the victim.
- Make sure the victim receives the necessary medical attention.
- Cooperate as much as possible with the Police to solve the incident.
- Provide guidance to the victim / survivor on any available and applicable leave time they can take, such as sick leave, family medical leave, vacation leave, leave without pay and the Employment Safety Law.

When the couple does not work in the same place

- When the Collaborator is the one who commits acts of Domestic Violence from their work area such as by using the office's fax, telephone, or email to threaten their partner, who does not work for AMSI Inc., they will be committing a crime and using government resources to commit it so appropriate disciplinary action will be taken.
- Guidance will be offered to refer them to volunteer programs in their community for re-education and retraining.
- It will be evaluated if it is necessary to review functions and responsibilities in the tasks that the Collaborator performs.

When the couple works in the same place

- The Supervisor must take immediate corrective action such as relocating one of the parties, in this case the aggressor.
- The Supervisor of both parties must be notified to take safety measures. Possible disciplinary measures should be evaluated if the aggressor commits the actions in the work area since, in

addition to being a violation of Law 54 on Domestic Violence, it could classify as sexual harassment at work in a hostile environment modality in which case Law No. 17 of April 22, 1988, against sexual harassment in the workplace will be applicable. This Law allows the victim to sue the employer for damages caused by acts of sexual harassment. In this case, the Law requires the employer to have a complaint procedure in place. At the federal level, Title II of the Civil Rights Act of 1964, which prohibits discrimination based on sex and constitutes discrimination based on sex by interpretation of the Supreme Court applies in these cases.

- All Collaborators must be reported if they use their authority in the workplace to commit or help to commit acts of Domestic Violence or to negatively affect a victim / survivor.
- Any Collaborator convicted for a misdemeanor, Article 2.1 of Domestic Violence, who has authorization to carry firearms must be removed thereof (See legal remedies). AMSI, Inc., will evaluate if the Collaborator can be relocated or assigned to another work area.

IX. Continuing Education

The supervisory personnel, as well as the Collaborators in charge of managing Domestic Violence matters must take at least one (**1**) annual training on the management of domestic violence and the implementation of this protocol.

X. Licenses to which the victim / survivor of Domestic Violence can avail

- Sick Leave- To receive health treatment related to the Domestic Violence situation.
- Family medical leave- Provides up to 12 weeks a year when the Collaborator suffers a serious health condition that prevents them from exercising their functions and / or for the care of relatives in the same situation.
- Vacation leave- To attend to any personal or family situation.
- License to serve as a witness in criminal cases - May be used if criminal charges are filed against the aggressor.
- Special sick leave - Allows the use of certain days of sick leave to care for sick children and to appear for the first time as petitioner, victim or plaintiff in administrative or judicial proceedings in child support cases, domestic violence cases, among others.
- Leave without pay- It will be used if the person exhausts all their licenses and may not last more than 12 months. Exceptions to this rule will be evaluated by AMSI, Inc.
- Puerto Rico Employment Safety Law - Payment of employment compensation to survivors of Domestic Violence who are forced to resign to protect themselves from their aggressor.

XI. Available Legal Remedies

Collaborators will be informed about any available legal remedies.

- Law No. 22 of April 22, 1988 - measures to guarantee the rights of victims and witnesses in judicial processes and investigations.
- Law No. 54 of August 15, 1989 - Law for the prevention and intervention with Domestic Violence. It contains the procedure to request the Protection Law. Law No. 54 Supra presents five crimes

and a criminal complaint will be filed supra if one of those crimes has been configured.

- Law No. 54 Supra does not require that a criminal complaint be filed to request a protection order.
- Law No. 149 of June 18, 2004 - special fund for compensation to victims of a crime. Guidance on the benefits of this Act will be offered.
- Law No. 583 of September 30, 2004 - amends Law No. 54 Supra, providing that the employer may request the protection order in favor of one of its employees or any other person in the workplace and must notify the affected employee.
- Law No. 542 of September 30, 2004 - amending Law No. 54, provides that when the court deems it necessary and issues a protection or stalking order, the charged party will be ordered to hand over to the Puerto Rico Police any firearm on which they have a possession, shooting or hunting license.
- The Federal Firearms Prohibition- The Violence Against Women Act of 1994 (VAWA) is a federal legislation that provides legal protections for abused women. Prohibits the possession of firearms to persons against whom an order of protection has been issued, or who have been convicted with a misdemeanor of Domestic Violence.
- Law No. 44 of May 12, 2016, is a new article to Chapter III of Law 54. This Law helps the victim of domestic violence change their phone number or numbers without any additional cost, if so wishes, or if the victim is not the owner of the telephone account, to get a line independently from the perpetrator assuming responsibility and control over one or more telephone numbers without the need to lose existing service or change service

providers and without having to pay. The cellular telephone service companies will change the responsibility, control and telephone number or numbers within a period of seventy-two (72) hours from the time the request is received and in accordance with the internal policies for activation of services and the terms and conditions applicable to the requested service. The victim must ask the Court to apply this law when requesting the Protection Order.

- Cameral Measure 174 - All victims of domestic violence who must leave their employment will not be deprived of an economic support, since this measure will allow them to obtain unemployment insurance compensation. As a requirement, the affected person must present the protection order in their favor or a document that proves that they are a victim of domestic violence.
- Interactive form for protection orders-This is a new tool available to survivors of domestic violence, which strengthens legal support and access to justice. This interactive form facilitates and expedites the work of legal advocates. It helps reduce the waiting time in court and offers the survivor the option of completing the form at the office of the non-profit entity that offers the legal advocate service, or from anywhere through a computer or cell phone. The interactive form is available on the help page legalpr.org and the Judicial Branch portal: www.ramajudicial.pr/violencenoesamor.

XII. Domestic Violence Signs

Victim

- Supervisory personnel who have direct contact with the Collaborators should look out for the signs of Domestic Violence and discuss the problem with the victims / survivors. As there are no specific personality traits that easily indicate that a person commits acts of Domestic Violence or, in turn is a victim / survivor, the Supervisor must see if there are any signs of abuse. The following signs can help identify if a Collaborator may be going through a situation of Domestic Violence:
 - Requests to be changed to a different work area.
 - Visible bruises or marks on their body and offers explanations that do not seem accurate.
 - Seems distracted or has trouble concentrating.
 - Receives frequent phone calls or text messages from their partner and this causes them anxiety or makes them nervous.
 - Incurs in frequent (with or without a valid excuse) tardiness and absenteeism.
 - Shows signs of stress, fear, worry, anxiety, frustration, or depression.
 - The quality of work decreases for no apparent reason.
 - Shows discomfort when communicating with other people.
 - Tends to remain isolated from co-workers or is reluctant to participate in social events.
 - There is a physical deterioration or change in their personal appearance. Noticeable change in the use of makeup to cover bruises.
 - Unsuitable clothing and accessories (glasses inside the building or cover-up shirts even in hot weather).

- Frequent financial problems that may be indicative of lack of accessibility to money.
- Suffers panic attacks and uses tranquilizers or pain medications.
- Sudden visits from an ex-partner or current partner that causes anxiety.

Aggressor

- Calls or visits the victim's workplace without authorization.
- Wanders around the entrance and exit areas, the parking areas and any other frequented by the victim.
- Becomes upset if access to the victim is denied or prohibited.
- Tries to dodge security to access the workplace through alternate entrances or areas unauthorized to the public or tries to enter after hours / outside of working hours.
- Speaks disparagingly of the victim with their supervisors and / or co-workers.
- Asks other employees for information related to the victim's schedules.

XIII. Reasons why victims of Domestic Violence may stay in abusive relationships

- Fear that the abuser will chase, attack, or kill them.
- Fear of breaking up the family and taking the children away from the other parent.
- Family demands and pressure from friends.
- Lack of financial resources (housing, employment, education, etc.)
- Think that these kinds of problems happen in every relationship.
- Religious beliefs about marriage.
- Hope that the relationship will improve.
- Taking the blame for the problem.

- Not knowing what to do because they have limited knowledge about their rights.
- Little support from society.
- Education and upbringing in socialization processes.
- Feeling like a failure in the role of man or woman.
- Physical or emotional health problems.
- Sense of helplessness and powerlessness.
- Fear of loneliness.
- Ashamed that other people find out that they are a victim of abuse.
- Fear of being penalized at work.

XIV. Orientation and Education Plan

- Collaborators will be oriented on the rules and procedures to report situations of Domestic Violence in the workplace and the safety measures that will be implemented to prevent them.
- The reception staff will be trained so that they can identify dangerous situations related to Domestic Violence in the work area and how to channel them.
- Supervisory personnel will be trained on how to handle Domestic Violence situations in the work area.
- All staff will be oriented on psychosocial and legal aspects of Domestic Violence.

XV. Vigencia

This Domestic Violence Protocol will be effective as of its approval.

XVI. Approval

This revision to the Domestic Violence Protocol is approved today, __
_____, **2020**, in Caguas, Puerto Rico.

Vicky Cintrón de Azize
Chair, Local Workforce Development Board

Joaquín Santiago Santos
Executive Administrator

Annex – 1

PERSONNEL IN CHARGE OF DOMESTIC VIOLENCE MATTERS

Collaborator in Charge of Domestic Violence Issues:

Gladys Rosario Rodríguez
Navigator, People with Disabilities Affairs, Business Area
Address- Consolidated Medical Plaza 6th Floor Office 604 Caguas, Puerto Rico
Tel. 744-5329 extension *8003

Collaborator in Charge of Compliance with Public Policy and the Protocol for Handling Situations of Domestic Violence:

Rosa M. Carrasquillo Lleras
Coordinator of Development and Workforce Training (Job Career Coach)
One-Stop Center Caguas-Gurabo-Aguas Buenas
Address- Consolidated Medical Plaza 6th Floor Office 606 Caguas, Puerto Rico
Tel. 744-5329 Extension *7014

Collaborator in Charge of Training for Handling Situations of Domestic Violence

Carmen M. Maldonado Castro
Executive Human Resources Officer
Administrative Affairs Area-Human Resources Division
Address- Consolidated Medical Plaza 5th Floor Office 501 Caguas, Puerto Rico
Tel. 744-5329 Extension *6004

Annex – 2: Directory

Available Resources

Provider	Services	Telephone
Office of the Procurator for Women Ave. Ponce de León Edif. 161 Hato Rey PR	Talks, educational workshops in communities, churches, work centers, universities and schools. Investigation of complaints guarantees compliance with the Law. Attend to Crisis situations.	787-721-7676
Hogar La Piedad Caguas, PR	Shelter, psychosocial support, temporary housing and Social Work throughout the Island.	787-746-0535
Instituto del Hogar – Proyecto Criando por la Paz-San Juan, PR	Orientation and Counseling. Psychoeducational workshops in San Juan and metropolitan area.	787-765-7895 787-765-7899
Paz para la Mujer Calle De Diego Hato Rey, PR	Trainings, educational talks, distribution of educational material, referrals to support services.	787-281-7579 pazparalamujer.org
Centro de estudios, Recursos y Servicios para la Mujer (CERES) UPR, Río Piedras, PR	Counseling, support services, referrals, and research.	787-764-0000 ext. 2923
Centro de Fortalecimiento Familiar (ESCAPE) Guaynabo, PR	Service to abused women and minors, home visits, support system. Interagency coordination, legal advice on Law 54 (Domestic Violence) and Law 75 (Protection of Minors).	787-287-6161 787-993-1344
Centro de Servicios a la Juventud, Inc.; Lazos de Mujer Arecibo, PR	Crisis intervention, follow-up, therapy, group therapy, shelter / safe home, information and referral (in person), assistance with	787-878-6776

Alianza Municipal de Servicios Integrados, Inc. (AMSI)

	claims for compensation, information and referral.	
Proyecto de Acción Social Comunitaria REDES, Inc. (El Despertar) Trujillo Alto, PR.	Outpatient service to victims of domestic violence.	787-292-0720
Travelers Aid of Puerto Rico San Juan, PR	Outpatient service and tickets for victims of domestic violence.	787-791-1034
CREARTE, Inc. San Juan, PR	Prevention and education for young people on issues of domestic violence and sexual abuse.	787-754-6761

Peace for Women Collective (Coordinadora Paz para la Mujer): It is a group of organizations founded in 1989; their efforts promote the eradication of domestic violence and sexual assault.

Provider	Service	Telephone
Casa Protegida Julia de Burgos San Juan and Ponce	Shelter, legal advocacy and psychosocial support in the courts of the regions of San Juan, Carolina and Ponce.	787-723-3500, 3516, 3520, 787-725-8580 787-284-4303 Ponce
Casa Protegida Luisa Capetillo Arecibo, PR	Shelter, ambulatory guidance services.	787-880-6944 787- 878-1934, 1935
Hogar Ruth Vega Alta, PR	Shelter, psychosocial support and legal advocate in courts of Arecibo, Bayamon and Utuado.	787-883-1805 787-883-1884 787-548-6900 <i>on Call</i> 939- 630-7806 787- 223-1886
Casa de la Bondad, Inc. Humacao, PR	Shelter, outpatient program, legal representation and psychosocial support in the courts of the Judicial Regions of Humacao and Fajardo.	787-852-7265 787-852-2087 * 787-548-0010 *Emergencies after 5 pm
Hogar Nueva Mujer Cayey, PR	Shelter, psychosocial support	787-263-6473 787-263-8980

Alianza Municipal de Servicios Integrados, Inc. (AMSI)

	and intercessor and legal representation in the courts of the regions of Caguas. Transitional shelter Economic self-sufficiency.	Línea Emergencia 787-202-4634 939-255-9800 Court of Law
La Casa de Todos Juncos, PR	Shelter, Social Work, legal advocacy and educational services, coordination across the entire island.	787-734-5511 787-734-3132 787-722-6302
Hogar Clara Lair Hormigueros, PR	Shelter, psychosocial support and legal advocacy in the Aguadilla courts and Mayaguez.	787-832-2132 787-849-3075 Fax Aguadilla Court of Law
Casa Pensamiento de Mujer del Centro, Aibonito, PR	Legal representation and psychosocial support in Courts of the Region of Aibonito.	787-735-3200 787-735-6698
Centro Mujer y Nueva Familia Barranquitas, PR	Orientation, counseling, crisis intervention, legal advocate and educational activities in Barranquitas and neighboring towns.	
Asociación Cristiana Femenina de PR (YWCA) SJ	Support, guidance, counseling. PUBLIC SCHOOL GIRLS- Prevention 12-17 years	787)724-1037
Programa de Prevención de la Violencia hacia las Mujeres UPR Humacao	Prevention and education about domestic violence, sexual aggression and stalking.	787-850-0000 Ext: 9629, 9601,9668
Centro de Ayuda a Víctimas de Violación CAVV	Social work, orientation, psychological services for rape victims and interagency coordination.	Help Line dirng office hours 765-2285 Information line – health centers 787-765-2929 San Juan Ext: 5940 Arecibo Ext: 6321, 6354 Caguas

Alianza Municipal de Servicios Integrados, Inc. (AMSI)

		Ext: 5598, 5599 Fajardo Ext: 6390 Mayagüez Ext: 5760, 5761 Ponce Ext: 3315
Provider	Services	Telephone
Centro de Servicios a la Mujer Dominicana	Support, guidance, counseling	SJ: 787-772-9251
Oficina para Promoción y el Desarrollo Humano , Inc. (OPDH) Arecibo, PR	Support groups for victims of domestic violence.	787-817-6951,6955,6954
Proyecto de Ayuda a Sobrevivientes de Violencia Sexual y Doméstica orientado a la Salud de las Mujeres PASOS Centro de Servicios SJ	Support for survivors of sexual and domestic violence, counseling, psychological support	787-765-0615 Ext. 368
Comité Internacional Asuntos de la Mujer y del Género- Universidad de PR Arecibo		787-612-7425
Amnistía Internacional Sección de PR Comité de Género SJ	Protection of human rights	787-763-8318
Taller Salud Loíza, PR	Educational activities and information on reproductive health and female sexuality.	787-876-3440 787-256-7568

Additional Providers and Services

Provider	Telephone
CAPROMUNI (Protected House for Women and Children) Arecibo (Shelter, psychosocial support, transitory housing).	787-880-2272 (Albergue)
American Association of University Woman, Universidad Central del Caribe, San Juan PR	787-439-5825

Alianza Municipal de Servicios Integrados, Inc. (AMSI)

Proyecto Apoyo a Mujeres Sobrevivientes de Violencia Doméstica: Siempre Vivas, UPR Mayagüez, PR	787-390-3371 787-832-4040 Ext 6203, 6204
Organización Puertorriqueña de la Mujer Trabajadora San Juan	787-374-8348
Feministas en Marcha, San Juan	787-753-6430
Puerto Rico Department of the Family, Family Guidance and Support Unit	787-977-8022 (Área Metro) 1-888-359-7777 (Isla)
Department of Justice, Victim and Witness Assistance Division	787-729-2516 Specialized Units in Domestic Violence, Sexual Crimes and Child Abuse 787-729-2099
Paz para la Mujer info@pazparalamujer.org	787-281-7579 vilma.gonzalez@pazparalamujer.org

Puerto Rico Police Department Sex crimes and child abuse division
787-793-1234 ext. 3165 Domestic
violence division: 787-793-1234 ext.
3011

Proyecto de Justicia Integral para 787-728-5070, 787-728-5011,
Mujeres (Legal Services) 1-800-981-5342

OSHA Administración de Seguridad y 787-754-2172 (For guidance in case an
Salud Ocupacional de Puerto Rico (PR employer has or does not implement a
OSHA), División de Programas protocol for situations of domestic
Voluntarios violence in the work area)

Legal Advocacy for Victims of Domestic Violence

- Emotional support services and coordination
- Accompaniment
- Understand and address the needs and problems related to violence
- Guidance
- Coordination of other services / referrals

- **Judicial Center - Aibonito**
Casa Pensamiento Mujer del Centro, Inc.

787-735-6698

- **Judicial Center - Aguadilla**
Hogar Clara Lair
787-548-0417
- **Judicial Center - Arecibo**
Hogar Ruth
787-548-6903
- **Judicial Center- Bayamón**
Hogar Ruth
787-548-6902
- **Judicial Center- Caguas**
787-653-0070
- **Judicial Center - Carolina**
Hogar Ruth
787-548-0413
- **Judicial Center- Fajardo**
Casa de La Bondad
787-852-7265, 2087
- **Judicial Center- Guayama**
Casa Pensamiento
787-686-2000
- **Judicial Center- Humacao**
Casa de La Bondad
787-852-7265, 2087
- **Judicial Center- de Mayagüez**
Casa Clara Lair
787-548-0418
- **Judicial Center- Río Grande**
Hogar Ruth
787-548-0810
- **Judicial Center- San Juan**
Oficina Legal de la Comunidad, Hato Rey
787-724-0524
Proyecto RAMA
787-701-2395
Centro de la Mujer Dominicana

Alianza Municipal de Servicios Integrados, Inc. (AMSI)

787-772-9251 (Legal Advocate)

- **Judicial Center- Utuado**

Hogar Ruth

787-548-6904

Centro de la Mujer Dominicana (Legal Advocate)

787-772-9251

Oficina de Compensación a Víctimas de Delito (Crime Victims Compensation)

Justice Department

1-855-884-2846

www.justicia.gobierno.pr

Municipal Resources

AGUAS BUENAS

Citizen Affairs Office

Contact: Katherine Bonilla

Programa de La Mujer

Services: Outpatient service for women/ victims of violence, Community Talks and referrals

Hours: Monday - Friday 8:00 AM – 4:00 PM

Tel: 787-732-4700 ext 2602

Fax: 787-732-2344

Mayor's Office: 787-732-8621 ext 416

Fax: 787-737-6286

Address: PO Box 128 Aguas Buenas, PR 00703-0128

AIBONITO

CITIZEN AFFAIRS OFFICE

Contact: Ivelisse Colon

Servicios: Guidance and refferals

Hours: Monday - Friday 8:00 AM - 4:30 PM

Tel: 787-735-8181 ext 7024

Fax: 787-735-2175

Address: PO Box 2004 Aibonito, PR 00705

ARROYO

CITIZEN AFFAIRS OFFICE

Contact: Wanda Tirado

Services: Guidance, refferals and collaboration with other agencies.

Hours: Monday - Friday 8:00 AM- 4:00 PM

Alianza Municipal de Servicios Integrados, Inc. (AMSI)

Tel: 787-839-3500 extension 374 y 375
Address: PO Box 4747 Arroyo, PR 00714

CAGUAS

DEPARTMENT OF FAMILY SERVICES – WOMEN'S OFFICE

Contact: Mariela Cruz, Director

Services: Prevention and education on domestic violence, sexual assault and stalking. Outpatient service to women in the Caguas area. Legal representation, legal advocates, psychologists, lawyers.

Hours: Monday - Friday 8:00 AM - 12:00 PM

Tel: 787-704-2020

Fax: 787-258-6460

E-mail: ntorres@caguas.gov .pr

Address: PO Box 907 Caguas, PR 00726-0907

CAYEY

CITIZEN AFFAIRS OFFICE

Contact: Evelyn Miranda

Services: Liason with other agencies, referral services

Hours: Monday - Friday 8:00 AM - 12:00 PM

Tel: 787-738-2434, 787-738-2009

Fax: 787-263-0945

Address: PO Box 371330 Cayey, PR 00736

GUAYAMA

CITIZEN AFFAIRS OFFICE

Contact: Obrian Vazquez

Services: Legal assistance, refferals

Hours: Monday - Friday 8:00-12:00 AM - 1:00-4:30 PM

Tel: 787-864-1882

Fax: 787-864-5070

Address: PO Box 360 Guayama, PR 00785-0360

GURABO

CITIZEN AFFAIRS OFFICE – WOMENS AFFAIRS OFFICE

Contact: Lic. Ileana Barcourt - Director

Aida Hernandez – Social Worker

Services: Outpatient service for women victims of violence in the Gurabo area.

Hours: Monday - Friday 8: 00 AM - 4:00 PM

Tel: 787-712-1100 ext 267

E- m ail : serviciosintegrados@gurabopr.com

Address: PO Box 3020 Gurabo, Puerto Rico 00778

TRUJILLO ALTO

CITIZEN AFFAIRS OFFICE

Services: Social Work Service, guidance and liaison with other aid agencies.

Contact: Sheila Colon - Director

Alianza Municipal de Servicios Integrados, Inc. (AMSI)

Maribel Camacho-Social Worker

Hours: Monday - Friday 8 :00 AM - 4:00 PM

Tel: 787-761-0172

Address: PO Box 1869 Trujillo Alto, PR 00977