

Workplace Policy

Where Do I Start?

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- Developing Guidelines
- Training Employees
- Approaching Victims of Violence
- DV Checklist: Threat Assessment
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- The Role of the Union
- DV Policy Links
- Generic DV Policy Sample
- Altria Group, Inc. Policy
- Liz Claiborne DV Policy
- Mintz Levin DV Policy

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. Domestic Violence Policy (Part Two of Two)

V. POLICY

- A. The Firm considers the perpetration of Acts of Violence by an Employee to constitute, at a minimum, intolerable, unacceptable conduct and a material breach of any duty such person owes to Mintz Levin. As such, the Firm will take seriously any reports of violent acts as defined in this Policy. This Policy, however, does not create any legal duty or obligation on the part of the Firm to respond to, investigate or address any such allegations in any particular manner
- B. To the extent permitted by applicable law, Mintz Levin requires any Employee who has been convicted of having violated a temporary restraining order issued pursuant to applicable state law within the past five years, where any of the facts forming the basis of such violation arose from Acts of Violence, or who has been convicted of a felony arising from Acts of Violence, to report such violation or conviction to the Firm by contacting the Director of Human Resources or the Managing Partner of any office of the Firm
- C. The Firm encourages any person who perceives that an Employee is perpetrating or has perpetrated Acts of Violence to report promptly such conduct to his/her Manager, the Director of Human Resources or the Managing Partner of any office of the Firm so that the Firm can review the incident. Mintz Levin will not tolerate any retaliation against anyone who in good faith reports an incident of an Act of Violence or who cooperates in the review thereof. Mintz Levin will use reasonable efforts to protect the confidentiality of such individuals reporting or cooperating, but it cannot guarantee confidentiality in all cases
- D. Upon learning of an incident of an Act of Violence, the Firm may review the reported conduct, which may include an interview with the alleged perpetrator. The investigation may, to the extent permitted by applicable law, also include questions regarding:
 - The alleged conduct of the Employee that is disrupting or has disrupted the workplace;
 - Whether the Employee has been convicted of violating a temporary restraining order issued pursuant to applicable state law within the five years immediately preceding the date of the request for information; and
 - Whether the Employee has been convicted of a felony
 - Nothing herein, however, is to be construed to require the Firm to act in any particular manner. The Firm reserves the right to respond (or not to respond) to any actual or perceived Acts of Violence in the manner in which it sees fit given the particular facts and circumstances
- E. If Mintz Levin concludes that an Employee has violated this policy by perpetrating Acts of Violence, the Firm may respond by:
 - Referring the Employee to, or requiring the employee to seek help with, the Employee Assistance Program or a certified intervention program; and/or
 - Taking any other action which may be appropriate, including placing the Employee on administrative leave without pay or taking other disciplinary measures, up to and including dismissal
 - The Firm, however, retains the sole discretion to determine the level of discipline (if any) imposed on such perpetrators
- F. Mintz Levin encourages any Employee who has perpetrated Acts of Violence to seek help. Upon request, the Firm may refer any such Employee to the Mintz Levin Employee Assistance Program and/or to a certified intervention program. One consideration for the Firm in determining potential disciplinary measures is whether the Employee recognizes the problem and seeks help from an appropriate program on his/her own accord
- G. The Firm highly discourages conduct wherein an Employee knowingly, willfully or in bad faith falsely accuses another person of committing Acts of Violence or makes any other false report. Such conduct may cause the Firm to take disciplinary measures against such Employee, up to and including dismissal
- H. Mintz Levin will use reasonable efforts to protect the confidentiality of any Employee whom the Firm knows to be involved in any way with incidents of Acts of Violence, but the Firm cannot guarantee confidentiality in all cases

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