



For Immediate Release
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Contact: Caitlin Kelleher
505-476-2299

Governor Richardson Signs Executive Order Requiring Workplace Policies to Address Domestic Violence

Governor Also Announces New Domestic Violence PSA Featuring First Lady Barbara Richardson Will Run Throughout October

SANTA FE – Governor Bill Richardson has issued a proclamation declaring October, Domestic Violence Awareness Month, across the state of New Mexico, along with that the Governor announced new initiatives to kickoff the month.

“I am pleased to announce a number of new domestic violence initiatives including a public service announcement featuring First Lady Barbara Richardson and an executive order requiring state agencies to implement domestic violence, sexual assault and stalking workplace policies,” said Governor Richardson. “Domestic violence affects all New Mexicans, and its damage is inflicted not only upon victims, but their children, families, communities and employers.”

A public service announcement featuring First Lady Barbara Richardson will run throughout the month of October on local TV and radio stations. The PSA depicts everyday situations – including a neighbor, a teacher and an employer who witness the signs of domestic violence.

“The First Lady has been a champion in the fight against domestic violence; this PSA will bring much needed awareness to this critical issue,” said Governor Richardson.

“Stopping Domestic Violence must be a statewide effort,” said First Lady Richardson. “As shown in the PSA, an employer, a teacher, a friend, or a parent can see the signs of domestic violence and each of us must learn how to help. By working together we can stop domestic violence in New Mexico.”

The Governor has also signed an executive order, requiring state agencies to implement domestic violence, sexual assault and stalking workplace policies necessary to provide victims with safe and supportive work environments. The executive order states the new policies must be effective July 1, 2009.

“Domestic Violence Awareness Month is an opportunity to reaffirm our commitment to ending the cycle of violence in New Mexico. The affects of domestic violence, sexual assault and stalking on the workplace are tremendous. There is a huge financial cost to employers, when

victims are distracted and harassed at work, or simply absent. By creating supportive and safe work environments, victims are able to maintain employment and are more likely to gain the financial independence necessary to escape a violent relationship,” said Sharon Pino, Domestic Violence Czar.

Note: Domestic Violence Awareness Month Proclamation and Executive Order:

EXECUTIVE ORDER 2008-___

**ESTABLISHING PREVENTATIVE DOMESTIC VIOLENCE, SEXUAL ASSAULT,
AND STALKING WORKPLACE POLICIES IN ALL NEW MEXICO STATE
AGENCIES**

WHEREAS, providing a supportive and safe work environment for victims of domestic violence, sexual assault and stalking increases the likelihood that these individuals will be able to maintain their employment and financial independence;

WHEREAS, throughout the country, and in New Mexico, an increasing number of businesses are adopting policies to address family violence issues as such issues negatively impact the workplace;

WHEREAS, domestic violence, sexual assault and stalking cost U.S. employers hundreds of millions of dollars in absenteeism, lost wages, health care expenses, and lost productivity arising from the impact on employee morale;

WHEREAS, victims of family violence who are attempting to end abusive relationships are especially vulnerable in the workplace due to accessibility;

WHEREAS, the policy of the State of New Mexico is to eliminate domestic violence, sexual assault and stalking and to eliminate tolerance for these offenses in any form, at any place, whether at home, at the workplace, or elsewhere;

WHEREAS, executive branch agencies of the State of New Mexico should be sexual assault-free, domestic violence-free, and stalking-free workplaces for all of their employees;

WHEREAS, victims of domestic violence, sexual assault, and stalking need support and assistance from their employers but are often afraid of disclosing the abuse to their employers; and

WHEREAS, the Executive Branch of the State of New Mexico is one of the largest employers in the State and can set a positive example by adopting model domestic violence, sexual assault and stalking workplace policies.

NOW THEREFORE, I, Bill Richardson, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and the Laws of the State of New Mexico

do hereby order each state agency to develop, submit to the New Mexico Domestic Violence Leadership Commission for review and comment, and implement preventative domestic violence, sexual assault, and stalking workplace policies by July 1, 2009. Such policies shall include the following:

1. Responsive policies and procedures for employees and management to address domestic violence, sexual assault, and stalking and the effects of these offenses in the workplace;
2. A workplace protocol to ensure the safety of the victimized employee as well as other employees working in close proximity.
3. Guidance for employees and management regarding available support and assistance, including confidential means for seeking assistance and resource and referral information.
 - a. A requirement that the agency maintain, publish and post in locations of high visibility such as bulletin boards, break rooms and online sources, a statewide list with contact information for counseling, advocacy and referral resources for victims of domestic violence, sexual assault, and stalking, as well as intervention program resources for perpetrators.
 - b. The list to be posted will be developed, maintained and published by the Children Youth and Families Department (CYFD)
4. A commitment to respect the confidentiality and autonomy of victims to the fullest extent permitted by law.
5. A policy that agency employees who witness threats or incidents of domestic violence, sexual assault or stalking in the workplace will be strongly encouraged to report the event immediately to agency designated and appropriately trained managers or supervisors.
6. A clear prohibition against the threat or commission of domestic violence, sexual assault or stalking by any agency employee on agency premises, during working hours or at an agency-sponsored event, whether directed at another agency employee or other person.
7. A prohibition of discrimination against employees on the basis of their victimization.
8. A confidential method for employees who are either victims of domestic violence, sexual assault, or stalking, or perpetrators of these offenses to seek support and assistance without fear of reproach.

9. A policy that requires the agency, upon request, to assist the employee to identify available leave options which allow employees to address the abuse in their lives, including, for example, to:
 - a. obtain or attempt to obtain any judicial relief, including, but not limited to an order of protection;
 - b. meet with law enforcement officials, consult with attorneys, and/or victim advocates, and attend court proceedings related to the domestic abuse, sexual assault or stalking;
 - c. seek treatment by a health care provider for physical or mental injuries caused by domestic abuse, sexual assault or stalking or to attend to such health care treatment for a victim who is a designated family member;
 - d. obtain or assist a designated family member, in obtaining services from a domestic violence shelter, domestic violence program, rape crisis center, or other social services program for relief from domestic abuse, sexual assault or stalking;
 - e. obtain or assist a designated family member, in obtaining mental health counseling related to an experience of domestic abuse, sexual assault or stalking; or
 - f. participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's designated family member, from future domestic abuse, sexual assault or stalking.

Agencies may use the model policy developed by the New Mexico Domestic Violence Leadership Commission as a basis for developing a workplace policy consistent with this order.

I FURTHER DIRECT every state agency to implement the Domestic Violence, Sexual Assault and Stalking in the Workplace Prevention Training curriculum and delivery program developed by the New Mexico Domestic Violence Leadership Commission. This training shall focus on domestic violence, sexual assault and stalking awareness, workplace security and safety planning, the need for confidentiality and record keeping, conducting appropriate investigations, and appropriate referrals. Agencies are directed to make this training available upon the hiring of new personnel and agency-wide at least every two years. The first agency training shall take place no later than six months following the agency's implementation of the workplace policy.

THIS ORDER does not alter any existing collective bargaining agreements.

THIS ORDER supersedes any other previous orders, proclamations, or directives to the extent they are in conflict. This Executive Order shall take effect immediately and remain in effect until such time as it is rescinded by the Governor.

ATTEST:

MARY HERRERA
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE THIS
_____ DAY OF SEPTEMBER, 2008

WITNESS MY HAND AND THE GREAT SEAL
OF THE STATE OF NEW MEXICO

BILL RICHARDSON
GOVERNOR

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