



Office of the City Manager

INFORMATION CALENDAR

December 10, 2024

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Aram Kouyoumdjian, Director of Human Resources

Subject: UPDATE: HR Response: Audit Directive(s) for Comprehensive Domestic Violence Policy to Support City Employees

INTRODUCTION

This report is an informational update on progress toward goals recommended by a City Auditor report titled “Domestic Violence Response: Berkeley Needs a Comprehensive Policy to Support City Employees” issued on October 10, 2019.<sup>1</sup> Specifically, the report tracks progress toward goals articulated by the Audit’s Corrective Action Plan within the broader context of a workplace violence prevention policy being developed by the Human Resources Department.

CURRENT SITUATION AND ITS EFFECTS

The audit set forth six recommendations, and implementation of all six has been started, while four have been partly implemented. Five of the recommendations have been integrated into a working draft of a revised domestic violence policy. These revisions pertain to the title of the policy (to reflect a broader scope), pertinent definitions, factors to be considered in assessing accommodations, supporting documents required for accommodations, and best practices in implementing such a policy. The revisions will soon be submitted to the City Attorney’s Office for legal review.

As to a sixth recommendation regarding staff training for compliance with the policy, HR is looking to incorporate such training into a redesigned Supervisor Training curriculum, with an anticipated launch date early next year. Moreover, the department has developed a draft of a comprehensive Workplace Violence Prevention Policy focused on threat assessment and mechanisms for reporting suspicious behavior/activity; the policy will be effectuated in concert with broader workplace violence prevention trainings in compliance with new requirements set forth by state law (AB 553).

---

<sup>1</sup> Domestic Violence Response: Berkeley Needs a Comprehensive Policy to Support City Employees:  
<https://berkeleyca.gov/sites/default/files/2022-01/Domestic-Violence-Response-Report.pdf>

BACKGROUND

The City Auditor's Office issued its report on October 10, 2019. HR's first informational update was provided on November 3, 2022 and the second on May 14, 2024. This report is HR's third informational update, and its next one will be due in Fall 2025.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects or opportunities associated with the subject of this report.

CONTACT PERSON

Aram Kouyoumdjian, Director of Human Resources, (510) 981-6807.

Attachments:

1. Audit Findings, Recommendations, and Status Updates

Audit Title: Domestic Violence Response: Berkeley Needs a Comprehensive Policy to Support City Employees					
Issue Date: October 10, 2019					
Finding	Recommendation		Department	Previous status update	Current status update
Policy does not completely reflect state requirements.	1.1	Define and include sexual assault, stalking, and witnesses' rights.	Human Resources	Partly Implemented	<u>Partly Implemented:</u> Human Resources has made proposed updates to terms and definitions in the policy. Policy is in draft form and awaiting approval.
Policy does not completely reflect state requirements.	1.2	State that when assessing safety accommodations, Human Resources takes into consideration danger to the employee and undue burden to the employer.	Human Resources	Partly Implemented	<u>Partly Implemented:</u> Human Resources has made proposed updates to terms and definitions in the policy. Policy is in draft form and awaiting approval.
Policy does not completely reflect state requirements.	1.3	Revise the policy title to reflect the comprehensive scope of the policy.	Human Resources	Partly Implemented	<u>Partly Implemented:</u> Policy title is updated in draft form and is awaiting approval.
Policy does not completely reflect state requirements.	1.4	Clarify that requirements for employees to document their use of leave or request for accommodations are at the discretion of Human Resources and may include self-certification when appropriate. We also recommend that Human Resources clarify that employees are encouraged to come to Human Resources for assistance even if they do not initially have the documentation that may be requested.	Human Resources	Partly Implemented	<u>Partly Implemented:</u> Policy is updated in draft form and is awaiting approval.
Policy does not address key workplace domestic violence issues.	2.1	Incorporate the model policy and all best practice elements described in this finding, and communicate this guidance to city staff.	Human Resources	Started	<u>Started:</u> The policy update is in draft form and is awaiting approval. In addition, Human Resources will assess the feasibility of adopting additional elements from model policies and will add as appropriate at a later date.

<p>Berkeley needs to prepare all staff to comply with the policy.</p>	<p>3.1</p>	<p>Implement best practices, including: - Training supervisors and Human Resources staff about their role in responding to employees experiencing domestic violence and providing information for employees about the domestic violence response policy; - Conducting periodic outreach to employees to inform them about the policy, encourage them to come forward, and provide general information about domestic violence; - Facilitating collaboration among city staff who have a role in implementing the policy, and convening a domestic violence response team to advise on policies, ongoing outreach and education, and Human Resources' implementation of recommendations from this audit; and - Adopting a trauma-informed and inclusive approach.</p>	<p>Human Resources</p>	<p>Started</p>	<p><u>Started:</u> Human Resources may add policy review to supervisor training to include revised domestic violence policy.</p>
---	------------	--	------------------------	----------------	--