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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 429      Session of  
2005

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INTRODUCED BY ORIE, RAFFERTY, LEMMOND, STACK, COSTA AND BOSCOLA,  
MARCH 22, 2005

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REFERRED TO LABOR AND INDUSTRY, MARCH 22, 2005

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AN ACT

1 Providing for the creation of a model domestic abuse awareness  
2 and assistance program and for related powers and duties of  
3 the Department of Labor and Industry.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Domestic  
8 Abuse Assistance and Awareness in the Workplace Act.

9 Section 2. Legislative findings and declarations.

10 The General Assembly finds and declares as follows:

11 (1) There is an ever-increasing number of persons in  
12 this Commonwealth who are affected by domestic abuse. Studies  
13 have indicated that, nationally, one in three women is a  
14 victim of domestic abuse. Domestic abuse not only causes  
15 physical injury but also loss of trust, loss of personal  
16 safety in one's own home, loss of self-esteem and loss of  
17 control over one's own life. Domestic abuse can also extend  
18 into the workplace by leading to lost wages, higher health

1 care costs, lower productivity, excessive absenteeism and  
2 increased security needs.

3 (2) Domestic abuse directly affects workplaces when  
4 batterers attack, stalk or harass women at work. Nationally,  
5 94% of corporate security directors surveyed rank domestic  
6 abuse as a high security problem. It has been estimated that  
7 the total medical cost of domestic abuse in Pennsylvania  
8 exceeds the medical cost of elder abuse, child abuse and  
9 street violence combined. Employers throughout this  
10 Commonwealth can and should take steps to make workplaces  
11 safer for employees who are victims of domestic abuse.  
12 Appropriate workplace programs relating to domestic abuse  
13 benefit both the victims and their employers by promoting  
14 support and safety.

15 (3) It is the intent of the General Assembly to reaffirm  
16 the Commonwealth's commitment to victims of domestic abuse by  
17 providing awareness and assistance to employers and employees  
18 in the workplace.

19 Section 3. Definitions.

20 The following words and phrases when used in this act shall  
21 have the meanings given to them in this section unless the  
22 context clearly indicates otherwise:

23 "Department." The Department of Labor and Industry of the  
24 Commonwealth.

25 "Domestic abuse." The occurrence of one or more of the  
26 following acts between family or household members, sexual or  
27 intimate partners or persons who share biological parenthood:

28 (1) Attempting to cause or intentionally, knowingly or  
29 recklessly causing bodily injury, serious bodily injury,  
30 rape, involuntary deviate sexual intercourse, sexual assault,

1 statutory sexual assault, aggravated indecent assault,  
2 indecent assault or incest with or without a deadly weapon.

3 (2) Placing another in reasonable fear of imminent  
4 serious bodily injury.

5 (3) Inflicting false imprisonment pursuant to 18 Pa.C.S.  
6 § 2903 (relating to false imprisonment).

7 (4) Physically or sexually abusing minor children,  
8 including such terms as defined in 23 Pa.C.S. Ch. 63  
9 (relating to child protective services).

10 (5) Knowingly engaging in a course of conduct or  
11 repeatedly committing acts toward another person, including  
12 following the person, without proper authority, under  
13 circumstances which place the person in reasonable fear of  
14 bodily injury.

15 "Family or household members." Spouses or persons who have  
16 been spouses, persons living as spouses or who lived as spouses,  
17 parents and children, other persons related by consanguinity or  
18 affinity, current or former sexual or intimate partners or  
19 persons who share biological parenthood.

20 "Secretary." The Secretary of Labor and Industry of the  
21 Commonwealth.

22 "Victim." A victim of domestic abuse.

#### 23 Section 4. Powers and duties.

24 The secretary shall, in consultation with the Physician  
25 General of the Commonwealth, the Pennsylvania Coalition Against  
26 Domestic Violence, the Pennsylvania State Police and any other  
27 entities deemed necessary, develop a model domestic abuse  
28 awareness and assistance program for use by employers throughout  
29 this Commonwealth.

#### 30 Section 5. Program goal and availability.

1 The program shall be directed at:

2 (1) educating employers and employees in the workplace  
3 to recognize the signs and effects of domestic abuse;

4 (2) providing training to security personnel about how  
5 to handle crimes committed in or around the workplace by  
6 perpetrators of abuse; and

7 (3) offering support and safety to victims while in the  
8 workplace.

9 The program shall be made available by the department upon  
10 request of employers in this Commonwealth.

11 Section 6. Regulations.

12 The department shall promulgate regulations to implement this  
13 act.

14 Section 7. Effective date.

15 This act shall take effect in 60 days.