

FIRST REGULAR SESSION

HOUSE BILL NO. 427

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CHAPPELLE-NADAL (Sponsor), BAKER (25), LOW (39),
BROWN (50), RUCKER, KRATKY, VILLA, OXFORD, PARKER,
WALSH AND HUBBARD (Co-sponsors).

Read 1st time February 2, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1099L.011

AN ACT

To amend chapter 292, RSMo, by adding thereto three new sections relating to workplace violence, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 292, RSMo, is amended by adding thereto three new sections, to be
2 known as sections 292.660, 292.665, and 292.670, to read as follows:

292.660. 1. Sections 292.660 to 292.670 shall be known and may be cited as the
2 **"Workplace Domestic Violence Safety and Education Program Act".**

3 **2. As used in sections 292.660 to 292.670 the following terms shall mean:**

4 **(1) "Abuser", a person who carries out a pattern of coercive tactics against a family**
5 **or household member;**

6 **(2) "Department", the department of labor and industrial relations;**

7 **(3) "Domestic abuse", a pattern of coercive tactics carried out by an abuser against**
8 **a family or household member with the goal of establishing and maintaining power and**
9 **control over the victim. These tactics may be physical, psychological, sexual, economic, and**
10 **emotional;**

11 **(4) "Family or household member", persons related by consanguinity or affinity;**
12 **persons legally married to one another; persons formerly married to one another; persons**
13 **who have a child in common, regardless of whether such persons are married or have lived**
14 **together at any time, and unrelated persons who are continually or at regular intervals**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 living in the same household or who have in the past continually or at regular intervals
16 lived in the same household;

17 (5) "Victim", the family or household member against whom an abuser directs his
18 or her coercive and violent acts.

292.665. 1. The department shall, in consultation with the department of health
2 and senior services, the Missouri coalition against domestic violence, the Missouri state
3 highway patrol and any other entities interested in participating, develop a model
4 workplace domestic violence safety and education program for use by employers
5 throughout the state.

6 2. The model shall provide businesses with the best practices, policies, protocols and
7 procedures in order that they ascertain domestic violence awareness in the workplace,
8 assist affected employees, and provide a safe working environment for employees currently
9 or potentially experiencing the effects of domestic violence. The model plan shall be
10 directed at:

11 (1) Educating employers and employees in the workplace to recognize the signs and
12 effects of domestic violence;

13 (2) Providing training to security personnel about how to handle crimes committed
14 in or around the workplace by perpetrators of abuse;

15 (3) Offering support and safety to victims while in the workplace.

16 3. The model shall include but not be limited to:

17 (1) The establishment of a definite corporate policy statement recognizing domestic
18 violence as a workplace issue as well as promoting the need to maintain job security for
19 those employees currently involved in domestic violence disputes;

20 (2) Implementing human resources or personnel policies initiated to protect
21 employees from domestic violence or to support employees who have been victims of
22 domestic violence;

23 (3) Policy and service publication requirements, including posting said policies and
24 service availability pamphlets in break rooms, on bulletin boards, restrooms, and other
25 communication methods;

26 (4) Measures to ensure workplace safety including, where appropriate, designated
27 parking areas, the creation of buddy systems or escort systems;

28 (5) Training programs and protocols designed to educate employees and managers
29 in how to recognize, approach, and assist employees.

30 292.670. 1. In order to protect the safety and identity of employees and members
31 of the public, no employer shall:

32 (1) Transmit an employee's or customer's full name on any address system that is

33 used to announce information to the general public;

34 (2) Provide an employee's work schedule to any person other than the employee or
35 the employee's designee;

36 (3) Provide an employee's personal information such as a home address or
37 telephone number to any person not working for the employer without the employee's
38 previous consent.

39 2. Any person or entity that violates the provisions of this section is guilty of a class
40 B misdemeanor and shall be civilly liable for any damages incurred as a direct result of the
41 violation.

42 3. No owner, employer, or management personnel of a business or establishment
43 subject to the provisions of this section who directs or exercises any authority in a facility
44 shall evict, harass, dismiss, or retaliate against an employee or patron of the business or
45 establishment because such employee or patron has made a report of any violation or
46 suspected violation of this section which the employee or patron has reasonable cause to
47 believe has been committed or occurred.