

WORKPLACE VIOLENCE: 5 Strategies for Addressing Domestic Violence in the Workplace



In recent years, it's become clear that employers are expected to protect workers from not only the 'standard' safety hazards, such as dangerous chemicals, falls and pinchpoints in machinery, but also other less traditional hazards, including workplace violence. You might not think that the duty to protect workers from violence includes domestic or family violence. But unfortunately, domestic violence can spill over into and impact the workplace, including both the targeted worker and her co-workers. So the days of considering domestic violence to be a personal problem that employers can ignore are over. We recently spoke to Glenn French, President and CEO of the Canadian Initiative on Workplace Violence, about domestic violence in the workplace and some strategies for addressing it.

DOMESTIC VIOLENCE BASICS

In 2012, Statistics Canada released a report on family violence. The highlights from this report are troubling—especially when you consider that incidents of domestic violence are underreported:

- According to police-reported data for 2010, there were almost 99,000 victims of family violence, accounting for 25% of all victims of violent crime;
- 49% of these family violence victims were spouses, while the remaining 51% were other types of family members, such as children, parents, siblings or extended family members;
- Women had more than double the risk of men of becoming a victim of police-reported family violence (407 victims per 100,000 population v. 180 victims per 100,000);
- In 2010, there were over 102,500 victims of intimate partner violence, which includes spousal and dating violence—a rate of 363 per 100,000 population age 15 years and older;
- Dating violence was more prevalent than spousal violence, with a rate that was higher than all other relationship categories, including friends and acquaintance; and
- Police-reported rates of intimate partner violence tended to be highest

among female victims and those aged 25 to 34 years.

Domestic violence used to be viewed as a purely personal matter and thus treated by employers with 'disinterest or discomfort,' says French. But the fact is that domestic violence can impact the workplace. (See the box below for some tragic examples.) For instance, French notes that domestic violence can result in:

- Increased absenteeism if victims miss work due to physical abuse, trauma or court dates;
- Decreased production;
- Increased turnover;
- Short-term disability;
- Poor worker morale; and
- Security risks.

Domestic Violence & the Workplace

Here are just a few examples from Canada and the US of domestic violence directly impacting a workplace:

- In 2005, nurse Lori Dupont was murdered by her ex-boyfriend, a doctor at the Ontario hospital where she worked. Senior hospital administrators knew about the ex-boyfriend's unstable behaviour and that he'd threatened Dupont. But on the day she was murdered, administrators had scheduled them to work together.
- A 24-year-old newspaper worker in BC died at her desk when her estranged husband came into the office and attacked her with an axe. A male co-worker who tried to save her was also injured in the incident.
- In Albuquerque, New Mexico, a man who was angry about a child custody dispute with his girlfriend shot her after a confrontation outside the manufacturing plant where she worked. He then forced his way inside and killed two workers before turning the gun on himself. Four others were wounded.
- In Oct. 2012, a former Marine opened fire in a Wisconsin spa where his estranged wife worked. He killed her and two co-workers, and wounded four other women. He then killed himself.

Domestic violence can also more directly affect the workplace. As a result of one such incident (the Lori Dupont tragedy), Ontario changed its OHS laws to specifically address domestic violence. Sec. 32.0.4 of the *OHS Act* says that if an employer is aware or ought to be aware that domestic violence that's likely to physically injure a worker may occur in the workplace, it must take every reasonable precaution to protect that worker. Here are links to some related resources from the MOL: Domestic Violence; Workplace Violence Toolbox; Domestic Violence Doesn't Stop When Your Worker Arrives at Work: What Employers Need to Know. (In Manitoba, Bill 219 was introduced in 2010 to amend the OHS law to address domestic violence, but the bill wasn't enacted.)

Although other jurisdictions don't explicitly cover domestic violence in their OHS laws, they've made it clear that employers have a duty to protect workers from this hazard by issuing guidelines, tool kits, etc. on domestic violence in the workplace.

So across Canada, even if it's not an explicit legal duty to take appropriate steps to handle domestic violence in your workplace, it's at a minimum a good

practice.

USE 5 STRATEGIES

French recommends that you use the following strategies to effectively handle domestic violence and its impact on your workplace:

Strategy #1: Have a Domestic Violence Policy"

Every workplace should have a domestic violence policy, says French. This policy can be a stand-alone policy or integrated into your general workplace violence and/or harassment policy. In either case, this policy should include:

- A statement of the company's commitment to a workplace free from violence, including domestic violence;
- Resources available to workers who are the victims of domestic violence, such as the employee assistance program (EAP);
- Steps the company will take to assist such workers, such as enforcing orders of protection, creating safety plans (more on this below), and adjusting work schedules, parking spaces and/or job assignments;
- Signs that someone may be the victim of domestic violence;
- Procedures for reporting domestic violence by workers who are the victims and others who suspect that a co-worker may be a victim; and
- The training you'll provide related to domestic violence.

Strategy #2: Don't Rely on Stereotypes"

The stereotypical case of domestic violence involves a man abusing a woman, often his wife. In fact, women are more often the victims in abusive relationships. But French warns that domestic violence comes in many forms and involves different kinds of relationships, including boyfriend/girlfriend, same sex couples, parent/child and siblings. And yes, men can also be the victims of domestic violence, he adds, noting that 'men may be even more hesitant than women to report domestic violence because of the perceived shame.'

That's why the government of Manitoba recently announced its financial support for the Men's Resource Centre, which helps men escape from abusive and unhealthy relationships and has been instrumental in breaking men's silence about abuse, challenging stereotypes of men's vulnerability and victimization and providing a supportive environment where men are free to discuss their experiences without fear of judgment. So in your policies and training on domestic violence, be sure to stress that it's not limited to man-against-woman situations.

Strategy #3: Train Staff on the Signs of Domestic Violence"

Employers may become aware that a worker is the victim of domestic violence because the worker herself comes forward. But often victims are too embarrassed or ashamed to discuss the situation with anyone much less, say, a supervisor or someone in HR. And language and cultural barriers may make it even more difficult for a victim to come forward, adds French. So it's important that you train all staff—especially supervisors—to recognize the signs that someone may be the victim of domestic violence so they can inform the appropriate people for further investigation. French says that the signs of abuse include:

- Bruises or injuries;

- Frequent absences;
- Reduced productivity or poor work performance;
- Conflicts with the abuser at work, such as arguments in the parking lot;
- Repeated phone calls, emails, visits, etc. from the abuser;
- Crying; and
- Changes in behaviour, such as a usually outgoing worker becoming anti-social.

The table below includes a more complete list of signs of domestic violence.

SIGNS OF DOMESTIC VIOLENCE		
Work Productivity	Social Behaviour	Escalating Abuse
The employee is'.		
Having trouble concentrating	Behaving differently than usual	Appearing flustered by incoming phone calls or emails from a partner
Often arriving late	Appearing withdrawn or isolated	Trying to cover up bruises or scratches, such as by wearing long sleeves or turtlenecks in the summer
Missing work more frequently than usual	Engaging in fewer social activities than usual	Showing signs of strangulation'a major risk factor for future homicide of women
Less productive	Making last minute cancellations	Receiving unannounced visits from a partner at work
Making excuses for poor work performance	Using drugs and/or alcohol to cope	Acting nervous when a partner shows up at the workplace
Receiving frequent phone calls or emails from a partner	Apologizing for a partner's behaviour	Being followed to/from the workplace by a partner

"Strategy #4: Offer Assistance to Victims"

Once you've established that a worker is in an abusive relationship, offer that worker assistance. For example, refer the worker to your EAP, if you have one, or local shelters for victims of domestic violence. And be flexible, suggests French. For example, the worker may need time off to go to court, get treatment for injuries or relocate to a safe location.

Strategy #5: Develop a Safety Plan, If Necessary"

French explains that in certain circumstances, it may be necessary to establish a safety plan to protect the worker on the job'as well as others in the workplace. To do so, you'll need the worker's cooperation and assistance. For example, if a worker has an order of protection barring her husband from contacting her or coming within a specified distance of her home or job, you'll

need a copy of that order so you can ensure that it's enforced in the workplace. French says the following are other elements that a safety plan could include:

- Moving the worker's parking space closer to the building;
- Providing an escort for the worker to and from her car;
- Changing her worksite or hours;
- Screening her phone calls and/or email; and
- Providing security or the receptionist with the abuser's photograph so they can ensure that he's not allowed into the workplace.

It can be a tricky situation if both the victim and the abuser work for the same company, notes French, especially if the claims of abuse are just allegations or rumors. An employer can't take sides without risking legal consequences. For example, summarily firing the alleged abuser can expose the employer to a wrongful termination lawsuit, he explains. However, an employer has more options if, say, the victim has a court order against the abuser. Then you have clear justification for changing the workers' locations and/or schedules to keep them apart on the job.

Remember that employers have a duty to protect both the victims and their co-workers from violence. And innocent co-workers have been caught in the cross-fire when domestic violence spills over into the workplace. But you need to balance the abused worker's privacy with the safety of others in the workplace. Who needs detailed information on the victim's situation is a judgment call and will depend on the circumstances, says French.

For example, you may need to inform security or reception so they can keep the abuser out of the workplace. However, even in that case, there are still ways to minimize the invasion of the victim's privacy, such as by giving security a photograph of the abuser but asking them not to display it at the security desk so anyone passing by can see it, suggests French. Also, instead of telling everyone not to let a specific person into the workplace, send out a general reminder not to allow anyone into the facility without a work ID. And remind all workers to report anything suspicious, he adds.

BOTTOM LINE

According to French, Canadians need to stop thinking that workplace violence, including domestic violence, is a US issue or cultural problem. 'We need to accept that it's a Canadian issue, too,' he says. It's important that employers are aware of their duty to address domestic violence in the workplace, educate their staff and take common sense steps to protect employees on the job.