

Model Policy Domestic Violence

You might not think that the duty to protect workers from violence in the workplace 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.

Adapt this domestic violence policy for your jurisdiction's OHS laws, your OHS program, any existing workplace violence policies and related HR policies and programs. Ensure that all employees, including both workers and supervisors are trained on it.

OHS managers in any part of the country can adapt this Model Policy for use at their own workplace.

DOMESTIC VIOLENCE POLICY

PURPOSE

[INSERT NAME OF COMPANY] (“THE COMPANY”) IS COMMITTED TO THE HEALTH AND SAFETY OF OUR EMPLOYEES.

Domestic violence is a leading cause of injury to women. The purpose of our Domestic Violence Policy is to:

- Raise awareness of domestic violence;
- Provide support, when appropriate, to employees experiencing domestic violence;
- Give guidance to management on addressing the occurrence of domestic violence and its effects on the workplace; and
- Create a safer work environment.

DEFINITIONS

Domestic violence is a pattern of coercive behaviour that is used by one person in an intimate relationship to gain power and control over another. Domestic violence includes physical, sexual, emotional, psychological and financial abuse. Some examples of coercive behaviour are the following:

- Hitting, punching, shoving, stabbing, shooting, slapping;
- Threatening behavior;
- Name calling, humiliating in front of others;
- Controlling what one wears, says and does;
- Controlling the financial decisions in the relationship;
- Stalking;
- Destroying or attempting to destroy property; and
- Using children to control the other person.

Domestic violence occurs between people of all racial, economic, educational, religious backgrounds, in heterosexual and same sex relationships, living together or separately, married or unmarried, in short-term or long-term relationships. And members of either sex can be the victim of domestic violence.

The **batterer, perpetrator or abuser** is the individual who commits an act of domestic violence as defined above.

The **survivor or victim** is the individual who is the subject of an act of domestic violence.

OUR POLICY

A. EDUCATION AND SUPPORT FOR EMPLOYEES WHO ARE VICTIMS OF DOMESTIC VIOLENCE

The Company will attempt to make available appropriate information, referrals and resources to victims and other employees. The Company will provide support through our Employee Assistance Program, our Security and Human Resources personnel, as well as referrals to community agencies. We encourage all employees to take advantage of these resources.

Employee Assistance Program

We have an Employee Assistance Program that has professionals trained to handle domestic violence cases. These professionals provide counseling, support and referrals. In addition, our Employee Assistance Program is a resource for employees wanting to learn more about domestic violence or find out how to help a friend, family or co-worker. To contact these resources call the following numbers:

[insert appropriate numbers]

Human Resources and Corporate Security Personnel

The Company Human Resources and Corporate Security personnel are also a resource for employees. When appropriate, available and permissible, personnel in these departments can assist victims in a number of ways, including but not limited to:

- Developing a safety plan for the workplace
- Assigning special parking spots
- Escorting people to and from their cars or other points of transportation
- Screening telephone calls and removing a worker's name from automated telephone directories
- Working with local law enforcement to enforce restraining orders on company property
- Relocating a worker's workspace to a more secure area
- Having paychecks delivered to another location
- Changing benefits to the victim's own name
- Saving any threatening emails
- Allowing time off so that employees can seek safety and protection, attend court appearances, arrange for new housing, attend counseling, receive medical care or take care of other appropriate matters
- Arranging for flexible hours and short-term leaves of absence with the guarantee in most cases of a position upon return

Corporate Security is available twenty-four (24) hours a day and seven (7) days a week. Any communication with Human Resources and Corporate Security will be kept confidential to the fullest extent possible. Others will be informed only on a need to know basis for the security of the victim and workplace.

To contact these resources call the following numbers: *[insert appropriate numbers]*

COMMUNITY AGENCIES

The Company encourages victims and other employees to contact community agencies for resources and referrals. Many provide free services for safety planning, counseling, support groups, shelter and legal assistance. To contact these resources and receive referrals call the following numbers, which are usually available twenty-four (24) hours a day and seven (7) days a week:

[insert list of appropriate resources and their contact numbers]

The Company will not discriminate against domestic violence victims or employees perceived as domestic violence victims in hiring, firing, staffing or other terms, conditions, or privileges of employment.

The Company is aware that domestic violence victims may have performance problems such as chronic absenteeism, tardiness or lower productivity as a result of domestic violence. When addressing performance and safety issues, the Company will make reasonable efforts to consider all aspects of the worker's situation and, to the extent possible, utilize reasonable options to help resolve the performance and/or safety problems. If reasonable attempts to resolve the performance and/or safety problems are unsuccessful, the Company may have to take appropriate disciplinary action.

A. TEMPORARY OR PERMANENT PROTECTIVE/RESTRAINING ORDERS

Any worker who obtains a temporary or permanent order of protection from a court, which lists the Company locations as protected areas, must provide Corporate Security with a copy of the petition and court order. In addition, the worker must provide Corporate Security with the following information on the abuser:

- A photograph or physical description;
- Description of the abuser's automobile and license plate number; and
- Any other relevant information Corporate Security needs for the security of the workplace.

B. EMPLOYEES WHO COMMIT ACTS OR THREATS OF DOMESTIC VIOLENCE

Any worker who commits or threatens acts of domestic violence at the workplace or while using workplace resources will be subject to disciplinary action, which may include, but is not limited to, dismissal. If appropriate, law enforcement will be contacted, which may result in arrest, criminal charges, and/or prosecution. Workplace resources include, but are not limited to, phones, fax machines, e-mail, mail, automobiles, pagers, mobile phones, office supplies and photocopy machines.

Some job positions may give a worker access to certain types of information or resources. If that worker uses this access to enable an abuser to harm/contact a victim, that worker and abuser, if an employee, will be subject to disciplinary action, which may include, but is not limited to, dismissal. If appropriate, law enforcement will be contacted, which may result in arrest, criminal charges, and/or prosecution.

The Company recognizes that abusers also need assistance and resources. We will provide, when appropriate, referrals to our Employee Assistance Program and/or Batterers' Intervention Programs,

defined as programs designed to eliminate violence in intimate relationships, stop other forms of abusive behaviour and increase victim safety.

C. LAW ENFORCEMENT AND LEGISLATION

The Company will cooperate to the fullest extent legally possible with law enforcement and other appropriate government agencies. In addition, this policy should not be interpreted to violate or contradict any provincial, territorial or federal law that is applicable to the Company.

OTHER RESOURCES:

[Liz Claiborne](#)

[Feb. 19 Webinar: Domestic Violence: Rights, Responsibilities & Response](#)

[5 Strategies for Addressing Domestic Violence in the Workplace](#)

[Model Family Violence Policy](#)

[Corporate Alliance to End Partner Violence](#)