

Responding to Domestic Violence: Help for employers



Many people think that domestic violence is a private matter, something that happens in the home. But abusive behaviours can easily cross the boundary between home and workplace. Violence can follow a victim to the workplace, and sometimes the abuser and the victim are co-workers.

All of us can help to build a healthier and more productive workforce. We can learn how to recognize the warning signs of domestic violence, how to respond quickly and effectively, and how to refer people to community resources that can help them. By recognizing domestic violence and knowing how to respond and refer, we can help prevent serious injuries and fatalities.

Starting June 15, 2010, all employers in Ontario are responsible for protecting workers from domestic violence at work, and must develop policies and programs to help workers who are victims of domestic violence. The aim of this booklet is to help employers recognize, respond and refer

What is your role as an employer?

To **recognize** domestic violence by

- paying attention to signs that abuse may be happening.
- developing policies and programs to help workers who are victims of domestic violence.

To **respond** to warning signs by

- offering help and support to victims of violence.
 - Remember that you are not a counsellor or therapist. Do not give personal advice or counselling. Instead, have empathy and don't be judgmental.

To **refer** people to the help they need by

- telling your employee or co-worker about supports in the workplace and in the community

Why you must deal with domestic violence

It's the law

The law now says that employers must protect employees from being hurt or threatened by their abuser in the workplace. Here is what it says:

If an employer is aware, or ought to be aware, that domestic violence is likely to expose a worker to physical injury in the workplace, the employer must take every reasonable precaution to protect the worker. (Section 32.0.4)

You must protect your employees from a person who:

- uses force against them in a way that could hurt or does hurt them physically;
- tries to use force that could hurt them;
- says or does something that they can reasonably interpret as a threat to hurt them.

The law also says that you must develop workplace violence and workplace harassment policies and programs, including measures and procedures to help workers who are victims of domestic violence that may occur in the workplace.

In the Act, domestic violence in the workplace is considered to be one type of workplace violence, as defined in the Act.

Domestic violence is common at work

Research has shown that domestic violence often happens at work, or affects the workplace. Here are some key findings:

- 70 percent of individuals suffering from domestic violence are victimized at work.ⁱ
- 54 percent of domestic violence victims miss three or more days of work a month.ⁱⁱ
- 24% of employees have experienced domestic violence.
- 22 percent of workers report that they have worked with someone who has been a victim of domestic violence.ⁱⁱⁱ

What is domestic violence?

Domestic violence is also known as woman abuse, intimate partner abuse, family violence, and wife battering or partner violence.

Domestic violence is when a person persistently and regularly uses threats, intimidation, manipulation, and physical violence to have power and control over their intimate partner. Abusers use a specific tactic or a combination of tactics to make their partners afraid and to gain control over them. Abusers may be in direct contact with their victims or they may use electronic devices to harass and control their victim.

Abusers gain power over their victims using controlling behavior. This can include:

- verbal abuse
- sexual, emotional or psychological intimidation
- stalking
- physical violence

In many cases, emotional abuse or controlling behaviour happens before physical violence. For many women emotional abuse is more upsetting and disturbing than physical violence because it leaves lasting emotional scars. Also, it can escalate to physical abuse. In fact, emotional abuse is a strong predictor of escalating violence.

Who are the victims and abusers?

Here are some facts about victims and abusers:

- A victim of domestic violence may or may not be living with the abuser. She may or may not be married to the abuser. She may be a current or former partner of the abuser.
- The abuser is not always male, but when the victim is female the abuse is more severe. Compared with male victims, female victims of domestic violence are
 - twice as likely to be stalked
 - more than twice as likely to be injured
 - three times more likely to fear for their life, and
 - twice as likely to be the targets of more than 10 violent episodes.
- When domestic violence escalates to the point of murder, almost all of the victims (92%) are female and almost all of the murderers (92%) are male.
- Most reported abuse occurs in heterosexual relationships, but it can occur in same-sex relationships.

Is there a Risk of Death?

The Office of the Chief Coroner of Ontario reviews deaths that happen because of domestic violence. The Domestic Violence Death Review Committee (DVDRC) makes recommendations about how to help prevent these deaths. The committee found that the most common reasons why domestic violence ended in death were:

- the victim was separated from the person who killed her, or she was getting ready to separate from him
- the couple had a history of domestic violence
- the level of violence had been increasing
- the abuser had shown signs of obsessive behaviour, including stalking the victim
- the person who killed their spouse was depressed
- in the past, the abuser had threatened to kill the victim.

If you recognize one or more of these warning signs, be aware that the victim may be at risk of being murdered. Never assume that a victim is safe because she is planning to leave a violent relationship or has just left a violent relationship. Although leaving will increase her safety over the long term, the most dangerous time for her is just before she separates, while she is leaving and shortly after she separates. Safety planning is critical during this period. See the NFF brochure on Safety Planning for more information.

Everyone in the workplace and community has a role to play in helping to prevent domestic violence. They also have a role to play in responding effectively when it occurs. For details about what community resources can help and support employers trying to prevent physical injury from workplace domestic violence, read the Make It Our Business Suggested Guidelines on Community Resources and Services.

RECOGNIZE

All employers in Ontario must develop a workplace policy that addresses the issue, and must learn how to recognize domestic violence.

Developing workplace policies and programs

Starting June 15, 2010, all employers in Ontario must develop policies that address domestic violence. Your policies and programs to address workplace violence and workplace harassment should include measures to assist workers who are victims of domestic violence that may occur in the workplace. Your policies and programs can outline proactive steps you will take, or describe how you will respond to domestic violence as each case comes up.

What could be in our workplace policy about domestic violence?

Your aim is to support victims of domestic violence and keep your employees safe, whether or not employees tell you that they are being abused. A proactive workplace policy about domestic violence would:

- clearly state that the workplace violence policy includes domestic violence that may occur in the workplace;
- clearly outline what measures and procedures employees should follow in case of an emergency;
- clearly outline what measures and procedures employees should use to report incidents of workplace violence, including domestic violence;
- clearly outline what steps the employer will take to deal with incidents of violence, including domestic violence, in the workplace.

For help developing policies and programs please refer to the OHSCO Toolbox for Developing Workplace Violence and Harassment Policies and Programs.

What can I do to prevent domestic violence in the workplace?

Here is what you can do to prevent domestic violence from occurring in your workplace.

- Create a workplace culture based on the values of respect and non-violence.
 - Clearly let employees know that you expect them to be respectful and nonviolent
 - Require that employees not use sexist, racist or offensive language
 - Tell potential employees, during the hiring process, that abuse is not acceptable in your workplace
 - Demonstrate your leadership and commitment to ending violence against women and domestic violence by supporting local women's shelters and other anti-violence agencies.
- Take threats seriously. Take warning signs of violence seriously.
- Recognize when you need to take immediate action.
- Develop the capacity of your workplace to recognize, respond and refer.
 - Decide who will deal with safety or violence in the workplace. Some possibilities are: your health and safety officer, joint health & safety committee, workplace violence team, incident team, EAP counsellor, human resources staff, union representative, supervisors, security.
 - Make sure that all employees know who to speak to in case of domestic violence in the workplace.
- Educate yourself and your employees about how to stand up against violence against women and children.
 - Make sure that all employees know about your workplace violence and workplace harassment policies and programs.
 - Make sure that all employees know about resources in the workplace and in the local community that deal with domestic violence.
 - Make sure that all employees are clear about who to contact if they have concerns about domestic violence. Make sure that they know who to talk to in the Human Resources office, and how to contact the employee assistance program.
 - Create opportunities for employees to learn about domestic violence
 - Circulate materials about domestic violence, such as the free brochures and safety cards from the Neighbours, Friends and Families campaign.
 - Train employees, supervisors, managers, human resources and safety officers, security personnel and union representatives to:
 - Understand domestic violence
 - Recognize the warning signs of domestic violence
 - Recognize when danger to the victim is increasing
 - Respond to warning signs, rather than ignoring the problem
 - Respond appropriately and empathetically to victims of abuse
 - Learn how to approach someone who is being abusive without escalating the situation
 - Refer to the available resources within the workplace and the local community
 - Use Make It Our Business Suggested Guidelines (policy, security, confidentiality, etc.). [[link to Suggested Guidelines](#)]

Educate yourself and your employees

Learn how to respond sensitively and effectively, while respecting the privacy of your employees. Know what supports are available in your organization and community, so that you can make helpful and appropriate referrals.

Encourage employees to report abuse

When you know about domestic violence that is affecting your employees, you can offer help before the situation becomes serious and more dangerous. Encourage your employees to report their concerns about domestic violence. Make sure that all employees know who they should talk to in the workplace. Make sure all employees know how to contact the employee assistance program if you have one. Make sure your employees know that there will not be negative reprisals if you learn that one of them is experiencing domestic violence.

Remember: Your employees must report domestic violence at work if they are worried that anyone in the workplace is in danger. However, if something is happening in the moment to make them unsafe, they should call the police. Make sure that all employees know that they should call 911 or the local police if they have immediate concerns about safety.

If children are involved in domestic violence, the law is clear about what you need to do. If you know or suspect that children are being abused, you **must** contact child protection authorities. This means that you must contact the Children's Aid Society. If you are afraid for a child's safety because of violence in the home, the law says that you must report that abuse.

When you have immediate concerns about safety, call the police.

Recognize warning signs

The best way to take reasonable precautions to protect workers from domestic violence in the workplace is to learn how to recognize warning signs.

Most often domestic violence is not just one incident. It is a pattern of behavior that becomes more serious if nothing is done. When we all recognize and respond to early signs of abuse, we can keep it from escalating into incidents that cause serious injury or death. Levels of violence can escalate quickly, so pay attention to **all** signs of abuse, even if the victim has not experienced physical violence.

How to recognize that an employee is a victim of abuse

One of the reasons victims are vulnerable at work is because the abuser usually knows where she works. Work is often one of the stable factors in her life. Even if the victim moves her home and changes her phone number, her abuser can find her at work.

If the victim and the abuser are in the same workplace it is even harder for her to escape the unwanted attention of her abuser. If the victim and the abuser work in the same workplace you may observe behaviours that make you think the violence is mutual. Remember that abusers use a specific tactic or a combination of tactics to instill fear in and dominance over their partners. Victims may react to these tactics in an effort to defend themselves.

Warning signs that your employee or colleague may be a victim of abuse

Warning signs in her appearance

- She has obvious injuries such as bruises, black eyes, broken bones, or hearing loss — and she says that she “fell,” “was being clumsy,” or “had an accident”.
- She wears clothing that is inappropriate for the season to cover bruises, such as long sleeves and turtlenecks in very hot weather—
- She wears sunglasses indoors or unusually heavy makeup.

Warning signs in how she acts

- She is repeatedly excessively late or absent and cannot explain why.
- Her job performance has changed: she cannot concentrate, makes lots of mistakes, is slow, or the quality of her work is not consistent.
- She is unusually anxious or afraid.
- She isolates herself, is quieter than usual and keeps away from others.
- She is emotionally distressed or flat; she cries easily or is depressed and thinks about suicide.
- She minimizes and denies that she is being harassed or injured.
- She gets an unusual number of phone calls or text messages, and she has strong reactions to those calls or text messages.
- She often asks for special accommodations such as leaving early, especially after a phone call or text message.
- She is sensitive about her home life or she hints that there is trouble at home. For example, she may refer to her partner’s bad moods, anger, temper, and to alcohol or drug abuse.
- She is afraid of losing her job. Remember that her job may be where she gets respect and feels dignity, and without it she may be economically trapped.

Other warning signs

- Other workers receive offensive or insulting messages intended for their colleague who is being abused.
- A present or former partner or spouse makes disruptive personal visits to the workplace.
- She receives gifts and flowers after she has had a dispute with her spouse or partner that may have included physical violence.

Remember that abusers use a specific tactic or a combination of tactics to make their partners afraid and to gain control over them. Here are some abusive tactics that might affect the victim’s work performance.

Tactics an abuser may use to try to make the victim late or absent

- Hiding or stealing her car keys or transportation money,
- Hiding or stealing her workplace identification card, badge or uniform,
- Ripping her clothing,
- Preventing her from getting the children ready for school on time or
- Failing to show up for childcare,
- Physically restraining her or keeping her captive,
- Lying if the workplace calls to ask where the employee is. The abuser may claim that she is sick, out of town or looking after a sick child.

Tactics an abuser may use to interfere with the victim at work

- Constantly calling the victim to harass her.
- Harassing her in person at the workplace.
- Stalking or watching the victim.
- Pestering co-workers with questions about the victim and her activities.
- Acting overly jealous and controlling.
- Verbally abusing the victim or co-workers who support her.
- Destroying things that belong to the victim or to the organization.

For more information on warning signs, read, *How You Can Identify and Help Women at Risk of Abuse*, a brochure from the Neighbours, Friends & Families campaign. Some of the warning signs may be more visible outside of the workplace or when both partners are in the same workplace. The information in this brochure can also help you to identify when the seriousness of abuse is increasing.

How to recognize that an employee may be an abuser

At work, it is not always possible to know who is abusive at home. A man who acts abusively at home may be an excellent worker, manager, or professional. He may not reveal obviously violent behaviour at work. On the other hand, he may show signs of his abusive behavior in the workplace as well as at home, and there are warning signs you can look for.

Your employee may be abusive if he or she...

- Bullies others at work.
- Blames others, especially his or her partner, for problems.
- Denies that there are problems.
- Has injuries, such as scratch marks, caused by someone acting in self-defence.
- Knows a lot about the legal and social service systems and uses it to his or her advantage so it appears that he or she is the victim.
- Is absent or late because of actions toward the victim, or is absent or late for court time or jail time.
- Calls or e-mails his or her partner repeatedly during work.

To read more about warning signs of abusive behavior, read *The Neighbours, Friends & Families brochure, How You Can Identify and Help Women at Risk of Abuse*. It lists some warning signs that may be more visible outside of the workplace or in situations where both partners are in the same workplace. It can also help you to identify when the level of risk in a situation is increasing.

For more information about how to tell if someone is at risk of being killed by domestic violence, see the *Neighbours, Friends & Families brochure Understanding and Reducing the Risk of Domestic Homicide* [link to brochure].

If you have immediate concerns about safety, call the Police.

RESPOND

Once you know how to recognize signs of domestic violence, the next step is to act. As of June 15, 2010, you have a duty to prevent harm from domestic violence in the workplace. If your workplace is unionized, include unions as key partners in workplace violence prevention and response. If you have a small workplace, you may need to rely more on assistance from community partners.

A note about privacy: While it is important to deal with domestic violence, it is also important that you only share information with people who need to know. For a detailed discussion on balancing an employee's expectation of privacy with the need to share information to ensure safety see the Make It Our Business Suggested Guidelines on Disclosure and Confidentiality. [Link to Disclosure and Confidentiality]

This section outlines how you can **address** domestic violence, how to **protect** victims of domestic violence in the workplace, how to **respond** to employees who are abusive spouses, and what to do if a victim and her abuser are **both employed** in the same workplace.

How to protect employees who are victims of abuse

An employee who is the victim of domestic violence will need a plan to keep herself and her children safe. A safety plan identifies what she can do to be safe. The best way to protect a victim of domestic violence is to have a safety plan that fits her situation. The Police or the local Women's Shelter can meet with her to develop a personal safety plan. Your employee could also get help over the phone from The Assaulted Women's Helpline at 1.866.863.0511 or TTY 1.866.863.7868.

Your employee will also need a safety plan for work. It will outline how both the employer and employee can prepare for the possibility of further violence. Each safety plan is unique. The most effective solutions respond to the victim's and co-workers' needs and preferences. They are based on what options and supports the workplace can provide. Each plan will have to be customized to make best use of available resources in the workplace and the community and to meet the individual needs of the employee and the employer.

For more detailed information about safety planning, read:

- the OHSCO Toolbox for Developing Workplace Violence and Harassment Policies and Programs or
- the Make It Our Business Suggested Guidelines for Security Measures.

What should be in the workplace safety plan?

Here are some things you can put into the safety plan to protect your employee from violence in the workplace.

Measures to protect her privacy

- Make sure the employee does not work in locations where she is visible and easily accessible to visitors. For example, make sure she is not working at the front reception desk or near windows that can be seen from the outside.
- Make sure that all records and directories that the public can access do not include her contact information.
- Offer to have a co-worker or a supervisor screen her calls.
- Give her a new phone number.
- Block the abuser's e-mails from the system.

Measures to make the workplace safe

- Install a panic button in her work area.
- Give her a well-lit, priority parking spot near the building.
- Escort her to and from her vehicle or public transportation.
- Give her a cell phone with pre-programmed 911 or the local police, or other security features. These may be available free from SupportLink at 1.888.579.2888.
- Talk to the employee to see if she would consider relocating.
- Provide information about the people and resources your employee can turn to in the workplace and community for help and support.

Others things you can do to protect employees who are victims of abuse

Stay informed

- Ask the victim if she has any protection orders or restraining orders. Find out if the workplace is included in the orders. If there is an order, ask for a copy. Make sure that all conditions of the order are followed.
- Ask for a recent photo or description of the abuser. Show it to security and reception so they will know who to look for or screen.
- Ask the employee to document all incidents of abuse in the workplace. Ask her to document how the abusive behaviour affects her work. Work with her to address performance issues.

Support the victim

- Talk to the employee about how scheduling policies or other human resources policies and practices could help her. Work with her to arrange a schedule that is less predictable, to protect her from harassment and abuse at work. Offer a flexible schedule, different shifts or other work arrangements.
- Identify opportunities for time away from work to make it easier for her to get the help she needs and to rebuild her life.
- Follow up with her. Check on her progress and well being.
- Once she has told you about the abuse, make sure that there are no negative repercussions for her.

How to respond to an employee who you know, or suspect, is abusive

- Read the Neighbours, Friends and Families brochure, How to Talk to an Abusive Man, [link to brochure] for tips on how to safely and respectfully approach someone who you think might be abusive.
- Do not condone abuse or remain silent about domestic violence.
 - If the abuser talks about keeping his partner or spouse “in line” or if he talks about controlling her in any way, tell him that this is unacceptable behaviour. Be clear about exactly what he said or did, and why it is unacceptable.
 - Take disciplinary steps to hold him accountable for any inappropriate or unacceptable behaviour in the workplace.
 - Make it clear that workplace resources should not be used to harass, stalk or abuse victims.
 - Report any acts of violence, threats or intimidation to the police.
- Remember that abusers often deny responsibility or blame others for their behaviour. The abuser may claim that the abuse is mutual. To respond in this case, you may need help from experts such as the police or your local Partner Assault Response Program (PAR).
- Refer him to a Partner Assault Response program (PAR) in your community. There is help and support. For information about services available in your area, call The Assaulted Women’s Helpline, 1.866.863.051/TTY 1.866.863.7868 or your local women’s shelter.

What to do if a victim and her abuser are both employed in your workplace

When both the victim and abuser are employed in the same workplace, you will need to be extra careful and cautious in order avoid giving the abuser access to the victim in the workplace. Remember that you do not have to be the expert. Consult the experts in your community or your workplace. For more details about how police and community experts can help, read Make It Our Business Suggested Guidelines on Community Resources and Services. Here are some basic things you can do to effectively respond to the situation:

Talk to both employees

- Conduct a threat assessment to identify safety and security needs for both the victim and abuser. Contact your local Police Service for help with this. Ask to speak with the Domestic Violence Coordinator.
- Offer appropriate referrals to both employees. Give them information about where to get help.
- Keep communication open with both employees. Encourage the victim to share information with you about anything that would change the level of risk.
- Develop a safety plan with the victim.
- Get information about any protection orders, such as peace bonds or restraining orders. Make sure that the terms of any protection orders relating to the workplace are followed.
- Follow up and monitor the situation.

Follow policies and procedures

- Make sure that the abuser does not have access to the victim in the workplace. Do not schedule both employees to work at the same time. If possible, have them work at different sites.
- Hold the abuser accountable for any unacceptable behaviour in the workplace. Use disciplinary procedures to deal with abuse.
- If the abuser engages in violence or other criminal activity such as stalking or unauthorized electronic monitoring in the workplace, call the police.

REFER

One of the best ways to respond to domestic violence is to know about the resources that can help you and your employees. Find out who you, or the victim of violence, can turn to for help. Learn as much as you can about what information and resources are available. Some of those resources are in-house, and some are available in the community.

Remember that although you are responsible for dealing with domestic violence in the workplace, you are not expected to be an expert. There are many resources in your community and on the internet to help you assess the level of threat and to develop flexible work arrangements or security measures to help protect the victim. If you have a large workplace, you can draw on existing internal resources. If you have a small workplace, you can ask for help from community experts.

Internal resources

- Make sure that all employees know who to talk to in the workplace in case of domestic violence in the workplace.
- Offer training and resources that can help all employees recognize and respond to domestic violence and refer victims and abusers to support in the community.

External resources

Here are a few of the resources available to help you and your employees deal with domestic violence:

- Call your local Police Service and ask for a specialist in domestic violence.
- Contact local woman abuse experts through the local Women's Shelter or Sexual Assault Centre.
- The Assaulted Women's Helpline offers a 24-hour crisis line for abused women in Ontario and others who want to support them. The service is anonymous and confidential. Services can be provided in up to 154 languages. Helpline staff can also support you in safety planning or connecting you with experts and services in your community.

Call 1-866-863-0511 or TTY 1.866.863.7868

For more information about their services visit www.awhl.org.

- The following websites offer resources for employers:
www.makeitourbusiness.com
www.neighboursfriendsandfamilies.ca
www.shelternet.ca
www.caepv.org
www.safeatworkcoalition.org
www.labour.gov.on.ca/english/hs/topics/workplaceviolence.php
- The following websites offer resources for employees:
www.neighboursfriendsandfamilies.ca
www.shelternet.ca

Everyone in the workplace and community has a role to play in helping to prevent domestic violence. You can get support in your workplace and in your community. Pay attention to warning signs of abuse.

For more information on domestic violence at work and how to respond effectively to woman abuse, visit www.makeitourbusiness.com or www.neighboursfriendsandfamilies.on.ca.

For more information on changes to the Occupational Health & Safety Act, visit the Ministry of Labour's website at www.labour.gov.on.ca.

This booklet is part of a campaign of the Centre for Research & Education on Violence against Women & Children in the Faculty of Education at the University of Western Ontario.

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- i Swanberg, J. & Logan, T.K. (2005); Domestic Violence and Employment: A Qualitative Study. *Journal of Occupational Health Psychology*. 10(1), 3.
- ii Zachary, M 2000, Labour Law for Supervisors: Domestic Violence as a Workplace Issue, *Supervision*, vol. 61, no. 4, 23 - 26
- iii Corporate Leaders on Domestic Violence and America's Workforce on Domestic Violence surveys are available at http://www.caepv.org/about/program_detail.php?refID=34.
- iv Canada, Canadian Centre for Justice Statistics, Family Violence in Canada: A Statistical Profile (Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2000): 12, 14, 18.
- v Ontario Domestic Violence Death Review Committee. (2008). Annual report to the Chief Coroner. Toronto, ON: Office of the Chief Coroner.