

Domestic Violence in the Workplace—*Part II: Employers' Response*

by Sarah Katula, APRN, BC

S. L. is a victim of domestic violence and is struggling to maintain her performance at work. She is concerned her manager and coworkers will suspect the trouble she is having at home, which could jeopardize her job. On many occasions her husband has called her workplace and rudely spoken to her coworkers, demanding that S. L. be put on the phone. She has been late to work on three occasions in the past month due to her husband hiding her keys, blocking her exit, and picking arguments with her. She has been increasingly distracted by thoughts of the abuse and how to manage her husband once she gets home. S. L. has made several mistakes at work that she attributes to being tired due to her husband keeping her up at night with his abusive tactics.

S. L. is unaware of any worksite policies that would protect her and her coworkers while on the job. She does not know about the laws in her state protecting her from losing her job based on domestic violence-related issues. Furthermore, she is unaware of any resources in the surrounding community that could offer her support and, potentially, a way out.

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Domestic, or intimate partner, violence affects 1 in 4 women in the United States at some point in their lives (Tjaden & Thoennes, 2000). It costs U.S. businesses \$3 to \$5 billion per year (Bureau of National Affairs, 1990). Domestic violence leads to decreased performance and productivity and increased health care costs.

Domestic violence can be a legal issue for companies failing to develop policies creating safe work environments for all employees. The Occupational Safety and Health Act of 1970 states that “each employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees” (U.S. Department of Labor, 2004). This is the most basic of requirements and is a federally regulated standard. The Violence Against Women Act (2003), Title VII, states “that the employer must prove that the employer took all reasonable steps to protect the safety of the crime victim and others at the workplace which, if successful, would not have required the adverse job action.” This means that if employers are aware of domestic violence situations, do not provide safe alternatives, and adverse events occur, they may be held liable.

Situations can arise in the workplace demonstrating that intimate partner violence can no longer be viewed as “a personal issue.” Examples include the following (Min-

nesota Center Against Violence and Abuse, 1995):

- An employee's spouse has threatened to kill her, and her coworkers have helped her connect with shelter services.
- Coworkers of an employee in an intimate partner violence situation are aware that her boyfriend carries weapons and has been stalking her at work.
- An office romance begins. After several months, one member of the couple begins to show signs of battering and has obtained a restraining order against the other.
- A jealous and violent man believes his wife is having an affair and has threatened to come to the worksite with a weapon.

Companies can no longer claim such situations are “none of their business.” When domestic violence crosses the worksite threshold, it must be addressed from a business and organizational standpoint.

The situations mentioned above can cause fear in victims as well as coworkers, disabling the work force and placing other employees in danger. Employees experiencing intimate partner violence may be reluctant to disclose for fear of being fired, retaliated against by their abusers, or asked to take action when they are not ready. They may also fear the unknown. When companies prominently display workplace safety information, hold safety classes, and regularly include safety information in meetings and employee newslet-

ters pertaining to intimate partner violence, employers may experience increased reporting of such situations, leading to a safer workplace. By providing sanctuary through visibly demonstrating employers care about employees and the issue of domestic violence, employers provide emotional safety for abused employees. The following guidelines should be used when asking employees about the existence of a domestic violence situation (Corporate Alliance to End Partner Violence, 2005):

- Provide a safe and private place.
- Ask questions without judging.
- Listen and believe.
- Express concern for safety.
- Reassure victims it is not their fault.
- Offer continued support, as leaving these situations takes time.
- Express admiration for their courage.

The domestic violence article that appeared in the May issue addressed basic dynamics surrounding victims and potentially helpful responses. This article addresses ways employers can combat domestic violence from an organizational standpoint.

CREATING A TASK FORCE

A worksite domestic violence task force can implement all the initiatives suggested in this article in a seamless fashion. Key team members may include occupational health, public safety, employee assistance, and human resources personnel and possibly a domestic violence survivor who can provide a deeper understanding of the work issues accompanying domestic violence. The task force must address education, workplace policies, federal and state laws, local resources, and the best ways to disseminate information.

Top-down support from chief executive officers or administrative teams at worksites will afford the best outcomes. Such support provides a clear message of the scope of responsibility of organizations and gives work teams legitimacy (Randel & Wells, 2003). It also sends a powerful social message. The social pres-

sure that must be applied to this issue cannot be underestimated.

TRAINING AND EDUCATION

Although training does not need to be as extensive for the work team as the domestic violence workers, it does need to address the basic dynamics of domestic violence so that employees are not re-traumatized by inappropriate interventions. Employee assistance personnel should receive more extensive training than front-line managers. Managers should be educated to the signs of abuse, approaching employees with concerns while maintaining a professional boundary, and providing referrals, including to occupational health professionals.

Employees should be given both proactive and reactive information. The domestic violence task force at Advocate Good Samaritan Hospital has prepared a packet of domestic violence information that managers, employee assistance personnel, or human resources personnel can present to victims in a safe environment when they are ready to receive it. Victims are encouraged to keep the information in their lockers or some other place away from their abusers.

Occupational health, employee assistance, and human resources personnel with training in the area of domestic violence may provide employee education. Companies may also seek educational support from local community agencies or national organizations. For example, a local domestic violence agency works with Advocate Good Samaritan Hospital to educate employees and employee assistance personnel and also participates in the hospital's domestic violence task force. In addition, this agency has extended its community outreach program to the hospital. The program includes posters placed on the back of stall doors in female rest rooms. The posters contain hot-line contact cards that can be removed. Employees are also offered educational sessions throughout the year. A company website with links to important resources offers employees a

private way to address their concerns and gain knowledge.

WORKPLACE POLICIES

Only 5% of U.S. companies have domestic violence policies (Corporate Alliance to End Partner Violence, 2005). The remaining 95% are vulnerable to lack of direction, legal issues, and employee-team problems related to domestic violence. Workplace violence policies and procedures provide clear direction to managers, security personnel, and others involved in intervening with employees who are in dangerous situations. Intimate partner violence policies fill a void in general workplace violence policies. The American Bar Association (2005) suggests companies adopt domestic violence policies. It encourages the training of all employees regarding these policies. Once such policies are instituted, steps can be taken to ensure they are consistent, vigilant, and monitored for effectiveness. They should protect all victims and hold offenders (at and away from the worksite) accountable.

Policies should comply with all local, state, and federal laws; maintain confidentiality; link with community programs; and maintain a safe and secure workplace, which extends to data systems. Personnel handbooks should be audited to prevent other policies from conflicting with the domestic violence policy (Thompson, 2005). The National Institute for Occupational Safety and Health (2004) suggests all four levels of violence occurring in the workplace be addressed through a comprehensive policy. These four levels include:

1. Violent acts by criminals. These individuals have no connection with the workplace. They enter it to commit robbery or another crime.
2. Violence directed at employees by customers, clients, patients, students, inmates, or others for whom the organization provides services.
3. Violence against coworkers, supervisors, or managers by current or former employees.
4. Violence committed in the workplace by someone who does not work there, but who has a personal

relationship with an employee (e.g., a spouse or domestic partner) (Rugala, 2001).

SAFETY

Solomon (1995) reported 94% of security personnel considered domestic violence a high-priority issue in their companies. Company policies must include safety planning, and key personnel must be trained in providing that safety. Companies can provide physical safety by addressing the following with victims (Family Violence Prevention Fund, 2005):

- Saving e-mail and voice mail messages from the abuser.
- Screening calls and removing victims' names from outgoing messages.
- Obtaining a restraining order, which is shared with managers, security and human resources personnel, and local police departments, that includes the worksite.
- Arranging for victims to park close to the workplace or have a security escort.
- Relocating victims' work space, if possible.
- Providing a picture of the abuser to security personnel and managers.
- Identifying a contact person should the employer be unable to reach the victim.
- Evaluating paycheck delivery.
- Asking victims what changes would be helpful to them.
- Seeking victims' knowledge or permission before making any arrangements.
- Changing victims' work schedule or offering them unpredictable rotations.
- Offering referrals for safety planning at home.

FRONT-LINE RESPONSE

Managers are often the first to become aware employees are experiencing intimate partner violence. Team members may also become aware and then alert managers or immediate supervisors. Managers need to recognize the following signs of domestic violence:

- Excessive absence or tardiness (especially on Mondays).

- A sudden or sustained drop in productivity.
- Frequent unexplained bruises or injuries.
- Frequent work breaks.
- Concealing clothing, even in warm weather.
- Lack of concentration.
- Difficulty making decisions.
- Inability to take work-related trips.
- Appearing distracted, depressed, or anxious.
- Excessive calls, visits, or faxes from the abuser.

Managers need not be counselors or confidantes; those are roles for the supportive resources to whom managers refer. If managers suspect abuse at home, it is appropriate for them to ask about it. Managers may open this discussion by saying they have noticed the employee's productivity is not what it had been during the past couple of months and they wanted to check whether the employee could let them know what might be going on (Bareuther, 1999). They will need to assess the work situation and then make appropriate referrals, which should be defined in the workplace policy. A developmental work plan related to job performance can be instituted, a referral made to the employee assistance program or human resources department, and information provided about domestic violence. It is appropriate for managers to let abused employees know the abuse is not their fault and the company wants to help them and values their work. Managers can also provide a stable work environment with clear and consistent performance expectations. They can encourage victims to give advance notice if unable to complete or manage tasks. Managers may be able to adjust job expectations and provide support while keeping performance in mind.

ADDITIONAL INTERVENTIONS

Benefits that are employee-friendly can show support for victims of domestic violence and decrease employee turnover. For example, flexibility in benefits and policies for victims will allow them to work

through situations without losing their job. Employee assistance programs should be audited to ensure that responses are appropriate for these employees (American Bar Association, 2005).

Benchmarking what other companies are doing can assist those in the early stages of addressing workplace domestic violence. Joining the Corporate Alliance to End Partner Violence is one way of networking with other companies.

Federal and state laws change rapidly, and employers must remain current. For example, in Illinois the Victims' Economic Security and Safety Act (2003) allows victims to take up to 3 months of leave from work during any 12-month period to address domestic violence issues. Also, the Violence Against Women Act, renewed in October 2005, provides grant money, a general rule of anti-discrimination, workplace safety program tax credits, and employment protection.

CONCLUSION

When U.S. companies initiate task forces, implement policies, promulgate information, and protect employees' rights related to domestic violence, they join a movement that began more than 30 years ago. By addressing domestic violence, employers can avert potential financial losses, adhere to state and federal legislation, improve work team functioning, and provide support and resources for victims, thus advancing company and employees' well-being.

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