



Dear Alabama Employer:

Alabama's domestic violence rate is one of the highest in the nation. At least 12% of both homicides and violent crimes in the state are directly related to domestic violence, according to the U.S. Department of Justice. Every nine seconds, a woman is battered by someone she knows or loves. Domestic violence strikes in every community, and in virtually all businesses.

The emotional, physical and financial toll on business is devastating to say the least. The Bureau of National Affairs reports a cost of \$3 - \$5 billion per year in lost work days and reduced productivity on American businesses. Furthermore, the added cost of medical care for a victim of domestic violence averages \$1,700 annually.

To continue work on this social issue, Verizon Wireless is teaming with the Alabama Coalition Against Domestic Violence in the production and circulation of **Domestic Violence in the Workplace: A Guide For Employers**. This manual has been developed to help employers design sound, effective policies that create a safe environment when domestic violence follows a victim to work.

Verizon Wireless has taken this issue of domestic violence seriously for some time. Since 1995, our company has been committed to domestic violence prevention in the workplace and in communities nationwide. Our HopeLine Program[®], for instance, has collected more than 3 million used wireless phones for the benefit of domestic violence victims and advocacy groups.

We applaud the Alabama Coalition Against Domestic Violence for producing this manual and allowing us to be a part of this effort. I encourage you and your company to read and implement the practices and policies spelled out in these pages, and help us all prevent this devastating problem in our state and our society.

Sincerely,

A handwritten signature in black ink that reads "Jim McGean". The signature is written in a cursive, flowing style.

Jim McGean

President

Verizon Wireless AL / GA Region



Dear Employer,

The publication of this manual is a major step forward in our continuing efforts to eliminate domestic violence wherever it occurs. Working with a dedicated committee of business leaders, the Alabama Coalition Against Domestic Violence has developed a resource that addresses domestic violence in the workplace. It is with deep appreciation to this group that I introduce **Domestic Violence in the Workplace: A Guide for Employers**.

Statistics reveal that domestic violence has an adverse effect on the financial strength and success of a company. The annual cost of lost productivity due to domestic violence equals \$727.8 million. More than 7.9 million paid workdays are lost each year. This manual will be a helpful resource in developing an effective workplace policy. Ultimately, the life of a victim may be saved by stopping the violence of an abuser and a valued employee may continue years of productive work.

We are pleased to partner in this effort with Verizon Wireless, a leader in the business community's stand against domestic violence. Their generous contribution to the design and printing of this manual is a sign of their continued support for victims and survivors.

We hope that you will find **Domestic Violence in the Workplace: A Guide for Employers** a useful tool to resolve the impact of domestic violence in your workplace.

Sincerely,

Carol Gundlach

Carol Gundlach
Executive Director
Alabama Coalition Against Domestic Violence

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INTRODUCTION

A survey by the U.S. Department of Labor reports that 94% of security personnel from Fortune 100 companies rank domestic violence as a major safety and security issue. Focus groups that included small, medium and large employers identified absenteeism, low productivity and inability to focus as major issues resulting from domestic violence. The Centers for Disease Control and Prevention estimates that the annual cost of lost productivity due to domestic violence equals \$727.8 million, with more than 7.9 million paid workdays lost each year.

Domestic violence is no longer a private matter. Violence at home can become violence at work. To address this important social issue, the Alabama Coalition Against Domestic Violence has joined with employers throughout the state to encourage domestic violence workplace policies.

The goals of the Alabama Coalition Against Domestic Violence include community education and advocacy resulting in increased resources, improved laws and sensitivity to the safety needs of domestic violence victims. This manual, **Domestic Violence in the Workplace: A Guide For Employers**, has been developed to help employers design sound, effective policies that create a safe environment when domestic violence follows a victim to work. Each section provides information to assist with the implementation of a viable workplace policy on domestic violence.

This manual is divided into three sections: **Recognize** - facts and indicators to explain the impact of an abuser's actions against an employed victim, **Respond** - guidelines and examples to develop workplace policy and **Resolve** - training recommendations and resources to support a safe workplace.

This last section emphasizes the belief that only the abuser can stop the violence. However, if employers commit to provide a safe work environment for victims of domestic violence, then the abuser will be held accountable for creating an unsafe workplace. By taking a stand against domestic violence, employers take a stand to **do the right thing**, and in so doing can resolve the impact of domestic violence on the workplace and perhaps, beyond.

The Alabama Coalition Against Domestic Violence (ACADV) is a nonprofit organization established in 1978 as a network of shelters for battered women and their children. In 1984, ACADV was incorporated as a 501(c) (3) organization. Currently, there are nineteen member programs, which serve the 67 counties in Alabama.

Funding for this project was provided by

Altria Group

The National Network to End Domestic Violence

Design and printing of the manual were donated by



For copies or additional information contact
Alabama Coalition Against Domestic Violence
334-832-4842
www.acadv.org



Recognize Domestic Violence in the Workplace

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RECOGNIZE DOMESTIC VIOLENCE IN THE WORKPLACE

In 2005, there were 26,051 reported domestic violence assaults in Alabama.

Statewide, there were 27 domestic violence murders.¹

Alabama's domestic violence rate is one of the highest in the nation. At least 12% of both homicides and violent crimes in the state are directly related to domestic violence.² Homicide is the second leading cause of death for women on the job. Twenty percent were murdered by their partners.³

Domestic violence is a pattern of coercive behaviors used to threaten, frighten or harm an intimate partner in order to gain control over a victim's actions, thoughts and feelings. Based on a belief system of ownership and entitlement, the behaviors can include physical, sexual and psychological assaults, economic control and stalking. Victims and abusers are from all cultures, ages, religions, sexual orientations, educational backgrounds and income levels. They are neighbors, friends, family and coworkers.

With nearly **one out of four American women** reporting physical abuse by an intimate partner at some point in their lives, there is no doubt that domestic violence affects employees, as victims or abusers, in every workplace.

When an abuser attacks, stalks or harasses a partner at work, or directly or indirectly sabotages a victim's ability to work, she is a victim of workplace violence.⁴

Victims are vulnerable at work because abusers know where to find them.

Although it is widely recognized that men can also be victims of domestic violence, the vast majority of victims are women. According to estimates from the National Crime Victimization Survey:

- A total of 1,687 women and men were killed by an intimate partner in 2000.
- 1,247 of those were women, and 440 were men.
- About 588,490 or 85% of victimizations by intimate partners in 2001 were against women.⁵

Here are some questions for an employer to ask:

- How many domestic violence victims work in your company?
- Do you know how to identify them?
- How many employees are, or have been, stalking victims?
- How much time from work have your employees lost because of domestic violence?
- What has been the cost of domestic violence to your company?

NOTES

1. 2005 Domestic Violence in Alabama, State of Alabama Statistical Analysis Center.

2. National Coalition Against Domestic Violence, Domestic Violence Facts, 2004.

3. U.S. Department of Labor, Bureau of Labor Statistics 2003, Census of Fatal Occupational Injuries.

4. Creating Solutions – Creating Change, NOW Legal Defense and Educational Fund, 2002, p.5.

5. Intimate Partner Violence, 1993 – 2001. Bureau of Justice Statistics Crime Data Brief, February 2003. NCJ 197838.

SEVEN REASONS EMPLOYERS SHOULD ADDRESS DOMESTIC VIOLENCE

1. Domestic violence affects many employees.

- Nearly one-third of American women (31 percent) report being physically or sexually abused by a husband or boyfriend at some point in their lives.¹
- More than one million people report a violent assault by an intimate partner every year in the U.S.² Many go unreported.
- At least 1 million women and 371, 000 men are victims of stalking in the U.S. each year. Stalkers often follow the victim to the workplace.³

2. Domestic violence is a security and liability concern.

- 94 percent of corporate security directors surveyed rank domestic violence as a high security problem at their company.⁴
- Employers who fail to protect their employees from violence at work may be liable. Jury awards for inadequate security suits average \$1.2 million nationwide and settlements average \$600,000.⁵
- In the case of *La Rose v. State Mutual Life Assurance Co.*, Francesia La Rose's family filed a wrongful-death action against her employer when she was murdered by a former boyfriend at the work site. The employer paid a settlement of \$850,000 for failing to protect her after being notified of a specific threat.⁶

3. Domestic violence is a performance and productivity concern.

- In one study of abusers, 41 percent had job performance problems and 48 percent had difficulty concentrating on the job as a result of their abusive behaviors.⁷
- Thirty-seven percent of women who experienced domestic violence reported that the abuse had an impact on their work in the form of lateness, missed work, job retention or career promotions.⁸
- The Centers for Disease Control and Prevention estimates that the annual cost of lost productivity due to domestic violence equals \$727.8 million, with more than 7.9 million paid workdays lost each year.⁹

4. Domestic violence is a health care concern.

- The national health care costs of domestic violence are high, with direct medical and mental health care services for victims amounting to nearly \$4.1 billion.¹⁰
- Among women admitted to an emergency room for violence-related injuries, 37 percent were abused by an intimate partner.¹¹
- In a study on the effects of violence, women who experienced any type of violence or abuse were significantly more likely to report being in "fair or poor" health, and were almost twice as likely to be coping with some form of depression.¹²

5. Domestic violence is a management issue.

- In a 2002 survey of senior corporate executives, 91 percent said that domestic violence affects both the private and working lives of their employees.¹³
- In addition, more than half (56 percent) of those surveyed were aware of employees who have been affected by domestic violence.¹⁴
- In a 1994 survey, 66 percent of executives said their companies' financial performance would benefit from addressing the issue of domestic violence among their employees.¹⁵

6. Taking action in response to domestic violence works.

- After participating in domestic violence training at a factory, the rate of employees asking for workplace counseling services for domestic abuse problems was 14 times what it had been prior to the training.¹⁶
- When a sample group of 40 abused employees at the factory began using the domestic abuse counseling services, their average absence rate was higher than the factory's average absence rate. After using counseling services, the abused employees reduced their absenteeism rates to normal.¹⁷

7. Employers can make a difference.

- Numerous corporations, government agencies and domestic violence experts are already addressing domestic violence, with great success. You can make a difference in your workplace and in the lives of employees who are facing abuse.

NOTES

1. Collins, K., Schoen, C., Joseph, S, Duchon, L. Simantov, E. & Yellowitz, M. (1999). Health Concerns Across A Woman's Lifespan: The Commonwealth Fund. 1998 Survey of Women's Health.
2. U.S. Department of Justice, Bureau of Justice Statistics, (2000). Intimate Partner Violence. NCJ 178247.
3. U.S. Department of Justice, National Institute of Justice (2000). Full Report of the Prevalence, Incidence and Consequences of Violence Against Women. November, NCJ-183781.
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5. Perry, P. (1994). Assault in the Workplace. Law, May 1, 41.
6. Burke, D.F. (January, 2000). When Employees are Vulnerable, Employers are Too. The National Law Journal.
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10. Ibid.
11. U.S. Department of Justice, Bureau of Justice Statistics. (1997). Violence Related Injuries Treated in Hospital Emergency Departments. Special Report.
12. Collins, K., Schoen, C., Joseph, S, Duchon, L. Simantov, E. & Yellowitz, M. (1999). Health Concerns Across A Woman's Lifespan: The Commonwealth Fund 1998 Survey of Women's Health.
13. Patrice Tanaka & Company, Inc. (2002). News Release: Corporate Leaders See Domestic Violence as a Major Problem That Affects Their Employees According to Benchmark Survey by Liz Clairborne, Inc. Contact Lauree Ostrofsky (212) 229-0500, x 236.
14. Ibid.
15. Roper Starch Worldwide for Liz Claiborne, (1994). Addressing Domestic Violence: A Corporate Response. New York: Roper Starch.
16. Urban, B.Y. (2000). Anonymous Foundation Domestic Abuse Prevention Program Evaluation: Final Client Survey Report. Chicago, IL: The University of Illinois at Chicago. Contact byurban@aol.com.
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AN EMPLOYER'S LEGAL RESPONSIBILITY

Employers are realizing in increasingly greater numbers that it is good business practice to work with employees to provide a workplace that is safe for victims of domestic violence. As an integral part of their communities, businesses have a social responsibility to take a leadership role in providing a safe workplace that promotes the trust of its employees. By confronting the harm that domestic violence brings to the workplace, employers will maximize employee productivity and loyalty and limit their potential for legal liability, while demonstrating their moral and ethical leadership in the community.

FEDERAL LAW

OSHA: Covered employers may be cited for violating the “general duty” clause of OSHA if they fail to appropriately address and abate a recognized hazard of workplace violence. This provision can be cited in enforcement proceedings to sanction an employer who fails to take remedial measures to protect a threatened employee or to allow a perpetrator to use the business to further his abuse.

Sexual Harassment/Hostile Work Environment: Violence that flows from a dating or other relationship between employees may lead to complaints to the Equal Employment Opportunity Commission and sanctions against the employer based upon the Title VII of the Civil Rights Act of 1964. Even in cases where the abuser is not an employee, an employer's failure to take domestic violence seriously can lead to charges that it has created a hostile work environment based on the victim's gender.

Family and Medical Leave Act: A victim of domestic violence whose trauma or physical injury creates a “serious health condition” may be entitled to take leave from work to convalesce or to care for her child who requires her treatment as a result of the abuse.

Gun Control Act of 1968: Federal law prohibits certain people from owning or possessing firearms or ammunition. A person who is the subject of a qualified protection order falls within this prohibited class (subject to a limited exception for some law enforcement officers and military personnel who must carry firearms while on duty as a condition of their service or employment). Furthermore, persons convicted of a qualified crime of domestic violence are completely barred from owning or possessing a firearm (there is no law enforcement or military exception). An employer who requires or allows an employee who is ineligible to own or possess a gun to do so in violation of the law may face civil liability for its employee's wrongful use of the firearm and may be criminally liable for facilitating the violation of the law.

American with Disabilities Act: If the physical or emotional trauma suffered by a domestic violence victim leads to an impairment that “substantially limits a major life activity,” she is considered disabled pursuant to the Americans with Disabilities Act (ADA). The employer may also be required to provide the victim with a “reasonable accommodation” to enable her to satisfactorily perform her job. These accommodations may include modifications to her work station, work schedule, policy changes, security arrangements or job site transfers as necessary. Finally, if she is disabled, she also may qualify for coverage under the employer's short-term or long-term disability insurance policy.

On the other hand, some domestic violence perpetrators may try to claim that their actions are the result of a psychological disability that requires an employer to overlook their transgressions and accommodate their wrongful conduct. However, the ADA does not protect employees from the consequences of behavior that would otherwise subject them to discipline or discharge and allows employers to sanction employees who pose a direct threat to others.

Privacy Rights: Employers should make it clear to their employees, through policies or handbooks, that business equipment (from motor vehicles to computers and information systems) are the property of the employer and that employees have no right or expectation to privacy in their use of this equipment on or off the job. The employer has a right to know how its equipment is being used and a responsibility to make certain that it is not being used in furtherance of unlawful ends to commit acts of domestic violence.

STATE LAW

Tort Liability: Although the general rule in Alabama is that an employer is not directly liable to its employees for the criminal acts of a third party, a special relationship may exist in some cases to protect an employee or business invitee if the criminal conduct was a foreseeable probability in light of the employer's specific knowledge.

Workers Compensation: Employees who are injured while working on the job may maintain a claim for benefits pursuant to the workers compensation statutes. Furthermore, an employer who knowingly or negligently allows a domestic violence perpetrator to use his position to commit acts of violence may also be exposed to liability.

Unemployment Compensation: An employee who is terminated from her employment because she is a victim of domestic violence may be entitled to unemployment compensation benefits through the Alabama Department of Industrial Relations that can result in an increase in its Unemployment Tax rate. Furthermore, a domestic violence victim who is forced to quit her job because her employer fails to take reasonable steps to protect her safety at work may also be entitled to unemployment compensation benefits that can increase her employer's payroll tax rate.

Time-off to Respond to a Subpoena: A victim of crime (including a victim of domestic violence) who responds to a subpoena to testify in a criminal proceeding or to participate in the preparation of her testimony for a case shall not be subject to intimidation, threat, fear of or the actual loss of her employment as a result of her compliance.

Domestic violence not only impacts employees' abilities to provide and care for themselves and their families, but it also affects the financial strength and success of the companies for which they work. It has an adverse and disruptive effect on worker morale, customer perceptions of the company and a company's legal and public liability. (Safe@Work Coalition)

ACTIONS TO CONSIDER

- If an employee reports or the employer becomes aware of acts of harassment, threats or other violent conduct that may affect the workplace, the employer has an obligation to act responsibly. The prudent employer will have an established policy that will lead it to an appropriate response and successful outcome for all involved.
- While having a policy is important and can serve to insulate an employer from some potential legal liability, it is useless unless it is utilized when the time arises.

RECOGNIZING A VICTIM

Although there may be other causes, the following clues may be present if an employee is a victim of domestic violence.

- Obvious injuries such as bruises, black eyes, broken bones and/or hearing loss. These are often explained away in logical stories as “falls, “being clumsy” or “accidents.”
- Clothing that is inappropriate for the season, such as long sleeves or turtlenecks or wearing sunglasses and unusually heavy makeup.
- Uncharacteristic/excessive absenteeism or lateness for work. Requests for special accommodations e.g. leaving early on Friday and/or lateness on Monday.
- Isolation and/or avoidance of coworkers.
- Emotional distress indicated by tearfulness, depression or suicidal thoughts.
- Minimization and denial of harassment or injuries.
- An unusual number of phone calls, strong reactions to those phone calls and reluctance to converse or respond to phone messages. Insensitive or insulting messages taken by others.
- Sensitivity about home life or hints of trouble at home – comments may include references to bad moods, anger, temper and alcohol or drug abuse. Alcohol/drugs exacerbate the problem; they are NOT the cause.
- Disruptive personal visits to workplace by present or former partner or spouse.
- Fear about losing her job.
- The repetitive receiving of gifts and flowers after what appears to be continuing arguments between the couple.

Victims of domestic violence are routinely made to feel insignificant and inadequate by their abusers. Self-esteem can be eroded and stress heightened. Tension can affect the way victims interact with coworkers, supervisors and customers.

Abusers often threaten their victims about talking to others about the abuse. She may believe that she will be fired if you know about her situation. Fear, shame and embarrassment are all reasons why victims may not choose to disclose. Unless there is a direct threat to the safety of your business, **do not** insist that a possible victim talk to you. The best thing you can do is to provide a nonthreatening and supportive environment for your employees.

Listening is the first step. It may take time and several conversations before she will feel safe enough to verbalize that she is being abused. Recognize that the victim may not acknowledge the abuse or may react defensively. By being a good listener, you will know when she is ready to take action. Listen; don't tell her what to do.

Advising her to leave an abusive relationship may put her and any children in jeopardy. ***An attempt to leave is most dangerous because abusers realize they are losing control. In an attempt to regain control, they may stalk, injure or kill their victims.***

ACTIONS TO CONSIDER

- ***If there is imminent danger, call 911.***
- Encourage the victim to contact the local domestic violence program to develop a personal and workplace safety plan.
- Follow your workplace security and safety plan. Create one if you do not have one.
- Obtain a restraining order for the business and keep a current copy available in case law enforcement is called.
- Help the victim obtain a protection order or refer to someone who can.
- Designate a code word or phrase so she can alert a coworker to danger.
- Keep information about the victim's employment safe and confidential. With her consent, identify staff that will have knowledge of the reasons for changes in her workstation, phone, hours, etc. Limit the number of people who have this information and emphasize the need for confidentiality.
- Accommodate the victim for court appearances and offer to work with the victim's advocate or law enforcement officer.
- Post the state wide Domestic Violence Hotline number: **1-800-650-6522.**

Let her know that you will support her and that it is safe to talk to you. You can repeat this message a number of times in a number of ways. You can also make sure there is information available for all employees such as on bulletin boards, handbooks, etc., and in private places such as on the backs of doors in restrooms or locker rooms.

There are no magic words to say to a person you suspect is a victim of domestic violence. Victims will often resist talking about their situations because they are afraid to reveal information. She may only disclose if she is certain that it will be received with compassion. When initiating a discussion or reacting to a disclosure of domestic violence, for confidentiality reasons, always arrange to meet in private.

Things that may be helpful to say:

- I am concerned for your safety.

Refer to the local domestic violence program for help with a safety plan.

- I believe what you are telling me.

Listen without judgment.

- You are not responsible for what your partner has done to you.

Domestic violence is a crime and is not caused by the victim. Explain that she has legal avenues available to her.

- You don't deserve to be abused.

There are no excuses for abuse.

- How can I help you to be safe?

Give resource information and the statewide domestic violence hotline number 1-800-650-6522.

Understand that leaving the abuser puts a victim in danger because the abuser believes that he needs to maintain control.

(Adapted from the Colorado Bar Association, Domestic Violence Make It Your Business Project)

RECOGNIZING AN ABUSER

An abuser may be found from entry level to executive staff where management tends to find it difficult to believe or confront. Although there may be other causes, an employee who is an abuser may behave in the following ways:

- Be “invisible” due to exemplary job performance.
- May display outbursts of anger toward partner and/or others.
- Blame others for problems, especially his partner.
- Request special accommodations such as permission to leave early or take emergency leave.
- Have frequent absences or lateness to work.
- Make frequent calls or emails to partner.
- Have a changed appearance, for example, from neat to disheveled.
- When speaking with others, there may be frequent and assertive allegations of abuse toward a partner or child.
- Give his partner threatening or intimidating looks that cause a victim to look at the abuser before speaking because she is frightened or intimidated.
- Answer questions directed toward his partner.
- Is often very loud or speaks in a condescending manner to others.
- Often speaks in a demeaning manner to the victim or about the victim to others.

THE LETHALITY OF ABUSERS:

All abusers are potentially dangerous. The following behaviors are indicators, not predictors, for life-threatening acts of violence.

- Threats of homicide or suicide.
- Fantasies of homicide or suicide. The abuser who has previously acted out part of a homicide or suicide fantasy may be invested in killing as a viable solution to his problem.
- Access to weapons. If an abuser has possession of a weapon, has threatened or used a weapon in the past during an assault, the potential for lethal assault is increased. The use of guns to threaten or assault is a strong predictor of homicide. If an abuser has a history of arson or threat of arson, fire should be considered a potential weapon.
- Ownership of the partner. An abuser who believes that he is entitled to his partner’s services, obedience and loyalty is life-endangering.
- Centrality of the partner. A man who idolizes his female partner, or who depends heavily on her to organize and sustain his life, or who has isolated himself from all other community ties may retaliate against a partner if she decides to end the relationship.
- Separation from the partner. When an abuser believes that he is about to lose his partner, if he can’t envision life without her or if the separation causes great despair or rage, he may choose to kill her.
- Escalation of risk by the abuser. When the abuser begins to act without regard to the legal or social consequences, the risk for homicide and/or suicide is increased.

(Alabama Coalition Against Domestic Violence, Staff Development Training)

ACTIONS TO CONSIDER

- If you observe or receive a report that an employee is using work hours to harass a victim by phone or email, or using organization vehicles to follow or see the victim, intervene. Develop policies that prevent these actions.
- Don't reinforce the behavior in any way. Don't agree with any statements that suggest the partner is at fault. Domestic violence is a crime and never acceptable. Remember that there is no excuse for domestic violence.
- Tell him you find it offensive when he insults or puts down his spouse or partner.
- If the abuser jokes or tells stories about domestic violence, tell the person that the subject of domestic violence is not funny.
- Inform the abuser that domestic violence is unacceptable behavior that will be documented. Use organization policies for addressing and disciplining employees who use work time, supplies or equipment to inflict domestic violence, including phone calls or email. Be clear that your organization does not condone any form of domestic violence.
- Provide educational materials, local resources, referrals and other information that can help abusive employees. Include information on domestic violence with other in-house articles, seminars or presentations about domestic violence.
- If an employee has received a court order for mandatory attendance in an abuser's treatment program, require his participation as a condition of continued employment in your organization.
- Focus on the necessary corrective steps. Be clear about the actions the abuser must take and what will happen if these actions are not followed. Your primary obligation is workplace and victim safety.
- Domestic violence intervention is **not** couples' counseling or anger management; it is about awareness, understanding and being held accountable for choices made by the abuser. The appropriate referral is to a local, certified batterers' intervention program.

Things that may be helpful to say:

- I'm concerned about your absences or (anger, impatience, frequent phone calls, mood swings, etc.)
Refer to a counselor trained to assess for domestic violence. Call the local domestic violence hotline for a referral.
- Your partner is not responsible for the way you treat her.
Any type of abuse is wrong and may have serious consequences. Domestic violence is a crime.
- Do you sometimes feel that you lose control with people you care about?
*No one can make you act in a certain way. You have a choice.
Give the statewide domestic violence hotline number 1-800-650-6522.*
- How can I help?
*Keep the victim's safety a priority. Hold abuser accountable within workplace policy guidelines.
Refer to a certified batterers' intervention program.*

(Adapted from Life Concepts Counseling Center and Gateway Violence Intervention Program)

WHEN THE ABUSER AND VICTIM ARE BOTH EMPLOYEES

One of the most complicated risks occurs when the abuser and victim are coworkers. As a result, employers will have to make some very difficult personnel and legal decisions. Your workplace policy on violence or harassment should already include consequences for employees who perpetrate acts of violence against anyone at the worksite. It is crucial to avoid taking actions that will diminish the victim's rights to employment. Actions to increase safety should be aimed at restricting the abuser's work and access to the victim. Employers can require the abuser to attend a certified batterers' intervention program as part of a disciplinary action and as a condition of continued employment. (Family Violence Prevention Fund)

ACTIONS TO CONSIDER

- Refer to the tabbed section in this manual for victims and abusers.
- Meet with each employee individually.
- Encourage all victims to contact the local domestic violence program for resources that may include emergency shelter, support groups, counseling and assistance with protection orders. The programs are prepared to assist male and female victims.
- Refer abusers to contact the closest certified batterers' intervention program.

**Statewide Domestic Violence Hotline
1-800-650-6522**

Respond to Domestic Violence in the Workplace

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RESPOND TO DOMESTIC VIOLENCE IN YOUR WORKPLACE

Develop a domestic violence policy:

- Give proactive and practical direction to employees before they are forced to confront a complex, emotional and potentially dangerous situation.
- Fill in the gaps between other policies that may fail to address the needs of employees affected by domestic violence and the supervisors who must respond.
- Incorporate any state legislation related to victim rights' laws into your company's existing policies.
- Outline simple personnel practices that provide employer and employees with options for decreasing personal and workplace risks and liability, while making the workplace a safer, more supportive environment.

Policies should include:

- Definition of domestic violence
- The company's philosophy about addressing domestic violence
- Reporting and intervention procedures
- Confidentiality agreements
- Security measures
- Anti-discrimination provisions
- Absence accommodations for victim
- Relocation assistance
- Protection order information and enforcement
- Safety plans
- Use of benefits in creative and flexible ways (leave time, medical benefits)
- Any other special accommodations the company is willing to make

(Adapted from the Colorado Bar Association, Safe at Work Coalition and the Corporate Alliance to End Partner Violence)

GENERAL POLICY SAMPLE FOR DOMESTIC VIOLENCE

(may be applicable for small companies)

Statement Elements Include:

- Promoting a safe and supportive environment
- Offering access to information and resources
- Confidentiality within limits needed for safety
- Non-discrimination

General Policy Statement Content:

We are committed to providing information, resources and support for employees and management responding to employees' domestic violence concerns in order to create a safe, productive workplace. Our organization treats all employees fairly and will not discriminate against an employee in any employment actions (including recruiting, hiring, promoting, disciplining or terminating) because the employee is, or is perceived to be, a victim of domestic violence.

To enable employees to seek assistance for domestic violence needs, we encourage management to respond to employees who are victims of domestic violence in an open-minded manner. Respecting employees' needs for confidentiality and self-determination whenever possible, we reserve the right to disclose limited information and take action when it is clearly necessary to protect the safety of our employees.

Education and Training:

At [name of employer], we believe that offering employees opportunities to increase their awareness of domestic violence works to prevent and reduce the impact of domestic violence in the lives of our employees. We provide workplace educational and informational resources to employees whenever feasible, which may include posters, brochures, articles or trainings on domestic violence, and information about community resources.

Safety and Security:

As stated in our Workplace Violence Prevention policy, we strive to maintain a safe and secure workplace and do not tolerate any acts or threats of violence in the workplace. Furthermore, we do not tolerate any acts or threats of domestic violence against any employee while on our property or while conducting [name] business. Employees who threaten, harass or abuse any one either at the workplace, or from the workplace, while conducting [name] business and/or using any of [name] property, such as computers, telephones, FAX machines, mail, vehicles or other means, may be subject to disciplinary action, up to and including discharge.

Employees who become aware of threats or acts of domestic violence that may occur or have occurred in the workplace must immediately inform their supervisor/manager. In addition, employees with Orders of Protection or restraining orders that reference the worksite(s) of [name] must provide their supervisor/manager with a copy of the order. In response to possible threats, a threat response team will undertake an assessment of the risk and implement a safety response plan specific to the circumstances of the threat, implementing security options to minimize the risk. This plan will take into consideration the needs and rights of a targeted employee and others in the worksite, maintaining confidentiality when doing so does not interfere with safety needs.

Employee Leaves:

At [name], we realize that employees who are victims of domestic violence have multiple and serious needs, some of which may require time away from work. We will work with employees who are victims of abuse to assess how existing paid and unpaid leave options may be used to help meet their needs.

In addition, victims of domestic violence will be eligible for unpaid personal leave time, as defined by our company policy, Personal Leaves for Eligible Employees, upon providing basic documentation of the need for this leave. Documentation includes any written statement evidencing the employee's use of victims' services, medical or professional treatment or services, social or faith-based services, law enforcement or legal proceedings or other actions or use of resources required to increase immediate safety. All written documentation will be kept strictly confidential and in a secured file separate from an employee's personnel file.

Performance Concerns:

At [name], employees are encouraged to inform management when performance problems arise that are directly related to a domestic violence concern. In response to such disclosure, managers will provide an employee with information about internal and external resources that the employee can choose to access for assistance. Managers will also work with the employee to determine if any accommodations, such as available leave time or workplace safety precautions, are needed. Managers are to consult with Human Resources to determine if a performance contract, specifying a time period to gain assistance prior to continuing with disciplinary action, is appropriate for the employee's situation.

Internal resources include the Human Resource Department and the Employee Assistance Program. External resources may be obtained through either internal resource or the manager may inform the employee of the Alabama Coalition Against Domestic Violence Hotline # 1-800-650-6522.

Employee Benefits:

At [name], employees will not be denied or restricted from use of benefits specifically because they are known to be victims of domestic violence. Whenever feasible, the Benefits Department will work with employees who are victims of domestic violence, who are separating or divorcing from an abusive spouse or partner to process changes in benefits information or status as allowable during non-enrollment periods. The Benefits Department will also explore how employees dealing with domestic violence may make use of employee services, such as relocation assistance when a transfer has been approved or how to access the Employee Assistance Program.

(Adapted from Family Violence Prevention Fund, Workplace Solutions Workplace Domestic Violence Policies Sample Text)

DETAILED POLICY SAMPLE FOR DOMESTIC VIOLENCE

(may be applicable for large companies)

PURPOSE

(X Company) is committed to providing a safe, healthful and supportive environment for its employees. Domestic violence is a leading cause of injury to women in this country. The purpose of this policy is to heighten awareness of domestic violence and to provide guidance for employee and management to address the occurrence of domestic violence and its effects on the workplace. Our intent is to increase victim safety, provide confidentiality within the limits needed for safety, promote a supportive environment offering access to information and resources and to increase abuser accountability.

SUMMARY

(X Company) is committed to providing a workplace where acts or threats of violence are neither tolerated nor excused. Early intervention and awareness strategies, as well as disciplinary measures when necessary, will be used to prevent or minimize the occurrence and effects of such violence.

APPLICABILITY

This policy applies to all employees of (X Company) and all on site consultants, vendors or independent contractors of (X Company).

DEFINITIONS

Domestic Violence: Domestic violence is a pattern of coercive behavior that is used by one person in an intimate relationship to gain power and control over another. This includes violent acts (occurring within or outside of the workplace) occurring between family or household members, and which the company, in its sole discretion and judgment, determines affects the workplace. Such conduct includes but is not necessarily limited to:

- Any act or threat of an act of physical aggression that causes physical harm to any other person.
- Any statement or action that reasonably could be perceived as demonstrating intent to cause physical or serious emotional harm to another.
- Intimidation or verbal harassment.
- Disorderly conduct.
- Threats of suicide.
- Homicide, assault and battery.
- Rape.
- Stalking.
- Enlisting, coercing or asking others to do any of the above actions.
- Aiding or abetting others in doing any of the above actions.

Workplace Violence: (This paragraph may not be necessary if the company has a Workplace Violence Policy) Includes conduct of a violent nature which is perpetrated by an employee and which takes place: (i) on company premises, (ii) at client sites, (iii) during the performance of company business or (iv) while using company resources such as workplace telephones, FAX machines, mail, email, the Internet, voice mail or other forms of electronic communications. Such conduct includes but is not limited to:

- Any act of stalking, harassment or physical battery against any other person.
- Any assault or threat of sexual, emotional or psychological violence against any other person.
- Any pattern of coercive behavior which involves physical violence, sexual, emotional or psychological violence, intimidation inappropriate in a supervisory relationship, or verbal abuse which one person uses to control another or others.

- Enlisting, coercing or asking others to do any of the above acts.
- Aiding or abetting others in doing any of the above actions.

Abuser, Batterer or Perpetrator: Any individual who commits Domestic or Workplace Violence as described above.

Victim or Survivor: The individual who is the subject of Domestic or Workplace Violence.

The company reserves the right in its sole discretion to determine when particular conduct constitutes an act of violence for purposes of this policy.

POLICY

Confidentiality: In order to ensure the safety of all employees who comply with the law, any information related to domestic or workplace violence, or the company's response to either will only be disclosed on a need to know basis.

Early Intervention, Education and Support for Employees Who Are Victims of Domestic Violence.

- (X Company) will provide available support and assistance to employees who are survivors of domestic violence. This support may include: confidential means for coming forward for help, resource and referral information, additional security at the workplace, Employee Assistance Program, work schedule adjustments or leave necessary to obtain medical, counseling or legal assistance, and workplace relocation. Written resource and referral information will be available. Other appropriate assistance will be provided on an individual basis. In all responses to domestic violence, (X Company) will respect the confidentiality and autonomy of the adult survivor to direct her or his own life, to the fullest extent permitted.
- (X Company) will maintain, publish and post in locations of high visibility, such as bulletin boards and break rooms, health/first aid offices, company phone directories and online information databases, a list of support agencies.
- (X Company) will ensure that all supervisors, managers and employees receive a copy of this policy, are aware of Co X's policies on these issues and when possible, participate in Domestic Violence training.
- (X Company) will ensure that all managers and supervisors are aware of possible warning signs of an abuse victim, such as unexplained bruises, change in attitude or performance, lack of concentration, increased or unexplained absences or tardiness, depression or heightened anxiety, receipt of frequent or harassing telephone calls and disruptive visits to the workplace.
- (X Company) will ensure that a Human Resources or Company representative is trained in safety planning and actions to take in handling emergencies such as the offender showing up at the workplace threatening the victim and coworkers.

Leave Options for Employees Who are Victims of Domestic Violence

- The company will make reasonable efforts to help victims who need time off for medical and legal assistance, court appearances, counseling, relocation or to make other safety arrangements. To this end, the company will try to grant leave with or without pay or adjust work assignments.

Employee Payroll and Benefit Change Request

- (X Company) will make reasonable efforts to get company benefits in the victim-employee's own name when the victim-employee leaves a spouse (or covered domestic partner).
- (X Company) will process the victim-employee's requests for making changes to his/her electronic payroll transfer.

Performance Issues Related to Being a Victim of Domestic Violence

- (X Company) is aware that victims may have performance problems such as chronic absenteeism or trouble concentrating as a result of domestic violence. For this reason, reasonable efforts will be taken to consider all aspects of the employee's situation, and to the extent possible, utilize all reasonable options to attempt to resolve the performance or conduct problem.
- If reasonable attempts to resolve the performance problems are unsuccessful, (X Company) may decide to terminate the employee or the employee may decide to resign. In that event, (X Company) will inform the employee that he/she may be eligible for unemployment insurance.

Employee Who Commits Acts or Threats of Workplace Violence or Domestic Violence

- Any employee who commits or threatens to commit Workplace Violence or Domestic Violence as described above will be subject to disciplinary action up to and including immediate termination.
- Some job positions may give an employee access to certain types of information or resources. If he or she uses this access to enable an abuser to harm the victim, that employee will be subject to disciplinary action up to and including termination.
- Some employees may be licensed to possess firearms as a condition of employment. If such employee is arrested, convicted or the subject of an order of protection in a domestic violence related offense the employee's authority to possess a firearm may be unlawful under federal laws. (X Company) will be notified by the employee in the event that any of these circumstances occur. Failure to notify (X Company) will subject the employee to disciplinary action up to and including immediate termination.
- Any employee that is served with a Restraining or Protection Order based on domestic violence will be required to enroll in an abusers intervention program and successful completion of said program will become a condition of further employment.

Employee Responsibilities

- All employees will attend domestic violence in the workplace training.
- All employees will immediately report to the police, security or the company designated representative any threats or acts of domestic violence in the workplace that may be experienced or witnessed. Every effort must be made to report any activity to the authority that is appropriate consistent with the threat. If harm to any person is imminent, call Security or the Police. If this is not the case, then report to the Company's Designated Representative for action.
- Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when the behavior is job related or might be carried out on company property, or is connected to company employment. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior. If the Designated Representative is not available, employees should report the threat to their supervisor or another member of the management team.
- (X Company) understands the sensitivity of the information requested and has developed confidentiality procedures which recognize and respect the privacy of the reporting employee(s). Consistent with the values of (X Company), people should take action in ways that maintain respect and dignity for individuals while acting in an accountable and swift manner to address the situation.

Designated Management Representative

- The name, title, department, telephone number and location of the company Designated Management Representative will be prominently posted on all company bulletin boards. (To avoid updates of the policy DO NOT place the name or phone number here as they may change.)

Victim Responsibility

- To maintain confidentiality, employees who are victims of domestic violence or workplace violence may notify the Company Designated Representative or supervisor to discuss available options, e.g. leave options, return to work, payroll requirements, benefits requirements, development of a Safety Plan, recommended services available to victims of domestic violence, etc.

Management Responsibility and Reporting Procedure

- The company will immediately investigate incidents of violence or threats of violence (as described above as workplace or domestic violence) in accordance with all applicable laws. Violations of this policy may lead, in the company's sole discretion, to disciplinary action up to and including termination of employment.
- The company also reserves the right to report such violations to appropriate law enforcement authorities.
- (X Company) will appoint and train a Designated Management Representative that will be responsible for the training of all company supervisors and managers, help and support all victims according to the policy, investigate all reported incidents of domestic violence, develop Safety Plans and other appropriate resources.

GUIDELINES FOR PROVIDING ASSISTANCE TO VICTIMS

HUMAN RESOURCE PROFESSIONALS WILL:

- Participate in domestic violence training coordinated through a local domestic violence service provider that includes, at a minimum, information on ways in which domestic violence impacts on the workplace and its potential impact on worker productivity, as well as a general overview of domestic violence and related services.
- Arrange for staff training on how to identify indicators of domestic violence and how to intervene most effectively.
- Maintain a list of domestic violence services available to victims. This list should include: the phone number and description of local domestic violence service providers, employee assistance, if available, and information on how to obtain orders of protection, criminal justice options and any other available community resources.
- Work with supervisors and union representatives to grant reasonable leave and adjust work schedules or location of assignments.
- Maintain the confidentiality of domestic violence circumstances and any other referrals under this policy to the extent permitted by law.
- Consult legal counsel and advise supervisors when corrective or disciplinary actions are considered against employees who commit acts of domestic violence at [X Company] work sites, or who are convicted of a crime as a result of domestic violence.
- Work with the victim and, with the victim's consent, the supervisor, the employee assistance program, the legal department, union representatives, the occupational health office, security staff, if available, and law enforcement and domestic violence service providers. If necessary, develop a personal workplace safety plan for the victim. When assisting an employee in developing a workplace safety plan, ask what changes, if any, could be made at their workplace to make them safer. Victims of domestic violence know their abusers better than anyone else. When it comes to their own safety, offer to assist them in developing a workplace safety plan. If it is determined that other employees or clients/customers are at risk of physical harm, it is essential to take measures to provide protection for them.

EMPLOYEE ASSISTANCE PROFESSIONALS WILL:

- Participate in domestic violence training coordinated through a local domestic violence service provider that includes, at a minimum, information on ways in which domestic violence impacts the workplace and its potential impact on worker productivity, as well as a general overview of domestic violence, victim services and batterers intervention programs available to abusers.
- Maintain a list of domestic violence services available to victims. This list should include: the phone number and description of local domestic violence service providers, and information on how to obtain orders of protection, criminal justice options and any other available community resources.
- Provide education on domestic violence through existing or new channels such as lunchtime seminars, newsletters, posters, pamphlets and employee and management training.
- Work with victims and, with the victim's consent, human resource professionals, security staff, the legal department, union representatives, the occupational health office if available and law enforcement and domestic violence service providers to develop a personal workplace safety plan to minimize the risk to the victim, other employees, and clients/customers.
- Maintain confidentiality and respect the victim's need to be self-directing. When appropriate, and with the victim's consent, provide advice and consultation to supervisors with respect to issues of domestic violence in the workplace. Assist supervisors regarding issues of leaves of absence, performance or conduct problems, safety needs, other needed services and disciplinary actions towards an abuser who abuses a victim at or from the workplace. Discuss with human resources any personnel policy which may adversely impact victims.
- Establish a relationship with domestic violence service providers in the community, sharing information and resources. One method of establishing a working relationship with a community organization would be to ask their staff to participate in workplace educational events on domestic violence.

OCCUPATIONAL HEALTH PROFESSIONALS WILL:

- Participate in domestic violence training coordinated through a local domestic violence service provider that includes, at a minimum, information on ways in which domestic violence impacts on the workplace and its potential impact on worker productivity, as well as a general overview of domestic violence and related services.
- Maintain a list of domestic violence services available to victims. This list should include: the phone number and description of local domestic violence service providers, employee assistance if available and information on how to obtain orders of protection, criminal justice options and any other available community resources.
- Work with victims and, with the victim's consent, human resource and employee assistance professionals, security staff, the legal department, union representatives, if available, and law enforcement and domestic violence service providers to develop a personal workplace safety plan to minimize the risk to the victim, other employees and clients/customers.
- Maintain the confidentiality of domestic violence victims to the extent permitted by law.
- The American Medical Association recommends routine screening of all female patients for domestic violence in these settings: emergency, surgical, primary care, pediatric, prenatal and mental health. Screen in a confidential setting. Use questions that are direct, specific and easy to understand, e.g. "Because violence is so common in many people's lives, I've routinely begun to ask all my patients about it. Are you in a relationship with a person who physically hurts or threatens you?" Screen verbally in addition to any written questionnaires used. When unable to converse fluently in the employee's primary language, use a professional translator or another healthcare provider fluent in the employee's language. Do not use the employee's family or friends as translators when asking about domestic violence. Document that screening for domestic violence was done.
- Coordinate with the human resources component to post information about domestic violence in your work area. Also, have information available where employees can obtain it without having to request it or be seen removing it.

SECURITY SERVICES PROFESSIONALS WILL:

- Participate in domestic violence training coordinated through a local domestic violence service provider that includes, at a minimum, information on ways in which domestic violence impacts on the workplace and its potential impact on worker productivity, as well as a general overview of domestic violence.
- Provide consultation to employees experiencing domestic violence to identify case-specific concerns and to develop individualized response plans as appropriate.
- Document violations of a restraining order/order of protection, and notify law enforcement. Reasonable efforts shall be made to immediately inform the victim that law enforcement was notified.
- Respond and intervene, as needed, to calls concerning safety in the workplace. Accept transferred harassing telephone calls from the employee's abuser, and document the calls.
- Work closely with appropriate law enforcement agencies to ensure workplace safety.
- Keep a copy, with the victim's consent, of any criminal/civil orders of protection and/or photograph of the abuser in a confidential file. Access to orders and information contained in them should be limited to a need-to-know basis.
- Provide escorts to parked cars and priority parking near the building entrance for employees who fear an attack at work.
- Work with victims and, with the victim's consent, human resource professionals, the employee assistance program, occupational health office, the legal department, union representatives, if available, and law enforcement and local domestic violence service providers, if necessary, to develop a personal workplace safety plan to minimize the risk to the victim, other employees and clients/customers.
- When requested by the victim, implement protocols and procedures designed to protect the address and telephone number of victims from inadvertent disclosure.
- Consider adopting a policy prohibiting firearms on the premises.

(Adapted from Safe@Work Coalition, Mintz et al. P.C., Domestic Violence Policy and State of New York Domestic Violence Policy)

*Additional policy examples from national employers may be found at
www.safeatworkcoalition.org*

EMPLOYER'S CHECKLIST

- ___ Domestic violence in the workplace policy.
- ___ Management and staff trained on domestic violence and workplace policy.
- ___ Screening and security protocols to keep a potential abuser out of the workplace.
- ___ Protocol to intervene with abusers who have access to or who have entered the workplace.
- ___ Detailed responses to deal with the aftermath of a violent incident.
- ___ Victim's workplace safety plan on file and easily accessible.
- ___ Safety plan includes reference to the workplace.
- ___ Understanding of the enforcement of protection orders.
- ___ Authorized employees to call 911 when there is imminent danger.
- ___ If threats have been made to the workplace or other employees, a restraining order is on file against the abuser.
- ___ Security personnel increased in the employee's work area.
- ___ Access to the victim is restricted. Work area is positioned away from doors, windows, lobbies or parking lots.
- ___ A photograph of the abuser and a description of the abuser's car and license number are available to security personnel and reception staff.
- ___ The employee is relocated to another work area or her work schedule has been altered until the direct threat is determined to be past.
- ___ Threatening emails or voice mail messages are saved and documented.
- ___ Calls screened or transferred to Security.
- ___ Employee's name, extension and office number are removed from automated phone directories.
- ___ Domestic violence policy, materials and resources are accessible and available to all employees.
- ___ **Statewide Domestic Violence Hotline Number clearly posted 1-800-650-6522.**

(Adapted from Colorado Bar Association)

CONTACT THE LOCAL DOMESTIC VIOLENCE PROGRAM FOR ASSISTANCE WITH SAFETY PLANNING.

SUPERVISOR'S CHECKLIST

- ___ Each employee has a copy of the workplace policy.
- ___ Each new employee is aware of notifying a supervisor if there is potential danger related to domestic violence.
- ___ Employees are referred to your local domestic violence program and the **statewide domestic violence hotline number, 1 800-650-6522.**
- ___ Workplace safety plans are discussed.
- ___ Options are explored and encouraged to keep the employee safe and productive as they continue to work.
- ___ Appropriate referrals are made for legal assistance.
- ___ Emergency shelter is encouraged for safety if necessary.
- ___ The employee is aware of a Protection Order as a legal remedy and referred for assistance to obtain one.
- ___ Referrals are made to your local domestic violence program for resources.
- ___ Posters are displayed with the statewide domestic violence hotline number, **1 800-650-6522.**

For additional suggestions, refer to the tabbed section for victims and abusers in this manual.

(Adapted from **Domestic Violence in the Workplace, Policy and Procedures Manual for the Workplace.** Montgomery County Police Domestic Violence Unit. Baltimore, Md. Baltimore City Commission for Women.)

**CONTACT THE LOCAL DOMESTIC VIOLENCE PROGRAM
FOR ASSISTANCE WITH SAFETY PLANNING.**

GUIDELINES FOR A WORKPLACE SAFETY PLAN

FOR EMPLOYERS

When assisting an employee to develop a workplace safety plan, ask what changes, if any, could be made at the workplace to make her safer. Victims of domestic violence know their abusers better than anyone else. When it comes to their safety, offer to assist in developing a personal workplace safety plan. However, if it is determined that other employees or customers are at risk of physical harm, it is essential to take reasonable measures to provide protection for them.

If there is office security, make sure they know who the victim and perpetrator are; what shift the victim works; where the victim's station is located; the security response protocol; when to call the law enforcement; what will initiate the call, etc.

Efforts that employers take to keep abusers out of the workplace have to be worksite and situation-specific.

ACTIONS TO CONSIDER

- Encourage victims to contact the local domestic violence program for resources that may include emergency shelter, support groups, counseling and assistance with protection orders. The programs are prepared to assist male and female victims.
- Inform abusers that continued abusive behavior will not be tolerated. Explain workplace consequences and refer them to certified batterers' intervention programs as a condition of employment.
- Develop separate lists with appropriate resource contact information for managers, designated company representatives, the victim, an abuser and/or for employees in general.
- Provide access to interpreters and appropriate referrals for specific situations. Immigrants, ethnic groups, non-English speaking populations and other special groups such as tribal members and military personnel or dependents may have unique needs. Gay and lesbian employees face additional barriers related to homophobic attitudes and may be more reluctant to disclose domestic violence. Be sensitive to the need and provide appropriate referrals.

(Adapted from Safe@Work Coalition)

If a small business doesn't have an Employee Assistance Program or Human Resources Department, refer victims and abusers directly to the **statewide domestic violence hotline 1-800-650-6522** or local domestic violence program. All businesses can consult with the Alabama Coalition Against Domestic Violence, 1-334-832-4842, or your local domestic violence program for assistance with workplace policies, domestic violence intervention information and training needs.

Contact the local Legal Services office for information concerning business restraining orders and the legal rights of employees who are victims of domestic violence.

WORKPLACE SAFETY PLAN

EMPLOYEE NAME _____

Home Address _____

Phone _____

WORKSITE LOCATION _____

Supervisor _____

Phone _____

ABUSER DESCRIPTION/PICTURE _____

Vehicle Description _____

License Plate # _____

EMERGENCY CONTACT _____

Phone _____

DOMESTIC VIOLENCE PROGRAM _____

Contact _____

Phone _____

REFERRALS TO _____

NOTIFICATION TO SECURITY _____

PARKING ARRANGEMENTS _____

PARKING LOT ESCORT _____

OFFICE SITE CHANGES _____

TELEPHONE/VISITOR SCREENING _____

LEAVE _____

WORK SCHEDULE CHANGES _____

PROTECTION ORDER _____

RELOCATION _____

STATEWIDE DOMESTIC VIOLENCE HOTLINE 1-800-650-6522

(Alabama Coalition Against Domestic Violence 2006)

VICTIM'S CHECKLIST

You may be able to reduce the effect that domestic violence has on an employee's job with proper safety planning. This checklist includes things for victims to consider when creating a workplace safety plan.

- ___ Give a picture of your abusive partner to the security staff and/or a receptionist.
- ___ If you have a protective order, be sure it is current. Discuss the terms of the order with security, the human resources staff or your supervisor. Include the business address on the order.
- ___ Ask for help screening phone calls. Change your number or extension. Route your calls through the receptionist.
- ___ Review your work schedule with your supervisor and ask about changing your work hours. Request a flexible work schedule.
- ___ Park close to the building for easier entry and exit. Have a security or law enforcement officer escort you to the car or public transportation stop.
- ___ Use a variety of routes to and from home.
- ___ In case you can't be reached, provide an emergency contact to verify your safety.
- ___ If you need to leave your community, ask if your company has a relocation program.
- ___ Think about changes to your daily routine to keep you and your children safe during work hours.
- ___ Request a transfer to a different desk, department, shift or work site.
- ___ Identify a trusted coworker to help you watch for your abuser, call law enforcement if you are threatened and for support. Emphasize the need for confidentiality.
- ___ Keep your home address, phone number and email address confidential.
- ___ Lock the door to your office or department.
- ___ If your abuser knows the location of your child's day care, tell the staff the terms of your protection order or custody and visitation arrangements.
- ___ For resources and shelter information, call the **statewide domestic violence hotline** at

1-800-650-6522.

(Adapted from West Virginia Coalition Against Domestic Violence, Safety Planning)

MY PERSONAL SAFETY PLAN

If the violence starts again, I can call:

Police _____

Local Shelter _____

Family Member _____

Friends _____

Clergy _____

These neighbors have been contacted and asked to call police if they see suspicious activity:

I can go here if I need to leave in a hurry:

I have given _____ a copy of these papers:

Birth Certificate

Children's School Records

Financial Information

Passport/Green Cards

Lease/Mortgage Information

Social Security Card/Number

Medical Records

Driver's License/other ID

Insurance Paperwork

Other _____

I have hidden these items with _____

An extra set of keys

A change of clothes for me and my children

Extra money

Other _____

STATEWIDE DOMESTIC VIOLENCE HOTLINE

1-800-650-6522

Resolve Domestic Violence in the Workplace

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RESOLVE DOMESTIC VIOLENCE IN YOUR WORKPLACE

Domestic violence ends when the abuser takes responsibility for his actions; stops the violence and emotional abuse. Resolution in the workplace means victim safety is a priority. The employer makes a commitment to support the victim and use all available resources on-site and off-site to keep the victim safe and to hold the abuser accountable.

ACTIONS TO CONSIDER

TRAINING

Regular and documented training should occur for all employees at every level in order to intervene effectively and safely. Employee Assistance Programs, Human Resource Departments and Supervisors need to be trained in the dynamics of domestic violence. Even the most well-intentioned counseling may place victims in danger and support the threatening behavior of an abuser. For example, beliefs about the links of anger and substance abuse to domestic violence are myths.

Domestic violence behavior is not an anger management problem. The problem is a need for power and control over another person.

Substance abuse does not cause domestic violence. Although substance abuse and domestic violence may co-occur, they are two separate behaviors and require separate interventions.

Training for all employees should include an understanding of:

- The company's policies and procedures about responses to domestic violence with emphasis on confidentiality.
- The dynamics of domestic violence and its relationship to the workplace.
- Awareness of the threats posed by domestic violence and how it impacts workplace safety and company productivity and profitability.
- How to approach and offer support to an employee who may be a victim of domestic violence.
- How to respond to a threatening situation by an abuser.
- How to refer to or connect with local community resources.
- How an abuser impacts the workplace and how to appropriately address the issue.
- The importance of getting involved in the community efforts to stop domestic violence and how to support local domestic violence programs.

Executives and managers should:

- Emphasize the need for confidentiality.
- Educate staff by distributing information and resources.
- Inform employees about the procedure for referring coworkers who may be victims of domestic violence.
- Encourage employees to support co-workers by referring to workplace policies related to domestic violence.
- Promote workplace safety by establishing specific protocols that employees should follow when responding to threats and violence at work.
- Refer employees to internal company resources, such as employee assistance programs, human resources departments or designated staff and external domestic violence resources.
- Support employees with policy-based responses, including requests for time off, transfers and reassignments.
- Secure the worksite by educating managers about specific actions they are required to implement when responding to threats of violence at work. Include information on how to determine if a domestic violence threat is a workplace threat.

Contact the Alabama Coalition Against Domestic Violence and your local domestic violence program for assistance with training, printed materials, flyers and posters.

Statewide Domestic Violence Hotline: 1-800-650-6522

REFERRALS

DOMESTIC VIOLENCE PROGRAM SERVICES:

Local programs have the expertise and resources for the most effective interventions. Even if company staff has been trained in domestic violence assessment, collaborate with the local program to develop a sound company policy and the safest plan for a victim.

Core Services:

- 24 hour crisis line
- Emergency shelter with provisions for meals, laundry, recreation, and emergency transportation
- In-shelter counseling services
- Information/referral
- Legal information
- Children's services
- Provisions for services to male victims, including adolescent male children
- Provisions for services to special needs populations.
- Referrals to certified batterers' intervention programs.

In addition, some programs may offer:

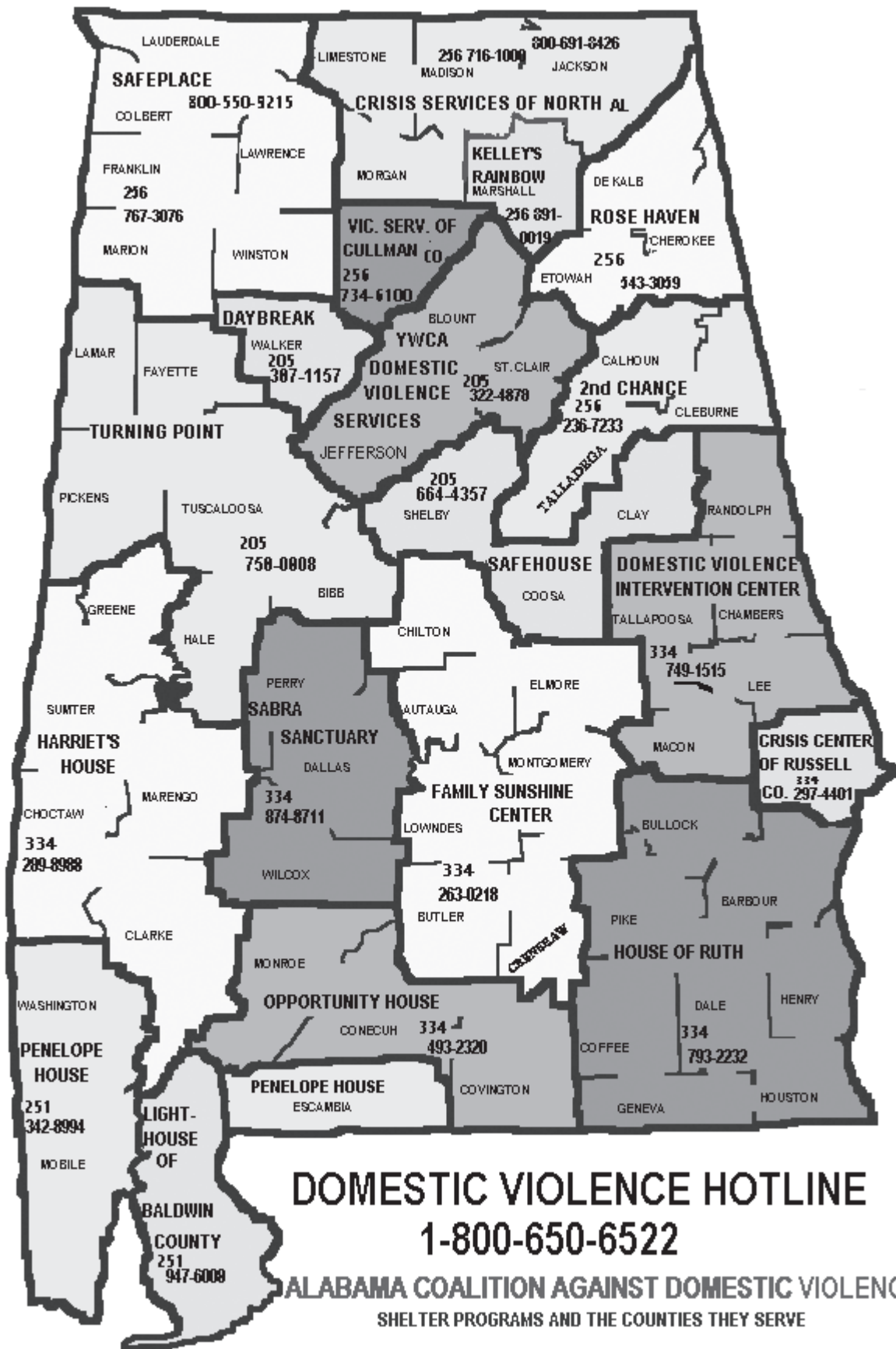
- Support Groups
- Transitional Housing
- Sexual Assault Services
- Community Education
- On or Off-site Medical Services
- Emergency Room Advocacy

CERTIFIED BATTERERS' INTERVENTION PROGRAMS:

The mission of batterers' intervention programs is to eliminate domestic violence by providing interventions for abusers. Certified programs operate under certain fundamental beliefs:

- Couples counseling and anger management models are inappropriate interventions because they jeopardize the safety of the victim.
- Abusers are solely responsible for their violence and abuse.
- Abusers must be held accountable for their behavior choices. Intervention programs are committed to the safety of victims and their children.
- Alcohol and other substance abuse do not diminish responsibility for abusive behavior and are not causal factors. However, alcohol and other substance abuse are related factors that must be addressed in an intervention plan.

The goals of the programs are to encourage the abuser to become accountable to those he has abused, to take whatever actions are necessary to comply with the safety needs of his partner and to make restitution for the effects of the abuse. These goals are addressed during weekly group sessions.



ALABAMA CERTIFIED DOMESTIC VIOLENCE PERPETRATOR INTERVENTION PROGRAMS

Gateway Violence Intervention Program

1401 20th Street South
Birmingham, Alabama 35205
Phone: (205) 328-6010
Fax: (205) 714-9951
Counties: Jefferson, St. Clair, Blount, Shelby

E.V.E.N.

1934 Walnut Street
Montgomery, Alabama 36106
Phone: (334) 262-3219
Fax: (334) 834-3885
Counties: Autauga, Butler, Elmore, Lowndes, Chilton, Crenshaw, Montgomery

S.A.F.E.

Calhoun-Cleburne Mental Health Center
P. O. Drawer 2205
Anniston, Alabama 36202
Phone: (256) 236-3403
Fax: (256) 238-6263
Counties: Calhoun, Cleburne, Clay, Etowah, Randolph, and St.Clair

Domestic Violence Intervention Program

Family Counseling Service
2020 Bryant Drive
Tuscaloosa, Alabama 35401
Phone: (205) 752-2504
Fax: (205) 345-4842
Counties: Tuscaloosa, Pickens, Bibb, North Hale

Peace Program

Safeplace, Inc.
P. O. Box 1456
Florence, Alabama 35631
Phone: (256) 767-3076
Fax: (256) 767-6392
Counties: Lauderdale, Colbert, Franklin, Lawrence, Marion, Winston

Hope House, Inc.

Domestic Violence Perpetrator Intervention Program
P. O. Box 127
Oneonta, AL 35121
Phone: (205) 625-4673
Fax: (205) 625-4820
County: Blount

Batterers' Intervention Program

Victim Services of Cullman, Inc.
P. O. Box 416
Cullman, Alabama 35056
Phone: (256) 775-2600
Fax: (256) 775-8354
County: Cullman

Life Concepts Counseling Center

576 Azalea Road, Suite 100
Mobile, Alabama 36609
Phone: (251) 660-8000
Fax: (251) 660-8510
Counties: Mobile, Washington

Alabama Abuse Counseling Center, Inc.

1612 3rd Avenue North
Bessemer, Alabama 35020
Phone: (205) 428-2600
Fax: (205) 428-0048
Counties: Jefferson, Shelby, Walker, Fayette

Domestic Violence Intervention Program

Family Services Center
600 St. Clair Avenue, Bldg. 3
Huntsville, AL 35801
Phone: (256) 551-1610
Fax: (256) 551-0722
Male Groups
Counties: Madison, Marshall, Morgan, Limestone

Domestic Violence Intervention Program

Cahaba Center for Mental Health
417 Medical Center Parkway
Selma, Alabama 36701
Phone: (334) 418-6543
Fax: (334) 418-6540
Counties: Dallas, Perry, Wilcox

Insight Treatment Program, Inc.
Domestic Violence Intervention Program
1111 East I-65 Service Road S., Suite C
Mobile, Alabama 36606
Phone: (251) 473-6093 or 1-800-530-6288
Fax: (251) 473-6469
County: Mobile

Recovery Services – Dekalb County DVIP
P. O. Box 680693
100 7th St., N.E.
Fort Payne, AL 35968
Phone: (256) 845-9220
Fax: (256) 845-9369
County: Dekalb

50/50, Inc.
104 Bridlewood Drive
Gadsden, AL 35901
Phone: (256) 442-3718
Fax: (256) 442-3718
Counties: Etowah, Cherokee

CIVIL LEGAL SERVICES

Among other services, Legal Services provides civil legal representation to low income domestic violence victims (household income - excluding the abuser's - up to 200% of the federal poverty guidelines) to help them and their children obtain and maintain their physical safety and their economic security.

DOMESTIC VIOLENCE SERVICES:

- Legal counsel and advice on legal rights and options
- Legal representation in:
 - Protection from abuse cases
 - Divorce, child custody and child support cases
 - Housing and eviction cases
 - Consumer, wage garnishment and bankruptcy cases
 - Cases to establish public benefits

Legal Services Alabama Statewide Call Center

1-877-393-2333

WEBSITES AND PHONE NUMBERS

DOMESTIC VIOLENCE/WORKPLACE VIOLENCE

| ORGANIZATION | WEB SITE | PHONE |
|--|--|----------------|
| Alabama Coalition Against Domestic Violence | www.acadv.org | 334-832-4842 |
| Corporate Alliance to End Partner Violence | www.caepv.org | 309-664-0667 |
| DV Initiative | www.dvinitiative.com | 978-402-0374 |
| Family Violence Prevention Fund | www.endabuse.org/workplace | 415-252-8900 |
| National Coalition Against Domestic Violence | www.ncadv.org | 303-839-1852 |
| National Network to End Domestic Violence | www.nnedv.org | 202-543-5566 |
| National Resource Center on Domestic Violence | www.nrcdv.org | 1-800-537-2238 |
| National Training Center on Domestic and Sexual Violence | www.ntcdsv.org | 512-407-9020 |
| Peace@Work | www.peaceatwork.org | 919-719-7203 |
| Safe@Work Coalition | www.safeatworkcoalition.org | 212-577-7700 |

LEGAL RESOURCES

| | |
|--|--|
| American Bar Association Commission on Domestic Violence | www.abanet.org/domviol/workviolence.html |
| Legal Momentum | www.legalmomentum.org |
| Legal Services Alabama Statewide Call Center | 1-877-393-2333 |

OFFICE OF PERSONNEL MANAGEMENT

| | |
|--|--|
| Dealing with Workplace Violence: A Guide for Agency Planners | www.gsa.gov/pbs/fps/office.htm |
| Handling Traumatic Events: A Manager's Handbook | www.opm.gov/ehs/traugdpg.htm |

CULTURAL CONSIDERATIONS

Although the elements of abuse are universal, employees' cultural backgrounds influence how individuals deal with abuse. "Culture and traditions provide strength of families and individuals. The culture that we grow up in affects our beliefs, values, behaviors, and how we deal with problems. Our culture, ethnic group, religion, and economic background all contribute to forming a complicated set of influences, constraints, and resources."¹

There are cultural considerations in recognizing and responding to situations of domestic violence. The key is to be sensitive to an employee's beliefs and actions. A cultural specialist can assist in responding sensitively with victims.

1. Clenin K. "Cultural Strengths and Challenges." 2001.

RESOURCES

Alabama Coalition Against Domestic Violence
334-832-4842
www.acadv.org

The Hispanic Interest Coalition of Alabama
205-942-5505

Legal Services Alabama Spanish Language Legal Hotline
1-888-835-3505

DOMESTIC VIOLENCE IN THE WORKPLACE COMMITTEE

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Huntsville, AL

Marie F. Baisden
Director
The Resource Center
Employee Assistance Program
University of Alabama at Birmingham
Birmingham, AL

Marilyn Benson
Manager
Personnel
Alabama Department of Mental Health and Mental Retardation
Montgomery, AL

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Information Technology
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Assistant Business Director
Family Sunshine Center
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Jim Pongonis
Vice President Human Resources (Retired)
Movie Gallery
Dothan, AL

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Legal Services Alabama
Montgomery, AL 36104

ALABAMA COALITION AGAINST DOMESTIC VIOLENCE PROJECT STAFF

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