

Occupational Health & Safety Council of Ontario (OHSCO)
WORKPLACE VIOLENCE PREVENTION SERIES



**Domestic Violence Doesn't Stop
When Your Worker Arrives at Work:**

What Employers Need to Know to Help



OHSCO
Occupational Health & Safety Council of Ontario

What is domestic violence?

Domestic violence is a pattern of behaviour used by one person to gain power and control over another with whom he/she has or has had an intimate relationship. This pattern of behaviour may include physical violence, sexual, emotional and psychological intimidation, verbal abuse, stalking and using electronic devices to harass and control.

As of June 15, 2010, the *Ontario Occupational Health and Safety Act* (the Act) defines workplace violence as the exercise, attempted exercise, or threat to exercise physical force against a worker in a workplace that causes or could cause physical injury to the worker. Under the Act, inappropriate behaviour in the workplace that does not risk a worker's physical well-being may also be considered workplace harassment.

Domestic violence becomes workplace violence or harassment when it occurs or spills over into the workplace. It is also known as Personal Relationship Violence, Intimate Partner Violence, Woman Abuse or Family Violence. The term *domestic violence* is most widely used in Ontario and Canada. Often, employers do not see domestic violence as a workplace hazard. But it negatively affects the victim, co-workers and the organization. Employers and workers often believe that domestic violence is a personal issue, and that workplace parties can do nothing about it. This makes it even harder for a victim to ask for help.

Domestic violence can occur between:

- current or former intimate partners;
- adults or adolescents;
- people of all racial, economic, educational and religious backgrounds;
- people in heterosexual and same-sex relationships who are:
 - living together or separately,
 - married or unmarried,
 - in short- or long-term relationships.

While men can be victims of domestic violence, women are the overwhelming majority of such victims.

Note: Research relating to domestic violence warning signs and risk factors has focused on abusers who are male and victims who are female. It is not known whether the same warning signs would apply in situations where the abuser is female and the victim is male, or where the abuser and victim are the same sex.

Why do employers need to be involved?

Today's leading companies understand that workers' personal safety and well-being benefit workers, employers and a company's bottom line.

Amendments to *Ontario's Occupational Health and Safety Act* will require employers who are aware, or who should reasonably be aware, that domestic violence may occur in the workplace to take every precaution reasonable in the circumstances to protect a worker at risk of physical injury. Employers will also be required to have policies and programs regarding workplace violence, including domestic violence in the workplace.

In addition to having to respond to specific incidents or requests for precautions to be put in place, it is in the best interests of employers to be able to recognize the signs of domestic violence, assess the potential risk to the victim, co-workers and other bystanders, and have measures and procedures in place to control risks.

Helping workers feel safe by addressing their personal safety issues and connecting them to appropriate community resources can contribute to a healthier, more productive workforce. It can also prevent serious injuries and fatalities.

The effects of domestic violence in the workplace can include:

- reduced employee productivity;
- increased absenteeism;
- replacement, recruitment and training costs when victims are injured or dismissed for poor performance;
- higher company health expenses;
- decreased employee morale;
- strained relations among co-workers;
- potential harm to employees, co-workers and/or customers when violent abusers enter the workplace; and
- liability costs if someone at the workplace is harmed.

How prevalent is domestic violence?

"Domestic violence in the workplace has been identified as the fastest growing type of workplace violence in Canada." (*Alberta Council of Women's Shelters 2008*)

One in five homicides in Canada involves the killing of an intimate partner. (Johnson, H. and T. Hotton. 2003. "*Losing Control: Homicide risk in estranged and intact intimate relationships.*" Homicide Studies)

Between 2002 and 2007, Ontario reviewed 230 domestic violence-related deaths involving 142 women, 23 children and 65 men. Women were the victims most of the time and men were the perpetrators. The majority of male deaths were perpetrator suicides. (*Annual Report of the Ontario Coroner's Domestic Violence Death Review Committee, 2008*)

Research suggests that 70 per cent of domestic violence victims are also abused at work at some point. This therefore becomes an issue in almost every organization. (Swanberg, J. & Logan, T.K., (2005) *Domestic Violence and Employment: A Qualitative Study. Journal of Occupational Health Psychology.* 10(1), 3.)

Fifty-four per cent of domestic violence victims miss three or more days of work a month. (Zachary, M 2000, Labor Law for Supervisors: Domestic Violence as a Workplace Issue, Supervision, vol. 61, no. 4, 23-26.)

The social costs of violence against women – including healthcare for victims, criminal justice, social services and lost productivity – are estimated in the billions of dollars. However, the psychological impacts on victims, their families and friends cannot be measured in dollars. (Statistics Canada. Measuring Violence Against Women: Statistical Trends 2006.)

What are the signs of high risk?

Employers need to be aware of factors that increase a victim's risk of harm or murder. They should take threats and early warning signs seriously and act upon them immediately. Through its years of investigative work, the Ontario Domestic Violence Death Review Committee has identified key risks of potential murder. These include:

The danger may be greater if the:

Abuser

- Has access to her and her children.
- Has access to weapons.
- Has a history of abuse with her or others.
- Has threatened to harm or kill her if she leaves him, saying things like, "If I can't have you, no one will."
- Threatens to harm her children, her pets or her property.
- Has threatened suicide.
- Has hit and/or choked her.
- Is going through major life changes (e.g. job, separation, depression).
- Is convinced she is seeing someone else.
- Blames her for ruining his life.
- Doesn't seek help for his behaviour.
- Watches her actions, listens to her telephone conversations, reads her emails and follows her.
- Has trouble keeping a job.
- Takes drugs or drinks every day.
- Has little or no respect for the law.

Victim

- Has just separated or is planning to leave.
- Fears for her own life and for her children's safety.
- Is in a custody battle, or has children from a previous relationship.
- Is involved in another relationship.
- Is hiding injuries.
- Has no access to a phone outside work.
- Faces other obstacles (e.g. does not speak the language, is not yet a legal resident of Canada, lives in a remote area, etc.).
- Does not have family or friends outside work.

Many deaths related to domestic violence in Ontario occurred when the relationship was ending or following separation. If one of your employees has an abusive partner and has recently separated or is thinking about separating, be alert to the increased risks.

Take stalking seriously. Stalking has been identified as one of the primary risk factors for attempted and actual murder of female partners in intimate relationships. Even if she has a restraining order, there is no guarantee that the abuser will respect it. Take steps to ensure the victim's safety if she is being stalked, or a restraining order is breached.

How do you recognize domestic violence in the workplace?

Some victims may not realize that the actions they are enduring are domestic violence. Those around the victim and abuser may also not recognize the signs. The list below provides some examples of abusive behaviour and the impact on the victim.

Attempts to prevent the victim from getting to work or looking for work, such as:

- Interfering with transportation by hiding or stealing the victim's car keys or transportation money.
- Hiding or stealing the victim's identification cards.
- Threatening deportation in a situation where the victim was sponsored.
- Failing to show up to care for children.
- Physically restraining the victim.

The victim may:

- Try to cover bruises.
- Be sad, lonely, withdrawn and afraid.
- Have trouble concentrating on a task.
- Apologize for the perpetrator's behaviour.
- Be nervous talking when the perpetrator is there.
- Make last-minute excuses/cancellations.
- Use drugs or alcohol to cope.
- Miss work frequently or more often than usual.

Interfering with the victim while at work by:

- Repeatedly phoning or emailing the victim.
- Stalking and/or watching the victim.
- Showing up at the workplace and pestering co-workers with questions about the victim (where is she, who she's with, when will she be back, etc.).
- Lying to co-workers (she's sick today, she's out of town, she's home with a sick child, etc.).
- Threatening co-workers (if you don't tell me, I'll...).
- Verbally abusing the victim or co-workers.
- Displaying jealous and controlling behaviours.
- Destroying the victim's or organization's property.
- Physically harming the victim and/or co-workers.

The most common tactics are:

- *repeated harassing phone calls*
- *in-person harassing at the workplace*

What should you as an employer do?

All employers have a legal responsibility under the *Occupational Health and Safety Act* (the Act) to take every precaution reasonable in the circumstances to protect workers from hazards, including violence in the workplace. As of June 15, 2010, employers must also specifically take precautions to protect workers from domestic violence that may occur in the workplace and is likely to expose a worker to physical injury, where the employer is aware or should reasonably be aware.

As a leading practice, an employer can develop and implement a prevention program to help protect workers from domestic violence in the workplace.

A prevention program should include:

- A clear statement that any violence, including domestic violence, will not be tolerated in the workplace and on the property.
- To the extent possible, confidential need-to-know reporting methods for domestic violence situations (recognizing that, in certain situations, an employer may need to provide some information to fulfill his or her duty to protect workers).
- Regular supervisor and worker training and education about domestic violence and resources available.
- Steps employers will take once they are aware of an incident, complaint or threat of domestic violence to victims, and accountability measures for the abusers if they work in the organization.
- Consideration for the victim's safety at the workplace. This includes developing a workplace safety plan.

Once an employer is aware that domestic violence has occurred or could enter the workplace, the employer should take steps to minimize that risk. Those steps will depend on the circumstances of each situation. But an employer may take precautions to avert an incident or complaints of domestic violence. These include:

- Develop a practical guide with strategies to deal with abusers (both co-workers and visitors).
- Develop policies for paid time off, extended leave of absence and workplace relocation options for workers who experience domestic violence.
- Establish a company hotline for reporting potential threatening situations, and communicate this to all workers.
- Develop and implement domestic violence prevention training for all managers and supervisors.
- Ensure victims understand that confidentiality will, as much as possible, be maintained on a need-to-know basis.
- Develop, implement and communicate a domestic violence policy and supporting program. Ensure it includes:
 - emergency response,
 - reporting procedures,
 - police notification,
 - door security,
 - emergency contact numbers pre-programmed into communications devices,
 - installation of desk or wall panic buttons, and
 - code words to indicate a potential situation.

- Support victims of domestic violence. This may include developing and posting a list of resources for victims in washrooms, staff rooms and on the company intranet.
- Offer Employee Assistance Program (EAP) services if applicable.
- Distribute information on community support networks.
- Accommodate alternative work arrangements, e.g. schedule flexibility, change in start/finish time, transfer to different work location, etc.
- Establish leave provisions that allow the victim to deal with legal issues, find housing, child care – and take time to heal.

Where to go for more help

Information on the prevention of domestic violence in the workplace is plentiful. The websites listed below are good resources.

- www.NeighboursFriendsandFamilies.on.ca for information on how to help women at risk of abuse, how to talk to men who are abusive and how to plan for safety.
- The Assaulted Women's Helpline at **1-866-863-0511** and TTY **1-866-863-7868** offers crisis support for abused women in Ontario. This anonymous and confidential service is available in 154 languages. Service representatives discuss the warning signs of abuse and give practical advice on items such as safety planning. They can also suggest other community resources.
- The Safe @ Work Coalition: www.safeatworkcoalition.org
- Corporate Alliance to End Partner Violence: www.caepv.org
- Ontario's Health and Safety Associations

However, if you are concerned about a worker's immediate safety, call the police.

This brochure was developed in partnership with the Ontario government, Ontario Women's Directorate, and the Occupational Health and Safety Council of Ontario, and with input from the Centre for Research and Education on Violence Against Women and Children.

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