

Nevada Domestic Violence Prevention Council

Domestic Violence & the Workplace: A Toolkit for Employers

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Workplace

A. **Workplace Policy Checklist (attached)**

Newspapers carry stories every day about domestic violence, sexual violence, dating violence and stalking that spills over into the workplace. The workplace may not be a safe haven when violence, or threats of violence, come into the workplace. But workplaces can have certain safeguards and structures that can be of great help to workers who are abused at home. Make sure your company or organization is doing all that it can.

B. **Model Policy**

According to the U.S. Department of Labor, the majority of workplaces in the United States do not have a formal program or policy that addresses violence in the workplace.¹ The impact of domestic violence, sexual violence, dating violence and stalking on the workplace cannot be overstated. By providing [clear guidelines](#) on how your business will prevent and address these dangerous and damaging forms of violence in the workplace, you demonstrate to your employees your concern for their safety and well-being.

C. **Tips for Managers and Supervisors**

Supervisors face one of the most challenging aspects of domestic violence, sexual violence, dating violence and stalking, as they have to address difficult issues such as what to say to an employee who the supervisor believes is abused or being abusive and [how to address it](#) in a respectful and private manner.

D. **Security Measures**

Twenty years ago, domestic violence, sexual violence, dating violence and stalking in the workplace was rarely reported. Today, 94% of corporate [security](#) directors rank domestic

¹ U.S. Department of Labor, Bureau of Labor Statistics, 2006. Survey of Workplace Violence Prevention, 2005. Washington, D.C. Available at: <http://www.bls.gov/iif/oshwc/osnr0026.pdf>.

violence, sexual violence, dating violence and stalking as a high security problem at their company.²

Community Partners

A. Working with the Community

Businesses are well positioned to impact the community regarding domestic violence, sexual violence, dating violence and stalking. Business leaders are respected by community and civic leaders alike and have the potential to have a tremendous impact on public opinion. Employers are well suited for breaking the silence around domestic violence, sexual violence, dating violence and stalking, and speaking out on behalf of their employees and family members who are currently or have previously faced this issue. Partnerships with community agencies and programs--whether the involvement is philanthropic, volunteer-based, pro bono services, or merely the exchange of information – can enrich the community as well as the employer and its employees. When employers think about how they want to support the communities in which they operate, they have many choices about where to focus their efforts and resources. Supporting organizations that work to end domestic violence, sexual violence, dating violence and stalking is a choice that employers should keep in mind as they plan their outreach and charitable giving.

B. Resources for You and Your Employees

Effective workplace responses to stalking, domestic and sexual violence depend on the development and implementation of an effective policy and the knowledge of what resources and programs are available to their employees. Use this section to:

- Learn about the **domestic violence programs** in your community.
- Learn about the **state** and **national** resources that may help you develop an effective response.

² National Safe Workplace Institute survey, as cited in *Talking Frankly About Domestic Violence*, Personnel Journal, April, 1995, page 64. Available at: <http://employersagainstdomesticviolence.org/effects-on-workplace/workplace-dv-stats/>

Message from the Attorney General

Catherine Cortez Masto



Domestic violence in the workplace is a serious threat to the well-being and security of any organization. Domestic or interpersonal violence, stalking, sexual assault and rape can happen at work. Yet, according to the Bureau of Justice Statistics, 70 percent of workplaces within the United States do not have a policy or formal program to address these issues with staff. In order to ensure the safety of employees, employers should be aware of domestic violence programs and resources available to them and their employees. The domestic violence toolkit provides a checklist for employers to assess preparedness to address and prevent domestic violence.

I encourage employers and organizations to make use of this guide to enhance upon the structures they have in place to safeguard their employees. As respected members of the community, businesses are also poised to impact the community and raise awareness to the issue of domestic violence, sexual violence, dating violence and stalking in the workplace. My hope is that this toolkit will prove useful to employers to critically evaluate their response to domestic violence.

Sincerely,

A handwritten signature in black ink that reads "Catherine Cortez Masto". The signature is fluid and cursive.

Attorney General Catherine Cortez Masto

Introduction

Welcome to the *Domestic Violence & the Workplace: A Toolkit for Employers*. More than 70 percent of United States workplaces do not have a formal program or policy that addresses violence in the workplace.³ Domestic violence, sexual violence, dating violence and stalking are workplace issues and can impact the workplace even if the incidents occur elsewhere. Consider the following facts:

- According to a 2006 study from the U.S. Bureau of Labor Statistics, nearly one in four large private industry establishments (with more than 1,000 employees) reported at least one incidence of domestic violence, including threats and assaults, in the past year.⁴
- A 2005 phone survey of 1,200 full-time American employees found that 44 percent of full-time employed adults personally experienced domestic violence's effect in their workplaces, and 21 percent identified themselves as victims of intimate partner violence.⁵
- On average, four to five women are murdered by their husbands or boyfriends each day in the United States,³ and women experience two million injuries from intimate partner violence each year.⁶
- The United States Department of Justice estimates that eight percent of rapes occur while the victim is working.⁷

Effective workplace responses to domestic violence, sexual violence, dating violence and stalking depend on knowledge about how these forms of violence are defined and how they impact victims/survivors and the workplace. Use this toolkit to:

- Assess your organization's knowledge and preparation.
- Develop your own policy and procedures to address domestic violence, sexual violence, dating violence and stalking in the workplace.
- Help your managers and supervisors work with employees experiencing domestic violence, sexual violence, dating violence and stalking to make your workplace a safe and secure environment.

³ Bureau of Justice Statistics, Violence Against Women: Estimates from the Redesignated Survey 3 (1995) (Table 5).

⁴ U.S. Department of Labor, Bureau of Labor Statistics. 2006. *Survey of Workplace Violence Prevention, 2005*. Washington, DC. Available at: <http://www.bls.gov/iif/oshwc/osnroo26.pdf>

⁵ CAEPV National Benchmark Telephone Survey. 2005. Bloomington, IL: Corporate Alliance to End Partner Violence. Available at: http://www.caepv.org/getinfo/facts_stats.php?factsec=3

⁶ Catalano, S., Smith, E., Snyder, H., Rand, M. 2009. Female Victims of Violence. U.S. Department of Justice, Bureau of Justice Statistics. Available at: <http://bjs.ojp.usdoj.gov/content/pub/pdf/fvv.pdf>

⁷ U.S. Centers for Disease Control and Prevention. 2008. Adverse Health Conditions and Health Risk Behaviors Associated with Intimate Partner Violence. *Morbidity and Mortality Weekly Report*, 57(05) 113-117. Available at: <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5705a1.htm>

- Develop partnerships with local, state and national organizations to address domestic violence, sexual violence, dating violence and stalking not only in your organization but in your community as well.
- Know the resources that are available to you and your employees.

Workplace Policy Checklist

Newspapers carry stories every day about domestic violence, sexual violence, dating violence and stalking that spills over into the workplace. The workplace may not be a safe haven when violence, or threats of violence, come to work. But, workplaces can have certain safeguards and structures that can be of great help to workers who are abused at home. Make sure your company or organization is doing all that it can to prevent and address this issue.

Check and see how well your workplace rates on the following checklist. If it scores poorly, work with your peers to see that changes are made.

EAP:

Do you offer an Employee Assistance Program or other counseling service? Are counselors trained to provide counseling on domestic violence, sexual violence, dating violence and stalking? At the very least, they should offer referrals to service providers in your area who specialize in domestic violence, sexual violence, dating violence and stalking.

Manager Training:

Do managers know how to recognize the signs of domestic violence, sexual violence, dating violence and stalking in their staff? Do they know the workplace policies that apply to the issue? Check to see if this important issue is a part of manager training.

Security:

Security can play a critical role in the safety of an employee at work. It may help to move a victim's workspace to a safer location if it is in a public area. If an employee has a protection order against someone, or is being stalked, suggest that the employee provide a recent photograph of the abuser for security and/or reception areas. If the abuser comes to the victim's work, stalking laws and protection orders can be applied. In Nevada, an employer can also obtain an injunction against harassment directly against an individual, including an employee's abuser. There are other steps security can take, including: special training in domestic violence, sexual violence, dating violence and stalking, escorting employees to parked cars, installing extra lighting in the parking lot and priority parking near the building for employees who fear an attack at work.

□ **Leave and Benefit Policies:**

Employers can offer leave or flexible schedules so these employees can go to court to testify, receive counseling, or go to a shelter without fear of losing their jobs.

Temporary assignments are another option, if employees need to leave the area for a period of time to remain safe. Responsive policies can make a difference for employees trying to make a new start.

□ **Education:**

Employee training, Brown Bag seminars, newsletter articles, posters and brochures on domestic violence, sexual violence, dating violence and stalking are all ways that an employer can create an environment in which it is safe to talk about domestic violence, sexual violence, dating violence and stalking.

□ **Financial Support:**

Emergency funds that offer financial support to employees in crisis can make a dramatic difference in the life of someone escaping domestic violence, sexual violence, dating violence and stalking. Community resources need support as well. Has your workplace ever conducted a drive to collect clothes, toys, furniture, or money for a local domestic violence, sexual violence, dating violence and stalking program or shelter?

The company might adopt a local agency to raise funds for specific needs, such as repairs. Additionally, instead of selling old computers, you could donate them to a program.

□ **Working with Abusers:**

When an employee perpetrates domestic violence, sexual violence, dating violence and stalking, either against a co-worker or on company property or time, the employer should take disciplinary action. Referrals should be made to the EAP or appropriate community treatment programs.

□ **Clear Human Resources Policies:**

Fair practices are key in dealing with domestic violence, sexual violence, dating violence and stalking, including non-discrimination against victims in recruiting, hiring and promoting. Sensitivity to this issue should be considered in performance evaluation.

□ **Employee Health Services:**

For the millions of individuals who are physically abused by their spouses or significant others every year, their health care provider is often the first and sometimes the only place they go for help. Sometimes, this health care provider is the occupational health professional at their work site. If your workplace offers on-site health services, the provider should be trained to routinely screen for and respond to domestic violence, sexual violence, dating violence and stalking. Injuries should be documented, and referrals should be made to appropriate in-house or community resources.

□ Compliance Issues:

Aside from the safety, ethical and bottom-line incentives for employers to develop positive policies regarding employees facing domestic violence, sexual violence, dating violence and stalking, there are liability issues to consider. Some federal, state and local laws may mandate certain actions and policies on the part of an employer, including anti-discrimination laws, the Americans with Disabilities Act, and the Family and Medical Leave Act. Prompt and proper compliance and reasonable accommodations can reduce the risk of employer liability for harm that may come to an employee from domestic violence, sexual violence, dating violence and stalking.

Legal Considerations

Employers should consult with legal counsel regarding the possible legal issues involved in addressing domestic violence, sexual violence, dating violence and stalking in the workplace. Employers who are not prepared to respond to domestic violence, sexual violence, dating violence and stalking situations in the workplace may be liable under one of several laws, including occupational, safety and health laws, federal and state anti-discrimination laws, victim assistance laws, and family and medical leave laws. Employees who are victims of domestic violence, sexual violence, dating violence and stalking may be entitled to protections under unemployment compensation laws and the Americans with Disabilities Act. Legal counsel should review any policy or procedure changes related to domestic violence, sexual violence, dating violence and stalking, including the use of court injunctions or other actions that may be taken in individual cases.