

DOMESTIC
VIOLENCE
MAKE IT YOUR
BUSINESS

RECOGNIZE | RESPOND | REFER

A WORKPLACE HANDBOOK

distributed by the Colorado Bar Association
and local community partners

FOR ADDITIONAL COPIES

Copies of *Domestic Violence: Make It Your Business A Workplace Handbook* are available electronically at no charge. Go to www.makeityourbusiness.org and click on [A Workplace Handbook](#) to download a PDF file. Local communities (such as professional and civic associations, bar associations, and domestic violence service providers) are encouraged to copy the handbook at will and to distribute copies to local businesses.

To inquire about hard copies of *Domestic Violence: Make It Your Business A Workplace Handbook*, contact Kathleen Schoen, Colorado Bar Association, (303/860-1115 or kschoen@cobar.org).

November 2002

Domestic Violence: Make It Your Business
a project of the Colorado Bar Association
funded by a grant from the Colorado Attorney General's Office



RECOGNIZE | RESPOND | REFER

Colorado Bar Association
1900 Grant Street, Suite 900
Denver, Colorado 80203-4336
303/860-1115
toll free 800/332-6736
www.makeityourbusiness.org

ACKNOWLEDGMENTS

Thanks to STOP Family Violence Coalition in Colorado Springs, Colorado, a community partner in the *Domestic Violence: Make It Your Business* project, for originating the idea of this guide and for compiling the majority of the material included herein. Their information was compiled from a variety of different sources. They acknowledge the following for their knowledge and contribution to the field of domestic violence: Dixie Johansen and Joan Zegree, *When Domestic Violence Comes to Work*, 2000 and the *Domestic Violence: Make It Your Business* project. STOP Family Violence Coalition, in partnership with the *Colorado Springs Gazette*, produced and distributed copies of *A Workplace Handbook: Family Violence & The Workplace* to Colorado Springs businesses. STOP Family Violence Coalition is funded through the 4th Judicial VALE Board and the Gay and Lesbian Fund for Colorado. Contact Jan Eitel, STOP Family Violence Coalition, (719/389-0863 or janeitel@msn.com) for more information on strategies for using the handbook with businesses.

Domestic Violence: Make It Your Business especially thanks SafeHouse Denver for sharing **Recognize, Respond, Refer**.

DISCLAIMER

The *Domestic Violence: Make It Your Business Guide for Employers* is intended to provide you with information and tools to address domestic violence situations that spill into the workplace. The information in this guide is general in nature and scope and is not intended to replace the advice and services of professionals. This guide is based on the most current information about domestic violence and the workplace from leading experts, practical experience, and state and federal laws as of 2002.

This guide is distributed with the understanding that the Colorado Bar Association, STOP Family Violence Coalition, and the authors, editors, and contributors are not rendering legal or other professional advice or service. No representation or warranty is made concerning the application of the legal principles or other principles discussed, nor is any prediction made how any particular judge or other official will interpret or apply such principles. The Colorado Bar Association, STOP Family Violence Coalition, the authors, editors, and contributors disclaim all liability. Employers using this guide in dealing with specific legal matters should contact an attorney.

We hope this general information will be helpful to you. For specific answers to questions about a situation in your workplace, please consult a competent professional (see Chapter V).

TABLE OF CONTENTS

Introduction	8
I. What is Domestic Violence?	10
II. Why Employers Need to Care about Domestic Violence	12
❖ Costs To The Organization	
❖ Employers' Legal Liabilities	
III. How to RECOGNIZE Domestic Violence	15
❖ Recognizing A Victim	
❖ Recognizing A Perpetrator	
IV. How to RESPOND to and PREVENT Domestic Violence in the Workplace	18
❖ Sample Workplace Violence Policy	
❖ Sample Workplace Violence Assessment	
❖ Sample Safety Plans	
V. How to REFER to Workplace and Community Resources	34

INTRODUCTION

“Man kills woman, himself: Police arrived as last shot fired.” *Denver Post* (October 31, 2002)

“A woman seated at her desk in a downtown office building was shot to death Wednesday by her former fiancé, who then killed himself. Karri Frazier, 20, was killed about 11:30 a.m., only 45 minutes after she had called Colorado Springs police to report that Keith Warren had violated a restraining order for the second time in 11 days. After shooting Frazier, police said, the 24-year-old Warren turned the gun on himself. Four shell casings were found in the third-floor offices of Land Title Guarantee Co. in the Alamo Corporate Center Building, 102 S. Tejon St.”

“Woman slain at Boulder retailer: Man leaps Old Navy counter, stabs clerk, 19.” *Rocky Mountain News* (September 21, 2002)

“The quiet routines of a beautiful summer day were shattered Friday when a man stabbed to death a 19-year-old store clerk before horrified shoppers. ‘There is a complex domestic relationship situation involving these people,’ said Cmdr. Joe Pelle. ‘They are known to each other. This is not random. It wasn’t a robbery.’”

When domestic violence occurs at the workplace, it is workplace violence. Domestic violence in the workplace manifests as phone harassment, stalking, assault, even murder and suicide. While some incidents are lethal, most often the impact of domestic violence on the workplace is subtle – absenteeism, lost productivity, and stress. Victims, abusers, and witnesses/friends all are in the workforce – and all their workplaces are affected.

INTRODUCTION

Businesses nationwide are seeing domestic violence as a serious, recognizable, and preventable problem that affects their bottom line. These businesses include Target, Polaroid, Liz Claiborne, Colorado Attorney General's Office, Colorado Bar Association, National Football League, and State Farm Insurance, to name only a few. As these businesses take steps to decrease the economic and legal risks related to domestic violence, they also create an environment that is "good for business."

To make a difference in *your* workplace, you only need to:

- ❖ **RECOGNIZE** the impact of domestic violence on your business.
- ❖ **RESPOND** with policies, procedures, and trainings.
- ❖ **REFER** to workplace and community resources.

This guide outlines the 3Rs – RECOGNIZE, RESPOND, and REFER – in practical, usable ways.

CHAPTER I

WHAT IS DOMESTIC VIOLENCE?

Domestic violence is actual or threatened physical or sexual violence, or psychological/emotional abuse by a spouse, ex-spouse, boyfriend/girlfriend, ex-boyfriend/ex-girlfriend, or date. Domestic violence can be overt or subtle. Other terms for domestic violence include battering and partner abuse.

Domestic violence victims are people of all cultures, religions, ages, sexual orientations, educational backgrounds, and income levels. Domestic violence abusers are people of all cultures, religions, ages, sexual orientations, educational backgrounds, and income levels. Domestic violence occurs in heterosexual as well as homosexual relationships.

WHAT ARE THE BARRIERS TO A VICTIM LEAVING?

It is difficult for victims to leave domestic violent relationships. Contributing to that difficulty are (1) the dynamics of a violent relationship; (2) the failure of society to hold abusers accountable for their abuse; and (3) the lack of social support for victims.

Some of the specific barriers that victims may face include:

- ❖ **Economic dependency**
- ❖ **Religious beliefs**
- ❖ **Cultural issues**
- ❖ **Feelings of shame, love, and fear for themselves and/or their children**
- ❖ **Fear for their lives — the chances of a victim being killed by an abuser rise dramatically during the departure/separation period**

CHAPTER I : WHAT IS DOMESTIC VIOLENCE?

FOR MORE INFORMATION

refer to the Colorado Bar Association's
Domestic Violence: Make It Your Business website

www.makeityourbusiness.org

When on the website, click on IF YOU ARE AN EMPLOYER.

Select from the following topics:

- What is Domestic Violence?
- Who Is Abused? Who Abuses?
- Who Does Domestic Violence Affect?
- Why Does Domestic Violence Happen?
 - Why Someone Abuses

CHAPTER II

WHY EMPLOYERS NEED TO CARE ABOUT DOMESTIC VIOLENCE

“Family and workplace violence is more than a moral issue. It affects the bottom line of business through absenteeism, lower productivity, and higher health costs. Business leadership can play a powerful role in the solution. The time to act is now.” Leo Kiely, President and COO Coors Brewing Company

DOMESTIC VIOLENCE COSTS EMPLOYERS FINANCIALLY.

DOMESTIC VIOLENCE AFFECTS WORKER PRODUCTIVITY.

DOMESTIC VIOLENCE PUTS ALL WORKERS IN DANGER.

DOMESTIC VIOLENCE DECREASES CUSTOMER BUYING POWER.

“U.S. businesses spend an estimated \$5 billion dollars a year on medical expenses related to domestic violence, and another \$100 million a year due to lost wages, absenteeism, and employee turnover related to the issue.” (Corporate Alliance to End Partner Violence, September 23, 2002 Digest)

COSTS TO THE ORGANIZATION

DIRECT COSTS include: lost productivity and wages, absenteeism, increased worker's compensation, medical/legal expenses, EAP services, loss of valuable employees, and decrease in products and services purchased.

CHAPTER II : WHY EMPLOYERS NEED TO CARE ABOUT DOMESTIC VIOLENCE

- ❖ In a survey of women in Colorado violence prevention programs, 60 percent of respondents said they needed to take time off from work to get a restraining order; 58 percent needed time off to find shelter; and 43 percent needed time off to get medical attention.
- ❖ Homicide is the #2 leading cause of death for women on the job, and 20 percent of those were murdered by their partner at the workplace. (Bureau of Labor Statistics, 1998)

INDIRECT COSTS include: elevated stress levels and increased fear (including health complaints) lower employee morale, tarnished public image, and lost credibility.

- ❖ The US Justice Department estimates that in 60,000 incidents of on-the-job violence each year, the victims knew their attackers intimately.
- ❖ A survey of senior executives from Fortune 1000 companies revealed that 66 percent agreed that a company's financial performance would benefit from addressing the issue of domestic violence among its employees; 49 percent said that domestic violence has had a harmful effect on their company's productivity; 47 percent on attendance, and 47 percent on health care costs. (Family Violence Prevention Fund)

EMPLOYERS' LEGAL LIABILITIES

An employer's legal liability regarding violence in the workplace – including domestic violence spilling into the workplace – presents numerous opportunities and challenges. An employer's potential liability differs with each case.

- ❖ **Applicable laws and regulations include:**
 - Federal laws: The Occupational Safety and Health Act (OSHA), Family and Medical Leave Act (FMLA), Sexual Harassment/Retaliation, and Americans with Disabilities Act (ADA).

CHAPTER II : WHY EMPLOYERS NEED TO CARE ABOUT DOMESTIC VIOLENCE

- Negligence- Based Liability: Premises Liability, Negligent Security, Negligent Hiring, Hostile Work Environment, Privacy and Confidentiality Policies, Protection Orders, Right to Participate in Legal Proceedings.
 - Employment Laws: Unemployment Insurance Laws, Workers' Compensation.
- ❖ **Examples of how these laws and regulations apply:**
- Family and medical leave laws may require employers to grant leave to employees who are coping with family violence situations.
 - Occupational safety and health laws generally require employers to maintain a safe workplace, which may include a violence-free workplace.
 - Victim assistance laws may prohibit employers from taking adverse job actions against victims who take time off from their jobs to testify in criminal proceedings.
 - Under certain circumstances, acts of violence against women may constitute a form of sexual harassment, which may violate federal or state anti-discrimination laws.

According to Jerome Chazen, Chairmen Emeritus of Liz Claiborne, Inc., *“Domestic violence problems affect the bottom line of virtually every corporation in America. You can’t afford not to be involved. You’re going to pay for it one way or another.”* (When Domestic Violence Comes to Work video, Intermedia, 1997)

HOW TO RECOGNIZE DOMESTIC VIOLENCE

Although domestic violence victims and abusers do not fit any particular profile, there are common warning signs.

By learning to RECOGNIZE, you can involve local domestic violence experts to help the victim and the perpetrator. (See Chapter V.)

Domestic violence is complex and dangerous. Do not try to solve a domestic violence situation as it could endanger you, your colleagues, and/or the workplace. It is always safer to consult with a professional domestic violence resource for guidance before taking action.

RECOGNIZING A VICTIM

A victim *may* present the following clues:

- ❖ Obvious injuries such as bruises, black eyes, broken bones, hearing loss – these are often attributed to “falls” “being clumsy” or “accidents.”
- ❖ Clothing that is inappropriate for the season, such as long sleeves and turtlenecks – also wearing sunglasses and unusually heavy makeup.
- ❖ Uncharacteristic absenteeism or lateness for work.
- ❖ Change in job performance: poor concentration and errors, slowness, inconsistent work quality.
- ❖ Uncharacteristic signs of anxiety and fear.
- ❖ Requests for special arrangement, requests to leave early.
- ❖ Isolation; unusually quiet and keeping away from others.
- ❖ Emotional distress or “flatness,” tearfulness, depression, and suicidal thoughts.
- ❖ Minimization and denial of harassment or injuries.

- ❖ Unusual number of phone calls, strong reaction to those calls, 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.
- ❖ Disruptive personal visits to workplace by present or former partner or spouse.
- ❖ Fear expressed about losing job.
- ❖ After what appears to be an argument between the couple (which may include physical violence), the appearance of gifts and flowers.

RECOGNIZING AN ABUSER

An abuser *may* behave in the following ways:

- ❖ Be “invisible” due to exemplary job performance or may be abusive at work.
- ❖ Blame others for problems, especially the victim.
- ❖ Bully others at work.
- ❖ Deny problems.
- ❖ Show “defensive injuries” (such as scratch marks).
- ❖ May or may not demonstrate violence at work.
- ❖ Be knowledgeable about the legal and social service systems and use it to his/her advantage so it appears that he/she is the victim.
- ❖ Be absent or late related to his/her actions toward the victim or for court or jail time.
- ❖ Call the victim repeatedly during work.

FOR MORE INFORMATION

refer to the Colorado Bar Association's
Domestic Violence: Make It Your Business website

www.makeityourbusiness.org

When on the website, click on IF YOU ARE AN EMPLOYER.

Select from the following topics:

- Signs Of Abuse
- Cycle Of Violence

HOW TO RESPOND TO AND PREVENT DOMESTIC VIOLENCE IN THE WORKPLACE

By learning to RESPOND, you can involve local domestic violence experts to help the victim. (See Chapter V.)

Domestic violence is complex and dangerous. Do not try to solve a domestic violence situation as it could endanger you, your colleagues, and/or the workplace. It is always safer to consult with a professional domestic violence resource for guidance before taking action.

RESPONDING WHEN A VICTIM IS AT RISK

- o If risk is immediate, call 911 first, and then call the local Domestic Violence Hot Line number or local Crisis Lines. (See Chapter V.)
- o Encourage the victim to contact the local domestic violence victim services agency to develop a personal safety plan. (See Chapter V.)
- o Consider developing a workplace safety plan. (See *Sample Safety Plans*, pp. 31-33.)
- o Obtain a restraining order for the business and keep a current copy available in case law enforcement is called.
- o Help victim obtain a restraining order.
- o Designate a code word or phrase so she can alert you to danger.
- o Alert co-workers who have special training in security. Do not violate victim's privacy and confidentiality of the situation. Identify staff who will have knowledge of the changes in her/his workstation, phone, hours, etc. Limit the number of people who have this information.
- o Evaluate security and safety plans.

CHAPTER IV : HOW TO RESPOND TO AND PREVENT DOMESTIC VIOLENCE IN THE WORKPLACE

- o Accommodate the victim for court appearances and work with a victim's advocate or law enforcement officer.
- o Immigrants, ethnic groups, non-English speaking populations, and other special groups such as tribal and military may have special needs. Provide translators and appropriate referrals for specific populations.
- o Gay and lesbian employees face additional barriers related to homophobic attitudes and may be more reluctant to disclose domestic violence. Be sensitive to and provide appropriate referrals.

COMMUNICATING WITH A VICTIM

- o Recognize that this may be a difficult conversation for both of you. Plan what you want to say, determine a good time and place to talk, and stay focused on the problem. Let the victim know that the discussion will remain confidential unless there is a safety risk for other employees.
- o Describe your observations without judgment. Ask questions like "*How can I help you?*" Her/his comments about the abuser can be both positive and negative in the same conversation. Listen without judgment. Do not moralize or criticize. Give her/him plenty of time to answer. Listening comes first, often for a long time before discussing solutions. Don't expect answers and decisions.
- o Recognize that leaving an abuser can increase the danger. Stress the issues of safety. Stay focused on safety planning as a necessary prerequisite to leaving safely. Don't say "*Just get out.*" Leaving the abusive situation is not necessarily the goal. The victim will decide if, when, where, and how to leave or receive services.
- o Emphasize that you are concerned. Let her/him know you support her/him and that she/he is not responsible for the behavior of her/his abuser.
- o Let her/him know that you and the organization believe that verbal, emotional, or physical abuse in a relationship is never acceptable. Do not accept excuses for verbal, emotional, or physical abuse; there are no excuses.

CHAPTER IV : HOW TO RESPOND TO AND PREVENT DOMESTIC VIOLENCE IN THE WORKPLACE

- o Let her/him know that domestic violence is a crime and that she/he can seek protection from the courts. Using the criminal justice system and social service agencies can be alienating and intimidating for many people. It is helpful if someone in the organization can assist in this process or help connect her/him with a victim advocate.
- o Accept her/his reluctance to talk about the abuse. She/he knows the potential risks. Emphasize that when she/he is ready, she/he can make a number of choices with the support of you and the organization. Allow her/him to make decisions for her/himself. Do not try to solve the problem for her/him.
- o Provide her/him with information. Accept that a victim's opinions and solutions may change over time. When a victim gets new information about domestic violence, she/he may change her/his mind about leaving the abuser. Some victims leave and return to their partners several times. Let her/him know doing so is not a failure.
- o Refer her/him to the local domestic violence victim services agency for help developing a safety plan. Discuss options for temporarily adjusting job expectations.
- o Six things that are helpful to say:
 - *I am concerned for your safety.*
 - *I believe what you are telling me.*
 - *You are not responsible for what your partner has done to you.*
 - *You don't deserve to be verbally, emotionally, or physically abused.*
 - *The abuse will only get worse.*
 - *I will support you and your decisions.*

BEING SUPPORTIVE WHEN VICTIMS CAN'T TALK ABOUT THEIR SITUATION

- o Most victims have been warned against talking to others about the abuse. A person is likely to fear that her/his abuser will carry out his/her threats if she/he tells someone. She/he may believe she/he will be fired if you know about her/his situation. This is a very difficult situation for a manager. Until there is a direct threat to the safety of any of your employees, you cannot insist that a possible victim talk to you. Do not force her/him into a position of stating or denying that she/he is a victim of domestic violence.
- o What you can do is let her/him know that you will support her/him 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. Having the information placed in private areas such as restrooms or locker rooms is especially helpful.

ASKING IMPORTANT QUESTIONS, IF YOU SUSPECT DOMESTIC VIOLENCE

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.

- o The victim has to feel safe to talk about the abuse.
- o The victim has to know that she/he will be believed and supported.
- o The victim knows her/his situation better than anyone.
- o Work may be the only place the victim feels safe.
- o Regaining self-sufficiency requires keeping a job, receiving a paycheck, and maintaining medical benefits for her/himself and her/his children.

CHAPTER IV : HOW TO RESPOND TO AND PREVENT
DOMESTIC VIOLENCE IN THE WORKPLACE

Remember that victims of domestic violence are routinely made to feel insignificant and inadequate. Self-esteem can be eroded and stress heightened, and tensions can affect the way victims interact with co-workers, supervisors, and customers.

Listening is the first step, and it may take time and several conversations before she/he will verbalize that she/he 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/he is ready to take action. Listen, don't tell her/him what to do. Refer the victim to a domestic violence victim services agency for further assistance (See Chapter V.)

FOR MORE INFORMATION

refer to the Colorado Bar Association's
Domestic Violence: Make It Your Business website

www.makeityourbusiness.org

When on the website, click on IF YOU ARE AN EMPLOYER.

Select from the following topics:

- The Challenges And Effects Of Leaving An Abusive Situation
- Cultural Considerations In Recognizing And Responding To Domestic Violence
 - What To Do When An Employee Discloses Abuse
- What To Do When An Employee Does Not Disclose Abuse But Abuse Is Suspected
 - What To Do When The Abuser And The Victim Are Both Employees

COMMUNICATING WITH AN ABUSER

If you observe or receive a report that an employee is making jokes about domestic violence, using work hours to harass a victim by telephone, or using organization vehicles to follow or see the victim, you must intervene. Use "I" statements that condemn the behavior not the person's character.

- o Don't respond or reinforce the behavior in any way. Don't agree with any statements that suggest the partner is at fault. Remember that there is no excuse for domestic violence.
- o Tell him/her you are uncomfortable when he/she insults or puts down his/her spouse or partner.
- o Tell the person that the subject of domestic violence is not funny. Turn and walk away from stories or jokes about domestic violence.
- o Document unacceptable behavior and job performance problems. Use organization policies for addressing and disciplining employees who use work time, supplies, or equipment to inflict domestic violence, including phone calls or e-mail. Be clear that your organization does not condone any form of domestic violence.
- o Provide educational materials, local resources, and other information that can help abusive employees. Include abuser information with other in-house articles, seminars, or presentations about domestic violence.
- o If an employee has received a court order for mandatory attendance in an abuser's treatment program, require his/her participation as criteria for 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 safety. Not all treatment programs are effective. Domestic violence intervention is not couples' counseling or anger management; it is about awareness, understanding, and being accountable for choices made by the abuser.

CHAPTER IV : HOW TO RESPOND TO AND PREVENT DOMESTIC VIOLENCE IN THE WORKPLACE

Here are the highlights of Polaroid Corporation's policy regarding accused abusers:
The abuser is put on 48- hour administrative leave while an in-house team assesses the charges.

- ❖ If the charge is proven true, the abuser is put on a one-year probation and must join a certified year- long treatment program.
- ❖ A staff person is assigned to monitor progress.
- ❖ If the abuser re- offends, that person can be suspended or dismissed.

PREVENTING DOMESTIC VIOLENCE AND ITS IMPACTS ON THE WORKPLACE REQUIRES REALISTIC, APPROPRIATE, AND CLEAR POLICIES.

Here are some suggestions on how you and your organization can help prevent domestic violence.

Understand the issue; take the time to learn from experts in your community.

Make it safe to talk about domestic violence. Consider the following:

- o Include information and educational material in newsletters, paycheck stuffers, posted in bathrooms, etc.
- o Disseminate policies and procedures with no tolerance for violence. (See *Sample Workplace Violence Policy*, p. 26.)
- o Leave safety plans in common areas, such as break rooms (See *Sample Safety Plans*, p. 31-33.)
- o Offer trainings, e.g., "brown bags" by a local domestic violence program, law enforcement agency, etc.
- o Support a domestic violence intervention program in your community by adopting a family during the holidays, allowing employees to volunteer, and offering financial support to service providers.

Review and revise policies and procedures:

- o Policies that include provisions for domestic violence:
 - Reporting procedures
 - Confidentiality provisions
 - Security
 - Use of benefits in creative and flexible manner (leave time, medical benefits)
- o Procedures that include:
 - How to obtain a restraining order for the business
 - How to handle a restraining order obtained by an employee
 - What workplace and community resources are available (see Chapter V.)
 - Security assessment (See *Sample Workplace Violence Assessment*, p. 28)
 - Workplace violence threat assessment team (include human resources, legal, security, management, employee representatives, possibly outside consultants)
 - Training (dynamics of domestic violence; conflict resolution strategies; what to do in case of workplace violence, including domestic violence in workplace)

FOR MORE INFORMATION

refer to the Colorado Bar Association's
Domestic Violence: Make It Your Business website

www.makeityourbusiness.org

When on the website, click on IF YOU ARE AN EMPLOYER.

Select from the following topics:

- How To Be Proactive In Dealing With Domestic Violence
 - Consider Possible Legal Liabilities
 - Make Materials And Resources Accessible And Available
- Develop Contacts With Local Domestic Violence Service Providers
 - Develop Contacts With Local Law Enforcement Personnel
 - Assess Security
 - Make Referrals To Community Resources
 - Develop Policies And Procedures
 - Conduct Training
 - Understand Protective Orders

SAMPLE WORKPLACE VIOLENCE POLICY

Because domestic violence coming to the workplace is a form of workplace violence, a general workplace violence policy would be the foundation for the procedures that apply to domestic violence in the workplace.

THIS SAMPLE POLICY HAS BEEN WRITTEN IN GENERAL TERMS AND IS NOT TO BE CONSTRUED AS A SUBSTITUTE FOR LEGAL OR MANAGEMENT ADVICE.

**CHAPTER IV : HOW TO RESPOND TO AND PREVENT
DOMESTIC VIOLENCE IN THE WORKPLACE**

[Even though we are a small office], our goal is to strive to maintain a workplace free from intimidation, threats, or violence. This includes, but is not limited to, intimidating or threatening behaviors, physical or verbal mistreatment, vandalism, sabotage, use of weapons, carrying weapons onto company property, or any other act which, in management's opinion, is inappropriate to the workplace. In addition, we do not tolerate bizarre or offensive comments regarding violent events, even if made in jest, and/or bizarre or offensive behaviors are not tolerated.

We prohibit the use of company property, such as vehicles, telephones, fax machines, or e-mail in threatening or inappropriate ways.

Employees who feel that they have been subjected to any of the behaviors listed above should immediately report the incident to _____ [Designate appropriate person(s). For example, "any partner or the Office Manager."]. Employees and non-employees who observe or have knowledge of any violation of this policy should follow the same reporting procedure. We request the support and cooperation of all employees in this effort.

Complaints will receive prompt attention and the situation will be investigated. Based on the results of the investigation, management will take disciplinary or other actions as appropriate.

Employees should directly contact proper law enforcement authorities if they believe there is an immediate threat to their own health and safety, the health and safety of others, or property. Dial 911 [9-911].

We do not tolerate retaliation for making a complaint or participating in the investigation of a complaint. If you feel that you have been retaliated against, please follow the reporting procedure described above.

**CHAPTER IV : HOW TO RESPOND TO AND PREVENT
DOMESTIC VIOLENCE IN THE WORKPLACE**

SAMPLE WORKPLACE VIOLENCE ASSESSMENT

This assessment is designed to provide employers with a quick overview of:

- o Types of workplace violence that organizations tend to experience.
- o Policies and procedures to minimize the impact and/or deal with workplace violence, including domestic violence in the workplace.

Instructions

Review each category and analyze your own workplace.

	Question	Response
1.	Type of Agency	
2.	Location: office building, courthouse, work outside the office, travel, other	
3.	Number of employees	
4.	Number of clients/day	
5.	Types of violent incidents this year <ul style="list-style-type: none"> o Stranger o Co-worker o Domestic violence o Client 	
6.	Types of violent incidents last year <ul style="list-style-type: none"> o Stranger o Co-worker o Domestic violence o Client 	
7.	Physical injuries, psychological impact, \$\$\$ costs of incidents	
8.	Workplace response to incidents	

**CHAPTER IV : HOW TO RESPOND TO AND PREVENT
DOMESTIC VIOLENCE IN THE WORKPLACE**

	Question	Response
9.	<p>Types of potential incidents</p> <ul style="list-style-type: none"> o Stranger o Co-worker o Domestic violence o Client 	
10.	<p>Current workplace violence program</p> <p>Policy</p> <p>Security assessment</p> <p>Security guards</p> <p>Engineering controls</p> <ul style="list-style-type: none"> o Limited access (ID badges) o Lighted, secure parking <p>Work practice controls</p> <ul style="list-style-type: none"> o Opening and closing procedures o Procedures for violence (whom to call) o Procedures to deescalate a violent situation <p>Off-premise work practice controls</p> <ul style="list-style-type: none"> o Use of cell phones <p>Required reporting in to workplace</p>	

**CHAPTER IV : HOW TO RESPOND TO AND PREVENT
DOMESTIC VIOLENCE IN THE WORKPLACE**

	Question	Response
10 contd.	Training Incident Reporting and evaluation Evacuation plan Employee concerns	
11.	Protecting Victims <ul style="list-style-type: none"> o Way to maintain contact Stalking/Assault <ul style="list-style-type: none"> o Consult with law enforcement o Arrange parking close to building o Move victim's workstation o Put victim in a secure area Phone Harassment <ul style="list-style-type: none"> o Screen phone calls o Change victim's phone number o Install caller ID on victim's phone o Remove her/his name and phone number from automated services o Provide her/his cell phone and service o Use voice mail to receive messages. (Allow victim to keep voice mail even if she/he needs to take a leave of absence) 	

**CHAPTER IV : HOW TO RESPOND TO AND PREVENT
DOMESTIC VIOLENCE IN THE WORKPLACE**

	Question	Response
12.	Family Friendly Policies <ul style="list-style-type: none">o Flexible use of leaveo Flex time, part -time employment	

SAMPLE SAFETY PLANS

A Safety Plan For The Workplace

Developing a workplace safety plan increases appropriate responses from supervisors, security staff, and other key people in the organization. A good safety plan connects the victim and her/his children to safe resources in the workplace and the community. Local law enforcement agencies will gladly assist in a safety audit of your organization and assist in the development of a workplace safety plan. (See Chapter V.)

A safety plan cannot protect the victim and the organization from all perpetrator actions, but it can empower the organization and the victim by establishing well-thought-out options to reduce risk. A good safety plan will strategize resources and actions. The issues of on-site childcare, or carefully supervised childcare options, become important when an organization is committed to the prevention of domestic violence. An effective workplace safety plan will incorporate attention to many factors, including both physical and procedural issues.

The business might consider obtaining a restraining order.

- o A business restraining order can help business owners protect themselves and their employees.
- o With a restraining order a business does not have to wait for a restrained person to commit a crime before the police will arrest. Violation of a restraining order subjects the restrained person to arrest. (§ 18-6-803.5, CRS)
- o The workplace is often the only place where an abuser can locate a victim.

CHAPTER IV : HOW TO RESPOND TO AND PREVENT DOMESTIC VIOLENCE IN THE WORKPLACE

In addition to the workplace having a safety plan, the victim needs her/his own personal safety plan. An employer or supervisor can review the following sample safety plan with a victim. The victim should be referred to a domestic violence service provider to develop a more comprehensive plan that will include other aspects of the victim's life.

A Safety Plan For The Victim

You, as a victim, deserve to be safe! A safety plan is a plan you develop to reduce the many different risks generated by your partner's past, present, and future behavior. A local domestic violence victim service agency should be contacted to help a victim develop a personal safety plan. (See Chapter V.)

A safety plan is only one step in being safe. It does not guarantee your safety. However, it is important to consider ways to reduce the chance that you, your children, or your co-workers will get hurt.

Safety plan for work:

- o If you feel your employer is receptive to helping you, talk to human resources, security, or your supervisor.
- o If you have a restraining order, notify security and give them a picture of the restrained person.
- o If you have children, make adequate childcare arrangements to ensure their safety and well-being.
- o Ask for help screening phone calls
- o Review your work schedule with your supervisor and ask about changing hours.
- o Request transfer to different desk, shift, or work site.
- o Try to park close to the building.
- o Use a variety of routes driving to and from your home.
- o Provide an emergency contact person in case you cannot be reached.

CHAPTER IV : HOW TO RESPOND TO AND PREVENT
DOMESTIC VIOLENCE IN THE WORKPLACE

- o If you need to leave your community, ask about a relocation program.
- o Review your daily routine and see if you can change it.
- o If you feel comfortable, tell someone at work about your situation. A trusted co-worker may be able to help you by looking out for your abuser, calling law enforcement if your abuser threatens you at work, or providing support.
- o Change your telephone number or extension.
- o Route your calls through receptionist.
- o Keep your home address and phone confidential.
- o Lock door to your office or department.

FOR MORE INFORMATION

refer to the Colorado Bar Association's
Domestic Violence: Make It Your Business website

www.makeityourbusiness.org

When on the website, click on IF YOU ARE A VICTIM.

Select from the following topics:

- Talk To Your Employer
 - Create Safety Plans
- If You Need To Take Time Off From Work
 - If You Decide To Leave Your Job
- If You Want To Get A Protective Order
 - If You Are An Immigrant Woman

HOW TO REFER TO WORKPLACE AND COMMUNITY RESOURCES

For any emergency, call 911 immediately.

Instructions

- ❖ Visit www.makeityourbusiness.org Community Resources for lists of state and local domestic violence service providers and abuser treatment programs in Colorado.
- ❖ Fill in local contact information on the attached form.
- ❖ Distribute this listing, as appropriate.
- ❖ Make referrals, as appropriate.

CHAPTER V : HOW TO REFER TO WORKPLACE AND COMMUNITY RESOURCES

Referrals	Local Contact Info	Purpose
FOR VICTIM/SURVIVOR		
Domestic Violence Service Provider		Safety planning Crisis help (shelter, etc.) Support groups
Police		Report a crime Immediate safety in threatening situation
Employee Assistance Program		Psychological support (if trained in domestic violence dynamics)
Psychological Counselor		Psychological support (if trained in domestic violence dynamics)
Attorney	www.cobar.org (Find a lawyer found under For the Public) Colorado Legal Services (low income persons)	Legal assistance
Courts		Restraining order Dissolution of marriage
www.makeityourbusiness.org	same	Information on domestic violence Safety planning in the workplace
National Domestic Violence Hotline	1-800-799-SAFE TDD 1-800-787-3224	Crisis information

CHAPTER V : HOW TO REFER TO WORKPLACE AND COMMUNITY RESOURCES

Referrals	Local Contact Info	Purpose
FOR ABUSER		
Domestic Violence Treatment Provider		Learn ways to deal with anger/violence
Conflict Resolution Training		Learn non-violent ways to deal with conflict
Employee Assistance Program		Psychological support for learning to live in a non-abusive way
Counselor		Learn ways to deal with anger/violence (If counselor is trained in the dynamics of domestic violence.)
www.makeityourbusiness.org	same	Places to get help
FOR CO-WORKERS AND WITNESSES		
Employee Assistance Program		Support for dealing with aftermath of domestic violence spilling into workplace
www.makeityourbusiness.org	same	How to respond to a domestic violence victim or abusive person in the workplace

CHAPTER V : HOW TO REFER TO WORKPLACE AND COMMUNITY RESOURCES

Referrals	Local Contact Info	Purpose
FOR BUSINESS		
Police		Security assessment Report of violent or potentially violent incident
Employee Assistance Program		Suggestions on how to handle a particular situation
Domestic Violence Service and Treatment Providers		Training for management and employees on dynamics of domestic violence
Courts		Restraining order for the business
www.makeityourbusiness.org	same	Information on how domestic violence impacts the workplace and practical ways to respond

