Effects of Domestic Violence on the Workplace

A Vermont survey of male offenders enrolled in batterer intervention programs

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This study was a project of the Vermont Council on Domestic Violence, in collaboration with:
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Dedication

This report is dedicated to Vermont's survivors of domestic violence. We are grateful for the valuable contributions they make each day in workplaces around the state.

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Executive Summary

This report informs policy makers and employers about the way Vermont workplaces are affected by domestic violence. It provides important information to help employers make decisions about policy and procedural responses to employees involved in domestic violence.

The pervasiveness and severity of domestic violence perpetrated through workplace resources and work time and the impact of these actions on the workplace is not well known in Vermont or in the U.S. This study offers Vermonters valuable information on domestic violence and the workplace and adds to this growing body of knowledge. The study findings come from a representative sample of men enrolled in batterer intervention programs in Vermont who have abused their intimate partners (95%, +/-4.5%). We focused on domestic violence perpetrated by men against their female intimate partners because the Vermont Criminal Information Center (2009) reported that women are the victim of men in 80% of domestic violence cases. The Vermont Council on Domestic Violence partnered with the Center for Rural Studies at the University of Vermont and Spectrum Youth and Family Services' Violence Intervention and Prevention Programs to combine our topical and research expertise to design and implement this study. This study examined the impact of domestic violence on the perpetrator and victim's workplace, including abusive contact at the workplace, paid and unpaid time taken off from work, and productivity and safety. We also examined the workplace response to domestic violence from supervisors, co-workers, and policies and procedures. In addition, offenders' gave their perspective on useful measures employers can implement to improve the workplace response to domestic violence.

Study Implications

- Domestic violence is not just a private, family matter. It impacts the workplace of both offender and victim and, therefore, employers must be responsive and proactive.
- Domestic violence causes a significant loss of paid and unpaid work time, lost work productivity, and safety hazards for employees. As a result, efforts by employers to prevent domestic violence can positively impact their bottom line.
- The experience of study participants reflects a culture that largely supports or ignores domestic violence. Vermont employers can have a profound impact on the lives and well-being of their employees by fostering an environment that makes clear that domestic violence is not accepted.

Key Study Findings:

- 73% of respondents reported never having been in trouble with their employer for other issues such as drugs, alcohol, or violence at work; 45% of respondents had a criminal background check performed when they got their job.
- **29% of respondents contacted their partner while at work to say something that might have scared or intimidated her; 40% of supervisors were aware this type of contact occurred at work.** 25% left or were late to work to be abusive to their partner.
- 31% of respondents took paid and/or unpaid time off to be abusive or to deal with the aftermath of abuse during a specific incident. **Partners lost an average of 20 work days per person.**

- **Participants lost a total of 52,731 days of work — equivalent to 27 years of full time employment and $5.4 million in estimated lost wages —** because of consequences related to domestic violence. **23% (30) collected unemployment to make up for lost wages.**

- As a result of domestic abuse, 14.5% of time offenders took off from work and 13% of time partners took off was paid by employers.

- Common reasons why respondents' partners took time off work were to address emotional and/or mental issues, address physical injuries, attend court/legal meetings, and recover post incident.

- **83% of supervisors** were aware of why respondents took time off of work due to their domestic violence offense; however, only **32% of supervisors gave any response** to the employee about his domestic violence incident, his behavior, or his relationship in general.

- **80% of respondents said their job performance was negatively affected by their domestic violence.** 19% caused or almost caused an accident at work.

- **93% of respondents suggested it would be helpful for supervisors to confront an employee whom they suspect is abusive toward their intimate partner.** Confronting the abuser includes: offering counseling, resources, help and support, and warning about the consequences of domestic violence.

- **87% of respondents** recommend a company policy that requires people who get in trouble with the law because of domestic abuse **must complete a batterer intervention program in order to keep their job.**

- **77% of respondents** felt that the **presence of a written company policy that sets a workplace culture against domestic violence** would be an effective measure that workplaces could take to prevent domestic violence.

- Two out of three respondents said that their workplace did not have a domestic violence policy.

"…My partner would instant message me and call me incessantly on my work phone. He would try my cell phone and when I did not answer, he immediately called my work phone …it occurred so often that the Office Manager had to tell him not to do that anymore." - Survivor of domestic violence on how abuse impacted her work life

RECOMMENDATIONS FOR EMPLOYERS

Private, nonprofit and state employers can play an important role in providing clear guidelines and creating a supportive and productive workplace by implementing model practices and policies that respond to domestic violence.

Domestic violence impacts the workplaces of both victims and perpetrators. Employers must balance their workplace's response to domestic violence, ensuring that victim safety is paramount and perpetrators are held accountable. Employers should affirm that a victim of domestic violence is not responsible for the abuse and that only the perpetrator can stop the violence. Employers should also be aware that their workplace's response to an employee who has been abusive to an intimate partner may have unintended consequences for the victim. Therefore, we encourage employers to draw on the expertise of domestic violence advocates in their community when crafting their business' response to domestic violence.

The following recommendations represent a range of appropriate actions that employers can take to address the impact of domestic violence on their workplace:

- **Protocols and Policies:** Adopt a protocol and implement leave, benefit, and referral policies that address domestic violence in the workplace. Sample protocols and policies can be found at the Vermont Attorney General's website http://www.atg.state.vt.us/issues/criminal-law/domestic-violence and in the appendix of this report.

- **Train:** Mandatory domestic violence trainings for managers, supervisors, and human resources staff raise awareness and sensitivity, making the workplace safer and more productive. Staff training ensures that supervisors give the right messages to employees who are victims or perpetrators of domestic violence. Experts in Vermont are available to offer and support training. Contact the Vermont Attorney General's Office at http://www.atg.state.v.us/issues/criminal-law/domestic-violence.php or (802) 828-5512 for more information.

- **Educate and Inform:** Educate staff through brown bag lunches, workshops, and newsletters. Inform employees who may be victims or perpetrators of domestic violence about resources available to them through their employment and in the community. Post and distribute resource and referral information in areas of high visibility and on websites. Ensure that human resource and/or Employee Assistance Program staff has updated referral information for employees.

- **Consider Security:** Review worksite security measures to protect employees. Work with victims to address potential safety concerns unique to their situation. Keep requests for assistance confidential.

- **Work Environment:** Create a fair and supportive work environment where it is safe to disclose abuse. Employees should not be disciplined, terminated, or denied opportunities because they are victims of domestic violence. Respect the authority and autonomy of adult victims to direct their own lives in all responses to domestic violence. Treat employees who commit acts of domestic violence at or from the workplace in the same manner as employees who commit other acts of violence at or from the workplace. Be clear that domestic violence will not be tolerated. View the Futures Without Violence "Pledge to Address Domestic and Sexual Violence in the Workplace" at http://www.workplacesrespond.org for more information.

- **Utilize Community Resources:** Taking a stand against domestic violence is not always easy, but we can make a difference when we stand together. Learn how employers can connect with community-based efforts to end domestic violence. Contact the Vermont Network Against Domestic and Sexual Violence at http://www.vtnetwork.org or at 802-223-1302 to find domestic violence service programs in your area. Or contact the National Network to End Domestic Violence at http://www.nnedv.org/.

- **Know the Law:** Be aware of state laws such as the Survivor Transitional Employment Benefit Program from the Vermont Department of Labor at http://www.labor.vermont.gov and statutory protections preventing discharge or discipline if an employee or family member is subpoenaed to court, as described in 13 VSA Section 5313.

Vermont Study on the Effects of Domestic Violence on the Workplace

> *In Vermont, from 1994 to 2010, there have been at least* **four domestic violence related homicides** *that occurred in connection with the victim's employment.*
>
> Vermont Domestic Violence Fatality Review Commission Report 2011

In recent years, the issue of how domestic violence affects the workplace has gained attention in the nation and in Vermont. In 2007, as a result of case reviews conducted in 2005 and 2006, the Vermont Domestic Violence Fatality Review Commission (the Commission) made a recommendation encouraging all Vermont employers to review their existing workplace and domestic violence policies and consider adopting policies if none existed. The Commission also encouraged employers to provide training for employees on domestic violence.

The Vermont Council on Domestic Violence partnered with the Commission to establish the Domestic Violence and the Workplace workgroup — bringing together experts to discuss the impacts of domestic violence on the workplace and consider how the Commission's recommendation could be implemented statewide. As a result of generous funding from the Vermont Center for Crime Victim Services, a study of male offenders enrolled in batterer intervention programs in Vermont was conducted by the University of Vermont's Center for Rural Studies and staff of the Violence Intervention and Prevention Program at Spectrum Youth & Family Services. This study was also supported by The Vermont Network Against Domestic and Sexual Violence, the Vermont Attorney General's Office, The Vermont Council on Domestic Violence, The Vermont Commission on Women, and the members of the workgroup.

Study Objectives

The objectives of this study were to:

- Identify and quantify how domestic abuse affects victims' and offenders' work performance, productivity, lost work time, absenteeism, and workplace accidents;
- Determine the frequency and impact of domestic abuse offenders contacting the victim at her workplace, including use of vacation or sick days to cover time away from work;
- Examine employer responses to this behavior when it is recognized;
- Determine the frequency of workplace violence policies in effect; and
- Examine offenders' views on useful measures employers can implement to enhance workplace safety and accountability.

Definition of Domestic Violence

Domestic violence, also called intimate partner violence or domestic abuse, is defined as **a pattern of abusive behaviors utilized by one person to exert and maintain power and control over another person** (National Coalition Against Domestic Violence, 2007). The National Coalition and the Vermont Network Against Domestic and Sexual Violence (the Network) (2011), a statewide coalition of domestic and sexual violence programs, report that domestic abuse usually occurs between intimate partners or ex-partners and tactics may include physical, sexual, emotional and economic abuse, isolation, coercion and threats. Incidents of domestic abuse do not happen only once. Men who batter use tactics to manipulate victims repeatedly. The abuse impacts every aspect of the victim's life; psychologically, physically, socially, and economically. It also affects the family and community, which can extend into the workplace.

> *Vermont Criminal Information Center (2009) statistics show that* ***women are the primary victims of intimate partner violence*** *- 80% of spousal abuse victims and 81% of victims abused by a non-spouse partner are women.*

Prevalence of Domestic Violence

Vermont and national statistics demonstrate the prevalence of domestic violence. The Violence Policy Center (2010) reported national and state-by-state statistics on female homicides involving one female murder victim and one male offender, using 2008 data collected by the Federal Bureau of Investigation. Nevada was ranked first in the nation in the rate of 2.96 women killed by men for every 100,000 women. **Vermont was ranked second, with a female homicide rate of 2.54 women killed by men for every 100,000 women.** Nationally, the rate of women killed by men in single victim/single offender instances was 1.26 per 100,000 women. In cases where the victim to offender relationship could be identified, 92% of female victims were murdered by someone they knew - 64% were wives or intimate acquaintances.

The 2009 Vermont Crime Report shows that 93% of violent crimes involved intimate partners, family members or acquaintances (Vermont Criminal Information Center, 2009). This percentage has remained consistent since 2007 while other crime data has fluctuated. Women are the primary victims of intimate partner violence as 80% of spousal abuse victims and 81% of victims abused by a non-spouse partner are women. **Regarding homicides in Vermont, 51% of all Vermont homicides that occurred between 1994 and 2010 were cases involving domestic violence** (Vermont Domestic Violence Fatality Review Commission, 2011). More than half (56%) of these homicide cases and 80% of domestic violence murder/suicide cases were committed with firearms. More recently, in 2010, the Vermont Network received and responded to 4,000 additional hotline and crisis calls resulting in a 37% increase in calls from 2009. The Vermont Department for Children and Families, Family Services Division, also received an 18% increase in intake calls of child maltreatment that co-occurred with domestic violence (Vermont Domestic Violence Fatality Review Commission, 2011).

Domestic Violence and the Workplace

Domestic violence offenders often use workplace resources to abuse their intimate partners, regardless of whether the victim is employed at the same place of work or not. From 2001 to 2005, 9.5% of nonfatal female intimate partner victimizations in the U.S. occurred outside of the home and in a public location, most likely a place of employment, such as a commercial place, parking lot or garage, or a school (Bureau of Justice Statistics, 2005). **The 2009 Vermont Crime Report shows that 48 or 5% of cases of intimate partner violence occurred at a public place of employment, such as a commercial location, a school or college, or a government or other public building** (Vermont Criminal Information Center, 2009). Further, from 1994 to 2010 there have been at least four domestic violence related homicides in Vermont that occurred in connection with the victim's employment (Vermont Domestic Violence Fatality Review Commission, 2011). A study of domestic violence assaults that occurred in the workplace determined that 92% of victims were female with male perpetrators (Trauth & Lee, 2009). Twenty percent of assaults occurred in the parking lot and 42% occurred at the start of the work day. In 12% of cases, there was either a recent incident of abuse perpetrated at the workplace or a direct warning from the abuse victim about the threat for abuse to occur at the workplace. Employers took any precaution prior to the assault in only 10% of cases.

Domestic abuse that occurs at home, work, or elsewhere and the associated physical and mental health consequences experienced by victims and survivors can negatively impact the workplace. In a study conducted by the Maine Department of Labor, 78% of domestic violence offenders used workplace resources to contact or harass the victim (Ridley, 2004). Loss of productivity or work time, absenteeism, employee turnover, and an actual or perceived unsafe, hostile or intimidating work environment are some common impacts on the victim's workplace, as reported by scholars and practitioners (Brush, 2000; Kimerling, Alvarez, Pavao, Mack, Smith, & Baumrind, 2009; Ridley, 2004; Rothman & Perry, 2004). Nationwide, nearly 8 million paid workdays were lost due to domestic violence in 2003, which equates to 32,000 full time jobs (Center for Disease Control and Prevention, 2003). Abuse can also affect a victim's

career advancement and overall ability to maintain employment, which has implications for stressing state and federal social support services.

Offenders' workplaces are also impacted by lost work time and productivity, increased accidents, employee turnover, inappropriate and inefficient use of company resources, and an actual or perceived unsafe, hostile or intimidating work environment (Ridley, 2004; Rothman & Perry, 2004). Employers and all citizens pay the price of added costs and increased demands on social and financial support services. Nationally, medical and mental healthcare services used in relation to intimate partner violence cost employers nearly $4.1 billion a year, with an additional $1.8 billion in productivity losses (in 1995 dollars) (Center for Disease Control and Prevention, 2003).

Vermont's Batterer Intervention Programs for Male Offenders

In Vermont, there are three tiers of Batterer Intervention Programming (BIP) for men who batter. Independent community organizations around the state offer programs open to any man who admits to his abuse of a female partner. The Vermont Department of Corrections (DOC) offers an intensive program for men under supervision in the community for aggravated or repeat domestic violence offenses, as well as an intensive program for men who are incarcerated for their offenses. In total as of March 2011:

- Certified independent organizations provide 23 community-based batterer intervention groups at 12 sites.
- The Vermont Department of Corrections provides: a) 16 Intensive Domestic Abuse Program (IDAP) groups at 9 sites and b) 4 Incarcerative Domestic Abuse Program (InDAP) groups at one correctional facility.

These programs are intended for adult men who batter their female intimate partners. They are not intended for women, perpetrators of violence in same sex relationships, or for intervention in other forms of family violence such as child or elder abuse.

Methodology

This study is modeled after a study conducted in Maine by the Department of Labor (Ridley, 2004; Rothman & Perry, 2004). The researchers obtained permission to use their survey instrument as a foundation for developing Vermont's survey instrument. The study design was further developed with input from BIP staff across the State of Vermont. The study protocol was approved by the University of Vermont's Committee on Human Research in the Behavioral Sciences after a full Committee review.

Survey Instrument

The survey instrument was designed to collect data on men's use of workplace resources to perpetrate violence against an intimate partner and the impact of abuse on their own and their partner's workplace. The survey also collected data on workplace intervention and prevention policies, and procedures and strategies that would prevent men from abusing partners from and in the workplace. The interview script contained qualitative and quantitative measures to gauge various indicators of domestic violence and its impact on the workplace. Questions covered these topics:

- Paid and unpaid time lost from work because of domestic abuse;
- Use of workplace resources and time to abuse an intimate partner;
- Impact of domestic abuse on participant's and partner's work performance and safety; and
- Participant's employer, supervisor and coworker response to domestic abuse.

Sample

A total of 193 interviews were completed with BIP participants from November 2010 to March 2011. A sample of this size is representative of the population of BIP enrollees in Vermont (n= 330 in September 2010) with a 95% confidence level and a margin of error of +/- 4.5%. Men from a total of 43 BIP groups were invited to participate in the study through an informational memo that was given out by group facilitators. Four sites declined participation because they were not willing or able to meet the approved study protocol (such as participants being interviewed in person, during group time, and in a private setting.) Two sites declined due to low participant enrollment or closure of the group's location. Due to inclement weather and scheduling issues, interviewers were not able to visit two group sites. For the purposes of calculating the survey response rate, participants at declined sites were considered as refusals and participants at sites that were not visited were considered withdrawn from the study. In total, 193 men (58%) completed the survey (meaning they agreed to participate, signed an informed consent form, and completed the interview); 14 (4%) withdrew from the study (they agreed to participate, signed an informed consent form, and did not complete the survey); 115 (35%) refused to participate, and 10 (3%) were not in attendance during scheduled interview times. The breakdown of survey participants by program type is:

Survey Response Rate:

- 58% (193) completed
- 35% (115) refused
- 4% (14) withdrew
- 3% (10) absent

Table 1 Group Locations of Respondents

Location	% (n)
Burlington	24% (46)
Correctional Facility	19% (36)
Barre	12% (24)
Springfield	11% (22)
Bennington	10% (19)
St. Albans	9% (17)
Brattleboro	8% (15)
St. Johnsbury	3% (6)
Middlebury	2% (4)
Rutland	1% (2)
Windsor	1% (2)

- 50% (96) from community-based BIPs
- 32% (61) from IDAP
- 19% (36) from InDAP

Table 1 displays the frequency and percentage of respondents by the location of the group site. The highest percentage of respondents is from the larger communities of Burlington, Barre and Springfield as well as the Northern State Correctional Facility located in Newport, VT.

Procedures

The research team informed BIP group facilitators of the study several months in advance of data collection by mailing packets of study information materials, including two information sheets for facilitators and ten information sheets for participants. The information sheet reviewed the study purpose, that participation was voluntary, data collected was confidential, and that participants could decline answering questions or participation at any time without any consequences. Approximately one to two weeks before data collection, BIP group facilitators distributed the study information sheet to group members in attendance and let them know that the study would be taking place in the following weeks.

At the time of data collection, one to two trained interviewers arrived at each site and briefly reviewed the information sheet with the group, without BIP group facilitators present. The informed consent and interview process took place individually and in a private setting on site. Informed consent was obtained by all persons who agreed to participate in the interview. Interviews lasted 30 to 45 minutes in duration. Interviewers asked participants questions from a pre-programmed survey script using the Computer Assisted Personal Interviewing (CAPI) program and typed all answers directly into a password protected

computer. At the end of this process, interviewers asked the men to return to their group and reminded them of their own confidentiality and to maintain that of their fellow group members.

Confidentiality

Numerous measures were taken by the research team to protect participant confidentiality. Participants were informed that confidentiality would be maintained to the fullest extent possible, except if a person disclosed certain information during their interview in accordance with Vermont law, including: 1) information about suspected abuse or neglect of children or vulnerable adults (which includes elders or disabled adults), or 2) they revealed that they are a current danger to themselves or someone else. If respondents revealed this information during their interview, the interviewer would report only this specific information to the BIP facilitator, who would then take the appropriate actions according to the law, such as contacting local law enforcement, contacting a Probation Officer, and filling out an incident report form.

Study Findings

The total number of respondents for statistics presented in the findings section is 193 unless otherwise noted as (n).

EMPLOYMENT STATUS AND ROLE AT WORK

Respondents were asked about work status during the two years before the domestic abuse incident occurred to the present. Overall, 92% (178) were employed during the study reference time frame and responses fell into four categories of work status. Two thirds (67%, 129) worked for an employer only, 16% (31) worked both for an employer and were self-employed, 9% (18) were self-employed only, and 8% (15) were not employed. The number of employers ranged from one to twenty, with a median of two employers and mode (39%) of one employer (n=160). Table 2 shows that the size of businesses employing respondents was fairly evenly spread from a micro business (1-5 employees) to very large business (500+). The highest proportion, 36% of respondents, was employed at workplaces with 11 to 50 employees. Two thirds (63%, 101) of respondents had a supervisory role at work and 19% (33) reported that their partner was employed at their same place of employment.

Table 2 Range of Employees at Workplace

Range of Employees	% (n)
5 or fewer	15% (24)
6-10	16% (26)
11-50	36% (58)
51-100	12% (19)
101-500	16% (25)
500 or more	5% (8)

Types of Employment

A total of 162 men specified their main types of work as:

- Physical/manual labor (44%, 71)
- Restaurant/food service (15%, 25)
- Professional/business services (13%, 21)
- Production or manufacturing (9%, 15)
- Warehouse or inventory (7%, 11)
- Auto mechanic or auto body work (6%, 9)

Physical labor referenced includes construction, forklift operation, carpentry, lineman work, housekeeping, well digging, concrete work, janitorial work, and roofing. Restaurant employees were primarily chefs, line-cooks, and fast food counter sales staff. Professional or business positions included sales, real estate, human services, retail, data entry, and marketing positions. Other types of work included:

- Agriculture, including farming
- Hospitality, including work at a ski resort or hotel
- Military, including Army and National Guard
- Truck driver
- Photographer
- Coach/athlete
- Computer technician and electrician

***73%** of respondents had **never been in trouble at work** for other issues such as drugs, alcohol, or violence.*
***45%** had a **criminal background check** performed on them when they got their job.*

Other Problems in the Workplace

A total of 45% (69) reported having a criminal background check performed on them when they got their job. In addition, 73% (117) reported that they have never been in trouble at work for other issues (i.e. drugs, alcohol, or violence at work). As referenced by eight respondents, reasons why participants got in trouble at work were related to inappropriate use of work time, disruptive and/or inappropriate behavior, and alcohol/drug related issues. Time issues included taking too many cigarette breaks, taking too much time off, and not showing up for work or arriving late. Disruptive and/or inappropriate behaviors referred to arguing on the phone with a partner, a partner interfering at his workplace, being disruptive to employees and customers, and saying negative words about a supervisor's partner. Alcohol/drug related issues included coming to work hung-over and using cigarettes or other drugs while at work.

Work Locations and Access to Work Resources

Respondents reported spending a fairly equal split of work time onsite and at offsite work locations. During an average work day, 55% (98) worked onsite at an office, store, facility, restaurant, or other work location, while 49% (86) worked at an offsite location. Of those who had access to a company vehicle, 48% (67) drove this vehicle regularly or occasionally. A cellular phone, either personally owned or supplied by employer, was the most common type of office equipment that 49% (87) of respondents used to conduct business. Less often used equipment were computers, the internet, and email. The breakdown of office equipment used to conduct business on a regular basis includes a:

- 49% (87) Cell phone
- 38% (67) Landline telephone
- 34% (60) Computer
- 26% (45) Internet
- 22% (38) Email
- 26% (45) None of the above

*Access to a **cellular phone**, either personally owned or supplied by an employer, was the **most common type of office equipment** that **49%** of respondents use regularly for work.*

In addition to these work resources, 13 respondents regularly used communication equipment such as a walky-talky or two-way radio (4 respondents), a cash register (4 respondents), kitchen appliances and utensils (2 respondents), and other office equipment such as a scanner, head phones, and photo copier.

LOSS OF WORK TIME DUE TO DOMESTIC VIOLENCE

Respondents were asked a series of questions to understand how much paid and unpaid work time men may have lost as a result of their abuse of their intimate partners. Paid time off referred to time taken off from work for which the employee was still paid, such as vacation or sick time, combined time off, personal leave or a paid leave. Unpaid time off referred to time taken off from work for which the employee was not paid or lost work time when a person was unable to work due to incarceration. For respondents who were not incarcerated, unpaid time off from work did not include loss of work due to a job termination.

*Participants lost a total of **52,731 unpaid days of work** – equivalent to 27 years of full time employment – because of consequences related to perpetrating domestic violence.*

Unemployment

During the two years prior to the study, 67% (129) were unemployed at one point in time. Of this group, 32% (37) felt they lost their job as a result of their domestic abuse and **23% (30) collected unemployment to make up for lost wages.**

Loss of Offenders' Work Time and Wages

Participants lost a total of **52,731 unpaid days of work – equivalent to 27 years of full time employment and an estimated $5.4 million in lost wages – because of consequences related to perpetrating domestic violence.** Offenders lost an average of 273 unpaid days from work per person and an average of $29,876 in lost wages per person because of domestic violence. Regarding paid time off of work, men surveyed lost a total of 337 days of work time that was paid by employers, averaging 1.7 days of paid time off per person, with employers paying an estimated $37,564 in wages for paid time off related to domestic violence (an average of $197 per person). Reasons for taking paid and unpaid time off are shown in Table 3. Respondents were asked to provide the unit of time (i.e. days, months, etc.), which was then calculated into days for comparative purposes. In general, a low proportion of time that men took off from work was paid for by employers, ranging from .2% of time off while in jail and 3.7% of time off to attend legal meetings or court.

Table 3 Paid and Unpaid Days Off from Work due to Consequences of Domestic Abuse

	Paid and Unpaid Time *(Days)*						Paid Time Only *(Days)*		
Reason	*Range*	*Mean*	*Median*	*Mode*	*Total*	*N*	*Range*	*Total*	*n*
Jail	1-3,650	416	120	60	44,515	107	0-60	240	107
BIP group sessions	.5-1,095	68	7	20	4,389	65	0-29	30	65
Probation officer meetings	0-1,095	33	.5	0	4,315	131	0-29	33	75
Counseling or anger management	0-730	55	3	3	2,191	40	0-1	1	40
Legal, attorney, court	0-570	17	2	0	2,171	129	0-42	127	81
Dept. of Children and Families	1-450	48	4	1	1,010	21	0	0	21

Loss of Offenders' Work Time due to a Critical Incidence of Violence

A third (31%, 55) of respondents took paid and unpaid time off from work to be abusive to an intimate partner or deal with the aftermath of abusive actions from a specific incident. Of these men, 30% (34) took paid time off for this critical incident of violence. Almost half of respondents (48%, 64) said their partner also took time off from work to deal with the effects of an abusive incident, with 32% (21) estimating that part or all of the time she took off was paid for by an employer. Table 4 summarizes the number of paid and unpaid days that perpetrators took off from work due to a critical incident of domestic abuse. In total, men reported losing 3,528 days of paid and unpaid work time related to a critical incident with their partner, of which 14.5% of this time (513 days) was paid for by employers.

Table 4 Paid and Unpaid Days Offenders' Took Off from Work due to a Critical Incident of Abuse

Paid and Unpaid Time *(Days)*						Paid Time Only *(Days)*		
Range	*Mean*	*Median*	*Mode*	*Total*	*n*	*Range*	*Total*	*n*
0-1,825	74	3.5	2	3,528	48	0-317	513	48

WORKPLACE RESPONSE TO DOMESTIC VIOLENCE

Workplace Policy on Domestic Violence

Table 5 shows that two out of three respondents' (64%) workplaces did not have a domestic violence policy, 11% had a policy on domestic violence, and 25% of respondents did not know if their workplace had a policy (n=158).

Table 5 Domestic Violence Policy at the Workplace

Response	% (n)
Yes	11% (18)
No	64% (101)
Don't know	25% (39)

Supervisor Awareness and Response

During an average workday, respondents were in the presence of a supervisor from one to 15 hours a day, averaging five hours a day.

More than a quarter (29%) was in the presence of their supervisor for eight hours a day. Figure 1 shows that 83% (99) of supervisors were aware of why respondents took time off from work due to a domestic violence offense (n=120). However, respondents reported that only 32% (52) of supervisors said or did anything in response to this incident, the employee's behavior, or his relationship in general (n=160). The majority of supervisors' responses were neutral – their involvement was limited and comments were not constructive in appropriately addressing abuse.

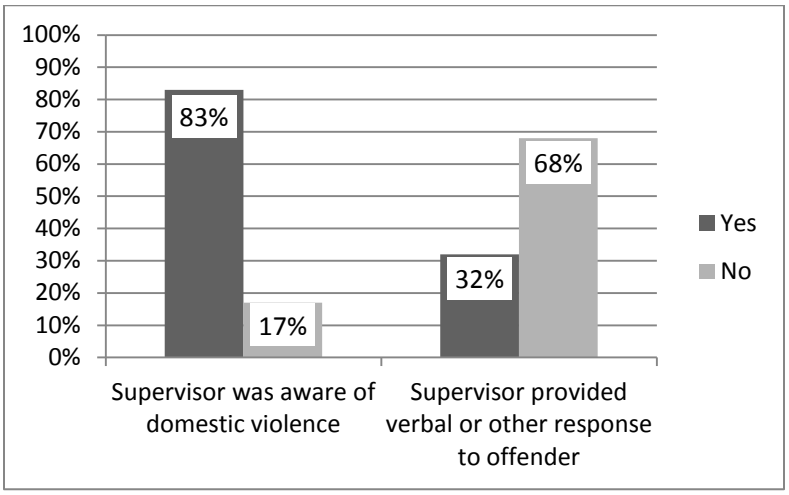

Figure 1 Supervisors' Awareness and Response to Offender

When supervisors did respond to offenders, common responses included (n=53):

- Providing an opinion about the relationship (30%, 16)
- Expressing empathy for the situation (26%, 14)
- Reiterating need for separation of work and home life (25%, 13)
- Offering to help the offender with the situation (13%, 7)

Supervisor opinions included statements such as *"You should end the relationship"*, *"Just think about the kids", "Just stay away from her", "It is a failed relationship",* and *"Get a life"*. In the case where supervisors **expressed empathy**, supervisors hoped that everything would be ok and offered for the employee to take some time off from work. In one case, a respondent said his supervisor *"was very supportive and more like a sponsor or advisor."* In a few cases, supervisors were able to relate to the employees' situation because they had gone through the same experience. Comments from supervisors that referenced **separating work and personal life** include, *"Try not to let your relationship interfere with work"* and "*Keep your mind on work".* Other supervisors responded by firing the employee or telling them that they couldn't keep their job because of their criminal record.

A few supervisors challenged the employee's behavior, as one offender stated, "*My supervisor was very upset. He confronted me about the abuse.*" Others tried to **help the employee**, such as by mediating relationship issues, working with a probation officer to accommodate the employee's work schedule, and offering strategies for dealing with the situation. As one respondent noted,

> *"[My supervisor] expressed concern. We discussed strategies for dealing with domestic situations. Not necessarily abuse, but the overall domestic rituals of life.*

> *He was concerned about safety for both [me and my partner] and my emotional stability overall."*

Another respondent stated,

> *"[My supervisor] was a friend to me. He gave me ideas about what I should do or how to ignore things. He was just someone I could talk to. He told me to just let her talk, ignore the fact that she's trying to pick fights, and he said that if things weren't going to work, and if we weren't meant to be, we should go our separate ways."*

In one reported instance, a supervisor was blatantly **colluding** with the abuser, stating, *"[My supervisor would ask me, 'did she bleed?' [He would tell me] to kick [her] because it hurts them less. We joke about it all day, every day."*

Co-Worker Awareness and Response

Almost all respondents, 98%, had co-workers during the time of the domestic violence incident. Contrary to supervisors' response, Figure 2 shows that 65% (111) of co-workers were aware of the domestic abuse perpetrated by their co-worker (n=171) and 67% (115) responded in some way to the offender (n=173). The overwhelming majority of co-workers' responses were not constructive or were colluding, including disparaging remarks about his partner, blaming her, or taking responsibility for his abuse off of him.

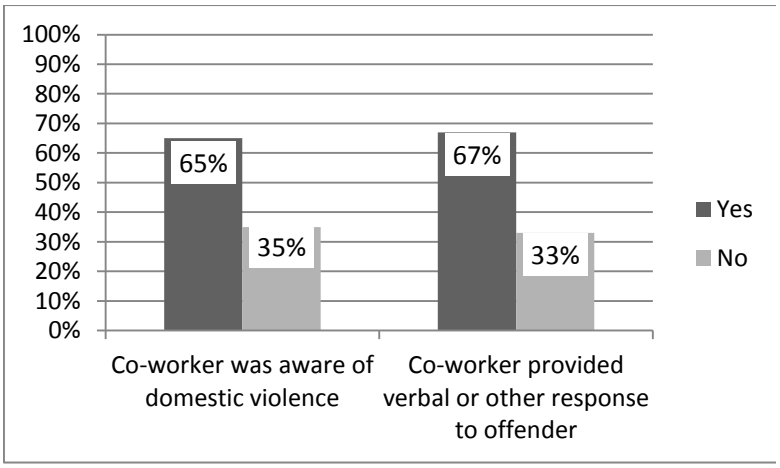

Figure 2 Co-Workers' Awareness and Response to Offender

When co-workers responded to offenders, common reactions noted by 111 respondents included:

- Providing an opinion about their relationship (33%, 37)
- Offering support and understanding (25%, 28)
- Giving help and advice (14%, 15)
- Suggesting he keep his personal life out of work (7%, 8)
- Giving no response or doing nothing (15%, 17)

Co-workers who were **supportive and understanding** of the offender were described as being a good listener or someone to talk to, and expressing general concern. Co-workers typically suggested that respondents leave their partner or end the relationship in a way that misplaced responsibility for his abusive behavior on his partner, such as *"They would say to leave her, that I didn't need [this] sh*t" or "[they told me to] get away from her [because] she's going to put me in jail."* Opinions expressed by co-workers included, *"Get rid of her", "You can do better than her", "Kick her out", "Don't do anything stupid",* and *"Run while you still can"*. Several co-workers suggested that the respondent **keep his personal life outside of work**, with statements such as, *"leave it at home and don't bring it to work. Use this time [at work] to get your mind on something else [and] focus on work."*

Co-workers also **colluded** with the abuser by laughing and joking about the incident, making fun of the co-worker, or telling him about his partner's whereabouts. One co-worker told a respondent that he *"saw my wife doing coke and [that she] was sleeping around."* Another respondent recognized that his co-worker's response added *"a lot of negativity."* One said, *"[They would] tell me ways of spying on her, or ways of being vindictive"* while another noted, *"[My] co-workers put the ideas in my head that I couldn't or shouldn't trust her."* One interviewee felt that people should *"not turn to friends for support on domestics because they patted me on the back [and said things like] 'good job' and 'that's taking control'."* Fifteen percent of respondents said that co-workers **did nothing** in response to their situation, giving statements such as, *"they didn't get in the middle of what was going on," "they would mind their own business",* and *"no-one dared ask".*

Other Responses of Supervisors and Co-Workers

In addition to the open-ended responses summarized above, Table 6 shows the percentage of supervisors and co-workers that gave other types of responses to the offender's situation. **The most common response from 43% of supervisors was to make it seem like the employee's personal life was none of his or her business or not a big deal.** In addition, 31% of supervisors focused on the legal implications of the employee's actions and 21% blamed or talked badly about their partner. The primary response by 51% of co-workers was to offer help to the offender. An equal proportion of co-workers (41% to 42%) focused on the legal consequences, blamed or talked badly about their partner, or made it seem like the situation was none of their business. **Roughly a quarter of both co-workers (23%) and supervisors (22%) warned the employee that he might face disciplinary action or get fired from work and only 7% of both referred the employee to resources for help.**

Table 6 Supervisor and Co-Worker Response to Employee regarding Domestic Violence

Response	Supervisor	Co-Workers
Offered to help offender out in any way	N/A	51% (66)
Made it seem like their personal relationship was not a big deal or none of their business	43% (68)	41% (70)
Warned that they might get in trouble with the law because DV is a crime	31% (49)	42% (54)
Warned that they might face disciplinary action or get fired from work	22% (35)	23% (30)
Blamed or talked badly about their partner	21% (33)	41% (70)
Referred to EAP, human resources or a counselor	7% (11)	7% (9)

41% of co-workers and 21% of supervisors responded to the offender's domestic violence by ***blaming or talking badly about his partner.***

CONTACT WITH PARTNER DURING THE WORKDAY

Two thirds of respondents (66%, 104) were allowed to use personal or company resources such as a cellular phone or email for personal use during their work hours.

29% *of offenders contacted their partner while at work to say something that might have* ***scared or intimidated her****.*

49% spent time during the work day *keeping track of where his partner was and what she was doing.*

25% *left or were late to work* ***to be abusive*** *to their partner.*

Reasons for Contacting a Partner during the Workday
During the two years prior to the study, respondents contacted their partner during the workday to:

- Change plans they had made (63%, 110)
- Tell his partner to do something he wanted (62%, 109)
- Convince or reassure his partner that he loved her (61%, 108)
- Tell his partner when to pick him up from work (49%, 86)
- Try to make up about a fight (44%, 78)
- Check up on his partner to see what she was doing (44%, 78)
- Yell at his partner or express anger about a fight (36%, 63)
- Find out if his partner was where she said she would be (34%, 59)
- Tell his partner when he wanted her to be home (25%, 44)

Of particular concern is that 21% (37) of respondents contacted their partner from work to threaten her and 29% (50) contacted her to say something to scare or intimidate her. Of this group of respondents, 40% (20) of their supervisors were aware that this type of contact was taking place during work time.

In an open response question, 32 respondents gave more detail on reasons for contacting their partner while they were at work, including:

- Checking in with each other (28%, 9) – Described as calling their partner to say hello, check in, change plans, vent about the work day, ask about the partner's day, and pass time during a break.
- Calling in relation to a child (25%, 8) – Referred to as seeing how a child was doing, discussing calls received from a child's school, having her pick up the children from school, and relaying messages from a child to the other parent.
- Asking her to do something (22%, 7) – Referred to as bringing in lunch or work clothes, taking care of an issue regarding a child, and giving them a ride home from work.

Threatening, Controlling, or Abusive Contact
Sixty-five percent (114) of respondents said that they *had not* used work resources for the purposes of threatening, controlling, or abusing their partner. **The remaining 35% of respondents, who contacted their partner in an abusive manner during the workday, used the following work resources:**

- 27% (46) used a phone [including a landline telephone (14%, 24) and cellular phone (13%, 22)]
- 5% (8) used a work vehicle
- 2% or less used a computer, internet, or email

55% *(47) of respondents have used their* ***own cell phone or a friend's cell phone*** *to contact their partner while at work for the purposes of* ***threatening, controlling, or abusing her****.*

While use of work resources to contact a partner for abusive purposes was less common, 55% (47) had

used their **own cell phone or a friend's cell phone** to contact their partner while at work for the purposes of threatening, controlling or abusing her. Further, 13% (23) had stopped by where they thought she would be while they were on the clock to check up on her to do something that was threatening, controlling, or abusive to her; twelve of these men used a company vehicle to get there.

Respondents were asked to give **an example of threatening, controlling, or abusive contact** they had with their partner while at work. As identified by 50 respondents, typical abusive contact that occurred during the work day included:

- Making demands of the partner with threats (do something or else) (42%, 21);
- Fighting and name-calling (22%, 11);
- Accusing her of having an affair, cheating on him, or hanging out with people that he did approve of (22%, 11); and/or
- Informing her that he would not be coming home due to drinking after work (16%, 8).

Respondents would **make demands of their partners with threats of violence** if the demands were not met, such as:

> *"Have dinner ready or I'll throw your shi* out"*
>
> *"If you're laying on the couch texting when I get home, I'm going to smash it in your face"*
>
> *"If you don't clean the fuc*ing house, I'll call DCF on you"*
>
> *"If you're not home when I get home there will be consequences"*
>
> *"I threatened her [and] said a few times if you are not home when I get there I will fuc*ing kill you. I threatened her a lot with physical violence. I did it because I didn't want her going nowhere and I knew she would listen to me and it would scare her. She would say to me, 'you're such an as*hole' and hang up on me. The majority of the time she would be there when I got home."*

Some respondents clarified the **controlling purpose of their threats**, such as *"to get her to do what I want"* and *"get her to talk to me".* For instance, to control his partner, one respondent would say*, "My supper better be ready when I get home, or else"* or "*I've had a bad day and I don't want to listen to no sh*t when I get home"*. In response to his threats, he said, *"She didn't say too much, basically she just did it - she was scared of what the outcome might be if it wasn't done."*

Respondents also called their partner to **argue or fight** back and forth and **call her names** such as "*You fuc*ing bitc*."* Respondents also called to make sure that he got in the last word after a fight. Another type of abusive contact that respondents had with their partner while at work was **accusing her of having an affair or cheating on him, or yelling at her for hanging out with friends with which he did not want her to hang out**. For instance, respondents said they would say to their partner, *"That as*hole better not be over there"* or *"Don't hang out with [this or that] guy"*. Some respondents noted that they made these accusations as a way to control their partner's relationships because they were jealous or disliked her friends.

Respondents noted that their **partner generally responded to these threats by** apologizing, sounding nervous or scared, hanging up the phone, or fulfilling the action demanded. Some respondents also said

that their partners would lash back at them with statements such as, *"I'll get [home] when I get there" or "These are my friends, [so] fuc* you".*

Response If Partner Was Not Reached
Respondents described a spectrum of reactions, ranging from non-threatening to more threatening, when they were not able to reach their partner while they were at work.

Non- to less threatening responses included:

- Feeling frustrated (42%, 73)
- Giving up trying to reach her (33%, 58)
- Trying to reach her again later (32%, 56)
- Calling or texting her once more (31%, 55)

More threatening responses included:

- Feeling angry (29%, 51)
- Contacting her again repeatedly (29%, 51)
- Assuming that she was cheating (28%, 50)
- Leaving work to check up on her or having someone else check up on her (26%, 45)
- Leaving an angry/threatening message (18%, 32)

In addition to the closed response categories (listed above), respondents were asked in an open-ended question to indicate what they did or how they felt when they could not reach their partner during work. As acknowledged by 95 respondents, they commonly felt:

- **Anxious, worried, or nervous (37%, 35)** - Respondents were concerned that their partner was having an affair, worried about the welfare of their children, afraid she was planning to leave him, or worried about her health (such as during a pregnancy). A few men specified that if they could not reach their partner, they would have a family member check up on her, call her repeatedly, or ask her questions about it later in the evening.

- **Indifferent (20%, 19)** – Some respondents were relieved that they did not reach their partner because it allowed them to focus on their work. Others were indifferent because they acknowledged that contacting her was not critical at the time or that it was not a big deal if he couldn't get in touch with her. Indifferent respondents sometimes left a message or called her back a few hours later in the day.

- **Anger, frustration, and/or disappointment (11%, 10)** – These respondents felt annoyed, enraged, or *"pissed off"* at their partner because they could not reach her and a few left "nasty" messages.

PRODUCTIVITY AND SAFETY AT WORK

Absenteeism
Twenty percent (35) of respondents said that they have left work or were late to work at least once during the two years prior to the study because they were doing something controlling or abusive to their partner. More than half of these men (56%, 19) tried to cover up this type of absence from work.

Productivity and Safety

In addition to absenteeism, work productivity and performance appears to suffer because of domestic violence. Overall, 80% (140) said their job performance was negatively affected because of their abuse. Three out of four men surveyed (75%, 132) had a hard time concentrating while at work because of their abusive relationship with their intimate partner. Of greater concern, 19% (34) caused or almost caused an accident at work. As identified by 33 respondents, **work accidents almost or did occur because** the respondent was:

- Not paying attention to what he was doing because of his relationship issues (55%, 18);
- Preoccupied by thoughts about his partner, such as a previous fight they had (21%, 7);
- Angry or upset about his partner (18%, 6); or
- Waiting for his partner to call or on the phone with his partner (15%, 5).

Examples of Accidents or Near Accidents Caused at Work

Respondents were asked to give an example of an accident that they caused or almost caused while at work. When 18 respondents were **not paying attention to what they were doing at work**, consequences included: injuring themselves or others (e.g. getting cut or slamming fingers or hands in doors or equipment), almost injuring themselves or others (e.g. almost falling off a roof or ladder or almost hitting a co-worker with a vehicle or equipment), causing damage to company property (e.g. burning food or spilling kitchen grease), and spending extra company time to fix mistakes made. Two respondents gave examples.

> *"A couple times to where I was thinking about something [else], I cut myself [while] using a meat slicer or slammed my hand in the door."*
>
> *"I was thinking about the relationship. I didn't have my mind on what I was doing driving an 18,000 pound forklift. I spilled one of the bumps of lumber and it broke open. I had to do a lot more work to put it back [and] wasted [a lot of] time."*

Seven men said they caused or almost caused an accident at work because they were preoccupied by **thinking about their partner, such as a fight or unsettled argument**. Two respondents noted,

> *"[We] had an argument the day before that we hadn't settled [and] I was weedwhacking aggressively [at work] and not paying attention to my surroundings. I almost hit a co-worker with the weedwhacker."*
>
> *"I didn't set my ladder right [because] my mind was thinking of the ramifications of a fight we had the night before. When I went to climb the ladder it went one way sliding down the wall. I was a good 32 feet up in the air."*

Six men caused or almost caused an accident **taking out their anger towards their partner on their co-workers.** Examples of these accidents included driving recklessly and flipping over a co-worker's car

> ***Three out of four*** *men surveyed had a* ***hard time concentrating*** *while at work because of their abuse of intimate partners.*
>
> ***19%*** *caused or almost* ***caused an accident*** *at work.*
>
> ***80%*** *felt their job performance was* ***negatively affected.***

or a company truck, getting into verbal or physical fights with co-workers, and breaking equipment or supplies (e.g. slamming plates on the floor). Two respondents also noted,

> *"I got in a petty argument with a friend and pushed his car over with a fork lift"*
>
> *"One of the guys I was working with got hit by a tree [because] I was pissed off, [which was a] pretty bad feeling because I thought I killed him."*

Fifteen percent of respondents caused or almost caused an accident at work **while they were waiting for their partner to call or were on the phone with their partner**. One respondent smashed his hand in a machine because his partner did not answer his call. Others lost control of equipment or lost focus on a co-worker's safety because of answering a partner's phone call. Two respondents explained,

> *"I was holding a ladder for a co-worker [and] the phone rang [after] I had a fight with my partner. The call was from her. I went to answer the phone [and] left the person on the ladder and the ladder started to slide. I got back to it before it fell over."*
>
> *"I had my back turned [because] I was on the phone with my partner. Someone almost got hurt because I wasn't paying attention. We work with heavy equipment."*

IMPACT OF DOMESTIC ABUSE ON PARTNER'S EMPLOYMENT

Three out of four men (75%, 141) said that their partner was employed at some point during the two years before the study. Her main type of work included:

- Restaurant/food service wait staff (18%, 25)
- Retail, customer service, sales staff (17%, 24)
- Clerical worker (13%, 19)
- Nurse/LPN, caregiver (11%, 16)
- House-keeper (9%, 13)
- Cook at a restaurant (8%, 11)
- Manufacturing and/or production staff (6%, 8)
- Childcare provider (4%, 6)
- Self-employed (3%, 5)
- Dental hygienists/ technicians (2%, 3)
- Animal caregiver (2%, 3)
- Teacher (2%, 3)
- Management staff (2%, 3)
- Manual laborer (1%, 2)
- Computer technician (1%, 2)

Partners' Lost Work Time and Wages due to Domestic Violence

Data from survey respondents shows that partners lost an average of 20 work days per person because of domestic violence. Table 7 summarizes the number of paid and unpaid days that offenders reported their partner took off from work due to anything related to domestic abuse. Partners took an estimated 1,125 days of paid and unpaid time off of work, of which 147 days (13%) was paid for by employers, totaling $19,080 and averaging $350 per person. Estimated lost wages from unpaid days that partners took off totaled $101,367 and averaged $1,180 per person.

Table 7 Paid and Unpaid Days Partner's Took Off from Work due to Domestic Abuse

Paid and Unpaid Time *(Days)*						Paid Time Only *(Days)*		
Range	*Mean*	*Median*	*Mode*	*Total*	*n*	*Range*	*Total*	*n*
0-420	20	4.5	2	1,125	56	0-30	147	49

Respondents were asked to indicate reasons why their partner took time off from work due to domestic violence. As identified by 54 respondents, **common reasons why their partner took time off work included to**:

- Address emotional and/or mental issues (26%, 14)
- Address physical injuries (26%, 14)
- Attend court/legal meetings (24%, 13)
- Rest and recover post incident (9%, 5)

Emotional and mental issues included having panic attacks and generalized anxiety, and feeling stressed, distraught, overwhelmed, or upset. Physical injuries included: blackened eyes, bruises, broken bones, and general pain from a shove, smack, or punch. Rest and recovery time referred to time taken off from work because of staying up late and/or losing sleep from fighting the night before. Other reasons why partners took time off from work are:

- Visiting a police station or hospital
- Complying with partner's demand that she not attend work
- Visiting her partner in jail
- Moving out of the house
- Avoiding partner's harassing phone calls received at work
- Avoiding her partner at their shared place of employment
- Addressing relationship issues with her partner

In addition to abusive contact that partners endured during the workday and time they lost from work because of domestic violence, **46% (65) of respondents said their abusive behavior had a negative effect on her productivity or career advancement** because he:

- Prevented her from going to work or getting a job or promotion;
- Made it difficult for her to get her work done;
- Tried to make her look bad in front of her coworkers;
- Created problems for her that resulted in her getting disciplined at work.

In addition, 17% (22) of respondents said that domestic violence created problems for her that resulted in her quitting or getting fired.

Survivors' Experiences on How Domestic Violence Impacted Their Work Life

The following are quotes from domestic violence survivors that were gathered in a separate study by domestic violence service providers in Vermont in 2011. With permission from survivors, service providers shared these anecdotes with the Domestic Violence and the Workplace workgroup for inclusion in this report to help illustrate how domestic violence impacts survivors' work experiences. Any identifying information was removed to protect informant confidentiality.

*Almost half of respondents (48%) said their **partners took time off from work to deal with the effects of an abusive incident** - 32% of this group estimated that **part or all of this time off was paid** for by an employer.*

Examples of abusive circumstances that negatively impacted her work life:

"[My partner] showed up at the babysitter's drunk, demanding to pick up the kids. The babysitter told him she could not release the children to him, only to me. He showed the babysitter a gun he had and told her that he would go to my work and kill me [if she didn't release the kids to him]. The babysitter called my work and talked to my supervisor. [My supervisor] tried to lock the workplace and finally took the threats to me seriously."

"[My partner] would have people over partying while I was trying to sleep because I worked the next day. [He would] get mad when I'd say to keep things down. Once he flung the bedroom door open so hard he put a hole in the wall from the door knob because I asked that he keep the noise down."

"He would show up at the end of the work day and ask [my] co-workers if I was still in the office. He would also try to find out about work activities that were social, just to get information about who I talked to and what I did."

"[My abuser and I] worked in the same small non-profit. He made me so scared and nervous [that] I couldn't do my best work."

"He told lies about me so that everyone started treating me badly. My job description was changed and diminished. I finally had to leave a job I loved."

"My partner would instant message me and call me incessantly on my work phone. He would try my cell phone and when I did not answer, he immediately called my work phone …it occurred so often that the Office Manager had to tell him not to do it anymore."

Examples of negative employer responses to survivors' situations:

"I had to leave the office unexpectedly to file the Relief from Abuse Order and pick up my children. [My supervisor] was unsympathetic and demonstrated no compassion to my situation."

"My employer [should] have talked to me privately and gotten my side of the story."

"I had used up all my vacation time and sick time. [I] tried to flex my schedule for appointments and safety reasons, but [I still] had to make up that time since I was out of leave time."

"Living with abuse at home is so terrifying. But when [I] became viewed as a bad employee and [my] job changed, and then [I] had to leave and move away, nothing in [my] life felt safe anymore."

Examples of positive employer responses to survivors' situations:

> *"[My employer] gave me the time I needed and was supportive. I took four days to recover emotionally and move out."*
>
> *"I have sought counseling due to the emotional abuse. [I billed] my insurance [through my employer] and I [only had to pay] a co-pay."*

Recommendations from a survivor to employers:

> *"Employers should be made aware that [once] productive employees who are victims [of domestic violence] can eventually return to being productive employees. [This is possible with] substantial support from the justice system, local resources, [and] mental health professionals. Employers [should also acknowledge] that domestic abuse exists in the workplace and not [keep it] hidden so that victims feel humiliated and ashamed. Employers should also be reminded that domestic abuse impacts their bottom line [and] the financial resources of the victim. Taking time off work [and] loss of a second income from the abuser means the victim's financial resources diminish, [which] leads to more of a stressful situation. There are very little financial resources available for domestic violence victims."*

WORKPLACE STRATEGIES TO PREVENT DOMESTIC VIOLENCE

Respondents were asked to rate the effectiveness of various workplace strategies to prevent domestic violence. Table 8 displays strategies in order of a "very effective" ranking. These strategies are generally in opposition to respondents' experiences in their workplace, including a lack of or unclear policy on domestic violence, a work culture that is indifferent or supportive of domestic violence, and lack of a proactive supervisor or co-worker response to his situation.

- The top two workplace strategies that 54% to 66% of respondents felt would be very effective in preventing domestic violence are 1) if a **company policy** requires domestic violence offenders to **participate in a BIP** in order to keep their job and 2) if a **supervisor met privately** with the offender to discuss his behaviors and help him access resources.

- Between 41% and 44% of respondents felt that **workplace meetings that emphasize company policies** on domestic violence, setting a **workplace culture** against domestic violence, and **presence of a written company policy** would also be very effective measures that workplaces could take to prevent domestic violence.

Table 8 Respondents' Opinions on the Effectiveness of Strategies to Prevent Domestic Violence

Strategy	Not Effective	Somewhat Effective	Very Effective
A company policy requires that employees who get in trouble with the law because of domestic abuse **must complete a domestic abuse program** in order to keep their job	13% (24)	21% (39)	66% (124)
A **supervisor privately discusses** an employee's abusive behavior and informs him about resources available	7% (14)	39% (72)	54% (101)
A workplace requires employees to **attend a meeting to learn about company policies on not tolerating domestic abuse** by employees, including not tolerating use of work time and resources to abuse a partner	18% (34)	38% (71)	44% (81)
A **supervisor makes it clear** to employees that domestic abuse is not acceptable	24% (44)	32% (58)	44% (81)
A workplace has a **written policy** stating that the company does not allow use of company resources and work time to harass, intimidate, or abuse a partner in any way	23% (44)	36% (66)	41% (75)
A workplace **displays posters or distributes brochures** to remind employees that domestic abuse is a crime and how to get help	27% (51)	41% (78)	32% (60)
A workplace conducts a **criminal background check** before hiring an employee	62% (112)	18% (32)	20% (37)
A supervisor makes it clear to employees that **what happens in the home should stay in the home** and is none of anyone's business.	84% (156)	7% (13)	9% (16)

Recommended Supervisor Response to Domestic Violence

Respondents gave suggestions on what a supervisor should do if they suspect that an employee is abusing his partner. As identified by 191 respondents, suggested supervisor responses include:

- Confronting the employee (59%, 112)
- Reporting the employee to the authorities (24%, 45)
- Recommending to the employee that he keep his private life separate from work (6%, 11)

More than half of respondents said that **supervisors should confront the abuser**, which referred to offering counseling, resources, help and support, and warning the employee about the consequences of domestic violence. As expressed by several respondents,

> *"If a [supervisor] knows and values their employee, [they should] try to make them more aware of the consequences of being involved with domestic violence. Give them resources/referrals for dealing with relationship problems."*

"Employers should not send mix signals [but] should set strict policy on [domestic violence]. If they think anything is happening they should contact the authorities. [Employers should] use a policy similar to a sexual harassment policy, [such as offering a] hotline for men who want to get help with no stigma attached to it, where we can be anonymous but a place where we can talk and be completely honest. I didn't know where to go [to get that help]."

"[Employers should] refer [people] to someone who can help that person [and] guide them from the work [perspective]. I didn't even know [my company] had a policy [on domestic violence] and I was there 28 years."

"[Tell the employee to] talk to someone who is qualified with domestic abuse or counseling of some sort [and] who knows what they are doing before [a supervisor should] interject. Giving bad advice is never good."

A quarter of respondents suggested that **supervisors should report suspected domestic violence to the authorities** (the police, a probation officer, or a superior employee). Respondents suggested,

"The employer should first talk with the employee to confirm his suspicion, and if it continues, contact authorities."

"I don't think they should confront the person because that person will become really defensive and they might take that out on their partner or think their partner said something to an employer. [Employers] should contact somebody that could lead them in the right direction as far as reporting [domestic abuse]."

"They should report it to the police or to a superior" or "turn him in to [his Probation Officer] if he's on probation."

Contrary to proactive approaches in responding to domestic violence, 11 respondents recommended that **supervisors should emphasize that employees keep their business life separate from their personal life**. Some comments from these respondents include,

"Not sticking one's nose into anyone's business", "keeping out of it," and "telling them to focus on work."

"Tell them you can't let this affect your work. Concentrate at work because you need this job, you have bills to pay and think about your kids."

"It's a personal matter [so] the employer has no business getting involved [unless] the employee makes it an issue at work. If it has no effect on his work performance then it is a personal matter."

In addition, 9% (18) of respondents were **unsure of what supervisors should do**, stating, *"I have no idea",* and *"Not sure, it's a slippery slope*". Respondents also acknowledged that *"It's a tangled situation"* and *"It's hard to say",* with some indicating they felt inclined to confront the abuser and call authorities but might not take that action. Respondents said,

> *"I don't know what you can do. You could try to talk to them and offer them some kind of support."*
>
> *"I have no idea. I like to keep work and home separated as much as possible. I guess if it's serious enough [a supervisor] should do something [but] I don't know what."*
>
> *"I don't know. If [an employee says] that they beat their girlfriend someone should do something, but other than that how would you know. Somebody should at least talk to them."*

Supervisors' Response to Domestic Violence Perpetrated with Work Resources

Respondents provided suggestions for what a supervisor should do if they know that a coworker is using time during work hours and company resources to abuse his partner. As indicated by 190 respondents, supervisors should:

- Take disciplinary action (40%, 76)
- Terminate the employee and report him to the authorities (34%, 65)
- Report the employee to the authorities (21%, 39)
- Confront the employee (7%, 14)

Forty percent of respondents felt that **supervisors should take disciplinary action against the employee**, such as giving a warning to an employee to not continue use of work time and resources for these purposes, docking paid work time, sending an employee home early, documenting his actions, and following a "three strikes and you're out" system. Respondents noted,

> *"Talk to him [and] let him know that this may result in suspension or termination. Advise them to take time off to resolve this issue."*
>
> *"I think [supervisors] should give him stipulations, like put rules down on him [or] not allow him to use his phone at work or the work phone. Then let [him] know if it happens again, they will fire [him]."*

Two thirds recommended that **supervisors should terminate the employee immediately** and **report his actions to authorities** either before or after the termination. Respondents stated,

> *"[It] depends on what kind of abuse [is happening]. If somebody was doing something to break the law [then] they should be fired. If you're leaving on the clock and being really abusive it would not fly too well with many employers to let it go on. They probably would not be very good employees."*

"Contact the authorities to let them know, then fire the individual. The workplace should not be used as place to be abusive to anybody."

"Fire the person. Being abusive through [the] company doesn't look good for the company. [A supervisor] could warn [them] first or give a suspension. Companies should not allow this. [It is] good to have policies but an abusive person may not care about breaking the rules. If people are not monitored, they will still get away with it even if policy is in place."

Twenty-one percent suggested that **supervisors should report the incident to the authorities**, including calling the police or reporting to a supervisor, boss, or manager. Respondents stated,

"Report it to [a] manager. [A supervisor should] have a discussion with employee, let them know what is wrong, [and] find out what is going on. [The] corporate world [has] changed and now [people] don't get involved so much [in each other's business] and [there is] less personal interaction"

"This [incident] is theft of services. [Supervisors] should call the police because [the employee is] stealing company time to commit a crime. If [a supervisor] doesn't report it, [then] they are responsible [for letting it happen]."

Seven percent of respondents suggested that **supervisors should confront the employee,** referring to talking with the employee, telling them to stop being abusive or to keep his personal life at home, and referring the employee to counseling or resources. Respondents stated,

"Obviously confront him. There are company procedures and if he's not following them, he can be fired."

"Confront the person about the abuse and about using work time. If [he's a] coworker, contact [your] supervisor to let them know what's going on so they can seek help for that person."

"[A supervisor] needs to bring the issue up and talk to [them] about it. Our cell phone use is prohibited. [It's a] good idea to prohibit cell phones because it takes away from your work especially if you are operating heavy machinery."

Recommendations for Employers

Private, nonprofit and state employers can play an important role in providing clear guidelines and creating a supportive and productive workplace by implementing model practices and policies that respond to domestic violence.

Domestic violence impacts the workplaces of both victims and perpetrators. Employers must balance their workplace's response to domestic violence, ensuring that victim safety is paramount and perpetrators are held accountable. Employers should affirm that a victim of domestic violence is not responsible for the abuse and that only the perpetrator can stop the violence. Employers should also be aware that their workplace's response to an employee who has been abusive to an intimate partner may have unintended consequences for the victim. Therefore, we encourage employers to draw on the expertise of domestic violence advocates in their community when crafting their business' response to domestic violence.

The following recommendations represent a range of appropriate actions that employers can take to address the impact of domestic violence on their workplace:

- **Protocols and Policies:** Adopt a protocol and implement leave, benefit, and referral policies that address domestic violence in the workplace. Sample protocols and policies can be found at the Vermont Attorney General's website http://www.atg.state.vt.us/issues/criminal-law/domestic-violence, the Vermont Commission on Women's website at http://women.vermont.gov/, and in the appendix of this report.

- **Train:** Mandatory domestic violence trainings for managers, supervisors, and human resources staff raise awareness and sensitivity, making the workplace safer and more productive. Staff training ensures that supervisors give the right messages to employees who are victims or perpetrators of domestic violence. Experts in Vermont are available to offer and support training. Contact the Vermont Attorney General's Office at http://www.atg.state.v.us/issues/criminal-law/domestic-violence.php or (802) 828-5512 for more information.

- **Educate and Inform:** Educate staff through brown bag lunches, workshops, and newsletters. Inform employees who may be victims or perpetrators of domestic violence about resources available to them through their employment and in the community. Post and distribute resource and referral information in areas of high visibility and on websites. Ensure that human resource and/or Employee Assistance Program staff has updated referral information for employees.

- **Consider Security:** Review worksite security measures to protect employees. Work with victims to address potential safety concerns unique to their situation. Keep requests for assistance confidential.

- **Work Environment:** Create a fair and supportive work environment where it is safe to disclose abuse. Employees should not be disciplined, terminated, or denied opportunities because they are victims of domestic violence. Respect the authority and autonomy of adult victims to direct their own lives in all responses to domestic violence. Treat employees who commit acts of domestic violence at or from the workplace in the same manner as employees who commit other acts of violence at or from the workplace. Be clear that domestic violence will not be tolerated. View the Futures Without Violence "Pledge to Address Domestic and Sexual Violence in the Workplace" at http://www.workplacesrespond.org for more information.

- **Utilize Community Resources:** Taking a stand against domestic violence is not always easy, but we can make a difference when we stand together. Learn how employers can connect with community-based efforts to end domestic violence. Contact the Vermont Network Against Domestic and Sexual Violence at http://www.vtnetwork.org or at 802-223-1302 to find domestic violence service programs in your area. Or contact the National Network to End Domestic Violence at http://www.nnedv.org/.

- **Know the Law:** Be aware of state laws such as the Survivor Transitional Employment Benefit Program from the Vermont Department of Labor at http://www.labor.vermont.gov and statutory protections preventing discharge or discipline if an employee or family member is subpoenaed to court, as described in 13 VSA Section 5313.

Website Resources

Workplaces Respond to Domestic and Sexual Violence: A National Resource Center: http://www.workplacesrespond.org

Family Violence Prevention Fund: http://www.endabuse.org; (415) 252-8900

Peace at Work: http://www.peaceatwork.org; (919) 274-5515

Safe at Work Coalition: http://www.safeatworkcoalition.org

Liz Claiborne *Love is Not Abuse* Initiative: http://www.loveisnotabuse.com

Survivor Transitional Employment Benefit Program from the Vermont Department of Labor: http://www.labor.vermont.gov

National Coalition Against Domestic Violence: http://www.ncadv.org/

National Network to End Domestic Violence: http://www.nnedv.org/

Vermont Attorney General: http://www.atg.state.vt.us/issues/criminal-law/domestic-violence

Vermont Network Against Domestic and Sexual Violence: http://www.vtnetwork.org

Vermont's Commission on Women: http://women.vermont.gov/

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Appendix A. Workplace Policy Regarding Domestic and Sexual Violence: Options for Employers

Workplace Policy Regarding Domestic and Sexual Violence: Options for Employers

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I. INTRODUCTION

This document is meant to support employers in adopting a Domestic and Sexual Violence Policy. You will find two sample policies, one an abbreviated version that addresses basic workplace concerns, the other a model comprehensive policy. You could choose to adopt one of these or to use them as a starting point from which to create your own. There is also a list of important resources and a definition of terms.

These materials were assembled by the Domestic Violence and the Workplace committee of the Vermont Council on Domestic Violence for inclusion with the report **"Effects of Domestic Violence on the Workplace: A Vermont survey of male offenders enrolled in batterer intervention programs."** A PDF of this report is available at http://www.uvm.edu/crs/reports/2012/VTDV_WorkplaceStudy2012.pdf. While the report focused on the particular effects of domestic violence on the workplace, the model policies include *domestic and sexual violence*, and cover employer responses to both survivors and offenders. The appropriate responses and protections for survivors and perpetrators of domestic violence are parallel to those for sexual violence so one policy will address both concerns.

Historically, workplace policies in this arena have focused solely on the effects of sexual *harassment* in the workplace. These sexual harassment policies are important but do not adequately address domestic or sexual violence concerns that may impact the workplace. A Domestic and Sexual Violence Policy is distinct from your Sexual Harassment Policy, and both are important.

II. RATIONALE

Adopting a Domestic and Sexual Violence Policy will promote the health and safety of all your employees. A Domestic and Sexual Violence Policy will heighten awareness of domestic and sexual violence and provide guidance for employees and management in addressing the occurrence of domestic and sexual violence and their effects in the workplace.

Domestic and sexual violence are very serious issues in the state of Vermont and across the nation. At least one out of every three women and one of every six men will experience domestic or sexual violence at some point in their lives. This violence and its effects are not contained within the home. We know that at least one third of male perpetrators of domestic violence in Vermont used workplace resources to be abusive and that one out of two perpetrators said that their work performance was negatively affected because of their behavior. It is clear that the workplace is affected by domestic and sexual violence.

Employers who adopt a Domestic and Sexual Violence Policy play a key role in supporting victims, holding perpetrators accountable, and preventing further incidents of violence, ultimately creating a more productive workplace and a safer community.

III. DEFINITIONS

The first step in developing your workplace policy is to provide clear definitions.

Domestic Violence: A pattern of coercive behavior used by one person to gain power and control over another. Domestic Violence may include physical violence, sexual, emotional, and psychological intimidation, verbal abuse, stalking and economic control. Although men can be victims of domestic violence, it is a major cause of injury or death to women. Domestic Violence occurs between people of all racial, economic, educational and religious backgrounds, in heterosexual and same sex relationships, and between people living together or separately, married or unmarried, and in short-term or long-term relationships. Domestic Violence is legally defined in Vermont as occurring between family members or

persons who, for any length of time, are living or have lived together as sexual partners or as roommates, are having or have had a sexual relationship, and adults or minors who are dating or have dated.

Sexual Violence: A continuum of non-consensual sexual contact ranging from sexual harassment to sexual assault. . Some or all of these acts may also be addressed in the Sexual Harassment Policy. Sexual violence is any sexual act or behavior that is perpetrated against someone's will when someone does not or cannot consent. Victims of sexual violence may know the perpetrator(s), such as a coworker, supervisor, client or vendor, and/or may be involved in a dating or marital relationship with the perpetrator, or the perpetrator may be unknown to the victim. A person of any age or gender may be a victim of sexual violence. Consent is not given when a perpetrator uses force, harassment, threat of force, threat of adverse personnel action, coercion, or when the victim is asleep, incapacitated, or unconscious.

Batterer, Abuser, Offender, Perpetrator: The individual who commits an act of domestic or sexual violence as defined above.

Survivor or Victim: The individual who has been or is currently the subject of domestic or sexual violence.

Safety Plan: A course of action and precautions that help the victim maintain safety at work and/or home.

Protection Order: Vermont statutes provide for three types of protection orders:

The Vermont Abuse Prevention Statute (15 V.S.A. Sec. 1101-1115) provides a mechanism for a victim of abuse to apply for a protection order from the Family Division of the Superior Court called a Relief from Abuse Order. The order restrains an abuser from abusing the victim, prohibits violent or threatening acts and/or harassment, and/or contact or communication with or physical proximity to another person. The order also addresses possession of the residence and custody of children. A protection order from another state or territory shall be accorded full faith and credit throughout Vermont and shall be enforced as if it were an order of this state.

Title 12 (chapter 178) of the Vermont statutes provides a mechanism for victims of stalking and sexual assault to apply for protection orders (also called SSA orders) when the perpetrator is not a family or household member. The process for obtaining an Order Against Stalking or Sexual Assault is similar to that for obtaining a Relief From Abuse order, except that SSA orders are obtained through the Civil Division of Superior Court and are only available during business hours. The court can issue temporary and final orders that demand that the defendant stay away from the plaintiff and her or his children.

Title 33 (33 V.S.A §6933) of the Vermont statutes provides a mechanism for vulnerable adults to apply for protection orders if they have suffered abuse (including sexual abuse), neglect, or exploitation by a household member, caregiver or anyone else. The vulnerable adult may file a petition requesting that the defendant refrain from abusing, neglecting or exploiting the vulnerable adult and/or that they immediately vacate the household.

All of these protection orders are enforceable by law enforcement officers, and violation of an order is a criminal act punishable by law.

Certified Batterer Intervention Program: a program certified by the Vermont Council on Domestic Violence and designed to provide education and increase motivation in program participants to end their abuse and engage in a process of behavior change.

IV. RESOURCES

It is essential that a workplace policy contain up-to-date resource and contact information.

VERMONT RESOURCES:

Vermont Domestic Violence Hotline 1-800-228-7395
Vermont Sexual Violence Hotline 1-800-489-7273
United Way Information and Referral 211

Vermont Network Against Domestic and Sexual Violence
http://www.vtnetwork.org or (802) 223-1302

Vermont Commission on Women
http://www.women.vermont.gov/ (See On-Line Resource Guide) or (800)881-1561

Vermont Center for Crime Victim Services
http://www.ccvs.state.vt.us/ or (802)241-1250

Vermont Safe At Home Program
http://www.sec.state.vt.us/otherprg/safeathome/safeathome.html/
(802) 828-0586 or (800)439-8683 Vermont Only

Vermont Dept. of Labor
http://www.labor.vermont.gov or (802) 828-4000
The Vermont Dept. of Labor coordinates the *Survivor Transitional Employment Benefit Program*

Vermont Attorney General's Office
http://www.atg.state.vt.us/issues/criminal-law/domestic-violence.php or (802) 828-5520

NATIONAL RESOURCES:

National Domestic Violence Hotline 1-800-799-SAFE (7233)
National Sexual Violence Hotline 1-800-656-HOPE (4673)

RESOURCES SPECIFIC TO EMPLOYMENT:

Workplaces Respond to Domestic and Sexual Violence: A National Resource Center
http://www.workplacesrespond.org/

Futures Without Violence *http://endabuse.org/ or (415) 252-8900*

Peace at Work *http://www.peaceatwork.org or (919)274-5515*

Safe at Work Coalition *http://www.safeatworkcoalition.org*

Liz Claiborne Love is Not Abuse Initiative *http://www.loveisnotabuse.com*

V. ABBREVIATED DOMESTIC & SEXUAL VIOLENCE POLICY

A. Response to Employees who are Victims of Domestic or Sexual Violence

Employees at *(Business Name)* should not be disciplined or discriminated against in hiring, firing, staffing, or other terms, conditions, or privileges of employment because of being a victim of domestic violence.

(Business Name) acknowledges that victimization can lead to absences, late arrival/early departure, or decreased productivity. These employment issues may be a result of legal obligations, medical needs, safety planning and trauma. Reasonable accommodations will be given to the victim before imposing any employee disciplinary action.

(Business Name) encourages victims and other affected employees to contact community agencies (listed below) for resources and referrals. Many provide free services for safety planning, accessing protection orders, counseling, support groups, shelter, advice and legal assistance.

(Business Name) will attempt to make available appropriate information, referrals, and resources to victims and other employees.

(Business Name) will provide support through referrals to community agencies, our *Employee Assistance Program,* and our Security and Human Resources personnel. We encourage all employees to take advantage of these resources. You may contact these resources available twenty-four (24) hours a day and seven (7) days a week:

- **Vermont Network Against Domestic and Sexual Violence, visit *http://www.vtnetwork.org***
- **Vermont Domestic Violence Hotline at 1-800-228-7395**
- **Vermont Sexual Violence Hotline at 1-800-489-7273**
- **United Way Information and Referral, dial 211**

Contact our Employee Assistance Program (____), Security Office (____), and Human Resources (____)

B. Response to Employees who Commit Acts or Threats of Domestic or Sexual Violence

Any employee who commits acts/threats of domestic or sexual violence at the workplace or while using workplace resources, will be subject to disciplinary action which may include but is not limited to dismissal. If appropriate, law enforcement will be contacted, which may result in arrest, criminal charges and/or prosecution. Workplace resources include, but are not limited to, phones, fax machines, e-mail, mail, automobiles, pagers, office supplies, photocopy machines and work time.

If an employee intentionally uses their position or workplace resources to enable a perpetrator to harm/contact a victim, both the employee and perpetrator (if an employee) will be subject to disciplinary action, which may include but is not limited to dismissal. If appropriate, law enforcement will be contacted, which may result in arrest, criminal charges, and/or prosecution.

(Business Name) recognizes that perpetrators also need assistance and resources. We will provide, when appropriate, referrals to community agencies, our Employee Assistance Program at _____, certified Batterer Intervention and/or Sex Offender Treatment Programs. We encourage all employees to take advantage of these resources. To find a Batterer Intervention Program in your area call (802) 223-1302 or visit http://www.vtnetwork.org. To find a Sex Offender Treatment Program in your area call (802) 247-3132 or (503) 643-1023 or visit http://www.atsa.com/request-referral.

C. Law Enforcement and Laws

(Business Name) will cooperate to the fullest extent legally possible with law enforcement and other appropriate government agencies. In addition, this policy shall be interpreted and applied in accordance with all applicable local, state or federal laws.

VI. COMPREHENSIVE DOMESTIC & SEXUAL VIOLENCE POLICY

A. Early Intervention and Prevention Strategies/Response

1. It is the policy of *(business name)* to promote the use of early prevention strategies to avoid or minimize the occurrence of domestic or sexual violence and their effects in the workplace. *(Business name)* will provide support and assistance to employees who are victims of domestic or sexual violence.

This support may include: confidential disclosure policy, resource and referral information, additional security at the workplace, work schedule adjustment, phone security measures, workplace relocation or leave necessary to obtain medical, counseling, legal assistance, or court appearances.

Written resource and referral information will be made available in all languages spoken by employees. Other appropriate assistance will be provided based on individual need. In all responses to domestic and sexual violence, *(Business Name)* will respect the autonomy of the adult survivor to direct her or his own life, and their confidentiality to the extent permitted by law.

2. *(Business Name)* through its Agencies and Departments will maintain, publish and post in locations of high visibility, such as bulletin boards, break rooms, company phone directories, and/or on line information sources, a list of resources for victims and perpetrators of domestic and sexual violence. *(Business Name)* will also maintain, publish and post any other policies regarding maintaining safety at the workplace.

B. Reporting Procedure

(Business Name) employees are responsible for informing the designated manager/supervisor of any threats, which they have witnessed, received, or have been told that another person has witnessed or received related to domestic or sexual violence.

(Business Name) understands the importance of confidentiality related to reports of domestic and sexual violence, and will respect the privacy of the reporting employee. Employees should make reports in ways that maintain safety, respect, and dignity for individuals.

Reports should be made to:

Name: _____
Title/Department: _____
Contact Information: _____

C. Leave Options for Employees Who are Experiencing Domestic or Sexual Violence or Threats of Violence

1. At times an employee may need to be absent from work due to domestic or sexual violence. The length of time should be determined by the individual's situation and by collaboration among the employee, supervisor/manager, and the human resources and/or personnel office.

2. Managers/Supervisors should be mindful that the traumatic effects of domestic and sexual violence can be severe and may take extended periods of time to address fully.

3. When possible, (*Business Name*) will consider leave options consistent with current policy and existing bargaining unit contracts. Employees, supervisors and managers are encouraged to first explore whether paid options can be arranged to help the employee cope with domestic or sexual violence without having to take a formal unpaid leave of absence. Depending upon the circumstances, these options may include:

- Arranging flexible work hours so that the employee can attend to legal matters, court appearances, medical care, housing, child care, and other concerns in a manner that is consistent with the employee's safety plan.
- Considering use of existing paid leave or authorized leave without pay especially if requests are for relatively short periods.

4. When responding to an employee's experience of domestic or sexual violence, there may be rare situations where the employer would want to review documents relating to the violence and the employer could look to the types of documentation listed below. Supervisors are advised, however, that due to the emergency nature of some of these requests, the employee may in some circumstances not be able to provide such documentation:

- A Protection Order, criminal charge paperwork or conviction record;
- Other court records such as divorce or family court proceedings;
- Child custody paperwork;
- Police reports;
- Signed affidavits regarding the abuse;
- State Agency records; or
- Medical documentation.
  To the extent possible, all documentation submitted shall be handled in a secure and confidential manner so as to respect the employee's right to privacy.

D. Procedures for Employees with Performance Issues Related to Domestic or Sexual Violence

1. Although *(Business Name)* retains the right to discipline employees for cause, (*Business Name)* acknowledges that victimization can lead to absences, late arrival/early departure, or decreased productivity. These employment issues may be a result of legal obligations, medical needs, safety planning and trauma. When an employee who is subject to discipline confides that the job performance or conduct problem is caused by domestic or sexual violence, reasonable accommodations should be given to the victim before imposing any employee disciplinary action.

2. *(Business Name)* should offer the employee a referral for appropriate assistance (e.g., the Employee Assistance Program or EAP at _____ and/or the local domestic violence service programs at 1-800-228-7395 or sexual violence service programs at 1-800-489-7273 as part of the performance assessment.

3. The manager/supervisor, in collaboration with the employee and personnel and human resource departments, should allow a reasonable amount of time for the employee to obtain assistance for the domestic or sexual violence.

E. Disciplinary Procedures for Employees Who Commit Acts or Threats of Domestic or Sexual Violence

1. *(Business Name)* is committed to providing a workplace in which the occurrence of domestic or sexual violence will not be tolerated. Any physical assault or threat made by an employee while on premises, *(Business Name)* during working hours, or at a *(Business Name)* sponsored social event is a serious violation of this policy and is potentially subject to criminal prosecution. This policy not only applies to acts against other employees, but to acts against all other persons, including intimate partners. Employees found to have violated this policy may be subject to corrective or disciplinary action up to and including discharge and subject to being reported to appropriate law enforcement and to criminal prosecution.

2. Employees convicted of a crime as a result of domestic or sexual violence may be subject to corrective or disciplinary action (such as transfer), up to and including discharge, when such action affects the work performance of the convicted employee or affects the normal operations of *(Business Name)*.

F. Guidelines Regarding Assistance for Victims and Perpetrators

a. General Guidelines for Employers

(Business Name) seeks to create a supportive workplace environment in which employees feel comfortable discussing domestic and sexual violence and seeking assistance for domestic or sexual violence concerns. The following information is provided to help employees assist co-workers who are victims of domestic or sexual violence to obtain services and to enhance the safety of workplaces *(Business Name).*

1. Recognizing that services and support for victims of domestic and sexual violence are limited and that victims may face threats of further violence or death if they attempt to leave a violent situation, managers/supervisors should seek to provide a non-judgmental and supportive environment for the employee. Managers/supervisors should respect the victim's need to be self-directing and maintain the strictest confidentiality.

2. A successful workplace intervention may consist of providing the employee with a non-judgmental place to discuss the violence and information to begin accessing resources in the community, or assisting the employee to formulate a safety plan for the work environment.

3. If an employee discloses that she or he is a victim of domestic or sexual violence, it is important to send the following messages so that you never blame the victim for the violent acts of the perpetrator:

- You do not deserve to be treated this way.
- You are not to blame.
- You are not alone.
- There is help available.

4. If a manager/supervisor believes an employee is being abused but has not disclosed this to her or his manager/supervisor, the manager/supervisor should address any job performance issues and provide the employee with information regarding the *EAP* and local domestic and sexual violence programs and/or other community resources.

5. It is important that all employees know how to best respond to the effects of domestic and sexual violence in the workplace. The following clarifies roles for all staff:

b. Managers/Supervisors:

1. Will be required to participate in basic domestic and sexual violence training provided by *(Business Name)* in consultation with the Vermont Network Against Domestic and Sexual Violence.

2. Should establish a relationship with Domestic and Sexual Violence and Batterers Intervention programs in the community to share information and resources including: asking the programs to provide training and other educational events; working together to create informational materials, etc.

3. Should inform and update supervised personnel on a periodic basis about *(Business Name's)* policy and procedures on encouraging work environments free from violence, threats and harassment.

4. Should post information about domestic and sexual violence in the manager/supervisor's work area and also have information available where employees can obtain it without requesting it or being seen getting it. Information should have tear-off strips with contact information about domestic and sexual violence services available. Some suggestions are: restrooms, lunchrooms, health or first aid offices, or where other employee information is available.

5. Should be responsive when an employee who is either the victim or the perpetrator of domestic or sexual violence asks for help and assist the employee to contact EAP, local domestic/sexual violence or batterers' intervention programs.

6. Should be aware of physical or behavioral changes in the employees and consult with *EAP* and the local domestic or sexual violence program for advice. **The manager/supervisor's role is not to diagnose or counsel the employee, but to refer the employee to appropriate resources.** The following behaviors may be associated with domestic or sexual violence: absenteeism, late arrival/early departure, decreased productivity, inappropriate/excessive clothing, obsession with time, repeated physical injuries, chronic health problems (for example chronic pain), isolation, emotional distress, depression, distraction and excessive number of personal phone calls, texts or other personal communication (which may be generated by the perpetrator).

7. Must be respectful of the employee's personal choices. If the manager/supervisor observes signs of violence, it is appropriate to convey concern and to provide the employee information about available resources. It is critical that the manager/supervisor respect the employee's privacy and not pressure the employee to disclose any personal information.

8. Should work with the victim, the Personnel Department, human resources, *EAP* and/or the local domestic and sexual violence programs as necessary to assist the victim to develop a workplace safety plan and make reasonable accommodations according to that plan. When assisting an employee to develop a workplace safety plan, the manager/supervisor should ask what changes, if any, could be made at the workplace to make the employee feel safer. Victims of domestic and sexual violence know their abusers better than anyone else, and victims of domestic and sexual violence are the primary experts in what they need in order to achieve safety and healing. When it comes to their safety, survivors must determine the most effective way to stay safe and managers/supervisors can assist them in developing this safety plan. In addition, if it is determined that other employees or members of the public are at risk, it is essential to take measures to protect them.

9. Respect the employee's boundaries and privacy, even if the employee/manager disagrees with the decisions the employee makes. A victim of domestic or sexual violence may need to make numerous attempts to leave the abuser before being able to do so. It is often difficult to leave because of factors like financial and childcare responsibilities, or threats of violence. Victims of sexual violence may cope with the effects of trauma in ways that seem counterintuitive to observers, but that are in fact natural reactions to traumatic experiences. Victims should be supported and referred to appropriate resources.

10. Shall maintain the confidentiality of employees experiencing domestic or sexual violence and any other referrals under this policy to the extent permitted by law; and inform other employees of the domestic or sexual violence circumstances on a need to know basis only. Whenever possible, the manager/supervisor should give advance notice to the employee who is experiencing domestic or sexual violence of the manager/supervisor's need to inform others.

11. If necessary and when possible, should try to adjust the employee's work schedule and/or grant leave if the employee needs time off for medical assistance, legal assistance, court appearances, counseling, relocation, or to make other necessary arrangements to enhance her or his safety. This approved leave should not impact performance evaluation or promotion.

12. Should review the safety of parking arrangements and available phone protections. The manager/supervisor or the building safety committee should make sure that the parking areas are well-lit and provide escorts (i.e., manager/supervisors, security or fellow employees) to parked cars and priority parking near the building entrance for employees who fear for their safety at work. The same parties should consider protective measures to reduce the possibility of harassment through phone or email.

13. Maintain communications as much as possible with the employee during any absence and **preserve the confidentiality** of the employee's whereabouts. Managers should recognize that an employee may be residing at a safe house or shelter and may have difficulties maintaining this communication.

14. Work with Human Resources and/or the Department of Personnel to relocate an employee to an alternate worksite, whenever feasible, if the employee requests to relocate for safety reasons, or transfer the perpetrator if the employee or a court order requests this action. A transfer of the perpetrator should only be undertaken in consultation with the employee experiencing domestic or sexual violence, since this sort of action can in some circumstances result in retaliation and decreased safety for the victim.

15. Cooperate with local law enforcement personnel regarding the service of an employee with a Protection Order.

16. Comply with all Protection Orders. If both the plaintiff and defendant in a protection order proceeding are *(Business Name)* employees, the manager/supervisor should work with the Personnel Department and/or human resources to consider relocating the defendant to a work location in which defendant will have no contact with plaintiff. If violations of an order are observed, the manager/supervisor should document these violations, notify the victim and call the police if appropriate.

17. After consultation with Department of Personnel, Human resources, and legal counsel, take any appropriate corrective or disciplinary action consistent with policy, procedure and/or collective bargaining agreements, up to and including termination, against any employee who commits acts of domestic or sexual violence at any *(Business Name)* worksite, or who is convicted of a crime as a result of domestic or sexual violence when such action affects the work performance of the convicted employee, affects the safety of other employees or affects the normal operations of *(Business Name)*.

18. Some sources of potential information for managers and supervisors regarding pending criminal matters include the local Department of Probation or Parole and the Criminal Division of Superior Court regarding pending matters, conditions of release or convictions.

c. Options for Employees Who are Victims of Domestic or Sexual Violence

1. Call the local police if you are in immediate danger.

2. Call your local domestic violence program (1-800-ABUSE95 or 802-228-7395) or sexual violence program (1-800-489-7273) to discuss your options. They assist victims of domestic and sexual violence while maintaining anonymity and providing information confidentially.

3. Talk with a trusted colleague, manager/supervisor, or union representative about your situation.

4. Contact the EAP office at _____.

5. Work with your manager/supervisor, the Department of Personnel or Human Resources, your EAP representative, local domestic or sexual violence programs and/or others to develop a safety plan.

6. Notify your supervisor of the possible need to be away from work and find out your leave options. Be clear about when you plan to return to work and maintain communication with your supervisor during your absence. If necessary and available, make alternate arrangements for receiving your paycheck.

7. If you are concerned about your safety at work, submit a recent photograph of the perpetrator and/or vehicle, a copy of any Protection Order, any other relevant court orders, and other identifying information for the perpetrator, such as car type and make, car color and license number to your supervisor and the police. This information assists your employer in identifying the perpetrator if he or she appears in the workplace.

8. Obtain assistance for and documentation of the violence (including old injuries) from your primary care provider or other medical providers.

9. Consider whether you need the services of the Secretary of State's Safe at Home Address Confidentiality Program which provides victims of domestic violence, sexual assault and stalking with a substitute mailing address so they can relocate to a safe place unknown to their abusers. Contact this program at safeathome@sec.state.vt.us or (802) 828-0586.

d. Options for Employees Who Are Perpetrators of Domestic or Sexual Violence

1. Contact the Employee Assistance Program at _____.

2. Find a Certified Batterer's Intervention Program by contacting the Vermont Network Against Domestic and Sexual Violence for a current list, at http://www.vtnetwork.org or (802) 223-1302.

3. Contact the Association of Treatment for Sexual Abusers (503-643-1023 or http://www.atsa.com/request-referral) or the Safer Society (802-247-3132) to find a program near you.

e. Options for Other Employees Who Have Concerns about Domestic or Sexual Violence

1. If you know or believe that a colleague is a victim of domestic or sexual violence, **communicate your concerns** for her/his safety to the colleague. Tell your colleague that you appreciate her/his confiding in you. Say that you are sorry it is happening and you can never say the following too often:

- It is not your fault. You do not deserve to be treated this way.
- You are not alone and I am glad you told me about what you are going through.
- I am here for you and help is available in the workplace and at home.

Your colleague needs **support and validation, not judgment.** Leaving an abuser is only possible when the victim believes it is safe to do so. Recovering from domestic or sexual violence can take a very long time and may require a lot of support, from the workplace and many other resources.

2. Be clear that your role is to support and help, not to judge. It takes a long time to get over being victimized, especially by someone you love. If your colleague is experiencing **domestic violence**, tell them that getting free is not easy but help is available 24 hours a day, 365 days a year from the **local domestic programs at 1-800-ABUSE95 (802-228-7395) or the EAP hotline at _____**. If your colleague is experiencing **sexual violence**, tell them that they are not alone and that help is available 24/7, every day, from local **sexual violence programs by calling 1-800-489-7273 or the EAP hotline at _____**. Tell your colleague that they can speak to someone anonymously and confidentially at these numbers. Maintain the confidentiality of your colleague's circumstances and do not reveal any other referrals under this policy to the extent permitted by law. If the victim gives you permission, discuss their situation with the EAP counselors, the Department of Personnel or Human Resources, or a local domestic or sexual violence program for further guidance.

3. **Report any threats of violence you experience** or witness to your manager/supervisor, site security personnel, the police, personnel, EAP, and/or human resources.

4. **Educate yourself regarding domestic and sexual violence.** Check your local library or your local domestic and sexual violence programs regarding books, videos and other materials. Several websites also contain good information about sexual and domestic violence: http://www.vtnetwork.org, http://www.RAINN.org, http://www.nsvrc.org, http://www.nnedv.org, http://www.workplacesrespond.org.

5. **Volunteer** at a local domestic or sexual violence program or organize a workplace drive for financial support of domestic and sexual violence programs.

Appendix B. Sample Brochure on Domestic Violence & the Workplace

Please note that the following is a replica of a sample brochure and is not drawn to scale. A PDF of the original brochure may be downloaded from the Vermont Commission on Women's website at: http://women.vermont.gov/sites/women/files/pdf/dvinwkpl2011.pdf

Domestic Violence: A Workplace Issue

Costs to Your Business

Loss of productivity or work time, absenteeism, employee turnover and creating an actual or perceived unsafe or hostile work environment are common workplace impacts of domestic violence

In a 2011 Vermont study of domestic violence offenders:

- 75% said they had a hard time concentrating at work because of their relationship issues.
- 53% felt their job performance was negatively affected.
- 55% used a cell phone to threaten, control or abuse their partner during the work day.
- the 193 offenders surveyed reported a total of 58,591 days taken from work for domestic violence related circumstances.
- almost half of respondents reported that their partners took time off from work because of the domestic violence.
- those partners lost 1,110 days of paid and unpaid time off from work.
- 19% of respondents reported causing or almost causing an accident at work because they were distracted due to the domestic violence.

Nationally, domestic violence costs businesses nearly $6 billion in healthcare expenses and lost productivity every year.

Employers have been held liable for failing to adequately address domestic violence in the workplace. Recent jury award to victims, coworkers and their estates ranged from $25,000 to several million dollars.

Domestic Violence Doesn't Stay at Home When Victims Go to Work

Domestic violence occurs between people of all racial, economic, education and religious backgrounds; in heterosexual and same sex relationships; while living together or separately, married or unmarried; and in short or long-term relationships.

- In Vermont, at least 4 domestic violence related homicides have occurred in connection with the victim's employment.
- Nationally, 1 in 5 employed adults is the victim of domestic violence.
- 1 in 4 employees reports working with a co-worker who has been a victim of domestic violence.
- 74% of employed battered women say they are harassed by their partner at work.
- 94% of corporate security directors and 78% of human resource professionals consider domestic violence a critical workplace issue.
- 4 out of 5 employees believe workplaces can make a difference by addressing domestic violence in the workplace.
- In a 2011 study, over 75% of Vermont offenders surveyed felt workplace policies addressing domestic abuse would be an effective deterrent to further violence.

A Safe and Secure Workplace

Security measures can play a critical role in protecting all employees at work. Consider these changes to your workplace:

- Provide front desk or security staff copies of court orders and abuser's identifying information, including photographs and description of car, if available.
- Relocate employee to safer workplace or work station.
- Install buzzer system, panic button or other security devices.
- Limit access to building and if feasible, use one entrance.
- Provide escorts to employee's parked car.
- Install lighting in parking lots, additional fencing and cameras.
- Arrange priority parking spaces.
- Adopt phone security measures.
- Document harassing or abusive behavior.
- Assist in developing a safety plan course of action for employee. Call local domestic violence program for more information.
- Work with your security and/or local law enforcement to develop a response plan

Recommendations for All Vermont Employers

Employers can play an important role in providing clear guidelines and a supportive and productive workplace by implementing model practices and policies that respond to domestic violence:

Adopt: Adopt a policy addressing domestic violence in the workplace. Implement leave, benefit and referral initiatives. Samples can be found at the Vermont Attorney General's web site: www.atg.state.vt.us/issues/criminal-law/domestic-violence and the Vermont Commission on Women's web site: http://women.vermont.gov/.

Train: Trainings for managers and supervisors raise awareness and sensitivity and make the workplace safer and more productive. In a 2011 study, 92% of Vermont domestic violence offenders surveyed said that a private discussion with a supervisor would be an effective deterrent.

Educate: Educate staff through brown bag lunches, workshops, and newsletters. Post and distribute resource and referral information in areas of high visibility and on web pages. 73% of offenders in a Vermont survey said that posters and brochures in the workplace would help prevent abuse from impacting the business.

Consider Security: Review worksite security measures to protect all employees.

Connect: Connect with local domestic violence service programs. Contact the Vermont Network Against Domestic and Sexual Violence for more information: 802-223-1302 or vtnetwork.org.

Support: Perpetrators are solely responsible for domestic violence, but everyone can help support and protect survivors: join or donate to an organization working to prevent violence against women.

Be aware of state laws such as: the Survivor Transitional Employment Benefit Program at the Department of Labor at www.labor.vermont.gov; and statutory protections preventing discharge or discipline if an employee or their family are subpoenaed at 13 VSA Section 5313.

Resources

Local domestic violence programs provide: safety planning, help accessing protection orders, counseling, support groups, shelter, advice and legal assistance:

Vermont Network Against Domestic and Sexual Violence
www.vtnetwork.org / 802-223-1302

Find model workplace policies, trainings, and educational materials:

Vermont Attorney General's Office
atg.state.vt.us/issues/criminal-law/domesticviolence / 802-828-5520

Vermont Commission on Women
http://women.vermont.gov/.

Workplaces Respond to Domestic and Sexual Violence: A National Resource Center
workplacesrespond.org

Love is Not Abuse
loveisnotabuse.com

Family Violence Prevention Fund
endabuse.org/section/programs/workplace

Peace at Work
peaceatwork.org

Safe at Work Coalition
safeatworkcoalition.org

State and national programs and organizations:

National Domestic Violence Hotline 800-799- SAFE

Vermont's Safe At Home Program
sec.state.vt.us/otherprg/safeathome/safeathome.html / 802-828-0586 / 800-439-8683 Vermont only

Vermont Domestic Violence Hotline
800-228-7395

Vermont Sexual Violence Hotline
800-489-7273

United Way Information and Referral
211

Vermont Commission on Women
women.vermont.gov / 800-881-1561

Vermont Center for Crime Victim Services
ccvs.state.vt.us / 802-241-1250

Responding to Domestic Violence is Good Business

This brochure is a collaborative effort of Vermont's Attorney General's Office, Commission on Women, Council on Domestic Violence, and the Domestic Violence in the Workplace Council Workgroup.

VERMONT

Your local program: