

Violence and Harassment in the Workplace – Family (Domestic) Violence



WHAT IS WORKPLACE VIOLENCE AND HARASSMENT?

Most people think of violence and harassment as a physical assault. However, workplace violence and harassment are a much broader problem. It is any act in which a person is abused, threatened, intimidated, or assaulted in their employment. Rumours, swearing, verbal abuse, pranks, arguments, property damage, vandalism, sabotage, pushing, theft, physical assaults, psychological trauma, anger-related incidents, rape, arson and murder are all examples of workplace violence.

WHAT IS FAMILY (DOMESTIC) VIOLENCE?

Family violence is any form of abuse or neglect that a child or adult experiences from a family member, or from someone with whom they have an intimate relationship. It has also been described as the abuse of power within relationships of family, trust or dependency that endangers another person.

Overall, family (or domestic) violence is a pattern of behaviour used by one person to gain power and control over another with whom they have or have had an intimate relationship. It can include any of many forms of behaviours. There are additional dimensions to harassment and violence in a family relationship that are unique, such as:

- using property, pets, or children to threaten and intimidate,
- not arriving for child care,
- threatening deportation if the victim was sponsored,
- economic abuse such as withholding or stealing money, stopping a partner from reporting to work, or from getting or keeping a job, or
- sexual, spiritual, or emotional abuse or neglect.

WHO CAN BE VICTIMS OF FAMILY VIOLENCE?

Anyone can be a victim of family violence, regardless of age, race, religion, sexual orientation, economic status, or educational background. The abuser may be a current or former spouse or intimate partner, relative, or friend. Men and women can both be abused or abusive in their relationships.

IS FAMILY VIOLENCE A WORKPLACE ISSUE?

Yes. When family violence follows a victim to work, it becomes a workplace issue. An

aggressor can present a risk to the victim or others in the workplace itself. A study of domestic violence in Canada and its impact on the workplace has found more than one third of workers across the country have experienced domestic violence in their lifetime, and for more than half of those affected, the violence followed them to work.

You may have heard people say “it is a personal matter”, “it’s none of my business” or “that’s between a husband and wife”, for example. These attitudes further isolate people experiencing violence creating a barrier between the victim and those who may be in a position to provide valuable support and assistance. The workplace can play an important role between people experiencing violence of any kind, and assisting individuals to get the necessary help.

WHAT EFFECT DOES FAMILY VIOLENCE HAVE ON THE WORKPLACE?

People experiencing family violence often feel isolated. They may feel ashamed, or have concerns that their situation will compromise their employment so they are afraid to say anything. Similarly, those who suspect family violence may be affecting an employee are afraid to approach this subject or intervene for many reasons. This further isolation increases the risk to those who experience family violence. In addition, people experiencing family violence often experience difficulty getting to work and state that their work performance is negatively affected. Other implications for the workplace include:

- reduced productivity and motivation
- decreased worker morale
- potential harm to employees, co-workers and/or clients
- increased replacement, recruitment and training costs if victims are dismissed for poor performance or absenteeism
- strained co-worker relations

Examples of how family violence may appear at work include (this list is not inclusive):

- repeatedly phoning or emailing the employee
- showing up at the employee’s workplace and disrupting co-workers (e.g., asking many questions about the employee’s daily habits)
- verbal abuse directed at victim or co-workers
- acting jealous or controlling
- damaging property belonging to the victim or workplace
- etc.

ARE THERE LAWS ABOUT PROTECTING WORKERS FROM FAMILY VIOLENCE IN THE WORKPLACE?

Some jurisdictions expressly include domestic or family violence within occupational health and safety legislation, while others do not.

In Manitoba, the Regulators includes “Leave for Victims of Domestic Violence, Leave for Serious Injury or Illness and Extension of Compassionate Care Leave” provides victims of domestic violence with paid and unpaid leave so they have the assurance of job protection while they seek safety. This action could include finding suitable housing, seeking care for physical or psychological injuries, accessing legal services including putting protective orders in place, etc.

However, it is the employer’s general duty across all jurisdictions to ensure all employees have a safe and healthy workplace, including protecting all employees from various forms of violence.

WHAT CAN THE WORKPLACE DO?

A supportive and accommodating workplace provides the victim an opportunity to establish financial independence, and provides victims access to the help they need in their unique situation.

While respecting confidentiality and privacy as part of their workplace violence and harassment prevention policy, employers should also take responsibility to:

Identify Warning Signs: Because people who experience family violence are more likely to report it to a co-worker than to others in the workplace, all employees should be educated and trained to help recognize the warning signs and risk factors for family violence, as well as steps to take when reporting is appropriate.

Establish a support network: Various workplace parties can offer support and assistance to employees experiencing family violence. Working together in a team which may include the supervisor, trusted co-worker, human resources, Employee Assistance Program (EAP) provider and union representatives may be a helpful approach to providing a supportive network. The employer may also be able to help connect the individual to services available in the area.

Develop or support a safety plan: Workplaces can help by supporting or creating an individualized personal and workplace safety plans to address the situation. Update the plans as circumstances change. Share the plans with anyone who needs to know about the situation in order to ensure safety. Safety plans may include:

- Ask if the victim has already established protection or restraining orders. Help assist to make sure all the conditions of that order are followed.
- Talk to the employee, work together to identify solutions. Follow up and check on their well-being.
- Ask for a recent photograph or description of the abuser. Alert others such as security and reception so they are aware of who to look for.
- When necessary, relocate the employee so that they cannot be seen through windows or from the outside.
- Do not include their contact information in publicly available company directories or website.
- Change their phone number, have another person screen their calls, or block the abusers calls or emails.
- Pre-program 911 on a phone or cell phone. Install a panic button in their work area or provide personal alarms.
- Provide a well-lit parking spot near the building, or escort the individual to their car or to public transit.
- Offer flexible work scheduling if it can be a solution.
- Call the police if the abuser exhibits criminal activity such as stalking or unauthorized electronic monitoring.
- If the victim and abuser work at the same workplace, do not schedule both employees to work at the same time or location wherever possible.
- If the abuser works at the same workplace, use disciplinary procedures to hold the abuser accountable for unacceptable behaviour in the workplace.

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