The Workplace and Domestic Violence

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Many of us would not speak of domestic violence (DV) and the workplace in the same breath and few would pause to consider that the two could be connected in some way. However, newly emerging information in this regard, such as a survey launched in 2013 by researchers at the University of Western Ontario (the "**Canadian Survey**") indicate that DV does indeed have a significant impact on the workplace.

What is DV

Domestic Violence (DV) can be defined as any form of physical, sexual, emotional or psychological abuse which occurs between intimate partners. Some DV behaviours such as assault, stalking and harassment, are more easily identifiable, while other types of behaviour maybe less obvious; for example, financial, or purely psychological control of the victim by the abuser.

Warning signs

Warning signs of Domestic Violence include:

- Bruises and other obvious injuries
- Unusually quiet behaviour
- Unexplained absences and tardiness
- Emotional distress, tearfulness, anxiety, fear, etc.
- Deterioration in work performance
- Alcohol/drug abuse
- Vehement denials that anything is "wrong"
- Wearing clothing designed to "hide" the body

How DV can impact the Workplace

According to the Canadian Survey, of those participants who reported that they had experienced DV, 38% stated that this caused them to either miss work, or be late for work, or both. 8.5% of the same group stated that they had lost their job as a result of DV.

Other effects of Domestic Violence on the workplace can include:

- performance of the DV victim being negatively affected

- co-workers who are supportive of the DV victim experiencing stress and anxiety
- stress and tension between the DV victim and co-workers who are unsupportive
- anger towards the DV victim by co-workers who may have to pick up the slack
- bullying of the DV victim by co-workers and other workplace parties

DV behaviour can also spill into, or occur at, or near the workplace – for example, being stalked; receiving threatening phone calls, e-mails and text messages at work; the abuser coming into the workplace; the abuser contacting or attempting to contact co-workers and the employer, etc.

Employer tips

43% of the participants who had experienced DV indicated that they had discussed the situation with someone at the workplace. Typically, these were either their co-workers (81.6%), or their supervisors or managers (44.7%).

Occupational health and safety legislation requires employers to provide a safe workplace. So, what can employers do to comply with such legislation and also help victims of DV?

Steps that employers can take, include:

- Educating employees, managers and supervisors on DV and how it can affect the workplace
- Training employees, supervisors, managers, union representative, security personnel, etc., on how to recognize the warning signs of DV
- Implementing guidelines for dealing with situations where DV is reported, or suspected
- Making counselling services available to those affected by DV
- Supporting the DV victim by allowing them to take time off and providing flexibility around work hours, etc.
- If the workplace is unionized, involving the union as a partner in addressing and dealing with DV in the workplace

If an employee is the *abuser*, the employer should make it clear that workplace resources are not to be used to harass anyone and that any inappropriate behaviour will result in discipline up to and including termination. Actual violence or threats of imminent violence must be reported to the police immediately.

Wathen, C. N., MacGregor, J. C. D., MacQuarrie, B. J. with the Canadian Labour Congress. (2014). *Can Work be Safe, When Home Isn't? Initial Findings of a Pan-Canadian Survey on Domestic Violence and the Workplace*. London, ON: Centre for Research & Education on Violence Against Women and Children.

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Heather is a lawyer, investigator and mediator, with a unique combination of legal expertise and extensive hands-on human resources management and labour relations experience. Prior to being called to the British Columbia Bar, she was a Human Resources Manager at the University of British Columbia and Labour Relations Advisor to Vancouver Community College.

Heather provides legal advice on all aspects of employment and labour issues arising in the union and non-union context through her law firm, Integritas Workplace Law. Heather also provides workplace mediation services, general human resources support to employers, and workplace investigation services. Heather is a frequent speaker and

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