

Impact of Domestic Offenders on Occupational Safety & Health: A Pilot Study

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LABOR

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February 17, 2004

Many employers have long recognized domestic violence as an issue that impacts the workplace. Studies have shown that nearly one in three women will be a victim of domestic violence in the course of her lifetime, and national research indicates the abuse doesn't end when a victim reports to work. The resulting costs in absenteeism, increased healthcare premiums, reduced productivity, and potential safety risks have a significant impact on Maine's business community.

Until now, the impact of domestic violence offenders on the workplace has been less understood. The Maine Department of Labor's joint study with Family Crisis Services has provided a detailed examination of this perspective, revealing the many ways offenders affect their employers through workplace accidents, lost work time, and inappropriate use of business resources. We are pleased to present this comprehensive report as a helpful tool for employers, policy makers, and advocates in Maine and the nation.

Employers are often reluctant to involve themselves in the lives of their employees. The following report demonstrates the fact that employers can no longer afford to avoid dealing with domestic violence. Addressing the issue is not only a matter of doing the right thing for employees -- it is a responsible step for employers to take in order to protect their business.

To that end, I encourage all employers to develop a comprehensive workplace response on the issue. The Maine Department of Labor has resources that can help. The SafetyWorks! program sponsors free workshops on how employers can reduce risks of violence in the workplace through effective human resource policy, security protocols and supporting the abused employee. For more information or a schedule of classes, please call (207) 624-6400 or visit the SafetyWorks! website at www.safetyworksmaine.org.

Sincerely,

A handwritten signature in black ink that reads "Laura A. Fortman".

Laura A. Fortman
Commissioner



PRINTED ON RECYCLED PAPER

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Impact of Domestic Violence Offenders on Workplace Safety & Health: A Pilot Study

Executive summary.

In spring of 2003, the Maine Department of Labor and Family Crisis Services conducted an occupational safety and health research project with four certified Batterer Intervention Projects (BIPs) in Maine. The study was part of the Maine Occupational Research Agenda (MORA) focusing on the safety and health of priority populations. The subjects of the study were 152 male domestic abuse offenders attending classes at the BIPs. The purpose of the study was to measure how domestic abuse offenders affect workplace safety and health, productivity, and lost work time. In addition, the study investigated inappropriate use of company resources to harass the intimate partner, as well as how the intimate partner was affected at her place of employment. Finally, the study measured current supervisor responses to knowledge of offenders' arrest and protection from abuse orders, and also queried the study participants on their opinions regarding effective workplace interventions.

Among the significant findings reported by offenders:

- **78% of offenders used workplace resources at least once to express remorse or anger, check up on, pressure, or threaten the victim.**
- **73% of supervisors were aware of the domestic abuse offender's arrest, but only 15% reminded the employee that domestic abuse is a crime.**
- **74% had easy access to their intimate partner's workplace, with 21% of offenders reporting that they contacted her at the workplace in violation of a no contact order.**
- **70% of domestic abuse offenders lost 15,221 hours of work time due to their domestic abuse arrests. At Maine's average hourly wage, this equals approximately \$200,000.**
- **68% of offenders said that domestic abuse posters and brochures in the workplace would help prevent domestic abuse from impacting the business.**
- **48% of offenders had difficulty concentrating at work, with 19% of offenders reporting a workplace accident or near miss from inattentiveness due to pre-occupation with their relationship.**
- **42% of offenders were late to work.**

The Maine study is a pilot study with a self-selected population. If the same survey design were used and we were assured that the sample represents the population (i.e. subjects were chosen randomly and/or we had demographic data to compare/adjust the sample to the population), then the margin of error for the questions we asked would range from 3.62% to 6.12%.

While this data cannot be extrapolated to the general population of domestic abuse offenders, it identifies the broad impact the men in this sample had on Maine businesses. More research is needed to further understand how employers can effectively and accountably respond to abusers in the workplace and to create safer working conditions for employed victims and survivors.

Introduction.

Domestic abuse is a workplace issue. Employers across the country are increasingly recognizing this fact as domestic abuse advocacy groups and concerned business people provide community education, draft model workplace policies, and seek legislative solutions to the problem.

Several leaders have emerged in this effort, including the Family Violence Prevention Fund (FVPF), Corporate Alliance to End Partner Violence (CAEPV), and Employers Against Domestic Violence (EADV).

In 2000, FVPF implemented its Corporate Citizenship Initiative, a collaborative effort inviting employers, unions, and advocates to create partnerships in the workplace response to domestic abuse. The Fund offered technical assistance to ten statewide domestic abuse coalitions, providing curriculum, travel money, and resources for a direct outreach effort to employers in their respective states. Both the Maine and Massachusetts domestic abuse coalitions were among those receiving the FVPF Corporate Citizenship Initiative technical assistance award.

In Massachusetts, Employers Against Domestic Violence had been extremely successful in developing a comprehensive and innovative response to domestic abuse workplace issues. In addition to creating a formal nonprofit organization with over 350 members, the EADV Board of Directors broadened the approach by examining the impact of domestic abuse *offenders* on the workplace. Previous research, such as that conducted by the Body Shop and New York Victim Services Research Department, had focused solely on victims.

Under the leadership of former board President Barbara Marlowe, EADV sought and received funding from John Hancock Financial Services to conduct a study on how batterers affect the workplace. Specifically, EADV investigated questions regarding employer response to offenders, productivity issues, and use of workplace resources to contact and harass the offenders' victims. Principal researcher Emily Rothman interviewed 29 convicted domestic violence offenders chosen from among four certified batterer intervention programs in Massachusetts — the results are published in the report *How Employees Who Batter Affect the Workplace: An Employers Against Domestic Violence Initiative.* In her summary of findings, Rothman reported in part that employed abusers made dangerous mistakes on the job as a result of perpetrating domestic violence, and that most used company resources (such as phones, e-mail, and vehicles) to perpetrate abuse from the worksite. In addition, Rothman's research showed that most abusers used paid work time to deal with the consequences of their domestic abuse behaviors, and that 10% of employers posted bail for the abuser or allowed paid leave for court dates associated with their domestic violence crime (EADV, 2000).

In additional research in 2003, the North Carolina Council for Women & Domestic Violence Commission created a written survey regarding domestic abuse and the workplace. This survey was sent to over 90 batterer intervention programs approved by the Council throughout North Carolina, with 60 responding. The following findings were among those reported from 188 returned surveys: 15 % of respondents admitted to

spending work time harassing their partners, 14% had used workplace resources to do so, and 32% had been arrested or had a protection order issued against them at the time they were employed. Additionally, 28% of respondents indicated they had worked for the same employer with their current or former partner (White and Staroneck, 2003).

Maine Pilot Project

The Maine Occupational Research Agenda (MORA) provides a framework to guide occupational safety and health research in Maine. Working in collaboration with the Maine Department of Labor, MORA focuses on the safety and health of priority populations.

As part of the Maine Department of Labor (MDOL) initiative to build capacity in occupational safety and health (OSH) surveillance, the MDOL implemented a workplace violence (WPV) surveillance program in 2003. The current OSH surveillance reporting mechanisms, such as the Workers' Compensation Board First Report of Occupational Injury or Illness and Federal Bureau of Labor Standards Survey of Occupational Injuries and Illnesses (OSHA Log), administered by MDOL are not designed to capture non-fatal and no lost time workplace violence incidences. As a result, there is underreporting of WPV incidences because these reporting systems will miss incidents that do not result in lost time and injuries that do not require medical treatment.

The newly implemented WPV surveillance program is designed to collect these cases missed by the above mentioned systems and takes it a step further by categorizing them into the following 4 types of WPV.

Type 1 (Criminal Intent): The perpetrator has no legitimate relationship to the business or its employees, and is usually committing a crime in conjunction with the violence. These crimes can include robbery, shoplifting, and trespassing.

Type 2 (Customer/Client): The perpetrator has a legitimate relationship with the business and becomes violent while being served by the business. This category includes customers, clients, patients, students, inmates, and any other group for which the business provides services.

Type 3 (Worker-on-Worker): The perpetrator is an employee or past employee of the business who attacks or threatens another employee(s) or past employee(s) in the workplace.

Type 4 (Personal Relationship): The perpetrator usually does not have a relationship with the business but has a personal relationship with the intended victim. This category includes victims of domestic violence assaulted or threatened while at work (University of Iowa Injury Prevention Research Center, 2001).

Based on MDOL's workplace violence surveillance initiative and employer outreach implemented through Maine's Corporate Citizenship Initiative, a research project was

developed between MDOL and Family Crisis Services, a domestic violence project serving two southern Maine counties. A working group began to develop the study's objectives (February 2003). A preliminary meeting seeking input into the goals was held with several Maine employers. Representatives from Unum Provident, Anthem BCBS, InterMed, Fairchild Semiconductor, and Cumberland County Government attended. Based on the potential sample of approximately 350 domestic violence offenders, batterer intervention programs in Cumberland and Kennebec Counties were chosen for the study. Batterer intervention programs, or BIPs, are 48-week state-certified classes for men court ordered to attend as a result of their domestic violence offense. (The Kennebec County program also accepts men who self-refer and are not court mandated.) Both urban and rural populations were represented.

To begin the process (January 2003), permission was sought from the Maine Department of Corrections, Maine Department of Labor, Family Crisis Services, Family Violence Project (of which Menswork is a program), and the directors of the four BIPs.

Objectives.

With the necessary permissions in place, the following objectives for the Maine study were chosen:

- Identify ways in which domestic abuse offenders are using the worksite as a place from which to further victimize their intimate partner;
- Identify and quantify when possible performance, productivity, lost work time, absenteeism, workplace delays, and workplace accidents associated with this behavior;
- Examine current employer responses to this behavior when it is recognized;
- Determine the frequency of workplace violence policies in effect in the population sample;
- Examine offenders' views on useful measures employers can implement to create workplace safety and accountability; and
- Determine the frequency and impact of domestic abuse offenders contacting the victim at her workplace.

Definitions.

Domestic Abuse: A pattern of coercive behavior that is used by one person to gain power and control over another which may include physical violence, sexual, emotional, and psychological verbal abuse, stalking, and economic control (FVPPF, 1998).

Domestic Abuse Offender, Batterer, Perpetrator, or Abuser: The person who commits acts of domestic abuse as defined above.

Batterer Intervention Programs: State certified educational programs batterers attend that are designed to hold them accountable for their criminal behavior; encourage behavior change through the community's demand for accountable and respectful actions in intimate and family relationships; and increase victim safety.

Survivor or Victim: The person who is the subject of an act of domestic abuse.

Design and Methodology.

With the objectives determined, the working group reviewed Emily Rothman's protocols from the EADV study and a draft questionnaire from the North Carolina Council for Women & Domestic Violence Commission. The protocols and questionnaire were modified and adapted to fit the needs of a larger sample with multiple sites.

Several options were considered for gathering the data including distributing questionnaires, having small group interviews, and conducting larger focus groups within the framework of the existing batterer intervention class. The final and preferred option was to interview individually all willing participants through a survey tool developed by the working group. Although this approach presented challenges, it was most likely to deliver the consistent quantitative and qualitative data we were seeking.

Survey.

An initial survey was created and test-run with three offenders from Opportunity for Change in Portland, Maine. The test run revealed the survey needed a significant overhaul for two reasons. First, the format did not allow for the development of a comfort level between the interviewer and the offender before the onset of difficult and sensitive questions. Secondly, we had not considered the many variations in offenders' work and personal lives. (For example, some men had not been partnered at the time they were employed, or some had multiple jobs during the time frame we were studying.)

The survey was revised to take these issues into account. The format was changed to create a gradual series of questions concerning employment history, job type, and status (employed, unemployed, self-employed). The second section focused on access to and use of workplace resources such as telephones, email, and company vehicles to contact the partner. Offenders were asked a series of questions about partner contact during the workday, with options ranging from "deliver instructions for childcare arrangements" to "contact her to threaten her." They were then asked to identify the specific resources they would use for such contact.

Section Three was expanded to gather information on the impact of domestic abuse on the working life of the offender. General questions were asked about job performance, concentration, and workplace accidents. In addition to quantitative information, interviewers were encouraged to gather any narrative regarding concentration difficulties, accidents, or near misses. Data was also gathered regarding lost work time due to arrests, use of paid and unpaid leave to attend to domestic abuse proceedings, and incarceration rates. Section Four examined employers' responses to their workers' domestic abuse behavior, including arrests, service of protection from abuse orders, and use of company resources to contact the partner during the workday.

Because domestic abuse also severely impacts the workplaces of victims, the survey included a section regarding actions these offenders took to interfere with their partners' employment. Questions focused on typical behaviors of abusers including preventing the

victim from going to work, harassing her while at the workplace, or causing her to be disciplined or fired. In addition, offenders were asked if they had violated no contact conditions by direct or indirect contact at her place of employment.

Section Six of the survey queried the men on possible responses employers could implement to create positive changes in the behavior of employed domestic abuse offenders.

Volunteer Interviewers.

To assist with the implementation of the project, volunteer interviewers were solicited. Several sources were tapped, including business professionals with an interest in domestic abuse, BIPs instructors, social workers, and state government employees. Interviewers agreed to attend a 90-minute training session prior to their participation, as well as sign an interviewer confidentiality form. The training session focused on use of the survey tool, the importance of respectful interactions with participants, key questions to solicit narrative statements (when possible), and safety measures.

Informed Consent.

While a formal institutional review board process was not necessary for this study, the working group drafted the participant informed consent form in keeping with the necessary protections for human subjects research. Among them were voluntary participation, no penalty or negative consequences for refusal to participate, and potential for discomfort during the interview. The subjects were reminded they could refuse to answer any questions, end the interview at any time, and that the survey would take approximately thirty minutes to complete. In addition, participants were reminded that the interviews were confidential and that the written report would not contain any material that would identify them or their employer.

Confidentiality was waived if the participant revealed information requiring mandated reporting of child or incapacitated elder abuse under Maine law.

Site interviews.

Interviews were conducted between March 31 and April 28, 2003 at one of six sites: Menswork (Augusta and Winslow), Opportunity for Change (Portland), Cumberland County Jail (Portland — an Opportunity for Change program site), Abuser Education Program (Portland), and A Different Choice (Windham).

One week prior to the interviews the batterer intervention class was prepared for the survey process; the informed consent form was read to the class and men were asked to consider voluntary participation. It was noted that the men's real-life experience would not only help employers create safer workplaces, but also provide information that would enhance the community and statewide response to domestic abuse.

On the day of the interview, volunteers arrived early and were assigned a private space to conduct their surveys. Men arrived for the regularly scheduled batterer intervention class,

were reminded of the study, and volunteer participants were separated according to their employment status. Because of time constraints, we prioritized by interviewing employed, partnered men first, followed by self-employed and unemployed men if time allowed. (Self-employed and unemployed men allowed us to gather data only on impact to the partner's workplace.)

Interviews lasted approximately thirty minutes depending on the circumstances of the participant. Interviewers conducted between two and three interviews during the class period of 90 minutes (Cumberland County classes) or 120 minutes (Kennebec County classes.)

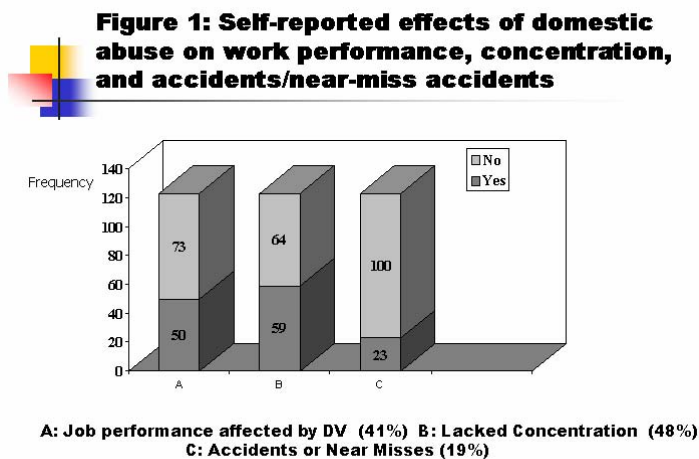
Completed interviews were delivered to the Maine Department of Labor, Research and Statistics Unit for tabulation and analysis.

Findings.

A total of 152 men were interviewed for this study. Of those men, 124 were employed, 22 were self-employed, 5 were unemployed, and one was retired. The majority of graphs in this paper reflect findings based on the 124 employed offenders. Findings are represented as frequencies and percentages based on the total number of respondents who answered the question.

The men had a wide range of occupations, including the following: construction, advertising, commercial fishing, education, government, public utility, printing press, food service, and sales.

Because the research was completed with heterosexual male domestic abuse offenders who perpetrated their abuse on female intimate partners, this report will refer to offenders as men and their victims and survivors as women, while acknowledging that U.S. Department of Justice statistics report men are victims in 15% of reported domestic violence cases (U.S. Department of Justice, 2003).



Impact of Domestic Abuse on Occupational Safety & Health

Figure 1. Offenders reported that domestic violence affected their job performance (41%), caused them to have difficulty concentrating (48%) and was a factor in a work accident or near miss (19%).

The men provided many anecdotes regarding workplace accidents, near miss accidents, and concentration difficulties; this was useful in describing the ways offenders were affected at work by their abusive behaviors toward partners. The following interviewer notes reflect some of the men's individual accident stories:

- Injured hand by not using proper tool, required twelve stitches
- Distracted, burned a fellow worker who missed work as a result
- Fell off scaffolding while thinking about incident that led to his enrollment in batterer intervention program, couldn't concentrate
- On cell phone with victim, smashed into vehicle in front of him
- On cell phone with victim while driving forklift, smashed into and knocked over stacks of heavy materials
- Forgot key safety step while working with explosive materials, suffered burns as a result

- Cut through safety chaps with chainsaw
- Cut himself with knife

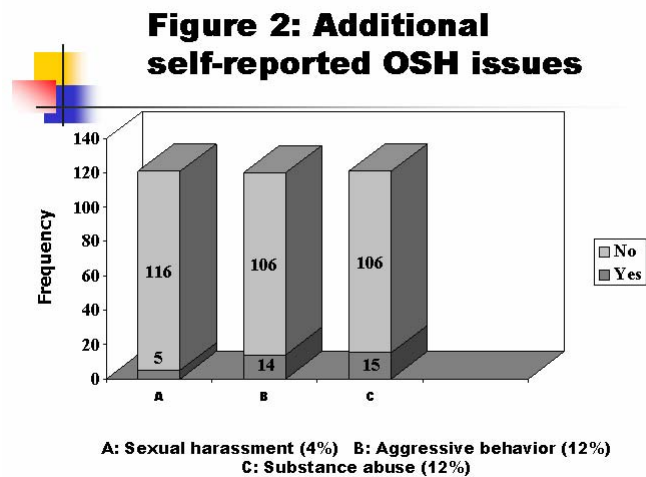
In addition, offenders also reported near miss accidents, including the following samples:

- Almost got into accident with company vehicle
- Almost fell from a forty foot roof, saved by safety harness
- Forgot to tie a fellow worker off, could have fallen several stories
- Angrily handling sharp and dangerous occupational tools in a way that could have injured a fellow worker, who said, “You should get your head together.”
- Not paying attention while using a torch, could have harmed self

In order to maintain power in an intimate relationship, a domestic violence offender will exercise broad control over the victim. This ability to control may be temporarily interrupted on a daily basis when the abuser reports to work and is no longer able to physically monitor the partner’s activities. For many of the men in this sample, work time represented a real and perceived loss of control that made it difficult for them to perform their job duties consistently and safely. For example, one man discussed his state of mind prior to the workplace accident that left him with burns. Unwilling to stop thinking about what his partner was doing at home, he neglected a key safety step and caused an accident. Another described routinely bringing his problems to work, jeopardizing the safety of others and eventually causing his employer to discipline him.

Costs to business. Implications for occupational safety and health are extensive and costly. Dan Cote, Vice President of Loss Control for Maine Employers Mutual Insurance Company, recognizes the importance of responding to this potential safety threat (personal communication, January 7, 2004). “This report substantiates, without question, the critical nature of domestic violence and its impact on the workplace as well as the home. As a result of this study, we included a domestic violence track at our annual MEMIC Comp Summit, a symposium on significant safety and claims management issues. In response to our customers’ feedback, we intend to host domestic violence training workshops as part of our 400+ course offerings in the upcoming year.”

Figure 2. Domestic violence offenders did not report substantial difficulties with other OSH workplace behaviors such as sexual harassment, aggressive behavior, or substance abuse. Four percent reported having been in trouble at work for sexual harassment, with 12 % and 13% acknowledging trouble for aggressive behavior or substance abuse, respectively.



This is consistent with findings from the North Carolina survey of batterer intervention programs, in which 7% of respondents indicated having been in trouble for other actions including sexual harassment, substance abuse, or threatening behavior (White and Staroneck, 2003).

Mary Russell, author of the book *Confronting Abusive Beliefs*, notes “The supposed deficiency in controlling anger for many men is largely restricted to their female partners in the privacy of their own homes. In other situations and with other persons, these men are quite able to control their anger” (Russell, 1995, p.5). The Maine research supports this analysis, and suggests that domestic abuse offenders will not necessarily present themselves as difficult and “out of control” employees. In fact, thirty-nine percent (39%) of the men in this sample reported that they were in a supervisory position.

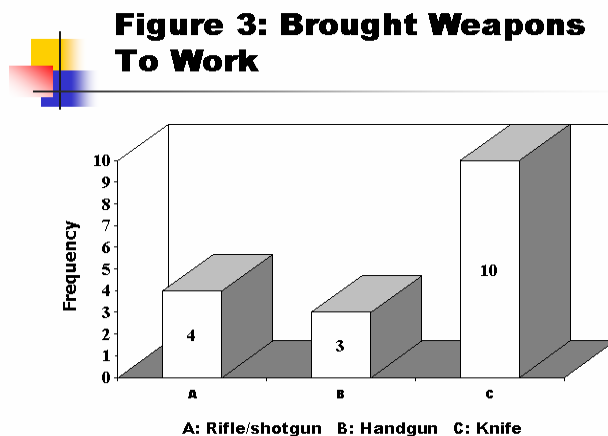
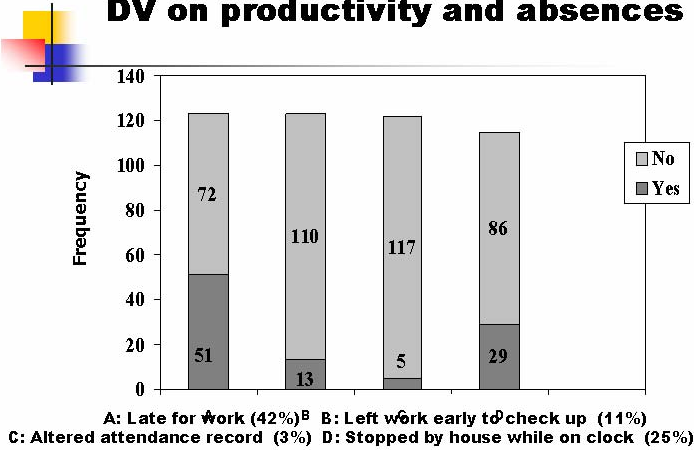


Figure 3. Domestic abuse offenders were asked, “Have you ever brought a weapon to work? If yes, what kind?” Four reported a rifle or shotgun, three a handgun, and ten brought knives to their place of employment. A follow-up question regarding weapons kept in vehicles at work reflected similar data (3, 3, and 9, respectively.)

While these numbers represent a very small percentage of our sample, they are significant with respect to workplace safety and health and the potential for serious employee injury.

Domestic violence and weapons. Employers should be concerned about weapons in the hands of domestic abuse offenders. In an analysis of 2001 national homicide data, the Violence Policy Center found that firearms were the most common murder weapon for 2001 homicides of women; 61% of these women were killed by male intimates (Brock and Newth, 2003). In cases where both the abuser and victim are employed together, access to weapons may dramatically increase the danger to the victim. According to Jacquelyn Campbell et al in the report on *Risk Factors for Femicide in Abusive Relationships: Results From A Multisite Case Control Study* (2003), the risk of intimate partner homicide increased over five times with access to firearms as opposed to instances where there were no weapons. A 1992 article in the *Journal of the American Medical Association* reported that the risk of death in a domestic violence assault is twelve times greater when guns are involved than when they are not (Saltzman, Mercy, O’Carroll, Rosenberg, and Rhodes, 1992). Finally, workplace homicide was the leading cause of death for working women in 2002, according to the U.S. Department of Labor Bureau of Labor Statistics (Census of Fatal Occupational Injuries, 2002).

Figure 4: Self-reported impact of DV on productivity and absences



Impact of Domestic Abuse on Productivity and Absenteeism

Figure 4. Over four out of ten offenders reported being late to work as a result of their behavior at home, while eleven percent left work early to check up on their intimate partner. Three percent of the men altered an attendance record in order to cover up the fact that they weren't at work when scheduled; over a quarter of the sample stopped by the intimate partner's house while still on the clock.

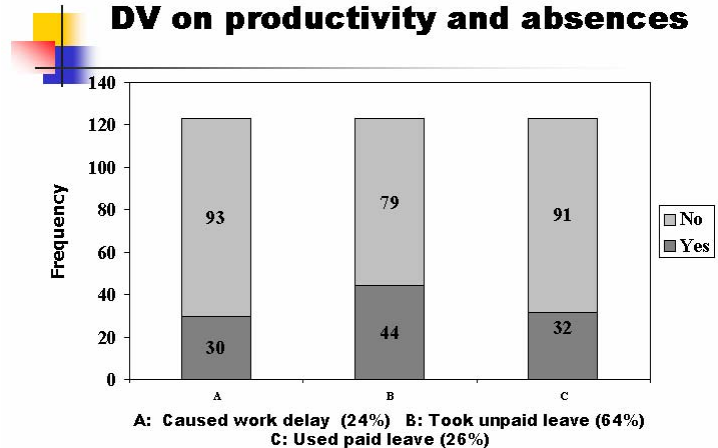
Implications for work attendance. A domestic abuse offender may consider one of his primary “jobs” to be keeping tabs on his partner’s activities. Thus, reporting to one’s paid work creates conflict and difficult choices. Going to and staying at work might mean real or perceived relationship risks the abuser is not willing to expose himself to. The victim may use the time to safety plan, move out of their shared home, or contact law enforcement officials. She may also do nothing, but his *perception* of her activities is nonetheless threatening.

One union worker noted that keeping tabs on his wife meant continuous difficulty with job performance issues. He talked about wanting to keep an eye on her, and how much easier it was to accomplish this by staying home rather than reporting to work. In one occurrence, his late arrival to a union job kept a large work crew idle for three hours, costing the employer over \$1000 in lost productivity. This type of behavior was consistent with reported actions of other offenders, such as leaving work early to check up on her or stopping by the house while still punched in.

Employers face additional concerns when domestic abuse offenders falsify attendance records to conceal lost work time, or engage co-workers in covering up for them. While only three percent of the men in this sample acknowledged misrepresenting their weekly hours, one man had the active support of a supervisor in deceiving the employer regarding actual time worked.

Figure 5. In addition to attendance issues, domestic abuse offenders caused work project delays due to their inability to concentrate and/or remain on the job. Almost one quarter of participants reported causing a work delay or mishap. Sixty-four percent took unpaid leave to deal with the consequences of their domestic abuse activities, while 26% used their employer’s paid leave time.

Figure 5: Self-reported impact of DV on productivity and absences



Costly errors and productivity issues. Regardless of occupation, offenders made mistakes when distracted by their desire to control their intimate partner. One man noted that his difficulty concentrating resulted in a costly error to his employer when he mistakenly left an entire page out of an important document, ran several hundred thousand copies, and delivered them to the client. Another man talked about producing two fewer work orders per day when he was having difficulty concentrating. In one case, he did the entire work order incorrectly.

Other narratives include the following:

- Always thinking about partner so staying focused on the job was difficult
- Too distracted and upset to work effectively
- Frustrated, couldn’t keep his mind on what he was doing
- Hard to concentrate on highly risky job
- Work wouldn’t get done because mind was elsewhere
- Usually ended up with shortage in cash drawer
- Harder to keep up sales quota because he was preoccupied
- Installation jobs not completed because foreman was out due to domestic abuse

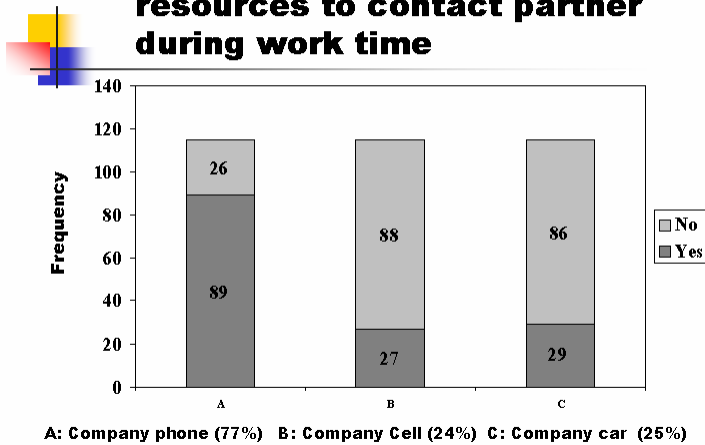
Given that law enforcement and court systems increasingly view domestic abuse as serious behavior that merits arrest, it’s logical that offenders would be distracted or physically absent as they deal with the criminal consequences of their actions. In Maine, sentences for misdemeanor domestic abuse convictions are likely to include 48 weeks of batterer intervention classes, two years of probation, and jail time or suspended sentence; in cases where alcohol was a factor, substance abuse classes may be court-ordered as well. Sentences for felony domestic abuse convictions generally involve more jail time and longer periods of probation. The amount of jail time depends upon the seriousness of the crime and the defendant's criminal history, and could be weeks, months, or years.

The potential for workplace impact continues during the probation period, as probationers adhere to standards of behavior such as attendance at mandated classes and regular reporting to the probation officer. Probation violations in both misdemeanor and felony cases lead to additional periods of incarceration.

Finally, the partner could exercise her ultimate sanction – leaving the relationship. This loss of control may lead to increased willingness to violate the law as the abuser attempts to re-establish authority over the victim. A 1998 U.S. Department of Justice publication stated that 43% of women who reported being stalked by their intimate partner said the stalking began when they left the relationship (U.S. Department of Justice, 1998). In a recent study, research also shows that homicide risk increased nine-fold when a highly controlling abuser and his intimate partner separated (Campbell et al, 2003).

Employer impact from separation. Forty-eight percent of the men reported that the partner left or attempted to leave while they were employed, with 43% saying her leaving affected their job performance. Fifty-three percent (53%) noted it was harder to concentrate, and 21% took more time off from work during that time. It’s noteworthy that 62% percent of the offenders in this sample had been served with a protection from abuse order [Figure 8], and 21% violated a no-contact order (protection order, bail conditions, or probation conditions) by contacting the victim at her place of employment [Figure 13]).

Figure 6: Use of company resources to contact partner during work time

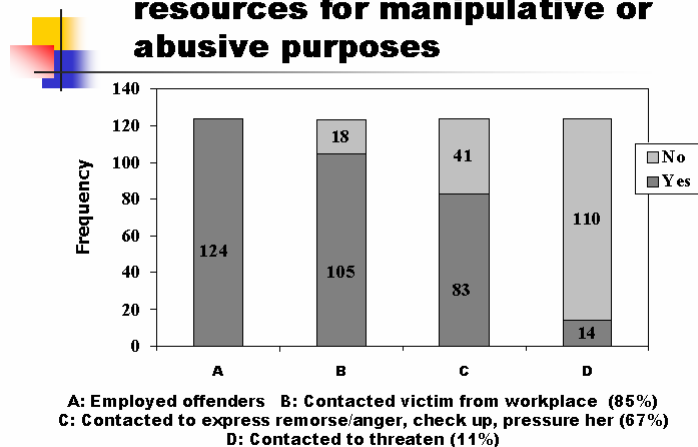


Impact of Domestic Abuse on Misuse of Company Resources

Figures 6 and 7. Participants in this study had significant access to company resources such as telephones, cell phones, and cars. Over three-quarters used the company phone to contact the victim during work time, with close to one quarter using a company cell phone, and twenty-five percent using the company car to drive to the house during work hours.

Domestic abuse offenders were likely to use work time and workplace resources to contact the victim for manipulative and abusive purposes. Of 124 employed offenders, 85% were contacting the victim from the workplace, with over 75% contacting at least once to express anger or remorse, check up on her, confirm her whereabouts, pressure her, or in some cases, to threaten. Eighty-five percent reported that they called to tell her “I love you.”

Figure 7: Use of company resources for manipulative or abusive purposes

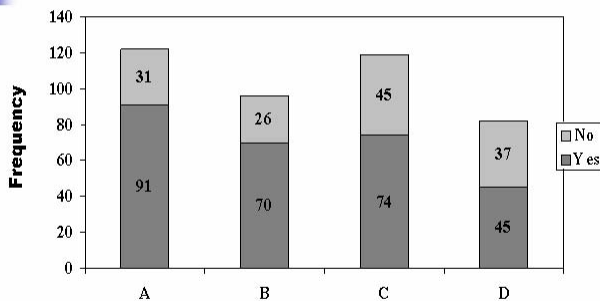


In one case, an employee used the business phone to make almost 200 phone calls to his victim in one month. Because the employer’s policy included monitoring phone records, the supervisor was cognizant of the behavior and the employee was disciplined.

The men’s use of workplace resources to manipulate and intimidate their partners is in keeping with the overall pattern of power and control abusers exercise in a relationship. This behavior may have a significant impact on employers. An obvious concern is theft of company time to conduct personal business. In addition, excessive use of limited telephone lines may prevent the business from receiving incoming calls from potential customers and clients. Employers must also consider the possibility that use of company resources to commit criminal acts from the workplace could adversely influence the way current and potential customers view the company.

Douglas Nadeau (personal communication, January 5, 2003) of State Farm’s Public Relations Division noted a number of concerns for employers whose workers are using company vehicles for illegitimate purposes. Generally speaking, insurance companies will not cover losses if it can be proven they were incurred because of an intentional act. In addition to the potential losses from non-covered accidents, businesses would sustain costs due to vehicle maintenance and mileage while the offender is pursuing activities (such as looking for the victim) outside of his normal work route. Finally, Nadeau mentioned that accident investigations would include queries about whether the driver was working for the business at the time, and that any injuries the worker receives could result in a worker’s compensation claim.

Figure 8: Employer awareness of DV arrests and protection orders



**A: DV Arrest while employed (75%) B: Supervisor aware of arrest (73%)
C: Protection order served (62%) D: Supervisor aware of order (55%)**

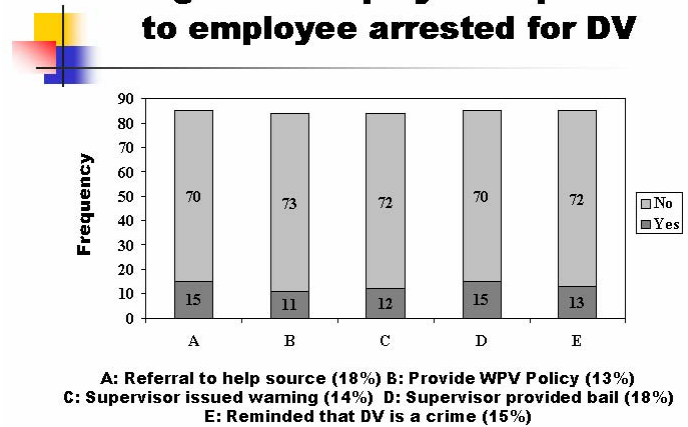
Employer Responses to Domestic Abuse Offenders

Figure 8. Domestic abuse offenders were frequently arrested, with three-quarters of the men reporting arrest during the time they were employed. Of those men, 73% reported that their supervisors were aware of the arrest. Likewise, many offenders were served with protection from abuse orders forbidding contact with the victim (62%); supervisors were also aware of these orders, although to a lesser degree than arrests (55%).

Figure 9. Supervisory knowledge of domestic abuse arrest did not appear to translate into employer action. Eighteen percent of supervisors responded by referring the employee to a help source, with 13% referencing the company's workplace violence policy, 14% issuing a warning to the employee, and 15% reminding the employee that domestic abuse is a crime.

Eighteen percent of the supervisors provided bail money (directly or indirectly) to assist the offender in getting out of jail.

Figure 9: Employer responses to employee arrested for DV



Men's narratives of their supervisors' responses included the following examples:

- It was all a big joke to supervisor
- Supervisor told me to stay away from her
- Bailed me out
- Provided name of lawyer
- Supervisor had domestic violence history and sympathized
- Supervisor said he would send abuser two tickets to another country where the employee could kill her if he wanted to
- Supervisor clocked worker in to cover for his absences
- Supervisor thought it was funny
- Supervisor told employee to leave work and return when things were settled
- Supervisor gave personal support
- Supervisor told employee he needed to take care of things because he has a family and children
- Supervisor warned him not to be in newspaper
- Employee said he wanted supervisor to guide him, not agree with him
- Employee was grateful to strict supervisor who forced him to get counseling

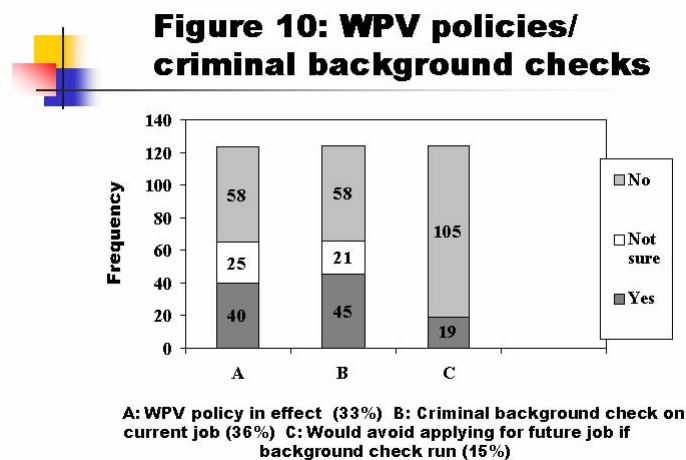
Need for resources. Domestic violence is emerging as a recognized workplace issue, and institutionalized responses are growing through the efforts of groups such as the Corporate Alliance to End Partner Violence, the Family Violence Prevention Fund, and Employers Against Domestic Violence. In the U.S. Attorney General's Report to Congress: Workplace Responses to Violence Against Women (Draft), author Beverly Younger Urban, Ph.D., reviewed available research on the subject, revealing that most studies have reported on the workplace impacts and responses to victims (Urban, 2003). With no protocol in place to offer employers guidance on offenders, supervisor responses in this study ranged from active collusion to termination.

Employee Assistance Programs, a potential source of expertise, appear to have dedicated minimal resources to the specific issue of domestic violence in the recent past. A review of 143 articles from the Journal of Employee Assistance revealed only one article on domestic violence between 2000-2001 (International Employee Assistance Professionals Association). Eighty-three percent of EAP providers in one study, however, had dealt with specific domestic abuse scenarios during one year, including an employee with a restraining order (Isaac, 1997).

Additionally, domestic abuse is a complicated issue historically viewed as a private family matter rather than as criminal behavior. This belief, and the accompanying discomfort many experience when discussing family violence, may prevent employers from launching a policy-driven response. Research shows, however, that comprehensive planning can have an impact. Beverly Younger Urban, Ph.D. noted how domestic violence training affected supervisors and employees in three different case studies. Following training at Harman International’s U.S. facilities, 98% of employees and managers were more aware of what to do if there was a threat of domestic violence at work. A University of Illinois study with an anonymous foundation revealed that employees and managers learned domestic abuse awareness concepts through training and retained them over a year. UPS supervisors also reported positive outcomes, with 39% saying they felt comfortable talking to employees about domestic abuse following training (Urban, 2003).

Figure 10. One-third of offenders in the sample reported that their business had a workplace violence policy in effect, while twenty percent were not sure. Nearly half indicated there was no workplace violence policy in effect at their place of employment.

Fifteen percent of respondents said they would avoid applying for a job if a criminal background check were run. A reasonable interpretation indicates the majority of these offenders are not alarmed by the likelihood that potential employers will discover their domestic violence history. Slightly more than one-third noted that a background check had been run for their current position.



Policy development. Workplace violence policies that emphasize a safe, respectful, and quality work environment are important tools for employers concerned about domestic abuse and the workplace. They identify intimidating and threatening behaviors, establish guidelines for the reporting of incidents, determine threat and emergency procedures for staff, and document the employer’s commitment to consequences for violations. Statements regarding domestic abuse may be incorporated under the umbrella of the workplace violence plan or as stand-alone policies with an emphasis on supporting victims and holding abusers accountable.

Although attention to workplace violence has increased in recent years, business practice regarding written policies appears to be inconsistent. Of 299 respondents in a survey distributed by the members of the American Society of Safety Engineers in the fall of 1998, 62% indicated their organization had a written policy regarding workplace violence (Sullivan and Unks, 1999). A broader analysis of collective bargaining agreements covering millions of employees reveals a different picture, however. Research by Gray, Myers and Myers shows that of 1168 agreements expiring between 1997 and 2007, only 14 contained one or more provisions on workplace violence, with 5.2 million employees covered (Gray, Myers, and Myers, 1999).

Background checks. Criminal background checks offer another tool for employers to prevent workplace violence and its potential liability. In order for checks to be effective, however, employers must understand the implications of domestic abuse arrests, violations of court orders such as bail conditions and protection orders, and stalking behaviors. For example, serial domestic abusers may present particular concerns to employers. Adams’ study (as cited in the Massachusetts Governor’s Commission on Domestic Violence 2001 Fact Sheet) revealed that nearly 25% of domestic abuse offenders abused more than one woman; some perpetrators had as many as eight victims, based on an analysis of restraining orders. Businesses implementing successful, comprehensive background checks may reduce lost work time and other related problems by screening out such applicants.

Furthermore, employers should be mindful of negligent hiring and retention tort claims that may result from hiring employees who then commit harmful acts in the workplace. According to the Family Violence Prevention Fund, “Some courts have held companies liable when they knew or should have known that the employee might commit a violent act or when they could foresee that the employee, through his employment, would create a risk of danger” (FVPPF, 1998, p.131).

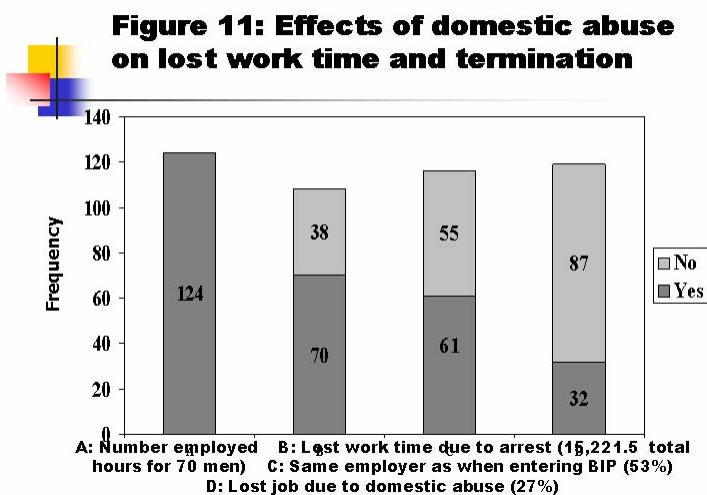


Figure 11. Seventy respondents in the sample reported losing work time due to their arrest for domestic abuse. Lost work time totaled 15,222 hours, and ranged from one hour to 42 weeks. The men reported varying responses to their arrests, from a speedy bail to lengthy incarceration. The majority of the men (79%) lost work time that ranged from one hour to five weeks. Twenty-one percent of the 108 who responded lost 83% of the work time, from six to forty-two weeks.

Fifty-three percent (53%) of respondents reported that they were still working for the same employer as when they began domestic abuse classes. Twenty-seven percent (27%) believed they had lost a job due to domestic abuse within the last five years.

Costs of absenteeism and turnover. Employees reporting to work do not leave their problems at the door. A number of research studies indicate a connection between lost work time and employee problems such as chronic pain (Stewart, Ricci, Chee, Morganstein, Lipton, 2003), disability (Work Loss Data Institute, 2002), and legal issues (Kahn, 2003).

Domestic abuse is no exception, and the cost to business is significant. Maine employers of the men in this sample forfeited approximately \$200,000 in lost work time due to their domestic abuse arrests, and this figure only accounts for the time itself. Not calculated are the potential costs of lost business due to the employee’s absence, costs of hiring temporary workers to replace him, and intangible costs incurred when other employees are affected.

When domestic abuse offenders are fired, their employers face significant turnover costs as well. In a recent article, The Center for Community Economic Development, University of Wisconsin Extension, identified four major categories of employer costs related to separation. These include dollars spent on administration functions, vacancy costs such as overtime for remaining employees, replacement spending for advertising and interviewing, and new employee training costs (Pinkovitz, Moskal, and Green, 2001).

To minimize these effects, employers must determine effective practices for safely and accountably responding to domestic abuse offenders in the workplace, with an emphasis on prevention strategies and referrals to community resources.

Impact on Employed Partner’s Workplace

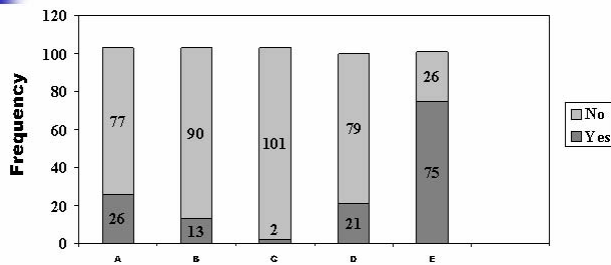
Figure 12. One hundred men in this sample reported their intimate partners were employed during the same period the offender was employed. Over two-thirds of those men (69%) reported having a no-contact order in place prohibiting them from contacting the partner at her workplace. (No contact orders may have included protection from abuse or restraining orders, bail conditions, or probation conditions.) Twenty-one percent of the offenders in this study violated that order by contacting her at her workplace.

Figure 12: Self-reported impact on partner’s workplace



Four percent (4%) of offenders also reported that the intimate partner’s employer had imposed a protection from harassment order on them, prohibiting the offender from coming onto the employer’s property. Thirteen percent (13%) reported preventing her from working, or causing difficulty at the workplace by showing up, calling frequently, or upsetting her during working hours (25%).

Figure 13: Self-reported impact on partner's workplace



A: Caused difficulty at workplace (25%) B: Caused her to be disciplined (13%)
 C: Caused her to be fired (2%) D: Contacted at workplace in violation of no-contact order (21%) E: Easy access to partner's workplace (74%)

Figure 13. The men also reported using a variety of tactics to undermine her employment by making her look bad to her co-workers and supervisor (8%), or preventing her from working (13%). Thirteen percent (13%) of offenders reported that their behavior resulted in disciplinary action against her; two percent (2%) reported creating problems that resulted in the termination of her employment. Three-quarters said they had easy access to their partner's workplace.

The men's narratives regarding tactics against their partner at work included the following:

- Assaulted her in workplace parking lot
- Prevented her from working by taking keys
- Made a scene at her workplace and confronted her in parking lot
- Made her late for work by arguing
- Purposely got her fired
- Prevented her from going to work
- Created difficulty so she was threatened with losing her job if she did not take care of the problem
- They were co-workers, and he was in a supervisory position over her

Consequences for employed victims and survivors. These admissions are consistent with available research on how domestic violence affects victims and survivors at work. Anecdotal evidence from domestic violence advocates in Maine indicates that victims of domestic abuse sometimes report severe job consequences from their abuser's harassment at work. In one recent Maine case, an employee's supervisor placed her in grave danger by not only allowing the abuser to remain on the employer's premises, but also insisting that they move their "argument" to a private room on-site. She was subsequently assaulted and had to receive medical treatment for injuries sustained in the attack, including a broken nose. Furthermore, this employee was terminated when she returned to work.

One Maine survivor was willing to share her personal story for the purposes of this report.

Without a doubt my husband's abuse had a profound impact on my working life. My ex-husband harassed me constantly at work, calling sometimes upwards of once an hour. I could not simply ignore the calls, even though my phone has caller ID, because I feared the repercussions of not answering the phone or, if I had been on another line or away from my desk, of not returning the call immediately. He would usually wait only 5, sometimes 10 minutes before calling again, and the second message would be less pleasant; then he'd wait even less time and leave an increasingly hostile message, and so on, so I felt compelled to answer or call back

immediately to avoid the escalation. He would often keep me on the phone for extended periods of time by threatening me if I hung up the phone; usually these were arguments and because I could not get him off the line or simply sit in silence (again, because of threats if I did not respond to his statements), I was forced to argue in a cubicle environment. This was extremely humiliating, because I knew my neighbors could hear what was happening and it made the situation even more stressful. I also feared getting into trouble for spending too much time on the phone with personal calls, but because I feared his retribution more, I was forced to choose the lesser of two evils, while continuing to worry about my job security.

My ex also made it hard to get to work on time. He would frequently pressure me for sex in the morning while I was trying to get ready, and he'd frame it in terms of which was more important to me: my career or my marriage. If I said no because I had to get to work he would get extremely angry and a fight would ensue (and usually would resume when I got home, after the work day had ended), so that if I ended up getting to work on time I was in a distressed state. If I said yes to avoid the punishments, I was late to work and, again, worried about my job security. Sometimes he would simply start arguments in the morning and again would become enraged if I left it unfinished to get to work; and then, of course, he would call the office incessantly and force me to continue arguing over the phone.

I could very rarely come in to work early or stay late to get things done, even when I was extremely busy, because he would become suspicious. There would be the normal accusation that my career was more important to me than my marriage, but very quickly he'd start interrogating me about why I had to put in extra time, and suggesting that work was a cover for cheating. Again, this was a strong disincentive for putting in any extra time, even when I really needed or wanted to.

Finally, he threatened several times during arguments over the phone that he would come and cause a scene at work if I did not acquiesce to his demands. This was a certain way to guarantee that I would give in, no matter what, because to protect my job and what dignity I felt I had left here, I was not willing to risk his coming in and disrupting my workplace—something I knew he was capable of, and which I also knew would be frowned upon by management AND gossiped about widely across the whole company. Finally, one week prior to the finalization of the divorce, when he had made some very convincing threats against me, I had to involve my team leader and HR. Their responses were very supportive and helpful, but it was painfully humiliating, and despite assurances that it would not reflect upon me as an employee, I felt sure that it very well might—and to this day I wonder if it did, or still does.

With regard to how to handle abusers in the workplace, I think there should be a policy on this behavior just as most companies have policies about illegal drug use, or alcohol use/abuse. If a person can be disciplined or dismissed for smoking a joint, there should be at least as serious a response to evidence that an employee is threatening, stalking, or battering a partner. Certainly the use of company resources to commit abuse/stalking/harassment, the violation of a restraining order, or an arrest should be sufficient for discipline.

This woman’s story is consistent with findings from the offenders, especially regarding repeated phone calls. The men were asked “At times that you were not able to reach your partner by phone or e-mail, what was your response?” Forty-three percent (43%) reported being frustrated and 25% reported anger. Over half, (54%), said they tried to call her back within the next few minutes, and 24% said they made repeated phone calls to reach her. Eight percent (8%) reported leaving work to go check up on her if they were unable to reach her.

Quantitative data gathered over the past sixteen years supports many survivors’ workplace stories. Reports from 7000 abused women who completed the The Body Shop street survey showed that 40% arrived late to work, 34% missed work, and 37% said domestic violence impacted their job performance (1997). Research published in *Violence and Victims* showed 85% of employed abused women reported missing work, with 52% reporting being fired as a result of the abuse (Riger, Ahrens, and Blickenstaff, 2000).

As part of its Workplace Violence Surveillance Initiative, the Maine Department of Labor is proceeding with plans to study the impact of domestic abuse on employed abused women in 2004.

Figure 14: Offenders’ opinions of workplace responses to domestic abuse

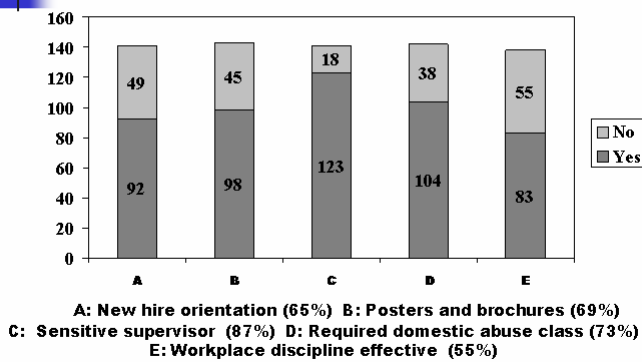


Figure 14. Domestic abuse offenders reported they believe that employers have a role to play in responding to domestic abuse. About two-thirds (65%) thought that discussing family violence and related policies at new hire orientation would have created positive changes in their behavior. Sixty-nine percent (69%) agreed that posters and brochures with the messages “domestic abuse is against the law” and “help is available” would also have created positive changes. Eighty-seven percent (87%) thought having a supervisor who was willing to discuss the employee’s problem in a sensitive way, as

well as refer to community resources, was useful. Almost three-quarters (73%) believed it would create positive changes if employers required a convicted DV offender to enroll in a domestic abuse class to maintain his employment. In general, 55% believed that workplace discipline is an effective way to get workers to change their personal behavior.

Significant social change requires the efforts of many of society's institutions — government, education, faith, criminal justice, medical, and business communities, to name a few. In the last fifty years, for example, societal response to alcohol abuse has grown from industrialized alcoholism programs through employers (the precursor to today's EAPs) to grassroots movements such as Mothers Against Drunk Drivers. Faith community outreach, designated drivers, and dedicated drug courts have also played a role. In the same way, employers can have a significant impact as responders through policy development, training, and referral to community resources.

Study Strengths.

The survey was designed to gather both quantitative and qualitative data. The one-on-one interview format allowed for participation by everyone who wished to volunteer, including men who had limited written English proficiency. The survey took approximately thirty minutes to complete, allowing the participant to establish a comfort level with the interviewer. The questionnaire was detailed relative to previous studies and was more helpful in that it broke down specific effects in the workplace. Even with that detail and the fact that it was administered in an interview format, the response of 152 is higher than in other surveys. If we can assume that the sample is representative of the 350 combined program participants, then the sample would yield a maximum response error of approximately plus or minus 6% which, while high, is respectable for what was intended as a pilot study, with a total of 152 participants. The majority of data was gathered from the 124 offenders who were employed (as opposed to unemployed or self-employed).

Offenders in this study were assured of anonymity through the informed consent process, which may have contributed to the men's willingness to provide frank and honest responses. Volunteer interviewers received a 90-minute training on the use of the survey tool prior to beginning their interviews.

The survey, protocols, and volunteer training were prepared by a qualified panel including MDOL researchers, Batterer Intervention Project (BIP) Program Directors, a domestic violence workplace education specialist, and the director of the domestic violence coordinated community response project for Cumberland County. Support was solicited and provided from Emily Rothman (EADV study, Massachusetts), and Leslie Staroneck (North Carolina survey of batterer intervention program participants). The Maine Department of Corrections also provided assistance.

Study Limitations.

The data collected was based on interviews with participants from four BIP programs in two Maine counties (Cumberland and Kennebec) and, therefore, is not representative of the participants in other BIP programs statewide, nor is it representative of all domestic violence offenders. Biases may be introduced by self-selection of the BIP participants, and the validity of the data is dependent on the frankness of the interviewees. The possibility for both under-reporting and exaggeration of behavior exists.

The two counties' BIP programs operate using different educational models. The Kennebec County offenders are encouraged to discuss their own case histories as a tool for personal change, as well as explore social, political, and economic factors that lead to violence against women. The model practiced in Cumberland County discourages discussions of individual cases and focuses solely on social, political, and economic factors that lead to violence against women. It is unclear what, if any, effects these educational programs had on participants' reporting. There was a statistically significant variation present between the two models on three questions — did you ever contact her to pressure her, contact using a personal cell phone, or stop by the house while on the clock — with the Kennebec County participants reporting fewer positive responses than expected at a 95% confidence rate. On the question of contact to threaten, Kennebec County reported fewer positive responses than expected at a 90% confidence rate. This is a small but intriguing variation that would be interesting to explore in further studies.

Another limitation was the survey itself. It was lengthy, and flaws were discovered after the onset of the interviews. Questions and sections of the survey were sometimes repetitive or wordy. Because of reliance on trained volunteer interviewers, there was potential for inconsistency in the interview process.

Recommendations.

There is an existing body of knowledge regarding workplace violence in general, domestic violence in the workplace, and strategies for addressing both issues. Less is known about the efficacy of such strategies. In 2002, the U.S. Center for Disease Control and National Institute for Occupational Safety and Health (NIOSH) awarded five grants to fund research for the prevention of workplace violence, four of which will measure effectiveness of workplace interventions (NIOSH update, 2003). The completion of these studies will provide a more detailed picture of effective prevention and intervention strategies.

Because research on domestic abuse offenders and the workplace is still in its infancy, even less is known about effective responses. What is clear, however, is that the developing framework that guides strategies for abusers must include expertise from the domestic violence advocacy community, with particular attention paid to the potential for unintended consequences that could further harm victims and survivors.

Random dismissal of domestic violence offenders is an example. Several studies have indicated that unemployed male abusers pose a particular risk to the women they partner with. Campbell et al found that unemployment of the batterer was the greatest homicide risk factor for abused women in a study involving 500 victims of femicide or attempted femicide (2003). A recent publication from the National Institute of Justice Special Report on batterer intervention programs showed that "...offenders' employment... demonstrated a strong tendency to relate to victims' reports of severe physical violence. Women involved with, but not married to, younger jobless men were more likely to report incidents of severe physical violence" (U.S. Department of Justice, 2003, p.10).

In addition, an alternative sanctions project evaluation in Polk County, Iowa found that a domestic violence offender's jobless status when he entered a BIP was a key risk factor for both domestic violence and non-domestic re-arrest (Polk County BEP Project Executive Summary, N.D.).

Considering these findings and the implications for women's safety, special care must be taken to create community and employment strategies that balance the needs and safety of the workplace with the needs and safety of victims and survivors of domestic violence. Employers, unions, advocates, researchers, and the criminal justice system must work closely together on both a national and local level to determine best practices and disseminate them widely to employers.

Finally, it should be noted that responses to domestic violence offenders have historically been problematic, especially regarding expectations of changed behavior. Rigorous evaluations of batterer intervention programs, the preferred course of criminal justice action in recent years, have found they produce little or no reduction in battering (U.S. Department of Justice, 2003), although research continues. In response, public policy leans heavily toward providing services and support for the victims and survivors of domestic violence, with continued community efforts regarding accountability for their offenders.

In the end, employers could find that the greatest impact on workplace safety may emerge from vigilant attention to support for those who are abused. Creating a culture that provides a non-judgmental approach, comprehensive policies, training, and safety planning may empower those who are hurt at home to seek help at a most logical place — the workplace.

To accomplish this, the Maine Department of Labor and Family Crisis Services recommend the following:

- ▶ Implement a comprehensive workplace violence program that addresses the four types of potential workplace violence including criminal intent, customer/client, worker-on-worker, and personal relationship. For more information on resources, contact your state Department of Labor or visit the Occupational Safety and Health Administration Web site at www.osha.gov. (See Appendix A for Best Practices).

- ▶ As part of the overall workplace violence program, develop a comprehensive domestic violence policy and response within your business/organization. **Your domestic violence policy should emphasize safety, flexibility, and options for those who are abused, and procedures to hold abusers accountable including progressive discipline up to and including termination.** For quality control and safety purposes, be sure your response plan is guided by experts from your statewide domestic violence coalition or local domestic violence project.

Strategies regarding pre-employment practices:

- *Institute pre-employment procedures such as background checks to determine applicants' criminal history.*
- *Contact your local domestic violence project for help in assessing domestic violence criminal history (convictions, violation of protection orders, and violation of court orders such as bail conditions, etc.)*

Strategies regarding domestic abuse offenders and workplace occupational safety and health:

- *Train all supervisors and managers to recognize signs that an employee may be perpetrating domestic abuse.*
- *Train safety managers and loss prevention specialists on domestic violence, domestic abuse offenders, and the implications for occupational safety and health.*
- *Expand scope of accident investigations to include questions about concentration difficulties; use accidents and near misses as opportunities for referrals to local resources.*
- *Add domestic violence information to existing safety curricula such as new employee safety orientations, electronic training tools, safety checklists, and safety audit procedures.*
- *Incorporate domestic violence training into existing safety meetings.*
- *Investigate free domestic violence safety trainings offered through your state Department of Labor, professional safety or loss prevention associations, non-profit safety organizations, or workers' compensation insurers.*

- *Encourage unions to implement safety procedures specific to domestic violence and occupational safety and health.*
- *In company policies, include the prohibition of weapons on company property.*
- *Develop protocols for the domestic violence arrests of employees who carry weapons as part of their job function.*
- *Encourage all employees to recognize when personal conditions may prevent concentration, particularly for dangerous jobs.*

Strategies for addressing the inappropriate use of company resources

- *Create and maintain a respectful workplace culture.*
- *Maintain clear policies and communications regarding discipline for inappropriate use of workplace resources, and encourage reporting of such behavior.*
- *Maintain policies regarding the monitoring of e-mail, telephone, and vehicle usage.*
- *Enforce policies consistently with all employees, including disciplinary actions for inappropriate behavior.*
- *Work with law enforcement in active domestic abuse investigations and retain employee-generated communications that may be used to prosecute domestic abuse offenses.*
- *When implementing progressive discipline, consider re-assignment of job duties that removes the abuser's access to resources such as company vehicles, e-mail, or cell phones.*

Strategies to address employees arrested for domestic abuse

- *Do not bail the offender out of jail, directly or indirectly (by providing resources).*
- *Maintain a respectful approach to the offender and the victim when she/he is referenced in discussion.*
- *Refer employee to community resources, especially a batterer intervention project that is monitored by the local domestic violence project.*
- *Remind employee that domestic abuse is against the law.*
- *Enforce existing disciplinary procedures.*
- *Respond to victim-blaming that may occur between co-workers as a result of arrest.*
- *Communicate performance expectations including those regarding lost work time.*
- *Be alert to inappropriate use of workplace resources.*
- *Consider mandating a batterer intervention program as a condition of continued employment, and if so, work closely with BIP to ensure offender meets accountability standards.*
- *Create and utilize safety protocols for disciplinary and dismissal procedures for offenders (contact Jean Haertl, Executive Director, Employers Against Domestic Violence. eadv@comcast.net)*

Five supervisor messages to domestic violence offenders

- *Domestic violence is against the law.*
- *It affects what you do at work, your co-workers, and how our business is viewed by others.*
- *As an employee, you represent our company. This affects our bottom line— and it affects you too.*
- *There are community resources available.*
- *There's no excuse for domestic abuse.*

Resources.

Maine Resources:

Maine Coalition to End Domestic Violence — (207) 941-1194; email: info@mcedv.org; website: www.mcedv.org

Maine Employers Against Domestic Violence — (207) 941-1194; email: info@mcedv.org; website: www.mcedv.org

National Resources:

Family Violence Prevention Fund National Workplace Resource Center on Domestic Violence (California) — (415) 252-8900; email: info@endabuse.org; website: www.endabuse.org

Corporate Alliance to End Partner Violence (Colorado) — (309) 664-0667; email: caepv@caepv.org; website: www.caepv.org

Employers Against Domestic Violence (Massachusetts) — (508) 877-4560; email: eadv@comcast.net.

American Bar Association Commission on Domestic Violence — (202) 662 – 1000; email: abasvctr@abanet.org; website: www.abanet.org/domviol/

To locate your statewide domestic violence coalition or the domestic violence project nearest you, call 1-800-END-ABUSE.

Acknowledgements

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Most importantly, over forty volunteers agreed to interview domestic violence offenders in order to complete the surveys. In addition to time spent interviewing offenders, the study volunteers participated in an interview training process to ensure uniformity, safety, confidentiality and informed consent. Without the following volunteers, this study would not have been possible:

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Elaine Swift, *Maine DOL Career Center*
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Donna Mann, *Menswork*
Sara Stetson, *Menswork*
Bob Fowler, *Menswork*
Virginia Jewell-Brooks, *Menswork*
Theresa Chiofi, *Menswork*
Bonnie Hardwick, *Menswork*
Sara Stetson, *Menswork*
Tom Godfrey, *Maine Primary Care Association*
Pam Waite, *Maine Attorney General's Office*
Laura Fortman, *Maine Commissioner of Labor, formerly Maine Women's Lobby*
Lois Galgay Reckitt, *Family Crisis Services*
John Rioux, *Maine Department of Labor*
Kim Lim, *Maine Department of Labor*
Polly Campbell, *Maine Attorney General's Office*
Bruce Gove, *Sales Consultant*
Tanya Despina, *City of Portland*
Steve Neal, *City of Portland*
Shawn Lagrega, *Maine Pretrial Services*
Elizabeth Simoni, *Maine Pretrial Services*

Jerry Grondin, *Abuser Education Program*
Kiersten Littlefield, *Opportunity for Change*
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Maine Employers Against Domestic Violence

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Appendix A: Best Practices for Domestic Violence & the Workplace

I. Develop a working relationship with your local domestic abuse project.

The local domestic abuse project offers the following services:

- Crisis intervention, advocacy, and safety planning for victims of domestic abuse;
- Consultation and training for employers on workplace responses; and
- Domestic abuse education for community members and organizations.

II. Create a domestic abuse response team within your organization.

Include representatives from a variety of departments, such as

- Human Resources
- Loss Prevention/Security
- Employees/Associates
- Public Relations
- Legal Department
- Employee Assistance Program
- Union Representative (if applicable)

II. Provide your response team with a comprehensive domestic violence training delivered by your local domestic abuse project. Training will assist team in

- Identifying signs of employees living with abuse;
- Reviewing workplace impact through case studies;
- Recommending appropriate outreach to those in need; and
- Identifying internal and external resources for the team, employees, and organization.

III. Through your response team, develop and roll out a Corporate Non-Violence Policy Statement that says:

- We will provide a workplace free of threats, fear, and violence;
- We will respond and react to threats and potential violence; and
- We will support our employees to access resources to free themselves from violent and abusive situations.

IV. Define the roles of Managers and Supervisors, Loss Prevention, Security, Human Resources, EAP, and other departments when domestic violence cases come forward.

- Provide training to all parties who will play key roles;
- Emphasize goal of increasing safety for abused employee;

- Create response protocols; and
- Define confidentiality ~ information to be shared on a “need to know” basis only.

V. Implement an employee awareness campaign.

- Invite advocates from local shelters to conduct “lunch and learn” sessions;
- Provide domestic violence brochures and safety cards in private locations such as restrooms;
- Post the corporate domestic violence policy;
- Offer information in employee newsletters, place hotline numbers on pay stubs, and/or send e-mail reminders about domestic abuse; and
- Create a culture of safety that encourages abused employees to come forward for assistance and resources.

VI. Emphasize what to do if someone you know is being abused.

- Ask direct questions about the situation;
- Listen without judging;
- Remind the person that they are not alone;
- Let her/him know help is available;
- Encourage her/him to talk about the abuse with their doctor and have it documented in medical records;
- Encourage her/him to call a domestic abuse hotline;
- Remind her/him that domestic abuse is a crime and to call the police; and
- Suggest the possibility of a protection from abuse order.

VII. Be an active community leader in helping to end domestic violence.

- Hold fund-raising events to support your local domestic abuse agency;
- Donate money directly to your local domestic abuse agency;
- Provide contributions of in-kind or pro bono services; and
- Share your corporate domestic abuse policy with other community leaders and encourage them to create a response plan of their own.

Resources:

Maine Coalition to End Domestic Violence, 170 Park Street, Bangor, ME 04401
(207) 941-1194 (admin. only) ■ Fax (207) 941-2327 ■ mcedv@agate.net

National Domestic Abuse Hotline: 1-800-END ABUSE. This number can assist you in locating the domestic violence project in your community.

Family Violence Prevention Fund ■ (415) 252-8900 ■ fund@fvpf.org

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