



It's Time.

**To Make Domestic
Violence Our Business**

A toolkit for employers



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About this Toolkit

Every year, millions of Americans experience domestic violence, dating violence, sexual violence, and stalking. The Center for Disease Control and Prevention reports approximately 1 in 3 women and 1 in 10 men in the United States experience rape, physical violence, and/or stalking by an intimate partner in their lifetime¹.

While many people still think of these crimes (collectively referred to as "domestic violence" throughout this handbook) as private, personal problems, they affect all of us and our communities everyday. The effects of domestic violence extend beyond the home, impinging on every aspect of a survivor's life. This is especially true for the workplace.

Domestic violence does not stop when employees come to work. Actions of people who chose to abuse partners not only create safety risks for survivors, but increase business costs and put coworkers at risk. **Domestic violence is a pattern of behavior and does not happen out of the blue or unexpectedly.**

Workplaces can diminish the effects on business by having policies and procedures in place that address domestic violence and employee safety. **A proactive approach can prevent domestic violence from entering the workplace.**

Given that workplaces vary by sector, size, culture, location, etc., there is no one-size-fits-all policy or approach to dealing with domestic violence. However, this toolkit provides information and tools to help you determine the best plan and policy for your team.

It's Our Business

Because employment can empower survivors of domestic violence through financial stability and interaction with coworkers, people who choose to abuse partners often target workplaces in an effort to create stress and instability.

The actions of abusers can cost employers financially. The Center for Disease Control and Prevention estimates survivors of domestic violence lose nearly 8 million days of paid work per year, the equivalent of more than 32,000 full-time jobs, resulting in a **\$1.8 billion loss in productivity for employers**². No business is immune.

Domestic violence costs employers through:

- Decreased employee productivity
- Increased absenteeism
- Risk to safety, not only for the person experiencing domestic violence, but also for coworkers
- Replacement, recruitment, and training costs if someone experiencing domestic violence is injured or dismissed
- Concerned and distracted coworkers
- The use of workplace resources by people who use domestic violence to threaten, harass, or abuse their current or former partner.

1 in 5 employed adults reports being a survivor of domestic violence and 83% report the abusive partner disrupted their ability to work.³ 55% of senior executives believe domestic violence hurts their business. Yet, 65% of companies do not have formal policies in place to address domestic violence at work⁴. Employers may be fearful of involving themselves in what they perceive to be employee's private matters. Yet, domestic violence spilling into the workplace appropriately becomes an employer's concern. Just as businesses take responsibility for protecting employees from assaults and robberies from outsiders, so too should it be responsible for protecting employees against domestic violence.

Know About It

An organization's response
to domestic violence
begins with raising awareness.

Defining Domestic Violence

While there is no expectation for employers to become experts on domestic violence, having a better understanding of the impact and risk domestic violence poses to workplaces can help employers create a healthier and safer work environment.

What is domestic violence?

Domestic violence is known by many other names, including: intimate partner violence, dating violence, gender-based violence, power-based personal violence, spouse abuse, battering, and more.

Domestic violence is **the purposeful and repeated use of assaultive and coercive behaviors** one partner uses to gain and maintain control over the other partner's thoughts, feelings, and actions.

While many still think of domestic violence as physical abuse, people who choose to use violence exert all sorts of tactics to instill fear, including emotional and verbal abuse, sexual abuse, financial abuse, stalking, and coercive control. Coercive control includes, but is not limited to, intimidating and threatening a partner, isolating a partner from other relationships.

All tactics of abuse must be taken seriously.

Someone may use domestic violence to control a **current or former** partner in many different kinds of relationships. It can occur in marriages, separations, dating relationships, domestic partnerships, and more.

Domestic violence occurs in opposite-sex relationships, same-sex relationships, and against people who are non-binary or transgender. Domestic violence may occur regardless of gender identity, sexual orientation, culture, religion, education, age, socioeconomic status, and ability.

Survivors

Throughout this handbook the term “survivor” is used when speaking about someone who has experienced domestic violence. Some people may use the term “victim” instead. However, some people who have experienced domestic violence reject both of these terms.

Anyone can be a survivor of domestic violence. In fact, chances are you already know someone who is or had experienced domestic violence. Survivors may be well-educated and successful. They may be outgoing, confident, energetic, and funny. No personality trait automatically protects someone from being a target of abuse.

While anyone can experience domestic violence, it is important to acknowledge that in the vast majority of cases, domestic violence is experienced by women and is perpetrated by men. Specifically, women experiencing multiple inequalities based on their identities, such as racism, ableism, homophobia, poverty, etc., are at greater risk for violence. Women in general are subject to more frequent and severe violence.

Person using violence

When speaking about a person who has used violence to gain control in a relationship we may use the term “person using violence” or “person causing harm.” These terms are chosen to remind us that domestic violence is a choice and we should remain focused on the actions of that person as the source of harm. Sometimes, the term “abusive person” may be used.

Anyone can use violence in their relationships, including perhaps, the people you least expect. People who use violence in intimate relationships take extraordinary measures to make sure others don't see the harm they are causing. To you or anyone else other than their partner, they may not seem capable of being a cruel and intimidating person.

Understanding Domestic Violence

When we have a better understanding of intimate partner violence, we can develop greater empathy for survivors, identify their many strengths, understand and trust their decisions, and help them in more supportive ways that increase, rather than decrease, safety.

Abuse is not just physical

Domestic violence isn't just about physical assault. It's about one partner amassing power to control the other partner. It's not just about what is done to the survivor, but also limitations imposed on the survivor's actions.

People use all sorts of tactics to gain control, including threatening their partner's well being or the well being of those they care about, controlling finances, cutting them off from friends and family, hurting them emotionally, lying about the abuse, and many other behaviors. A person using violence may never physically injure a survivor. However, controlling the survivor's actions and emotions is abusive. Because abuse is about more than physical harm, it may be invisible to those around the survivor, which is part of what makes these behaviors so effective.

Abuse is a choice.

Some people may blame anger, substance misuse, stress, mental illness, or family history as an excuse for causing harm to their partner. However, domestic violence is not caused by any of this or by anything the survivor does or doesn't do. Abuse is a choice made by the abuser.

Domestic violence is not mutual abuse.

Domestic violence is one-sided abuse. While both partners may have used violence (many survivors do when defending themselves), domestic violence should be understood as one person using abusive behavior to create fear and control the other partner.

To understand this and avoid the false idea that intimate partner violence is about "he said / she said," you need to look at the history of behavior from each person and consider what purpose the behaviors serve. To do this, ask yourself the following questions:

- Who is more afraid?
- Who is harmed? How badly are they harmed?
- Who is harmed more often?
- Who is changing their behavior to meet the needs and mood of the other?
- Who gains what with this behavior?

Abuse is ongoing

Domestic violence is not something that happens in a moment and then ends. It extends to all parts of a survivor's life, affecting work, school, finances, friendships, parenting, hobbies, and more. The effects of abuse continue and build on each other, creating even greater harm. Small abusive acts become a pattern of abuse. It's the ongoing nature of the abuse and the constant impact that harms survivors and creates trauma.

Abuse almost always worsens.

The purpose of abuse is to control another person's thoughts, emotions, and action. No person gives these rights up willingly or easily. Survivors constantly find ways to resist abuse and maintain control over their own lives. However, as survivors try to maintain autonomy, people who use violence seek additional and more severe ways to control the survivor by escalating their behaviors and increasing harm.

Ending the relationship is not the same as ending the abuse.

The person using violence doesn't stop behaviors when the survivor asks them to stop. Abusive behavior only stops when the person using violence chooses to stop.

Leaving the relationship rarely convinces the person using violence to stop abuse. In fact, they may see this as a reason to escalate behavior to regain control of the survivor. This is why preparing to leave or after a survivor has left the relationship **can be the time of greatest danger**. Not all survivors see leaving as an option. We should not consider it as the only solution to ending abuse.

Recognizing Domestic Violence

Every survivor experiences abuse differently and signs someone is being abused are not always obvious. However, if you notice any of the following, there may be cause for concern.

- Increased absences and sick time used
- Frequently arriving late and leaving early
- Reduced quality and quantity of work
- An inability to concentrate or make decisions
- Impaired memory or judgement
- Worry about leaving children at home
- Change in behavior or health, such as headaches, gastrointestinal issues
- Change in manner of dress
- Engaging in fewer social activities

Managers, supervisors, human resource staff, and coworkers should be trained to recognize signs. These are often consequences of an abuser using controlling tactics to isolate their partner and diminish the partner's ability to be economically self sufficient.

For example, the person causing harm may attempt to sabotage a survivor's employment by:

- Hiding a survivor's car keys, spending their transportation money, or refusing to give the survivor a ride to work
- Failing to provide childcare
- Physically restraining or assaulting the survivor before work
- Making harassing phone calls or sending excessive text messages
- Showing up unexpectedly at a survivor's workplace
- Lying to employers and coworkers about the survivor
- Damaging a survivor's or the businesses property, such as a cell phone or laptop.

It is equally important for employers to recognize signs that someone is being abusive. This may be more difficult considering most people who cause harm in relationships are masters at concealing abuse, behaving pleasantly toward people other than their partner.

A person causing harm may:

- Blame their partner for things that go wrong
- Make fun of their partner or say negative things about their partner in front of others
- Accuse their partner of doing things that hurt the children (such as having an affair or misusing substances) without any proof
- Constantly text or call their partner
- Exhibit repeated injuries such as scratches (a possible indication the survivor needed to act in self-defense) or bruised knuckles

Prevalence of Domestic Violence

- 24 people per minute (more than 1 person every 3 seconds) are victims of physical violence, rape, or stalking by an intimate partner in the US.⁵
- Women in KY experience higher rates of physical violence, rape, and stalking than the national average. KY has the highest rate of stalking in the country.⁶
- 1 in 5 employed adults reports being a survivor of domestic violence. More than half say it has affected their ability to work.⁷
- 83% of employed survivors report the abusive partner harassed them while at work.⁸
- 44% of employees who work with a survivor report experiencing the effects of domestic violence in the workplace, including concern for their own safety.⁹

Talk About It

Creating an environment where employees feel safe talking about domestic violence can help prevent it from entering the workplace.

Early Intervention & Prevention

Early intervention and prevention is key to cost-saving and better workplace safety. This begins with creating a work culture where employees feel comfortable talking about and disclosing domestic violence.

Here are a few ways to begin providing opportunities to discuss domestic violence.

- Share messages of domestic violence prevention through email
- Invite a survivor services agency to provide a company-wide training on the dynamics of domestic violence and how it affects the workplace
- Include an article about the importance of domestic violence awareness in newsletters and intranet sites
- Place resources in spaces where it's safe for survivors to pick them up, such as restrooms or breakrooms

Responding to Survivors

Understand that disclosing abuse is a tremendous act of bravery for survivors. They may fear not being believed, being blamed for abuse, or being fired.

If an employee discloses they are experiencing domestic violence, the most helpful way to respond is to start by expressing you believe them. This can be as simple as saying:

- I believe you.
- No one deserves to be abused.
- Thank you for telling me.
- I'm concerned for your safety.

It is important to be non-judgmental and avoid language indicating fault, such as asking why they don't just leave or why they put up with the abuse.

The role of the employer is **not** to deal with the abuse itself, to offer advice, to pry, or to tell the employee what they should do (e.g. leave the relationship, file for a protective order, etc.).

The role of the employer is to partner with the survivor to create safety for them as well as other employees. Survivors are the experts on their own experiences and know best what they need to be safe, but they may need your help to stay safe. Begin by asking the employee what can be done to make them safer. Examples of what creating safety can look like are provided later in this handbook under Safety Plan.

For more on responding to survivors, see [SUPPORT Survivors](#).

Supporting Survivors

Without a clear understanding of domestic violence dynamics, helping a survivor can be difficult and frustrating. They may not respond in ways a survivor “should” act. They may not explore suggested options, such as filing for a protective order or reaching out to local resources.

Survivor’s decisions are often not about courage, strength, willingness, or intelligence. They are about accessing resources and navigating the risks imposed by the person using violence. Remember, domestic violence involves one person using violence to exert control over the survivor . Therefore, it can be difficult for someone to act; or it may even be dangerous.

Support of an employee experiencing abuse should not be dependent on the level of disclosure an employee provides, whether they remain in or return to the relationship with the abusive partner, or whether they obtain a protective order.

On average it takes survivors 7–8 attempts before leaving a relationship with an abusive partner. The reasons are countless, but here are a few:

- They may be financially dependent on the person causing harm (often due to financial abuse)
- They may have assessed staying is better or safer for their children than leaving
- They may be pressured by their family or community to “try harder” to make the relationship work
- There may be complicating factors related to identity such as racism, homophobia, language barriers, disabilities, etc.
- The person using violence may have threatened the survivor
- They may have no where else to go due to the chronic lack of safe, affordable housing (domestic violence is the 3rd leading cause of homelessness)

Confidentiality Is Critical

Before employees can feel comfortable raising concerns about domestic violence, they need to know privacy will be protected. Well-meaning or even inadvertent disclosures of a survivor's experiences with domestic violence can be devastating, and may prove dangerous or fatal.

Clear and comprehensive privacy policies contribute to a workplace culture in which workers feel safe disclosing and seeking assistance. Confidentiality should be respected to the extent allowed by the law, unless to do so would result in physical harm to any person and/or jeopardize safety within the workplace.

Here are some things to consider regarding confidentiality:

- If an employer becomes aware an employee is experiencing domestic violence, information pertaining to the survivor should be limited to a "need-to-know" basis.
- Provide advanced notice to employee if disclosure must be shared with other parties in order to maintain safety in the workplace.
- If documentation is required to obtain accommodation, consider accepting the most general verification possible in order to protect privacy and safety concerns.
- Assure the worker that no information will be released to another party (outside of a court order) without their expressed and informed consent
- Consider designating a specific human resources professional or other manager to respond to all domestic violence matters including accommodations, leave, absences, and other related issues.

Holding Employees Accountable

While Kentucky does not have many laws protecting survivors in the workplace, it does have laws regarding negligent hiring, which may be used to hold employers accountable in some situations if an employee commits wrongful acts—even if those acts occur outside the scope of employment.

In *Oakley v. Flor-Shin, Inc.* it is stated “established law in this Commonwealth recognizes that an employer can be held liable when its failures to exercise ordinary care in hiring or retaining an employee creates a foreseeable risk of harm to a third person.”¹⁰ Given the expansive research regarding patterns of abuse by people who choose to use violence in their relationship, knowledge that further harm could be caused to survivors and those around them is becoming more relevant.

Employers should have a disciplinary plan in place for action if the employer becomes aware an employee is using violence against others. When having a discussion with the offending employee about the behavior, here are some things to keep in mind:

- Be clear that abuse is always unacceptable, may be criminal, and will not be tolerated.
- It is helpful to use examples of behavior rather than referring to behavior collectively as “abuse.” This helps place focus on the behavior rather than the person.
- Do not argue with the employee about the behavior or validate any attempts to make excuses or blame others. Make it clear abuse is a choice.
- Educate about the potential costs of continued abuse: arrest, prison, less time with children, physical and emotional damage to partner and children, loss of job, damage or loss of relationships with friends and family.

Do Something About It

A proactive approach
is essential to minimizing
risk for employees and
your business.

Preparing the Workplace

Research shows employers can and do make a difference in contributing to the safety of those experiencing domestic violence.

Here are some steps to take for a safer workplace:

- Create clear policies and procedures for your workplace to address domestic violence. Information on what a domestic violence policy should include and resources to find model policies are provided later in this toolkit.
- Develop a workplace domestic violence education program. Use community resources available and form a relationship with a survivor services program.
- Develop a plan providing meaningful referrals to employees experiencing domestic violence and those using domestic violence to cause harm.
- Develop a workplace safety plan to keep the workplace and all employees safe from domestic violence.
- Develop personal safety plans for employees experiencing domestic violence.

Workplace Policy

A policy addressing domestic violence in the workplace should be separate from a general workplace violence prevention plan or harassment policy. Below is a list of what the policy should contain and things to consider to protect both the survivor and the workplace. There are people locally that can provide assistance and numerous existing policies to provide examples.

- **Define domestic violence, sexual violence, dating violence, and stalking.**
Use definitions that are not directly from criminal statutes. There are forms of abuse that are not included in legal statutes, such as coercive control.
- **Include an anti-discrimination or retaliation clause.**
There is broad concern that when domestic violence and the workplace intersect it is the survivor, not the offender, who will be punished. Include a statement that lets survivors know they will not be fired or otherwise punished for seeking assistance.
- **Establish who, when, and how the policy will apply.**
Decide if the policy will include employees, contractors, and/or clients. As some actions can put an employee at greater risk, it is not advisable to require the employee to “prove” abuse by acquiring a protective order or police report. If “proof” is required, consider a broad range of documentation sources, such as court records from related proceedings, certification from a healthcare provider, or confirmation from a victim service provider, mental healthcare provider, etc.
- **Provide a process for employees to report threatening situations they have experienced or witnessed related to domestic violence.**

- **Determine a documentation and file storage policy.**
Any documentation of an employee's disclosure or workplace incidents should contain only information that is absolutely necessary.
- **Include a training plan.**
Provide training to ensure that everyone understands their responsibilities. Other topics could include the dynamics of domestic violence, cultural competency and understanding risk factors to vulnerable populations, how trauma affects the brain, how to recognize domestic violence in the workplace, how to respond to survivors and those perpetrating domestic violence, the process of providing referrals and other services to survivors, and guidelines for increasing safety, including the use of workplace safety plans.
- **Consider providing leave options for employees to address all effects of the abuse.**
While an enumerated list is not encouraged, some possible reasons for needing leave may include time related to court proceedings, receiving services from a social service agency (either for themselves or their children) or advocate, seeking safe housing and relocation activities, dealing with economic abuse or sabotage by their partner, meeting with an immigration service provider, etc.
- **Provide guidance for dealing with performance issues that account for the impact of domestic violence.**
Employers should allow reasonable time for the employee to obtain assistance in order to remedy the performance issue.
- **Determine disciplinary measures for employees committing acts of domestic violence during work hours or with workplace resources.**
- **Create a process to monitor the effectiveness of the policy.**
This may include tracking the number of employees and managers receiving training or educational information regarding domestic violence, the number of employees requesting information, referrals, or time off for needs related to domestic violence, and/or the number of domestic violence events involving employees or others at the workplace.

Workplace Safety Plan

A workplace safety plan is a set of actions an employer can take to help prevent domestic violence not related to a specific employee. For example, the workplace can:

- Make emergency phone numbers readily available by all telephones.
- Ensure the workplace is well lit inside and out.
- Create a code word known company-wide allowing staff to discreetly alert others to potential danger.
- Have a secured entrance.
- Educate employees on how to report concerns.
- Install panic buttons or provide personal alarms to staff.
- Allow employees to change benefit plans to remove an abusive partner should they need to do so.
- Specify when police should be called and when the doors should be locked and who is responsible for these actions.

There may be instances in which two employees are involved in a domestic violence situation with each other. In these cases, the employer should:

- Minimize or eliminate all possibility of contact between the employees while at work. This could include scheduling employees on different shifts and keeping the survivor's shift private and changing employee workstations. Note it is the person causing harm who is creating the situation, so if these changes make it more inconvenient for one of the employees, consider placing that burden on the abusive employee and not the survivor.
- Offer referrals to both employees.
- Make it clear that workplace resources shall not be used to harass, stalk, or abuse the survivor.
- NEVER ask employees to mediate or ask a survivor to "try and make it work."

Personal Safety Plan

A personal safety plan is a survivor-led tool outlining a set of actions they and the employer can take to help lower risk of violence. Understand that survivors are the experts on their own experiences and know best what they need to be safe at work. Any action taken should be in accordance with the survivor's wishes. Well intentioned actions without survivor input could put the survivor at more risk.

Here are a few examples that may assist the survivor:

- Allow flexibility in the employee's schedule to disrupt stalking.
- Change the location of the employee's workstation and/or move the employee away from windows and doors.
- Remove the employee's contact information from publicly available company directories or on the company website.
- Make extra effort to keep the employee's home address and telephone number confidential.
- Change the employee's work phone number or have their calls screened.
- Provide a recent photograph of the abusive person to security personnel, receptionists, and/or all staff working nearby to prohibit them from accessing the site and to notify the employee if they are present.
- Provide the employee with a parking spot near the entrance.
- Designate an escort to accompany the employee to and from their car or public transportation as the employee enters and leaves the workplace.
- If applicable, provide the workplace with a copy of any protective order.

Going Further

If employers are feeling impassioned to go beyond creating a domestic violence policy in the workplace, there are additional ways to contribute to survivor safety throughout your community.

Here are a few ideas:

- Engage your extended business network including suppliers and customers. Let them know what you are doing around domestic violence and encourage them to think about steps they can take toward workplace and community safety.
- Think about what services your business offers and consider providing them to survivors at reduced rates or free-of-charge. For example, if your business provides tires or car repairs, provide discount coupons to the local domestic violence shelter to give to clients. If you work at a financial institution, consider providing educational workshops on how to raise a credit score. If you are in the field of information technology, support survivors in increasing their digital safety.
- Partner with a local community service provider to see what resources they are in most need of and sponsor a community drive to collect items or host a fundraiser for the service agency.

Model Policy

While creating a comprehensive and effective domestic violence policy may seem daunting, it is not necessary to start from scratch. There are toolkits, model policies, and numerous policies already in existence that can be modified to fit your organization.

Additional Toolkits:

- [Addressing Domestic Violence in the Workplace: A Handbook for Employers Outside of B.C.](#) by Work Safe B.C.
- [Guidance for Agency-Specific Domestic Violence, Sexual Assault, and Stalking Policies](#) by the United States Office of Personnel Management
- [Domestic Violence at the Workplace—Guide for Managers & HR Professionals](#) by Cornell University

Model Policies

- [Model Workplace Policy on Employer Responses to Domestic Violence, Sexual Violence, Dating Violence, and Stalking](#) by the American Bar Association
- [Model Policy on Employer Responses to Domestic Violence, Sexual Violence, Dating Violence, and Stalking](#) by Workplaces Respond

Additional Resources:

- [Workplaces Respond](#)

Resources

Fayette County Domestic & Sexual Violence Agencies

Ampersand Sexual Violence Resource Center

1-800-656-HOPE (4673)

www.ampersandky.org

Provides free and confidential services to victims of sexual violence.

- 24/7 support line
- Counseling for individuals
- Support groups
- Accompany to sexual assault forensic exams and other medical advocacy
- Accompany to hearings, trials and other legal advocacy Information and referrals

GreenHouse17

1-800-544-2022

www.GreenHouse17.org

Provides free and confidential services to victims of intimate partner abuse.

- 24/7 crisis line
- Emergency shelter
- Accompany to hearings and other legal advocacy
- Individual and group counseling
- Safety planning
- Information and referrals
- Housing assistance and financial education

Additional Support in Fayette County

Fayette County Sheriff's Office

150 N. Limestone, Suite 265
859-252-1771
www.fayettesheriff.com

Legal Aid of the Bluegrass

300 E. Main St., Suite 110
Protective Order Intake Line: 859-253-8620
General Intake Line: 859-431-8200
www.kyjustice.org

The Nest: Center for Women, Children, and Families

530 N. Limestone
859-259-1974
www.thenestlexington.org

Written Resources

- To learn more about **local services for survivors**, visit itstimelexington.org/local-resources.
- To learn more about how to respond to and support survivors, see the Domestic & Sexual Violence Prevention Coalition's **SUPPORT Survivors** handbook.
- To learn more about the local protective order process, see the Domestic and Sexual Violence Prevention Coalition's **Survivor Handbook** (available in English, Spanish, Swahili, French, Arabic, and Nepali).

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