

DV@WORK NETWORK COVID-19 BRIEFINGS

Briefing 2: Domestic violence and work safety strategies and plans during the Covid-19 crisis¹



This is the second in the DV@Work Covid-19 Briefings which looks at domestic violence and work-related safety strategies and plans during the Covid-19 crisis. Our main focus is on **stakeholders from the world of work** (companies, employers, business associations, managers and team leaders, workers and trade unions), and is relevant for the policies and actions of international organisations, government agencies, NGOs and domestic violence support organisations.

We believe that it is critical that the home is a safe place for survivors of domestic violence and their children, and that this will be the least disruptive way to ensure survivors' lives, safety and continued work roles.

In our first DV@Work Covid-19 Briefing² we spelt out how the 'duty of care' for employers needs to extend to employees experiencing domestic violence. It may be hard for managers to identify when this may be occurring - declining performance, failure to attend online meetings, appearing anxious and unwell - may all be symptoms of the increased stress many of us are feeling during lockdowns as a result of the coronavirus.

DOMESTIC VIOLENCE AND SAFETY OF EMPLOYEES

- a) As a starting point communicating clear messages to all employees may help those affected to disclose, such as:
 - We understand the heightened risk of domestic violence during this crisis;
 - We appreciate employees keeping up their work at home, but understand that is difficult if anyone at home is causing harm or fear;
 - We understand and will provide confidential practical support if needed and;
 - You are a valued employee and your job is safe.

- b) Discuss your employee's needs with them:
 - This will require creating a safe way of having a confidential discussion with your employee.
 - Inform them of the range of supports you can provide.

¹ This briefing has been written by Ludo, McFerran, Jane Pillinger and Barb MacQuarrie. We are longstanding advocates, researchers and writers working at the national and international levels for many years with international organisations, governments, companies, employers and unions on the issue of domestic violence at work. To contact us please email: janepillinger@me.com. Please give us feedback on areas where further briefings are needed.

² [Briefing 1: What can employers and companies do during the COVID-19 crisis?](#)

- Safety measures will depend on their individual circumstances.
- c) Adapt existing safety measures to protect employees from violence or harassment from clients, customers or even other employees:
- For example, use a pre-set emergency telephone number or a panic alarm connected through a mobile phone.
- d) Adapt existing domestic violence workplace supports if they are already in place:
- For example, if it has already been introduced, encourage employees to use paid leave to attend court, legal, police or other appointments that are permitted under 'essential services' during lockdowns.

TAKING ACCOUNT OF THE NEEDS OF EMPLOYEES AT DIFFERENT STAGES

The needs of an employee experiencing domestic violence will depend on the stage that they have reached, for instance:

- The domestic violence pre-dates the pandemic and was already being managed by the organisation. In this case it is necessary to adapt existing supports to a home environment.
- An employee is disclosing for the first time that they are affected by domestic violence and they are living in the home with the abusive person with no protection orders.
- An employee is disclosing for the first time that they are affected by domestic violence. They have separated from the abusive person and **do or do not** have protection orders restraining the behaviour of the abusive person (do not approach, no contact etc.).
- An employee (perpetrator) discloses that their work is suffering due to their use of abuse. They may be subject to restraints on their movements and behaviour due to a protection order.
- An employee discloses and reports that the abusive person is also an employee of your organisation.

The ability of the organisation to provide support will depend on the circumstances of the employee:

- Are they trapped in the home with the abusive person?
- Have they been forced to leave their home and are they now homeless or in emergency accommodation?
- Can they stay living in their home after the removal of the abusive person?

A court ordered protection order or bail conditions will provide clear restrictions on the behaviour of the abusive person and trigger a police response should these restrictions be breached. Addressing the unique circumstances of each case, the role of the supportive employer can include the following strategies:

a) Living with the abusive person

- In this circumstance the importance of a safe and confidential line of communication between the employer/manager and employee is critical.
- As an outside agency that has a legitimate reason for regular contact with their employee, the workplace may be viewed with less suspicion by the abusive person than, for example, family members or friends. The safest option may be to require a face-to-face meeting due to a work crisis (if this is possible) either at work or in a neutral location.
- Employers may also be able to request an exemption to lockdown measures where access to emergency or support services for survivors of domestic violence is permitted if they are concerned for the safety of their employee.
- Employers can use code words that trigger an intervention. Different code words could lead to different interventions, including 'check on me regularly', 'help me to speak with a professional' or 'call the police'.

b) Living apart from the abusive person with a protection order in place

- Confinement during the Covid-19 crisis may also continue to affect employees living apart from an ex-partner – the survivor may continue to experience domestic violence, including harassment or threats electronically or via telephone.
- If already in contact with domestic violence experts and/or police, a manager should maintain contact to determine the level of risk and to put appropriate safety measures in place.
- Provide security upgrades to the home such as the provision of panic alarms (linked to manager as well as police should their response be slow or negligible). The employer could provide outdoor lighting, external cameras (or use of CCTV), new deadlocks for the entrance doors, or other safety measures appropriate for the situation.
- Implement communication strategies to counter ongoing abuse by phone and electronically. Strategies should shield the employee from the abuse while enabling the collection of abusive messages as evidence.
- Diverting telephone and electronic messages are more effective than changing contact details. The employer should set up new confidential communication channels with the employee.
- Make an employee aware of the potential to be tracked through their mobile phone. Help them to learn how to prevent someone from tracking them through their phone (online resources are available for this).

c) Living apart from the abusive person without a protection order in place

- For an employee without a protection order, the employer/manager may offer the same supports listed above for someone with a protection order in place.

- In addition, the employer/manager may explain what protection orders can offer and how to obtain one. The employer/manager may also explore whether this would be a helpful intervention with their employee.

d) Employee is homeless or has moved into emergency accommodation

- Where your jurisdiction provides court orders that enable the removal of the abusive person from the home, support your employee and their children to return home safely. See DV@Work Covid-19 Briefing 3 for longer-term strategies to provide this option to working victims of domestic violence.
- Provide information and referrals to specialist domestic violence and legal services that can provide advice on how those experiencing domestic violence (and their children) can stay in their homes.
- Give financial assistance to help employees secure safe accommodation if they (and their children) have to leave the home.
- Provide other assistance, such as a work computer, costs of Internet connection, or other equipment to ensure employees can continue to work.

e) An employee is a domestic violence perpetrator

- Research shows that domestic violence affects the work performance of employees who are perpetrators. They also abuse work time and resources to harass and abuse. This may come to the attention of their manager through disclosure by a survivor or perpetrator, a request for paid leave to attend to a domestic violence matter or disclosure by a third-party.
- Employees engaging in abusive behaviour need to be held accountable and supported to change their behaviour. Progressive disciplinary measures can start with conditions for continued employment, participation in perpetrator counselling/treatment programmes, and lead to disciplinary proceedings and termination if conditions are not respected.

f) Both parties in the relationship are employees

- If both the person experiencing domestic violence and the abusive partner are employees, it may be necessary to liaise with both of them.
- As Briefing 1 stated, it is critical to have access to emergency court orders for safety. A court order can determine the management of the problem. Employer responsibility may be unclear when both parties in a relationship are employees. A court order should indicate the party whose behaviour needs to be restrained.
- A future briefing in this DV@Work Covid-19 series will focus on managing employed perpetrators.

A further important and related issue is the role of risk assessments and how they can be used to draw up work-related safety plans in the context of Covid-19 and beyond. A separate briefing will be available on this issue, drawing on new Canadian research and piloting of a risk assessment model.