

# Addressing family violence in the workplace

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## Introduction

Family violence is considered a workplace issue where the impact it has on an individual extends beyond the home and into the workplace. Family violence may also occur directly in the workplace where, for example, both the perpetrator and the victim survivor\* work together or when the perpetrator attends or enters the victim survivor's workplace.

Workplaces can play an important role in preventing and responding to family violence by providing a safe and supportive working environment for all employees; this may be of particular benefit to those experiencing family violence. Supportive workplaces can also result in higher retention rates, higher employee morale and productivity.

This information sheet aims to assist employers understand the impacts of family violence in the workplace, and provide information about how to address it. This sheet can also be used by health and safety representatives (HSRs).

## What is family violence?

Family violence can be behaviour by a person towards a family member that can include:

- physical abuse
- sexual abuse
- emotional or psychological abuse
- economic abuse
- threats
- coercion
- controlling or dominating another family member and causing them to feel fear for their safety or wellbeing or for the safety and wellbeing of another person
- behaviour by a person that causes a child to hear, witness, or otherwise be exposed to the effects of family violence.

Perpetrators and victim survivors of family violence do not have to live together for a definition of family violence to be applied to their situation.

Family violence is overwhelmingly gendered and the majority of offences are perpetrated by men against women. However, it can also occur in any kind of family structure, including between siblings and in LGBTIQ (lesbian, gay, bi-sexual, transsexual, intersex or questioning) relationships.

## How family violence impacts the workplace

Family violence can affect a workplace in a range of ways. It can threaten the safety of not only the employee who is experiencing family violence but also their co-workers, supervisors and clients. The impacts can range from interference felt by all employees to serious assault against an individual employee. This can lead to significant individual and organisational costs. Family violence can also be a physical threat if the perpetrator attends the workplace.

It may not be possible to identify ahead of time whether your workplace will be impacted by family violence. However, given the extent and incidence of family violence within our community, employers should presume that family violence in the workplace may become an issue and plan accordingly.

The following is a non-exhaustive list of family violence risk scenarios that could occur in the workplace:

- perpetrator 'entering' the workplace by using email or telephone to contact the victim survivor
- perpetrator attending the workplace and verbally or physically attacking a victim survivor
- the perpetrator verbally or physically attacking the victim survivor in circumstances where both parties work together

\*The term 'victim survivor' is used to describe those who live with or have escaped family violence. Both words are used to show that while an individual may have been subjected to family violence by a family member, therefore becoming a victim, the person has also drawn on their inner resources, community supports and other personal skills and knowledge to cope with the situation. It acknowledges the person is also a survivor of the abusive behaviour and treatment directed towards them by the perpetrator.

# Information for employers Addressing Family Violence in the Workplace

- perpetrator making threats to the workplace or co-workers of an employee who is a victim survivor
- an employee who is a victim survivor having an impaired ability to work safely due to injury or distraction caused by family violence
- diminished mental and physical wellbeing of an employee who is a victim survivor
- employee's ability to work safely impaired due to distraction caused by being a perpetrator of family violence

- perpetrator using work resources to plan or commit family violence
- perpetrator presenting outside work premises to intimidate, threaten or assault an employee who is a victim survivor.

The following grid provides an easy reference to understanding some of the ways violence in the home may impact the workplace (adapted from *'Family Violence and New Zealand Workplaces'* brochure; New Zealand Public Service Association 2015).

<b>ACTIONS OF PERPETRATOR</b>	Attempts to prevent the employee who is a victim survivor from getting to work	Interferes with the employee who is a victim survivor at work by repeatedly phoning or texting the victim, stalking or hanging around the workplace	Threatens, verbally abuses, hits or pushes the employee who is a victim survivor in the workplace
<b>IMPACT ON EMPLOYEE WHO IS A VICTIM SURVIVOR</b>	Tired, distracted and frequently late to work or takes time off work	Tries to hide abuse and/or injuries and avoids co-workers, appears evasive and disengaged at work	Unproductive or making mistakes at work Loss of employment
<b>IMPACT ON OTHER EMPLOYEES</b>	Increased workload for co-workers due to employee who is a victim survivor's absence from work resulting in increased stress for employees and victim	Co-workers may try to protect the employee who is a victim survivor from unwanted phone calls or visits thus increasing their own stress and putting themselves in a dangerous situation	Employees worried about their own safety as well as their co-worker's safety
<b>CONSEQUENCE FOR EMPLOYER</b>	Poor job performance and reduced productivity of victim in the workplace	Poor team performance, employees cover absences, low morale amongst employees, increased absenteeism, staff resign	Potential harm to co-workers and/ or clients when perpetrator enters the workplace

## **Family violence and the Occupational Health and Safety Act 2004 - Employer duties**

As an employer you must, so far as is reasonably practicable, provide and maintain for employees (including independent contractors) a working environment that is safe and without risk to health. This general duty includes providing and maintaining systems of work that are, so far as is reasonably practicable, safe and without risks to health.

In general, you must also, so far as is reasonably practicable, consult with employees (including HSRs, and independent contractors) about health and safety issues that directly affect or are likely to directly affect them when, for example:

- identifying or assessing hazards or risks to health or safety in the workplace
- making decisions about measures to be taken to control risks to health or safety in the workplace
- making decisions about the procedures for providing information and training to employees
- proposing changes that may affect the health or safety of employees in the workplace.

Employers should control the risk of family violence in the workplace in a similar way to controlling the risk of other forms of workplace violence.

## **Creating a workplace environment where family violence can be addressed**

It is important that workplaces develop supportive and non-judgemental environments in which employees feel safe to discuss any family violence issues they may be facing. A plan to prevent family violence from occurring in the workplace has a better chance of success if an employer is well informed of all the risk factors facing employees (for example, appropriate disclosure by employees to their employer can help the employer control the risk of family violence for everyone at the workplace).

In order to create an environment where employees feel confident to disclose their experience of family violence; you should be able to demonstrate that such information will be kept private and confidential. This is important because many employees who are victim survivors are often not willing to disclose their experience due to, for example, the stigma attached to family violence and fear of repercussion following disclosure.

There are ways you can create a workplace culture or environment that is safe and supports disclosure of family violence. One way to do this is to develop appropriate family violence policies and procedures.

Developing, implementing and promoting policies and procedures in relation to controlling family violence in the workplace can assist in raising awareness and understanding of family violence as a workplace issue.

To be effective these policies and procedures should be:

- developed in consultation with employees and HSRs
- available and communicated to all employees
- included in induction programs
- discussed at team meetings
- reviewed regularly.

## **Responding to family violence in the workplace**

The following are some steps you, as an employer, can take to address family violence in the workplace:

- provide all employees with education and training to raise their awareness and understanding of family violence, its potential impacts in the workplace and how to manage risks associated with family violence
- designate family violence contact people within the workplace and promote their role
- ensure line managers are aware of how to respond to disclosures of family violence from employees
- ensure appropriate training regarding family violence has been delivered to employees (including HSRs, union delegates, managers and family violence contact people)
- regularly review and evaluate incidents of family violence disclosure.

Employees may choose to only disclose instances of family violence to you, as their employer, in confidence. In these circumstances, you should ensure that all information disclosed is kept confidential unless a specific risk to the affected employee or other employees has been identified. Specific risks may include the risk of the perpetrator physically entering the workplace to access the employee who is a victim survivor.

Where family violence has been disclosed to you or where you have identified specific risks, you should develop an appropriate risk control / safety plan. Information about the situation giving rise to the plan should be kept to a minimum and only shared with employees who are likely to be impacted by its implementation. You should also include the employee who is a victim survivor in the development of the plan to ensure it is appropriate and it does not expose the employee to any further risk.

The following control measures may help prevent incidents of family violence in the workplace:

- ensure visitors are clearly identified to avoid inadvertently allowing a known family violence perpetrator to enter the workplace
- develop and implement a policy that states that your organisation will take steps to protect employees from violence, including family violence, in the workplace
- ensure communication and duress alarm systems are in place
- implement call screening procedures
- ensure the building or workplace is secure and entry is controlled, for example through swipe card or pin code access
- where possible, separate employees from the public.

The following risk control measures may help respond to incidents of family violence in the workplace:

- develop and implement procedures for an emergency response to instances of family violence in the workplace
- ensure those in the workplace have a safe, secure room/place to retreat to in the event of a family violence incident
- change email address or phone numbers if instances of family violence has occurred through electronic or telephone contact.

Administrative controls that may also be used to eliminate or reduce the effects of family violence may include allowing the employee:

- to take leave to address impacts of family violence
- change start and finish times or alter their work location where possible.

Other opportunities to support your employees experiencing family violence:

- Consider making family violence leave, flexible work hours and flexible work arrangements (including work locations) available to all employees in order to help manage the impact of family violence on the employee at work.

See [fairwork.gov.au](https://www.fairwork.gov.au) for more information about flexibility in the workplace.

## Training and awareness

Raising awareness and training employees about family violence is an important part of implementing a workplace family violence policy.

Training should:

- aim to help employees understand the purpose of a workplace family violence policy and encourage support for its implementation. It can also ensure an employee who is a victim survivor of family violence is aware that support is available to them in the workplace
- focus on ways employees can prevent, recognise and/or respond appropriately to an incident of family violence in the workplace
- be delivered by an appropriate service provider who is aware and knowledgeable in all aspects of family violence in the workplace
- be delivered to all employees (including human resources staff, HSRs, union delegates and identified family violence contact people from the workplace) and can be tailored to the needs of each audience.

## Promote and display support services

Organisations should provide employees with information about how to access appropriately qualified professionals for family violence information, referral and support services. For example you can:

- display posters in employee breakout rooms or in areas that can be accessed by the public with contact details for local services or anonymous help lines
- provide information about family violence referral services/ Employee Assistance Programs in induction materials
- include information about family violence in workplace policies and procedures.

## Further Information:

Family Violence as a workplace issue:

- OurWatch **ourwatch.org.au**
  - What you can do at work
  - Resources and Publications – Corporate
- Victorian Trades Hall Council (VTHC) **unionwomen.org.au/dtvtraining**
  - Domestic and Family Violence Workplace Training
- Domestic Violence Resource Centre Victoria **dvrvc.org.au**
  - Training course for workplaces
  - Information for employers

## Referral Services

- Police: 000 (in case of an emergency)
- Centre Against Sexual Assault:
  - Business hours: 03 9635 3610
  - After hours: 1800 806 292
- Safe Steps 1800 015 188 (24/7)
- 1800RESPECT helpline: 1800 737 732 (24/7)
- Lifeline: 13 11 14 (24/7)
- Mens Line Australia national telephone and online support 1300 78 99 78 (24/7)
- Domestic Violence Resource Centre Victoria: (03) 9486 9866
- Employee Assistance Program (specifically trained in Family Violence)
- Your Employer Association

## WorkSafe publications

- A Guide for Employers: Preventing and responding to work-related violence
- A Guide for Employers: Preventing and managing work-related stress

**Note:** This guidance material has been prepared using the best information available to WorkSafe, and should be used for general use only. Any information about legislative obligations or responsibilities included in this material is only applicable to the circumstances described in the material. You should always check the legislation referred to in this material and make your own judgement about what action you may need to take to ensure you have complied with the law. Accordingly, WorkSafe cannot be held responsible and extends no warranties as to the suitability of the information for your specific circumstances; or actions taken by third parties as a result of information contained in the guidance material.