

The job as pathway to recovery: Domestic Violence as a Workplace Issue

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The Australian Domestic and Family Violence Clearinghouse (ADFVC) is a national, non-government organisation based at the University of New South Wales. The ADFVC is funded by FAHCSIA to collect, develop and disseminate information about domestic and family violence, and its prevention. We collect good practice evidence, commission a number of papers on issues and practice every year, and conduct some research. We also capacity build projects, such as a recent project by the Older Women's Network NSW examining violence against older women.

What are the health consequences of Domestic Violence?

One in five Australian women report being subjected to violence at some time in their adult life. ¹

VicHealth found that domestic violence is the leading contributor to death, disability and illness in Victorian women aged 15-44, being responsible for more of the disease burden than factors such as high blood pressure, smoking or obesity. ²

Why is Domestic and family violence a workplace issue?

Over the past thirty there has been increasing evidence that the impact of domestic violence is more than a crime confined to the family home. Evidence from *the Personal Safety Survey Australia* ³ demonstrates that:

¹ Australian Bureau of Statistics 1996, Women's Safety Survey, AGPS, Canberra Cat No 4128.0

² VicHealth 'The Health Costs of Violence: measuring the burden of disease caused by intimate partner violence'. Victorian Health Promotion Foundation p25 2004

³ Australian Bureau of Statistics 2006, Personal Safety Survey, Australia 2005, Cat No 4906.0 Reissue, AGPS, Canberra

- Nearly two thirds of women who experienced recent physical assault were in paid employment : 33.4% full-time, 31.9% part-time (p. 28)
- And for 12% of women the most recent incident of physical assault by a male perpetrator was at their workplace (p. 29)

What is the Impact of domestic and family violence?

Victims of domestic violence may experience a broad range of physical, emotional and psychological consequences, including physical injury, depression, anxiety and low self esteem, all of which can adversely impact upon their work and their workplace.

According to Franzway et al, the impacts of domestic violence on working women include:

- reduced concentration,
- time taken off work to attend court or doctors' appointments,
- and having to actually leave their job...

Indeed, women with a history of domestic violence have

'a more disrupted work history and are consequently on lower personal incomes'.⁴

Research by Logan et al amongst others, suggests that 95% of women who are stalked by a violent partner report workplace interference, and that workplace harassment can lead to conflict with co-workers for the women, disruption leading to dismissal of the victim⁵, absenteeism, lateness to work and distraction while at work with associated costs for employers.⁶

Co-workers of victims and perpetrators can also be affected by violent behaviour. They may be personally put at risk or have increased work loads as a knock on effect of the under-performing victim. This may be translated into hostility towards the victim which further isolates them and may lead to the victim leaving work or being sacked.

⁴ Franzway, S, Zufferey, C & Chung, D 2007, 'Domestic violence and women's employment', paper presented at Our Work, Our Lives Conference, September, Adelaide

⁵ Logan, TK, Shannon, L, Cole, J, Swanberg, J 2007, 'Partner Stalking and Implications for Women's Employment' Journal of Interpersonal Violence, Volume 22, Number 3, pp. 268-291, Sage Publications

⁶ Reeves, C & O'Leary-Kelly, AM 2007, 'The Effects and Costs of Intimate Partner Violence for Work Organisations' Journal of Interpersonal Violence, Volume 22, Number 3, pp. 327-344, Sage Publications

The economic costs of domestic violence to businesses and corporations in Australia are estimated at over \$1.5 billion annually and include lost productivity, absenteeism and staff turnover.⁷

Why did I call this talk : the job as pathway to recovery?

Isolation and poverty are some of the great risk factors for women, exposing them to increasing serious levels of domestic violence and prolonging the damaging impacts on them and their children.

The evidence is that being in employment and staying in employment is a key pathway to leaving a violent relationship (Bensoc, 2009, Patton 2003).⁸

The financial security that employment affords women allows them to escape becoming trapped and isolated in violent and abusive relationships, and to maintain, as far as possible, their home and standard of life

Safe at Home programs, for instance, which support women and children experiencing domestic and family violence to stay safely in their homes, have found that between 50-75% of clients were in some form of employment.⁹ One client commented:

When you are employed, especially if you have children, routine is everything. If I went into the refuge, I would lose my routine and would have to give up my job, and I didn't want to give up my job.¹⁰

⁷ Laing, L, & Bobic, N 2002, Economic costs of domestic violence: Literature review, Australian Domestic and Family Violence Clearinghouse, Sydney

⁸ <http://www.bensoc.org.au/uploads/documents/Moving-Forward-full-report-June-09.pdf>
Patton, S. 2003, Pathways: How Women Leave Violent Men, p. 71, Government of Tasmania, Hobart

⁹ Bega Staying Home Leaving Violence Evaluation 2006
<http://www.stayinghomeleavingviolence.org.au>

¹⁰ McFerran, L 2007, Taking Back the castle: how Australia is making the home safer for women and children, Australian Domestic and Family Violence Clearinghouse Issues Paper 14

So the workplace becomes a critical source of support and protection for women, but one that actively needs to create a culture and environment in which women will feel safe to disclose. The reality is that women will not do so if they feel this will jeopardise their jobs and careers.

This finding has not been lost on domestic violence activists, governments, unions and employers. Internationally, a diverse range of work is being undertaken in the area of domestic violence prevention through workplaces. A number of models underpin these interventions. These include legislative reform, and employer and union drive initiatives.

In the UK, for example, the Trade Union Congress has produced: 'Domestic Violence :a guide for the workplace', and surveyed 400 trade union members, finding that approximately half of the respondents had some experience of domestic violence which had affected them at their workplace.

The Trade Union Congress also offers union representatives participation in the 'Dealing with Domestic Violence in the Workplace – A Trade Union Issue' training. This training aims to raise awareness of domestic violence, its impact on the workplace and the role that unions and employers can play.¹¹

The UK public service union, UNISON, has pioneered a comprehensive strategy to address domestic violence in the workplace, including a model domestic violence agreement¹², a 'how to' support members experiencing domestic violence from their welfare service¹³, a survey of members on domestic violence¹⁴, and information for members.¹⁵

¹¹ Murray, S & Powell, A 2008, Working it out: domestic violence issues and the workplace, Australian Domestic and Family Violence Clearinghouse Issues Paper 16

¹² <http://www.unison.org.uk/file/W3651.1.doc>

¹³ <http://www.unison.org.uk/acrobat/N3060.pdf>

¹⁴ <http://www.unison.org.uk/acrobat/B926.doc>

¹⁵ <http://www.unison.org.uk/acrobat/12953.pdf>

The UNISON model agreement includes clauses that commit the workplace to providing:

- Special paid leave for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, and for court appointments.
- Temporary or permanent changes to working times and patterns
- Changes to specific duties, for example to avoid potential contact with an abuser
- Redeployment or relocation
- changing a telephone number to avoid harassing phone calls.
- Getting places on assertiveness training courses

UNISON has continued to develop its domestic violence workplace strategies, keeping Domestic violence on the UNISON agenda. At their recent Conference (Brighton June 2009):

The harsh reality is that UNISON members are both victims and perpetrators of domestic violence and abuse...but they also provide the frontline services to deal with the it.

In the workplace, the union will encourage branches to negotiate workplace policies on domestic abuse, using UNISON guidance and policy.¹⁶

In terms of legislative innovation, there are a number of international examples, such as the Spanish *Organic Act on Integrated Protection Measures against Gender Violence (2004)*.¹⁷

The Spanish Act includes provisions for employed women experiencing gender violence to receive a reduction or reorganisation of their working hours, change of workplace, and suspension of employment with their post reserved. Worker absences or lateness motivated by the effects of gender violence

¹⁶ http://www.unison.org.uk/news/news_view.asp?did=5463

¹⁷ <http://www.awid.org/eng/Women-s-Rights-in-the-News/Women-s-Rights-in-the-News/ARGENTINA-Bold-New-Law-on-Violence-Against-Women>

are deemed justifiable if supported by social services or the health department. The legislation also refers to the establishment of a specific Employment Action Plan to cater for gender violence victims seeking work.

Australian Context

The good news is that the Rudd Labor Government has made a strong commitment to reducing domestic violence and homelessness.¹⁸ Yet the Plan by the National Council to Reduce Violence Against Women 2009-2021 and the government's response, Immediate Government's Actions (2009), failed to draw out the important role of the workplace in reducing the impact of domestic violence.

The only reference to gender based violence prevention in the workplace in the Plan was a recommendation (1.4.5) to 'encourage, support and recognise business initiatives'. The only reference to unions was in a passage on changing men's attitudes by accessing 'sporting clubs, scouts, unions etc.'

There is no suggestion of legislative reform on the Australian domestic violence agenda that incorporates the workplace. No existing Australian legislation relates specifically to domestic violence and workplaces, beyond that concerned with occupational health and safety, the requirement to maintain a safe workplace and employers' duty of care to their staff.¹⁹

In Australia the most active model to address workplace domestic violence policies has been employer led, with examples such as the Queensland CEO Challenge, and more recently the Linfox organisation.

Australian trade unions have been slow to take up this issue, which is surprising given their relative strength and their relationship with state and commonwealth labor governments.

¹⁸ Time for Action: The National Council to Reduce Violence Against Women; The Road Home: A National Approach to Homelessness 2009

¹⁹ Murray & Powell 2008

Nevertheless, the Clearinghouse is now engaged in discussions with the NSW Public Service Association and the Victorian Trades Hall Council to develop union based initiatives. Interestingly, a test case may be the university enterprise agreements currently being negotiated.

The Clearinghouse believes that unions have a key role to play, because they are capable of achieving the most effective and systematic outcomes for the greatest number of working women experiencing domestic violence.

As Murray and Powell found:

The strong advocacy and negotiation ability of unions ...can enable change to be initiated in workplaces which might not otherwise be interested in domestic violence as an issue.

August 2009

