

WHY IS DOMESTIC VIOLENCE A WORKPLACE ISSUE?

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Up to one-third of Australian workers have experienced domestic violence. A significant proportion report that these experiences have significantly impacted on their performance and attendance and even spilled over into the workplace.

Not only does domestic violence result in serious physical injury and psychological trauma for the victims, it also results in a significant financial burden for the workplace. The cost of lost productivity associated with domestic violence in Australia was estimated to be almost half a billion dollars in 2002–03 and is projected to increase over time.

Workplaces have several overlapping responsibilities related to domestic violence. According to common law, statutes and professional codes of ethics, workplaces are required to protect the health and safety of employees by identifying and responding to warning signs of risk of violence, including domestic violence. Failure to do so may result in legal liability if actions failed to meet professional standards and resulted in harm to others.

Recent changes to Australia's *Fair Work Act* include providing victims of domestic violence with the right to request flexible work arrangements. This change supports victims in maintaining their employment and planning for their safety by giving them the right to request changes to hours of work, patterns of work or place of work. These changes form part of the National Employment Standards, which

effectively require employers, managers and human resources staff to be informed about how domestic violence can affect work and how to respond appropriately.

Detecting warning signs

Domestic violence triaging helps employers to determine if they have reasonable grounds to be concerned about risk of violence and guides their decision-making regarding immediate action, documentation, communication and referral for comprehensive violence risk assessment.

Primary warning signs to consider include: any documented, reported or suspected history of domestic violence acts (eg, actual, attempted or threatened physical harm to others), particularly if recent, serious or escalating; domestic violence ideation (eg, thoughts, images, fantasies or urges to physically harm others); and domestic violence intent (eg, intent or plans to physically harm others).

Secondary warning signs that may be important to consider are related to whether a perpetrator is experiencing a personal crisis (eg, job loss), interpersonal conflict (eg, relationship separation) or acute mental distress (eg, depression).

Depending on the outcome of the triage, possible actions may include responding to emergencies, ongoing monitoring, gathering additional information, seeking a second opinion and referring the case for a comprehensive violence risk assessment.

Assessing and managing risk

When there are reasonable grounds to believe that a domestic violence risk exists and is significant, a comprehensive violence risk assessment should be conducted by those qualified to do so.

Several instruments have been developed to assist such assessments and management for intimate-partner violence. Regardless of what instrument is used, workplaces should ensure the instrument is supported by professional standards and is consistent with best practices in the field.

Thus, those conducting risk assessments should ensure the risk factors they consider are supported by research, practice and the law, and the risk assessment tools they use are designed to prevent violence by guiding and coordinating action. They should aim to increase accountability and protect the rights of others by improving transparency and consistency of assessment and management decisions. A good risk assessment helps to prevent domestic violence by supporting victims and perpetrators and providing them with the assistance they need. It should form part of the workplace's comprehensive policies, procedures and practices—including education and training—that assist in identifying and preventing domestic violence risk and resolving incidents that have already occurred.

The Workplace Violence Prevention and Intervention Standard developed by ASIS International and the Society for

Human Resource Management (SHRM) has international implications for establishing best practice guidelines in this area and should be reviewed by all professionals committed to addressing the issue of violence in the workplace. These standards encourage workplaces to develop and implement interdisciplinary teams for assessing and managing risk for workplace violence, including domestic violence. However, workplaces should only consider doing so when they have sufficiently high rates of violence or a high number of employees and the adequate resources, required skills, appropriate training and relevant experience.

Case study: averting abduction

An employee informed her employer that she had recently separated from her husband, who had a history of domestic violence, had recently threatened to harm her and was currently harassing her at work with repeated and unwanted phone calls.

The employer conducted a domestic violence

triage. It gave the employer reasonable grounds to be concerned that domestic violence could possibly spill over into the workplace.


As a result, the employer took the following actions: disseminated a security brief to relevant employees; provided the employee with paid leave to attend appointments in the community; hired an external expert to conduct a comprehensive violence risk assessment; and informed the police of the incident and requested their assistance to conduct a safety audit of the workplace and to implement an emergency response.

The comprehensive violence risk assessment concluded there was the risk of serious and imminent violence towards the employee and possibly her family, friends and co-workers, as well as the risk of abduction of the couple's son.

Additional management strategies were

recommended—these related to monitoring, treatment, supervision and victim safety planning—and attempts were made to coordinate efforts by the employee's family lawyer, victim services, law enforcement and the ministry of children and families.

The assessments and strategies were critical given that in the following weeks the employee's husband attempted to abduct their son and murder her.

In light of this incident, the workplace has implemented a domestic violence training program and continues to provide support to the victim following her return to work. 

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