



Research Brief

Workplace supports for family violence victim-survivors

Summary

This research brief explores the importance of workplace supports for victim-survivors of domestic and family violence (DFV) as well as current practices.

Introduction

Australian industries, policy makers and academics increasingly emphasise the role workplaces can play in responding to DFV (COAG, 2016, Royal Commission into Family Violence Summary and Recommendations, 2016; Fitz-Gibbon et al., 2021). The Victorian Royal Commission into Family Violence (RCFV) resolved that the workplace constitutes:

an important opportunity to reach people who are affected by family violence, to provide support for them, and to help them take steps to secure their safety. (RCFV Summary and Recommendations, 2016).

On May 16th 2022 the Australian Fair Work Commission announced their support for 10 days of paid DFV leave ([2022 FWCFB 2001]). Despite this progress, there remains a pressing need to challenge an enduring misconception that the workplace and DFV are unrelated (Diversity Council 2021).

Why are workplace supports needed?

National and international research has consistently found that DFV negatively impacts workplace attendance and engagement (Swanberg et al., 2006; LaVan et al., 2012; Rayner-Thomas et al. 2016). Rayner-Thomas and others (2016) found that half the respondents' ability to attend work was compromised by physical or emotional health issues. The Australian Bureau of Statistics (2017) projected that around one in 10 women took time off work due to violence from a current partner and one in five due to violence from a previous partner. As Franzway and others (2007) found, DFV led to reduced productivity, absenteeism, illness and job losses. Rayner-Thomas and others (2016) found that half the respondents reported that the violence they experienced impacted their attendance and punctuality. Staggs and Riger (2005) found that DFV often leads to victim-survivors working less hours across weeks, months and years.

DFV also negatively impacts career progression and educational possibilities. Crowne and others (2011) showed that women who experienced violence were more likely to be concurrently experiencing unstable employment and lower levels of employment six years later. Limiting an individual's access to employment has significant financial impacts. For example, the Australian "Journeys Home" survey showed that recent experiences of physical and sexual violence make individuals more likely to experience homelessness (Bevitt et al., 2015). A 2007 paper by Lindhorst, Oxford and Gillmore showed that DFV negatively impacts economic capacity years after the violence.

In sum: research shows that DFV impacts victim-survivors' punctuality, attendance, concentration, safety in the workplace, their capacity to network and socialise with co-workers, their career progression, and employment status (Rayner-Thomas et al., 2016, Franzway et al., 2007).

Work interference strategies

Work interference strategies include when a perpetrator sets out to deliberately and tactically frustrate the victim-survivor's ability to attend work (Riger, Ahrens & Blickenstaff 2001; Swanberg, Macke & Logan, 2006). This might entail stealing victim-survivors' car keys or transport money, damaging their car, physically restraining them from attending work, turning off their alarm clock to ensure they are late, refusing to provide childcare and withholding medication (Swanberg and Logan 2005, Brandwein & Filiano 2000; Brewster 2003; Lloyd 1997; Lloyd & Taluc 1999; Moe & Bell 2004; Riger, Ahrens & Blickenstaff 2001; Swanberg, Macke & Logan, 2006). Perpetrators may ensure the victim-survivors' appearance or wellbeing is impacted to the extent that they feel unable to attend work, for instance by cutting their hair, inflicting visible physical injuries or causing injuries that require hospitalisation (Swanberg & Logan 2005).

Perpetrators may also engage in work interference strategies during working hours and/or at the physical worksite. These behaviours – which are often consistent with legal definitions of stalking – might entail harassing the victim-survivor (or their colleagues) in person, or with high volumes of SMS messages, emails or phone calls and/or sending items to the workplace (Swanberg & Logan, 2005).

In 2006, Swanberg, Macke and Logan found that work interference strategies meant that victim-survivors attended work less and more regularly lost their jobs. The Victorian RCFV made the salient point that in interrupting victim-survivor's ability to work, perpetrators are curtailing women's ability to achieve and sustain financial independence (Camilleri et al., 2015; RCFV 2016). When employers and managers are not DFV informed (and often they may be unaware of the fact that their employees are experiencing DFV), then an employee may be perceived as underperforming, distracted and/or irresponsible. This puts victim-survivors of DFV at a high risk of losing shifts or being terminated. This can create a vicious cycle in which victim-survivors are divested of financial independence and consequently less likely to be able to safely and permanently leave an abuser (Williamson, Foley & Cartwright 2019).

"Keep home at home": misconceptions about DFV and the workplace

Despite the increasing support in policy, research and union domains for workplace supports for victim-survivors of DFV, the connection between DFV and the workplace might not be immediately apparent. Employers may wonder what the workplace has to do with DFV or question whether they have responsibilities towards employees who are experiencing DFV.

The assumption that the workplace and DFV are separable – that is, that an employee's experience of DFV does not impact the workplace and that workplaces have no duty of care towards employees experiencing DFV - relies on an outdated distinction between the "public" and "private" sphere. Feminist scholars and activists challenge the public/private distinction on innumerable grounds, one of which is that it reinforces the myth that DFV is a private or domestic phenomenon. As Lacey wrote in 1993:

The ideology of the public/private dichotomy allows government to clean its hands of any responsibility for the state of the 'private' world [...]

The perception of DFV as a private phenomenon abrogates not merely the government, but the broader community's role in acknowledging and responding to DFV. Increasingly, policy

makers point to the fact that DFV impacts and encroaches on every aspect of victim-survivors' lives (NSW Government 2019) and victim-survivor advocates emphasise the fact that DFV is an issue of collective responsibility (Batty 2015). In other words, DFV is increasingly recognised as an issue that our community more broadly must respond to.

DFV workplace policy

The first step a workplace can undertake is to develop a clear DFV workplace policy. The policy should clearly set out what DFV is, how it might impact individuals in the workplace and how to respond compassionately to disclosures (Giesbrecht, 2020). The workplace policy will be more effective, and the workplace supports more likely to be accessed, if embedded within a progressive and DFV informed workplace culture (Mighty 1997). Victim-survivors and perpetrators can both benefit from workplace training on what DFV is, and information and referrals for key supports available to them (Diversity Council 2021, UN Women 2019). The policy should specifically set out support systems available to perpetrators (Brandenburg 2003).

What supports can a workplace offer victim-survivors of DFV?

Paid DFV leave

Victim-survivors consistently report that access to paid DFV leave gives them capacity to attend to key DFV-related issues including attending court, engaging with police, relocating (including finding a new home and job, as well as childcare centres or schools for their children) and engaging with healthcare professionals (Fitz-Gibbon et al., 2021; Hughes & Brush, 2015). The Commonwealth Bank of Australia is an example of best practice in this domain, offering employees unlimited paid DFV leave. Although the economic costs of DFV to workplaces are well-documented in terms of absenteeism, staff turnover, reduced job satisfaction and productivity (KPMG, 2016; Mighty, 1997; Reeves & O'Leary-Kelly, 2007), Kahui (2014) found that the cost to employers of providing paid DFV leave is significantly offset by the benefits of providing it.

Flexible working arrangements

Victim-survivors have often noted the benefits – and necessity of – flexible working arrangements in order to remain employed and stay safe (Johnson & Gardner 1999, Swanberg, Macke and Logan 2005). As perpetrators can use knowledge of the family's routine and location to aid stalking and harassment, flexibility in work hours and working from home options can support the safety of the victim-survivor (Swanberg, Macke and Logan 2005). Flexibility might also provide victim-survivors with the opportunity to tend to other key matters regarding the justice system and/or relocation (Ceausu 2005, Johnson & Indvik 1999).

Victim-survivors might also simply not feel, well enough to attend or present at work. Paid DFV leave and flexible work arrangements go some way towards recognising the significant impacts of DFV on an individual's physical and emotional wellbeing.

Workplace counselling

Workplaces can provide access to confidential and free counselling for employees experiencing or perpetrating DFV (Swanberg, Macke and Logan 2005, Murray & Powell 2008). Counsellors should be DFV informed and appropriately trained in trauma-informed care in order to be able to provide appropriate care for victim-survivors (Brownell 1996).

Safe space and clean devices

The workplace might be the only time and space in which victim-survivors are physically remote from, and/or are outside of, the perpetrator's surveillance. Workplaces can offer victim-survivors a private space and new devices (such as a new phone or laptop) that can aid their support-seeking process, recovery and/or relationship separation (Swanberg, Macke and Logan 2005).

DFV workplace representative

Workplaces can better support victim-survivors by training DFV workplace representatives. These representatives should be DFV and trauma informed, and knowledgeable about the workplace's DFV policy as well as any resources external to the workplace the victim-survivor can access (Karamally 2004).

Ensure the safety of victim-survivors on-site

As workplaces can be the physical site of DFV perpetration, including stalking and harassment, it is important that workplaces offer on-site supports for employees who are experiencing DFV (Swanberg, Macke and Logan 2005, Johnson and Indvik 1999). Supports may include disseminating a photo of the perpetrator to security personnel (with the victim-survivors' knowledge and consent) and/or organising a chaperone who takes the victim-survivor to their car or public transport at the start or end of their shift or workday (Swanberg, Macke and Logan 2005, Johnson and Indvik 1999).

Secure contracts for women

Women are overrepresented in casual or sessional roles and this has been exacerbated by the COVID-19 pandemic (Wood, Griffiths & Crowley, 2021; Batchelor, 2020). Transferring women employees from insecure contracts to part-time or full-time contracts, or better yet, to ongoing part-time or full-time contracts, may play a key role in securing their financial stability, and in turn their safety.

Final considerations

Where employers support victim-survivors to remain in the workplace during, and subsequent to, DFV, the outcomes for victim-survivors are positive and significant (Swanberg, Macke and Logan 2007). However, DFV supports are redundant if they are not embedded in a safe and gender equitable workplace culture. Victim-survivors are often reluctant to disclose what they are experiencing to anyone, let alone colleagues (Swanberg, Macke and Logan 2005). Many victim-survivors would rather leave their job, or risk being terminated, than disclose their victimisation (Swanberg, Macke and Logan, 2005). Given that the majority of aforementioned workplaces supports are only accessible if and when victim-survivors disclose to someone in the workplace that they are experiencing DFV, it is essential that DFV supports are embedded within a supportive environment. For workplace supports to be effective and practicable, employers must simultaneously address the workplace culture.

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