

THE STATE OF NEW HAMPSHIRE



**GOVERNOR'S COMMISSION ON
DOMESTIC VIOLENCE**

**EMPLOYEE ASSISTANCE PROGRAMS AND
HUMAN RESOURCE DEPARTMENTS:**

**PROTOCOL ON THE HANDLING OF
DOMESTIC VIOLENCE CASES**

**EMPLOYEE ASSISTANCE PROGRAMS AND
HUMAN RESOURCE DEPARTMENTS:
DOMESTIC VIOLENCE PROTOCOL**

**Prepared by the
Governor's Commission on Domestic Violence**

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INTRODUCTION

As EAPs have rapidly increased in number over the past decade, they have also increased the scope of their services. From the initial narrow focus on alcohol abuse, the scope of EAPs have broadened to cover a wide spectrum of personal problems that are impairing or may potentially impair job performance. A significant portion of EAP presenting problems involve family and marital issues, and EAP services are usually open to the immediate families of workers.

One area of need that is just beginning to receive attention from EAPs is the problem of domestic violence. Services for the victims of domestic violence began to develop in the early 1970's, in large part due to the efforts of the women's movement. By the late 1970's treatment programs for the abusers were developing as well, until, by the mid-1980's over two hundred such programs existed in the US alone (Stordeur & Stille, 1989).

As services were expanded and refined, more and more community agencies became involved in the effort to deal with domestic violence. Such agencies included drug and alcohol treatment centers, community mental health organizations, children and youth services, hospitals, schools, and perhaps most importantly, components of the judicial system (Pence, E., Duprey, M., Paymar, M., & McDonnell, C., 1989).

Corporate America has also begun to recognize the impact of domestic violence on the workplace. In the late 1980's, when studies demonstrated a link between domestic violence and higher absenteeism and utilization of health care, some companies began to explore their potential role in dealing with this problem (Engelken, 1987).

Recently, businesses have also begun to realize that domestic violence occurs in the workplace. For example, husbands or boyfriends commit 13,000 acts of violence against women in the workplace every year. In some situations, both the batterer and the victim work for the same employer. In other cases, the batterer shows up at the victim's place of work where he assaults or stalks her.

The cost of domestic violence to business has been estimated to reach into the billions of dollars every year. This includes costs associated with not only productivity and health care utilization but also victim-initiated law suits filed against employers for lack of protection at the workplace and for wrongful termination of employment.

SCOPE AND PURPOSE

A recent (April, 1995) article in Personnel Journal, cited results from a survey conducted for Liz Claiborne, Inc. The study found that: 57% of corporate leaders believe domestic violence to be a major societal problem; 33% believe that it affects businesses' balance sheets; and 40% are aware of employees in their own company who have been affected by it. However, only 12% felt that business should play a major role in addressing the problem.

The purpose of these protocols is to invite both EAP professionals and human resource personnel in New Hampshire to participate in our state's and nation's struggle to end domestic violence. To this end, these protocols will identify and discuss some key domestic violence-related concerns facing businesses and their employees today.

These protocols represent an integration of material from several sources:

- Policies and procedures from corporations such as Polaroid, Liz Claiborne, State Farm Insurance, Dupont, etc.
- Recent literature on the role of the corporate community in domestic violence;
- The experience of the authors in dealing with victims and perpetrators of domestic violence.

The authors of this document realize that there is tremendous variability in the size, structure and resources (both internal and within the community) of businesses within New Hampshire. Therefore, this is not intended to be a prescriptive document for businesses to adopt unmodified.

Rather, we hope to receive considerable feedback with regard to how helpful the guidelines contained herein prove to be as employers help their employees and their community deal with such a costly and tragic problem as domestic violence.

For grammatical simplicity, there are sections in this document in which victims are referred to as “she” or “her.” Likewise, abusers are referred to as “he” or “him.” It should be noted, however, that there are situations in which women abuse men and ones involving same-sex violence.

AREAS OF CONTRIBUTION

COMMUNITY-WIDE EFFORTS

Most communities in New Hampshire provide a range of services designed to address the problem of domestic violence. These services are provided by several agencies such as domestic violence programs, domestic violence coordinating councils and in some areas, human service councils.

Domestic violence programs provide 24 hour crisis lines, emergency shelter, advocacy, support groups, community education and professional training. Domestic violence coordinating councils, which are organized around district court jurisdictions, include court personnel, police, victim advocates, batterer intervention programs, educators, business leaders, medical professionals, drug and alcohol treatment providers, etc. These groups meet to identify and address community needs relative to domestic violence with a focus on improving interagency collaboration.

On this community level, EAP’s and human resource departments can increase their involvement in a number of ways by:

1. seeking training from domestic violence program staff for employee assistance and supervisory personnel;
2. developing referral networks with domestic violence programs;
3. contributing financially to domestic violence programs through fundraising events or grants;
4. donating products or services to these programs;
5. providing meeting space for community boards or support groups;
6. encouraging corporate executives to serve on the local domestic violence coordinating council;
7. lobbying for state and national coordination between employee assistance and domestic violence organizations;
8. entering into a joint partnership with the local domestic violence coordinating council to provide a program such as a supervised visitation center, by offering the physical site (if available), or other resources; and
9. encouraging employees to volunteer at battered women shelters, supervised visitation centers or other family violence-related services.

IN-HOUSE POLICIES AND PROCEDURES

Such an involvement with other community groups would assist a company in developing a set of policies and procedures relating to the management of domestic violence. Several elements need to be considered such as:

1. obtaining the endorsement and support of upper management;
2. developing written policy and procedural statements for use by employee assistance and supervisory staff to assist victims and to hold abusers accountable; and
3. developing a standardized assessment protocol that screens for domestic violence among troubled employees. This would include employees who may be either victims or perpetrators of domestic violence.

ASSESSING POSSIBLE INDICATORS OF DOMESTIC VIOLENCE WITH EMPLOYEES

VICTIM CHARACTERISTICS

The victim may demonstrate work-related difficulties such as:

1. absenteeism (often due to being “sick”);
2. lateness;
3. decreased productivity;
4. increased errors; and
5. apathy toward work.

She may also demonstrate behaviors such as tearfulness and social withdrawal. She may receive frequent, and often upsetting, phone calls. She also may appear accident prone or at least may tell others that abuse-related injuries were due to accidents (Bryant, Eliach, & Green, 1991; Davidson, 1984).

Other characteristics of someone who has been battered by an intimate partner include:

- Fears her intimate partner;
- Feels that she does not deserve better;
- Blames herself for the abuse;
- Accepts responsibility for her partner’s actions;
- Accepts responsibility for maintaining the relationship in spite of his actions;
- Spends much energy trying not to anger her partner;
- Is secretive about the problems in the relationship;
- Cuts herself off from her family and friends;
- Continually hopes things will get better and that he will change;
- Feels guilty, depressed, angry, and worthless due to her partner’s actions; and
- Has to constantly account for her every action to her jealous partner.

HOW TO ASK EMPLOYEES / POTENTIAL VICTIMS ABOUT DOMESTIC VIOLENCE

Talking with anyone who is a co-worker or supervisor can be difficult for someone who has been abused by an intimate partner, especially if that partner works for the same company. Guidelines for interviewing in such circumstances include:

1. Ask the question in private, at a time and place where the victim feels sure that the abuser will not know the question of domestic violence has been raised;
2. Ask the victim direct, non-threatening questions in an empathic manner, using words that the victim can understand. For example, some women do not know what “battering” means. It may be better to say “You seem frightened of your partner. Has he ever hit you? Has he ever hurt you?” or “What happens when your spouse loses his temper?”;
3. If direct questions do not elicit enough information, you might still be able to help the victim by using indirect questions, such as, “If you were being abused in your home, would you know where to go to get help?”;
4. Emphasize that no one deserves to be beaten;
5. Assess the victim’s safety by asking the following questions:
 - (a) Where is the abuser now?
 - (b) Does he know that you are here?
 - (c) Has the abuser ever used or threatened to use weapons?
 - (d) Are weapons available to the abuser now?
 - (e) Has the abuser been drinking or using other mind-altering drugs?
 - (f) Has the abuse been increasing in frequency or severity?
 - (g) Do you have children?
 - (h) Do you believe that they are safe now?
 - (i) Are they being abused?
 - (j) Does the abuser verbally threaten you?
 - (k) Has the abuser threatened your family or friends?
 - (l) Has the abuser threatened to commit suicide if you leave?
6. Do not tell her what to do, but do help her to develop a safety plan (see Appendix D) and ask her if she feels safe to go home;
7. Empower her by respecting her choices (even if her choice is to stay with an abusive partner. She needs to decide if and when to leave); and
8. Provide referrals to in-house counseling, police, and shelters (see Appendix B).

REFERRALS AND SERVICES FOR VICTIMS

Services for the victim may include:

1. safety at work by screening visitors and callers. Receptionists, security officers, and other relevant personnel can be provided with photographs or descriptions of the abuser/stalker. The victim could be accompanied to her car or allowed to park close to the building. Also formal notification could be made to the abuser, by registered letter, when there is a restraining order, stating that arriving on the premises will result in arrest;

2. individual counseling;
3. literature related to domestic violence;
4. referrals to domestic violence services in the community;
5. salary advances to facilitate leaving her abusive partner and/or moving;
6. emergency housing and day care;
7. time off for appointments with doctors, lawyers, and rental agents if she is relocating;
8. financial assistance by offering health insurance options that cover the cost of medical and counseling services;
9. lunch-time support groups (the local domestic violence program could help provide these);
10. leaves of absence when going in hiding or reconstructing her life; and
11. referral to court for restraining orders.

If she is being stalked at work, the employer can also:

1. install security devices such as panic alarms at her desk or security cameras close to her work station. Train security and other relevant staff on the use of these security devices. Such training should include practice drills;
2. confuse the stalker by moving her work station (ideally to another site) or changing her work schedule;
3. notify law enforcement agents of restraining orders that may be in place and encourage enforcement of those orders;
4. give her time off from work without penalty if the threat is imminent;
5. develop other protective service policies to help ensure her safety. These might include periodic checks (“walk-bys”) throughout the day by security or supervisory personnel.

ABUSER CHARACTERISTICS

The abuser may also show the effects of the abuse while at work. He may either deny that there is anything wrong even when it seems clear that there is, or he may minimize the problem by dismissing the difficulty as a “marital disagreement.” More specifically, he may:

1. have difficulty concentrating;
2. not look or feel well;
3. have a loss of appetite and weight;
4. not know where his wife is;
5. be in need of housing or financial assistance;
6. be poorly groomed relative to usual;

The presence of these indicators may suggest problems other than battering. However, all too often, domestic violence goes undetected during an initial intake by psychologists, doctors and human resource professionals (Harway, & Hansen, 1990; B. Nissley, personal communication, July 6, 1992; Magee, & Hampton, 1992; Randall, 1991). Other characteristics of those who batter their intimate partners might include:

- Has a heightened sense of entitlement or male privilege;
- Feels like a victim;
- Witnessed abuse as a child or may have been abused as a child;
- Has difficulty taking responsibility for his feelings (especially anger and jealousy);
- Objectifies his partner or women in general; sees them as personal property;
- Is overly suspicious or jealous;
- Acts intrusively, demonstrating a poor respect for personal boundaries;
- May have alcohol or other drug concerns;
- Denies, minimizes, or projects responsibility for his actions onto others;
- Has problems developing and maintaining intimate relationships;
- Has assertiveness problems (acts either aggressively or passively);
- Demonstrates a low self-concept;
- Has few social supports;
- Sees himself and his partner as “one”;
- Often has “traditional” views of marriage in terms of roles; and
- Is not always abusive;. He can be quite charming much of the time.

HOW TO ASK EMPLOYEES / POTENTIAL ABUSERS ABOUT DOMESTIC VIOLENCE

1. Be specific as you help him to identify the abuse;
2. Acknowledge the courage to disclose;
3. Validate his feelings (e.g., hurt, anger), but not his behavior (e.g., violence);
4. Reinforce his concern for his family as a way of inviting him to accept responsibility for his behavior;
5. Be clear with him about your company’s stance against all forms of violence; this includes informing him of company sanctions that may be imposed as a result of his continued use of violence or threats of violence;
6. Help him to redefine “power,” “strength,” and “control” in terms that support equal partnership and respect rather than dominance and degradation;
7. Confront him with discrepancies in his story but do not ask him to verify her story (due to risk of his retaliation against her);
8. Do not trap him (verbally or physically);
9. Avoid enduring labels (i.e., he may be more likely to acknowledge committing abusive behavior than being an abuser. Also, there is more hope for change when we focus on what someone does rather than who someone is); and
10. Discuss realistic options for him including available referrals (in-house and external) to batterer intervention programs, alcohol and other drug counseling, etc.

REFERRALS AND SERVICES FOR THE ABUSER

Services for the abuser may include:

1. referrals to batterer intervention programs;
2. small groups that focus on issues related to battering;
3. incentives for change such as the suggestion to the batterer that continued absenteeism or poor performance will result in termination of employment; and
4. flexible work hours to accommodate attendance in a batterer intervention program.

EDUCATION AND PREVENTIVE PROGRAMMING

Finally, educational and preventive programs would include:

1. Informing all employees of a strong corporate value denouncing all forms of abuse including co-worker violence and intimidation, sexual harassment, and domestic violence;
2. advertising of in-house and referral services for victims and perpetrators of abuse;
3. offering literature, lectures, workshops, or other educational opportunities related to relationship skills, self-esteem, and stress management. Local domestic violence programs can provide these resources for companies; and
4. offering educational opportunities like those listed above to other family members, especially children.

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- National Workplace Resource Center on Domestic Violence. A project of the Family Violence Prevention Fund. The Center can provide assistance to companies in four main areas including: (1) Workplace Policies; (2) Training and Education; (3) Economic and Legal Issues; and (4) Corporate Social Responsibility. Contact Esta Soler, Executive Director, Family Violence Prevention Fund, 383 Rhode Island Street, Suite 304, San Francisco, CA 94103-5133. Telephone: 415/252-8900; FAX: 415/252-8991 or Steve Moskey, Director of Consumer Issues, Aetna Life and Casualty, 151 Farmington Avenue - RE6A, Hartford, CT 06156. Telephone: 203/273-2086; FAX: 203/273-9806.
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