Sexual Violence and the Workplace: Making the Connections
April 24, 2013

The webinar will begin shortly.

Join the audio component of this webinar via computer speakers or by phone.

Dial 1-888-450-5996
Passcode:978233
Content advisory
Let’s Take a Poll!

How would you describe your role?

a) Advocate
b) Medical personnel
c) Law enforcement
d) Prosecution
e) Technical assistance provider
f) Other

Select your answer in the polling tab.
Sexual Violence and the Workplace
Information Packet
Mandy Mundy
Director of Education and Training,
Network of Victim Assistance (NOVA)
215-343-6543
mandy@novabucks.org

Jessie Mindlin, Esq.
National Director of Training and Technical Assistance
Victim Rights Law Center
503-374-5477 x 1
jmindlin@victimrights.org

Maya Raghu
Attorney
Futures Without Violence
202-595-7385
mraghu@futureswithoutviolence.org
Goal & objectives

**Goal**
To understand how sexual violence and employment issues are interconnected.

**Learning Objectives**
By the conclusion of this presentation participants will be better able to:
- Identify how sexual violence impacts survivors’ employment.
- Learn how to engage with employers to prevent and respond to sexual violence.
- Understand what survivors’ legal rights are in the workplace.
- Provide workplaces with resources to design and implement a proactive program that engages in prevention and response in collaboration with workplace and community partners.
Mandy Mundy
Network of Victim Assistance (NOVA)
Sexual VIOLENCE in the workplace is VIOLENCE
Power imbalances and social inequities caused by oppressions influence sexual violence.

The Sexual Violence Continuum

by Lydia Guy, Washington Coalition of Sexual Assault Programs

(Guy, 2006, p. 7)
"Systems of oppression are characterized by dominant-subordinate relations...that allow one group to benefit at the expense of another group" (Goodman, 2001, p. 6).
Sexual violence is defined as:

any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work.
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Magnitude of the problem of sexual violence

Fatal sexual assault

Rape reported to police

Rape reported in surveys

Rape not disclosed because of shame, blame or other factors

Forced sex in marriage and dating

Rape by a stranger

Unwanted sex agreed to as a result of pleading, blackmail, threats or trickery

Sexual exploitation resulting from economic vulnerability

(Jewkes, Sen, & Garcia-Moreno, 2002, p. 150).
One study of employed women, found that 38% had experienced sexual harassment in the workplace (Potter & Banyard, 2011).
The Impact of Sexual Violence

Interrupted work as a result of sexual violence
The Impact of Sexual Violence

Interrupted work as a result of sexual violence

- 50% of rape victims lost or were forced to quit their jobs in the year following their rapes (Ellis, Atkeson, & Calhoun, 1981).

- 19% of adult female rape survivors and over nine percent of adult male rape survivors said their victimization caused them to lose time from work (Tjaden & Thoennes, 2006).
The Impact of Sexual Violence

Financial losses associated with sexual violence

- Lifetime income loss due to sexual violence in adolescence is estimated at $241,600 (MacMillan, 2000).

- Sexual assault victims lose approximately $2,200 due to decreased productivity and lost wages in the aftermath of sexual violence (MacMillan, 2000).
• Key strategy for social change

• Improve systemic responses to victims of domestic violence and sexual assault and their communities

• Positively impact systemic responses
In your role what are some ways you can do systems advocacy?

Share your answer in the public chat box.
EMPLOYERS ARE A SYSTEM

EMPLOYEES ARE A SYSTEM

BUSINESSES ARE A SYSTEM
Advocates are leaders
Advocates are well-prepared
Advocates are leaders
Advocates are well-prepared
Effective prevention strategies
Local Perspective

Workplace Trainings
Local Perspective: Workplace Trainings

OPTIONS

A SEXUAL HARASSMENT IN THE WORKPLACE PREVENTION PROGRAM

OPTIONS to STOP harassment BEFORE it begins.
Local Perspective: Workplace Trainings

Workplace Bullying
Local Perspective: Workplace Trainings

Domestic Violence Task Force

The Domestic Violence Task Force is working to increase awareness of domestic violence and to promote universal screening and counseling of patients in healthcare settings in Bucks County.

Domestic Violence is a public health epidemic that affects 4 million women in this country. Health care providers have increasingly recognized that they play a critical role in intervening to break the cycle of domestic violence.

The BCHIP Domestic Violence Task Force is a partnership of community agencies and organizations including A Woman’s Place, Bensalem Police Department, Bucks County Government, Bucks County Health Department, Network of Victim Assistance, Planned Parenthood of Bucks County, and the six hospitals in Bucks County. The task force works to increase community awareness of domestic violence and to support the efforts of the Domestic Violence Medical Advocate in hospitals.
<table>
<thead>
<tr>
<th>LEVEL OF SPECTRUM</th>
<th>DEFINITION OF LEVEL</th>
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</thead>
<tbody>
<tr>
<td>6. Influencing Policy and Legislation</td>
<td>Developing strategies to change laws and policies to influence outcomes</td>
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<tr>
<td>5. Changing Organizational Practices</td>
<td>Adopting regulations and shaping norms to improve health and safety</td>
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<tr>
<td>4. Fostering Coalitions and Networks</td>
<td>Convening groups and individuals for broader goals and greater impact</td>
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<tr>
<td>3. Educating Providers</td>
<td>Informing providers who will transmit skills and knowledge to others</td>
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<tr>
<td>2. Promoting Community Education</td>
<td>Reaching groups of people with information and resources to promote health and safety</td>
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<tr>
<td>1. Strengthening Individual Knowledge and Skills</td>
<td>Enhancing an individual's capability of preventing injury or illness and promoting safety</td>
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(Davis, Parks, & Cohen, 2006)
Sexual Assault & Employment:

The Law & Legal Remedies

What Can Advocates Do?

Jessica E. Mindlin, Esq.
Victim Rights Law Center

For the information contained in this section of the webinar please contact VRLC at: TA@victimrights.org

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Maya Raghu

Futures Without Violence and Workplaces Respond to Domestic and Sexual Violence: A National Resource Center

FUTURES WITHOUT VIOLENCE™
Formerly Family Violence Prevention Fund

WORKPLACES RESPOND TO DOMESTIC & SEXUAL VIOLENCE
A National Resource Center
www.workplacesrespond.org
Workplaces Respond National Resource Center

• Created and funded by U.S. Department of Justice, Office on Violence Against Women

• Addresses domestic and sexual violence and stalking (prevention and response)

• Audience is non-traditional stakeholders: employers and unions; assist advocates to educate workplaces to assist victims and hold perpetrators accountable
Workplaces Respond Partners

Partnership of 8 Organizations: Legal, Advocacy, Business

- Futures Without Violence
- Legal Momentum
- VRLC
- Stalking Resource Center
- PCAR/NSVRC
- CAEPV
- RSP
- ABA
Workplaces Respond Components

- Training
- Technical Assistance
- Outreach
- Web-based tools and resources

No Cost
Federal Government Issues Guidance on Policies

On February 8, 2013, the federal government issued a substantive guidance to federal agencies regarding the development and implementation of workplace policies addressing domestic violence, sexual assault and stalking. The guidance relied significantly on authoritative tools and information on this website, Workplaces Respond to Domestic and Sexual Violence: A National Resource Center. Read more.

Create a Policy

Take the Quiz

Commit to Act

Information on:
- Workplace Violence
- Guns and the Workplace
- Protection Orders
- Union Responses

I would like to...
- Interact with a virtual employee
- Create a workplace policy
- Learn about the cost of sexual violence
- Identify security concerns

Create a Policy

Take the Quiz

Commit to Act
Domestic and Sexual Violence in the Workplace

What are common forms of stalking in the workplace?

**CHOOSE AN ANSWER:**

- E-mails/Instant messaging
- Gifts
- Driving through the parking lot looking for the victim's car
- All of the above

**YOU'RE RIGHT!**

CORRECT ANSWER. All of the above.

Within the workplace, stalking victims are commonly harassed via letters, e-mails, gifts, and phone calls. Common workplace stalking behaviors also include driving through the parking lot looking for the victim's car, and watching for the victim to enter and leave the workplace each day. If the stalker works within the same organization as the victim (internal), behaviors may extend to monitoring the victim's workstation, leaving gifts on the victim's desk, or taking “souvenirs” from the victim’s belongings. The internal workplace stalker often has the ability to observe many of the workplace social interactions of the victim, and in some cases may even attempt to gain access to confidential personnel files to obtain more information about his/her target.

Beatty, Gregorie Beatty. (2002) Guidebook to provide information and recommendations for effective response to workplace stalking. Section 4: Stalking in the Workplace. p. 28 Available at:
http://www.dol.gov/vtivc/getvtn/WorkplaceStalking.doc
Training Exercise: Interact with a Virtual Employee

A Supervisor Responds to an Employee's Experiences of Violence

As a result of this exercise, you will be better able to:

- Respond to and assist victims of domestic and sexual violence who work for you;
- Address performance issues that may occur as a byproduct of the violence;
- Create an organizational culture that supports victims of violence in order to promote a safe and productive workplace.

Begin the training exercise
Union Responses: Making a Difference

Why are domestic and sexual violence and stalking union issues?

Like many other workplace health and safety issues that unions tackle for the benefit of their members, domestic and sexual violence and stalking are serious, recognizable and preventable problems.

Domestic and sexual violence and stalking affect the safety and productivity of the workplace — which makes them a union concern. And, like many of the other workplace health and safety issues that unions tackle for the benefit of their members, violence is a serious, recognizable and preventable problem that affects a significant number of union members — both as victims and perpetrators of such violence.

- A recent Department of Justice study found that 63% of the rapes/sexual assaults experienced by female victims were committed by non-strangers such as intimate partners, friends, and family members. Rape exacts the highest costs per crime victim of any criminal offense: $127 billion per year.
- A recent Department of Justice study reports that 85% of victims of domestic violence are female and 15% are male.
- One in twelve women has been stalked in her lifetime. The overwhelming majority of victims are women (78 percent), and the majority of offenders (87 percent) are men.

Many employers lack an understanding of the dynamics of domestic and sexual violence and stalking and react in non-supportive or even discriminatory ways when violence becomes a workplace issue. Consider the following types of members’ needs and whether your union is prepared to respond:

- A member went on a date with a person who now relentlessly stalks him or her at work, and the employer terminates your member to avoid a workplace security risk.
- A perpetrator repeatedly prevents a member from leaving the house in the morning and the member is on final warning for tardiness and absenteeism.
- A member who works at a luxury hotel is sexually assaulted by a hotel guest.
- Another member goes to her steward explaining that she and her ex-partner, who is also a member of the union, work together at the same facility. She has received an Order of Protection requiring that the ex-partner remain at least 500 feet away at all times.

For statistics on why domestic and sexual violence and stalking is a workplace concern, see fact sheets on Violence and the Workplace, Impact of Violence, and Costs of Sexual Violence on this website.

5. Id.
Outreach/Training/TA Strategy

Unions
- Civil rights, women’s, and safety & health committees
- Union educators/trainers
- Labor mediators
- Engaging men as allies
- Manual

Businesses
- HR and EAP professionals
- Comprehensive programs, not just policies
- Pilot site project
Outreach/Training/TA Strategy

Federal government
- Policies and training/TA; NRCDV leading creation of a national TA plan
- EEOC fact sheet and trainings for advocates

Advocates
- Assisting survivors to maintain employment
- Working with workplaces as a partner
- Trainings
Guide for Advocates

An Advocacy Guide to Addressing the Impact of Domestic and Sexual Violence, Stalking and Dating Violence on the Workplace

Advocates have a critical role to play to improve workplace responses to domestic and sexual violence, dating violence, and stalking. Advocates are critical pieces of intervention and prevention and can make a difference through advocacy with (1) victims, (2) Employers, (3) Attorneys, and (4) the community at large.

I. Assisting Victims with Workplace Issues

Domestic and sexual violence, stalking and dating violence can impact the workplace whether the violence actually takes place there or somewhere outside the place of employment. Economic security is a critical component of safety for victims of violence; the ability to maintain one’s employment can greatly enhance a victim’s ability to create safety in his or her life and commence psychological/emotional recovery. An advocate is often the only person with whom a victim can discuss the impact of violence on his or her life, including his or her employment. For more on the impact of domestic and sexual violence, stalking and dating violence on the workplace, see The Facts.

A careful and comprehensive discussion with each victim is essential because not all individuals will realize that the violence is affecting their job. Many victims are unaware they have workplace rights and that there may be remedies or accommodations that can enhance their safety and protect their employment. Before initiating any discussion, advocates should always advise victims about the extent to which their conversations are confidential. Next, advocates should help victims consider the myriad ways interpersonal violence impacts their lives, including in the workplace.

Consider asking a victim the following sample questions:

- How has domestic or sexual violence, dating violence, or stalking impacted your work experience?
- Have you experienced any unwanted sexual behaviors, including comments or jokes, threats, touching or other types of assault in the workplace or by someone who works with you?
- Do you feel as if you are being watched or followed at work or to and from work?
- Have you received unwanted calls, texts, emails, or messaging on social networking sites during work or by a coworker?
- Have you told anyone at work about your experiences, such as a coworker, supervisor, manager, human resources, or security officer? If yes, can you tell me more about how that reporting process went? What is happening as a result of your disclosure? Has your employer responded to your needs? In what ways? Do you know if a claim was filed with the Equal Employment Opportunity Commission “EEOC” (or with the state equivalent)?
- Have you talked to an attorney about what is happening to you? If not, would you like me to assist you to locate an attorney?

Depending on the individual victim’s circumstances and objectives, there are several ways an advocate can
Let’s Take a Poll!

Have you helped a business or union conduct any of the following activities? (Choose yes or no)

- Presentation to workers about understanding and responding to domestic violence, sexual violence, and/or stalking
- Supply information about resources to help survivors
- Develop a workplace policy

a) Yes  
b) No

Select your answer in the polling tab.
Advocates Engaging Workplaces

Point of contact: HR? EAP? Stewards? Legal?

Community resource/referrals

Trainings
  – General education about violence and workplace impact (awareness raising)
  – Supervisor, steward and co-worker response

Comprehensive programs at workplaces
  – Prevention and response
  – Victim-centered
  – Accountability for perpetrators
Prevention and Response Framework

• Buy-in from leadership
• Multidisciplinary response team
• Culture of support for victims and accountability for perpetrators
  – Victim centered
  – Clear consequences for perpetrator-employees
  – Workplace protocols/policies
• Education and training
• Partnerships with community stakeholders
Support From the Top

• Essential to allow use of time, money, to address the issue

• Making the business case – statistics/research on the costs to business/union, liability issues, legal requirements, corporate social responsibility, diversity, etc.

• Partnering with peers and union/trade/business associations

Adapted from CAEPV, S2 Blueprint For Action (Nov. 7, 2008)
Multidisciplinary Response Team

- Essential to proactive, comprehensive action
- If the workplace faced an incident, who would become involved?
  – HR, EAP, legal, security, management, union, others
- Meeting to discuss each dept’s roles and responsibilities
Changing Workplace Culture

Information is the best tool

Support/assistance for victims

Accountability/consequences for perpetrators

Role of co-workers as "upstanders"
General Workplace Safety Assessment

Issues

– Access to public areas
– Working late at night
– Isolated areas

Protocols for security, e.g. firearms...
Awareness Raising Activities

• Posters/information about services/referrals
• Programs to raise awareness of prevalence of violence and impact on workplace
• Training to recognize if someone may need assistance – 3Rs (recognize, respond, refer)
  – Supervisors
  – Stewards
  – Co-workers as upstanders
Create Your Policy

Dating violence, domestic violence, sexual assault and stalking have effects not just in the home, but also in the workplace. Violence affects not only employees who are victims, but also coworkers, managers, and employee perpetrators. It also impacts employees’ attendance, productivity, health care costs, morale, and safety.

A policy addressing the workplace effects of domestic and sexual violence is an important step in tackling those issues; it creates a roadmap for employers and managers to respond in supportive, safe and effective ways.

This tool will help you create a workplace policy by guiding you through a series of questions. It will offer you a choice of model language based on a promising practice (which has the most protective language for employees) or, if applicable, language based on the law in your state or locality. With either choice you will be in compliance with the relevant law. In some jurisdictions, specific laws do not exist for each issue this policy covers, then you will only see the “promising practice” as a choice.

It should take you about 15-20 minutes to complete, and you will be able to download the policy and save it on your computer at the end of the process. You will also receive a checklist of additional matters to consider.

First, we’ll need some information about your organization.

Organization name: *

Contact Name: *

Contact Location: *

State/Locality where you do business: *

If your organization operates in more than one state or locality, for now just pick the place where you are headquartered or do the most business.

Policy Effective Date: *

The date upon which your new policy will go into effect.
Policy Creation Tool

- Accounts for state and local law and legal rights and obligations
- Accounts for size of employer
- Complements other workplace policies
- Educates users about and encourages use of promising practices
Education and Training

• For EAP/HR staff
• On policy for relevant managers/supervisors, stewards/union officers
• New employee orientation
• Add-on to sexual harassment training
• Add-on to safety and health training
Partnership with Community

Local service providers
  – Can be integrated into companies’ referral network
  – Can do joint awareness-raising trainings/presentations or be a resource for companies
  – Can assist with victim safety planning to include workplace
  – Can help employees with documentation for leave or other workplace changes
Partnership with Community

Law enforcement

- Emergency response
- Enforcing orders of protection which cover workplace
- Firearms issues

Court system

Health care providers
Contact Information

mraghu@futureswithoutviolence.org
www.workplacesrespond.org
Questions?
References


References Cont’d.


References Cont’d.


Resources

Websites:

ASISTA  http://www.asistahelp.org

NSVRC: Sexual Violence and the Workplace  

NSVRC: Sexual Violence and the Workplace Information Packet  

Victim Right’s Law Center  http://www.victimrights.org

Workplaces Respond to Domestic and Sexual Violence: A National Resource Center  
www.workplacesrespond.org

Legal Momentum  http://www.legalmomentum.org
  – Workplace:  
    http://www.legalmomentum.org/our-work/domestic-violence/
  – Workplace Safety Orders:  
    http://www.legalmomentum.org/assets/pdfs/workplace-restraining-orders.pdf
  – Victims’ Employment Rights:  
    http://www.legalmomentum.org/assets/pdfs/employment-rights.pdf
  – Unemployment Eligibility:  
Resources Cont’d.


Thank you for participating

123 North Enola Drive, Enola, PA 17025
Phone: 877.739.3895
Email: resources@nsvrc.org
www.nsvrc.org • facebook.com/nsvrc •
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