



Centre de Prévention
de la Violence
Violence Prevention
Centre

What to do if your employee is a victim of domestic or intimate partner violence

Your intervention can save lives!

A guide to help you support
them and understand your
legal obligations



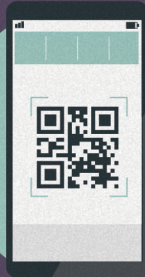
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This tool is designed to help you, as an entrepreneur or manager, in the event that a member of your organization is experiencing domestic or intimate partner violence.

We invite you to familiarize yourself with it, even if this situation is not currently a reality in your organization. Not only do you have legal responsibilities in this area, but your ability to recognize the signs can make a huge difference in the lives of one or more people.

Happy reading!

Throughout the document, you'll see **QR CODES** that will take you directly to the resources mentioned in the text.





WHAT DOES A VICTIM OF DOMESTIC OR INTIMATE PARTNER VIOLENCE LOOK LIKE?

Domestic or intimate partner violence (DIPV) can affect anyone, regardless of social status, race, ethnic origin, age, gender, sexual orientation, gender identity, or type of relationship. This violence can affect people who are married, divorced, separated, in a common-law relationship or dating.

However, we cannot deny that intimate partner violence remains a gender issue to this day, and that it is a form of gender-based violence. Indeed:

- **80% of police-reported DIPV victims are women.**
- **Women are twice as likely to be injured, and three times as likely to fear for their lives.**
- **Women are also much more likely to be victims of a homicide committed by an intimate partner.**

WOMEN WHO ARE PARTICULARLY VULNERABLE TO DIPV INCLUDE:

- **Indigenous women**

- Nearly **60%** of Indigenous women have experienced some form of intimate partner violence in their lifetime.
- Indigenous women are **7 times more likely to be killed** than non-Indigenous women.

- **Young women**

- Young women aged 15 to 19 and women aged 20 to 24 are **five times more likely** than older women to be **physically or sexually assaulted** by an intimate partner.

- **Women with disabilities**

- Disabled women are **3 times more likely** to experience violence than non-disabled women.

- **Immigrant women**

- Immigrant women are **more vulnerable to domestic violence** because of their economic dependence, language barriers and lack of knowledge of community resources.
- Those who have experienced war or government oppression are much less likely to report physical or sexual violence to the authorities.



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- **2SLGBTQIA+ women**

- Lesbian and bisexual women are **3 to 4 times more likely** than heterosexual women to report having been victims of domestic violence.
- **49%** of “sexual minority” women report having been physically or sexually assaulted by an intimate partner since the age of 15, almost double the figure for heterosexual women.
- Transgender women are **more likely to have experienced violence** since the age of 15 and **more likely to experience inappropriate behaviour** in public, online and at work than cisgender people (a person for whom their sex assigned at birth corresponds to their gender identity).

- **Racialized women**

- Reports of violence made by racialized women are **not taken as seriously by the authorities**. Perpetrators also usually receive less severe sentences.



WHEN DOMESTIC VIOLENCE COMES TO WORK...



When domestic or intimate partner violence (DIPV) infiltrates a workplace, everyone suffers the negative repercussions.

When your company acts through policies and practices, public education and good corporate citizenship, you demonstrate to your staff, customers and the general public your values of compassion and respect for all.

By showing support for your employee who is experiencing the effects of DIPV, the workplace becomes a safe, respectful and healthy environment.

This promotes efficiency, productivity and employee retention. Everyone wins!

IT'S THE LAW!

2018 - NEW LEGISLATIVE PROVISION UNDER THE NEW BRUNSWICK EMPLOYMENT STANDARDS ACT

Requires employers to offer leave to employees who have been affected by domestic, intimate partner, or sexual violence.

Here are the highlights:

The employer is obliged to grant the employee one leave each calendar year, which may not exceed the total of the following durations:

- 1** A maximum of 10 days leave, which may be taken intermittently or continuously.
- 2** Up to 16 weeks' leave, which may be taken on a continuous basis.
- 3** The first five days of this leave are paid, the remainder are unpaid.

APRIL 2019 - NEW REGULATION ON WORKPLACE VIOLENCE AND HARASSMENT UNDER THE NEW BRUNSWICK OCCUPATIONAL HEALTH AND SAFETY ACT

Requires employers to take precautions to ensure that all workers have a safe and healthy workplace free from violence and harassment, including sexual, intimate partner, or domestic violence that may adversely affect the workplace.

Risk assessments and codes of practice are now required under the *Occupational Health and Safety Act* and its regulations.



Use this code to consult the guide produced by WorkSafeNB.

WHAT IS DOMESTIC OR INTIMATE PARTNER VIOLENCE (DIPV)?

Domestic or intimate partner violence (DIPV) includes any form of violence, abuse or neglect suffered by a person at the hands of a current or former intimate partner.

DIPV is defined as:

- Violent behaviour
- Threats
- An attitude of domination
- Coercive control of the victim using force, deprivation, humiliation, intimidation, exploitation, isolation and domination

DIPV can take many forms, including physical, emotional, verbal, sexual, financial and spiritual abuse.

Here are some examples:

PHYSICAL

A partner hitting, choking, punching, burning or pushing.

EMOTIONAL

A partner threatening to kill themselves, their victim, their children or pets. A partner isolating the victim.

VERBAL

A partner making degrading comments about the victim.

SEXUAL

A partner pressuring the victim to participate in unwanted sexual activities.

FINANCIAL

A partner stealing or controlling money.

SPIRITUAL

A partner mocking the victim's spiritual beliefs.

DO YOU KNOW HOW TO RECOGNIZE THE SIGNS?

Here are some typical signs that can help us to recognize a DIPV victim and to recognize a violent person.

IMPORTANT NOTE:

Each indicator alone does not constitute proof that a person is a victim of violence. The presence of several of these factors may be a sign that something is wrong. The best thing to do is to check in with the person.

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VICTIMS OR SURVIVORS OF ABUSE

SIGNS THAT SOMEONE IS BEING ABUSED:

- Appearing sad, lonely, withdrawn or frightened.
- Is more anxious and stressed than usual.
- Appearing defensive and angry.
- Demonstrating low self-esteem, lacking confidence, avoiding interaction with others or being withdrawn.
- Presenting physical symptoms (e.g., headaches, nervousness, ulcers).
- Feeling humiliated or ashamed.
- Feeling trapped in a relationship.
- Seeming isolated and without friends or family to rely on for support.

- Does not have access to a personal telephone.
- Increasing use of medication or alcohol.
- Feeling the need to apologize or blame themselves for their partner's violent behaviour, or making excuses for it.
- Appearing nervous and uncomfortable talking when the partner is present.
- Attempting to cover bruises or unexplained injuries (e.g., by wearing a turtleneck or long sleeves on a hot day, or by changing their make-up).
- Demonstrating inattention, distraction, and increased fatigue.
- Using the signal for help.



To find out more about the signal for help and how you can assist victims of violence, visit the Canadian Women's Foundation website.

SIGNS SPECIFIC TO THE WORKPLACE:

- Appearing to be sick more often, being late and missing work.
- Not giving notice of absences personally; their partner does it for them.
- Demonstrating inattention at work.
- Showing a lack of consistency in the quality of their work for no apparent reason.
- Being reluctant to provide emergency contact information.
- Showing a sudden reluctance to participating in social activities outside work or other collective contexts.
- Receiving non-stop text messages, phone calls or emails from their partner throughout the day.
- Appearing upset when receiving a gift or flowers at work.
- Appearing very upset after an unexpected or disturbing visit from the partner at work.
- Seeming to be afraid of their partner when the partner picks them up at the end of the day.
- Distrusting colleagues who talk to their partner.
- Fearing the loss of their job because of their partner (for example, because the partner delays them, prevents them from getting to work, or distracts them by sending text messages or calling frequently).



SIGNS THAT A PERSON IS VIOLENT TOWARD THEIR PARTNER:

- Being verbally abusive, belittling or humiliating their partner (in private or in public).
- Monopolizing speech and dominating conversation in their partner's presence.
- Having rigid traditional beliefs about gender roles.
- Becoming extremely jealous, possessive, and suspicious of their partner, possibly accusing them of cheating.
- Trying to keep their partner away from family and friends.
- Forcing their partner to have sex.
- Controlling or manipulating their partner's daily activities.
- Controlling finances.
- Minimizing their own violent or controlling behaviour, claiming to be the victim or to being forced to keep their partner under control.
- Blaming the partner for everything, including their own anger.
- Threatening suicide if their partner leaves, using phrases like "If I can't have you, no one else will!".
- Threatening to harm their partner, children or pets, or to destroy personal property.
- Having a history of violence toward animals or other people.

SIGNS SPECIFIC TO THE WORKPLACE:

- Preventing their partner from getting to work or training.
- Being jealous of their partner's colleagues.
- Constantly monitoring their partner at work, e.g., calling them on the phone, sending text messages, showing up unexpectedly at the workplace, asking reception if they're there, etc.
- Contacting colleagues to obtain information about the partner.
- Attempting to include themselves in their partner's workplace.
- Appearing upset if their partner is not available.
- Criticizing or belittling their partner in an attempt to influence the other person in their own favour.

- Showing aggressive or bullying behaviour at work.
- Acting negative toward their partner, or seeking third-party confirmation of the legitimacy of their actions, asking, for example, "Wouldn't it make you angry if your partner came home late?".

If you think you've witnessed any of these behaviours and would like to help someone who has been abused, please feel free to provide them with a list of support services for victims of domestic or intimate partner violence in New Brunswick.



To help someone who may be abusing their partner, please visit the Resources for Abusive Partners page of the "Love Shouldn't Hurt" campaign.

EMPLOYERS NEED TO BE CONCERNED ABOUT DIPV IN THE WORKPLACE

The effects and costs of DIPV in the workplace are greater than you might think!



When it infiltrates the workplace, DIPV can:

- Adversely affect productivity.
- Lead to a loss of concentration, which could represent a workplace safety hazard.
- Increase absenteeism.
- Affect morale - for the DIPV victim or for co-workers (e.g., frustration, fear for their safety).
- Create an environment of suspicion, fear and mistrust.
- Put others at risk.

When DIPV enters the workplace, it's not just the victim who feels the effects. Employers, managers and colleagues of the victim or abusive partner can also feel the effects and consequences of violence.

WHAT CAN EMPLOYERS DO TO HELP?

Any action, no matter how small, will have good results, not only for the employee who is the victim of violence, but also for other staff members and even for the workplace as a whole.

In the long run, the results of the company's actions add up, and everyone can benefit from promoting healthier, safer communities, workplaces and housing.



Early intervention in the workplace helps employees feel comfortable talking about their safety issues and provides appropriate resource suggestions. It can also contribute to preventing DIPV from occurring and can promote the health and productivity of the workforce.



Financial insecurity is a key barrier for a victim of violence. Due to financial constraints, victims find themselves unable to escape the abusive relationship. Demonstrate flexibility by granting flexible working hours and time off, or by helping them feel secure at work. By enabling them to keep their jobs and maintain financial stability, you're helping to improve their ability to regain control over their lives.



HOW CAN I HELP?

- Help the victim recognize the form of abuse.
- Talk to the victim of abuse in private, never in front of others.
- Let them know that you are available to do whatever you can to help.
- Don't make excuses for the abuser's behaviour.
- Make it clear that it's not the victim's fault.
- Provide them with the contact details of assistance services for the whole family.
- Encourage them to create a safety plan (better yet, make one with them).
- Take care of your own safety. Never intervene physically in a violent situation. Call the police.

SIX STEPS TO MEETING YOUR LEGAL OBLIGATIONS

If domestic or intimate partner violence occurs in the workplace, the employer may have certain legal obligations.



For example, if the employee's partner makes a threat of violence in the workplace that may affect the safety of staff, or comes to the workplace to harm the employee, **the employer must take steps to deal with the situation.**

The *Occupational Health and Safety Act* and its regulations do not apply to a workplace in a private home. However, with working remotely having increased dramatically, employers still have a social responsibility to ensure a fair, healthy and safe environment when employees work from home.



To find out more,
visit the Restigouche
Family Services website.



STEP 1 - Assess the Risk

Once a year, all New Brunswick employers must assess the risk of violence in their workplace (*Regulation 374.1 (1)*).

If you believe that domestic or intimate partner violence is putting your employees at risk, you must assess the risk and decide how best to protect them.

Risk assessment - a template to help employers is available in Appendix D, page 17-18-19 of the WorkSafeNB document.



STEP 2 - Establish a Practical Guidelines Procedure

Employers need to define violence and the actions they must take to address its impact in the workplace.

This procedure must be established in consultation with your joint occupational health and safety committee (if you have one), your occupational health and safety representative, and your employees.

If remote work is part of your organization's reality, don't forget to determine how to manage DIPV.



To find out more, download the complementary tools on the Restigouche Family Services and CBDC Restigouche website.





STEP 3 - Eliminate or Minimize Risk

One of the most important elements of a practical guidelines procedure is **taking steps to eliminate or minimize risks to staff**, including securing your premises.

Where there are threats of workplace violence that are not immediate, employers should follow their procedure on how to deal with domestic violence in the workplace.

If the threat of violence is about to occur, you must contact the police immediately by dialling 9-1-1.



STEP 4 - Inform Your Employees

All employees must be trained on your practical guidelines procedure for managing workplace violence, including the following:

- How to recognize the potential for workplace violence.
- The policies, procedures and arrangements in place to manage the risk.
- How to react as an employee.
- How to get help.
- How to report, investigate and document any incident of workplace violence.



STEP 5 - How to Respond to a Violent Incident

If a violent incident occurs in your workplace, you must:

- Take all reports of violence seriously.
- Contact the police in the event of physical violence or the threat of violence by calling 9-1-1.
- Investigate the incident and take corrective action.
- Keep a record of complaints or incidents of violence (e.g., copies of emails, text messages, Facebook posts, etc.).
- Help those affected by violence.
- Suggest that your employee see a doctor if there is an injury as a result of a violent incident in the workplace.



STEP 6 - Review and Update

The practice guidelines procedure is a document that needs to be **reviewed and updated as conditions change**. At the very least, it should be **reviewed on an annual basis**.



More detailed information on employers' rights and obligations is available on the *It's Your Business* website.

ENSURE THE SECURITY OF YOUR EMPLOYEES AND YOUR WORKPLACE WITH A SAFETY PLAN!

Many measures can be taken in the workplace to make it a safer environment for employees. Here are just a few examples:

- 1 Post informational ads in safe areas such as washrooms or lunchrooms.
- 2 Create safe drive-home programs or buddy systems.
- 3 Screen phone calls or emails and notify security of any threat of violence from the aggressor.

If one of your employees is a victim of DIPV, you may need to develop a personalized security plan.

PERSONAL SAFETY PLAN

Helps protect your employee and your workplace from threats of domestic or intimate partner violence in the workplace. Workplace safety plans set out specific measures to protect employees from the threats and hazards associated with domestic violence in the workplace.



REMEMBER!

When approaching a DIPV victim, it's important to be careful with your words and tone, and to consider how you phrase your questions. Avoid using offensive or judgmental language; be patient. It's important to understand the employee's feelings and emotions. Give the employee a chance to take the first steps and let them determine what information they feel comfortable sharing. Don't let your own judgments or emotions interfere with the way you approach your employee.

4 Key Messages to Convey to Your Employees

1

I am concerned about you, and I support you.

2

I assure you that any information you give me will be treated in the strictest confidence.

3

Here are some resources to help you. Would you like me to help you contact them?

4

I'm available to help you with problems at work if you need it.



WHEN COMPLETING A PERSONALIZED SAFETY PLAN WITH THE EMPLOYEE, IT IS IMPORTANT TO CONSIDER THE FOLLOWING ASPECTS:

- **DISCUSS** the safety plan process with the employee in a private, quiet place where he or she will feel comfortable and safe. With the employee's consent, create a safety plan together.
- **DOCUMENT** incidents. Encourage the employee to do so, including past, present and future injuries, safety concerns, threats and behaviours. If possible, ask them to chronologize or track incidents as they occur.
- **STORE** in a safe place all documents concerning domestic or intimate partner violence suffered by the employee.
- **INFORM** the employee about legal resources, counselling services and other available resources, such as local shelters and crisis support services.
- **SECURE** the workplace (i.e., consider practices regarding phone calls, emails and the internet).
- **MAKE** entrances and exits safer by modifying workplace practices.
- **NOTIFY** employees of a possible threat in a timely and effective manner.
- **DETERMINE** the nature of the warning concerning the risk of violence.
- **PREVENT** a violent person from entering the workplace by implementing security measures.
- **REVIEW** the employee's working conditions, considering workplace policies, practices and flexibility.
- **VERIFY** the reasons for absences ("check-in") in the event of an employee's unplanned absence from work. This must be done according to a pre-established protocol to ensure the employee's safety.



- **DETERMINE** leave arrangements that allow the employee to take time off to deal with legal issues, find accommodation, provide childcare and look after themselves.
- **REVIEW** the safety plan, take stock and check on the employee.
- **ADAPT** the plan if necessary.
- **ADOPT** the signal for help when employees work from home, or take additional measures such as agreeing on a code word or phrase to signal distress or an urgent situation in complete confidentiality.

- **Go further. Don't hesitate to:**
 - Act as liaison with the shelter or police.
 - Install a non-monetary self-monitoring screamer alarm.
 - Have a car security alarm on the employee's key ring.
 - Offer a pre-programmed cell phone.
 - If necessary, designate a new person to be notified in the event of an emergency at the employee's home.
 - Other.

TEMPLATE
OF SAFETY
PLAN



Acknowledgements to Our Partners

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We thank them for sharing.

THE CENTRE DE PRÉVENTION DE LA VIOLENCE
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Chambre de Commerce Kent-Sud
Kent-South Chamber of Commerce



Imperial
Manufacturing Group

IT'S
YOUR
BUSINESS



C'EST
VOTRE
AFFAIRE

Il est normal de s'inquiéter.
C'est votre affaire.
C'est votre affaire.
C'est votre affaire.



SERVICES À LA FAMILLE
RESTIGOUCHE
FAMILY SERVICES





For a list of services available in New-Brunswick for victims and survivors of violence, consult the following document.

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Women and Gender
Equality Canada

Femmes et Égalité
des genres Canada