

Preventing Incidents of Domestic Violence, Sexual Assault, Stalking, and Harassment in the Workplace

Why are Domestic Violence, Sexual Assault, Stalking, and Harassment Workplace Issues?

Domestic violence becomes a workplace safety issue when an employee, or anyone with a familial or intimate relationship with an employee, engages in violent or threatening behavior designed to control or harm the person they're targeting. Domestic violence usually involves people with a pre-existing personal relationship, whether as family members, spouses, dating partners, or persons with a child in common.

Sexual violence becomes a workplace threat when anyone who comes in contact with the workplace engages in sexually harassing or criminal acts. Sexual violence can be committed by someone known or unknown to the survivor: a family member, dating partner, coworker, supervisor, security guard, customer/client, member of the public on company property, or a stranger. Crimes of sexual violence are defined differently in every state, but include rape, incest, sexual touching, threats, sexual harassment, assaults, and batteries.

Stalking often co-occurs with domestic violence or sexual violence. A stalker can be known or unknown to the survivor, and be a co-worker or client, a family member or intimate partner, an acquaintance or a stranger. The threat posed to the survivor and the workplace will depend upon the perpetrator and their actions.

Preventing an Incident

I. Conducting a Threat Assessment

To protect against the workplace impacts of domestic violence, sexual violence, and stalking, workplaces can engage in threat assessments, which are a set of strategies or pathways that provide information about

individuals who may pose a risk to the workplace. Threat assessments can discern the:

- A scan of security vulnerabilities (e.g., access points)
- Exact nature and context of a threat and/or threatening behavior;
- Identified target (general or specific);
- Apparent motivation behind the threat, and
- A perpetrator's background, including work history, criminal record, mental health history, and past behavior on the job.

Regular threat assessment is necessary because a threat level is never fixed and can change over time. For this reason, constant threat assessment is critical.

II. Employee-Centered Responses to a Potential Threat

If an employee knows a potential perpetrator, the employee typically has the greatest insight into the potential perpetrator's behavior and can provide substantial guidance in protecting themselves and the workplace.

Upon learning that an employee faces a potential threat, employers should immediately work to develop a partnership with the threatened employee to develop a safe and effective response guided by the employee's needs and circumstances.

If an employee does not know a potential perpetrator, employers should develop a similar partnership with the threatened employee to assess the level of danger and take protective measures, such as escorting the employee to their vehicle until the potential threat subsides.

Workplaces must tailor responses to the unique circumstances of each situation. In some instances, workplaces need to take only a few precautions beyond those already in place. Other cases require a higher level of assessment and planning, including, when applicable, the creation of a resource or response team.

Workplaces should apply the following principles when working with an employee to assess a potential threat:

- Ask about and assess facts relevant to any workplace threat. To preserve privacy, limit personal questions about the history between the survivor and perpetrator to matters that help reveal the potential risks;

- Keep confidential any information provided by the survivor whenever possible, only sharing specific facts with those who must receive specific information in order to implement workplace safety measures;
- Do not advise the employee about personal safety issues away from work. If the employee has a relationship with the perpetrator; do not tell the employee what to do about the relationship;
- Refer the employee to qualified local services for survivors to ensure that the employee receives appropriate information and assistance, including safety planning;
- Distribute a Safety Card;
- Do not blame or hold a survivor responsible for a perpetrator's threats or violent actions.

An employee who is faces a potential threat may also need workplace accommodations to address their own particular safety issues, such as a Protective Order, also known as a Restraining Order. Depending on the extent in which a potential threat has been directed towards a workplace, an employer may consider consulting with the affected employee and obtaining the order in the employer's name or a no-trespass order covering the work site (if allowed under state law).

Other accommodations to consider include:

- Obtaining the affected employee's permission to provide relevant details about the potential perpetrator (such as a picture, physical description, license plate number, or vehicle make/model) to security personnel and reception staff;
- Relocating the affected employee to another work area or altering their work schedule until the threat is over; and
- With the affected employee's input and permission, have their calls screened, transferred to security or designated personnel, and remove the affected employee's contact information from directories and websites

Workplaces Respond provides technical assistance to workplace stakeholders seeking to better prevent and respond to domestic violence, sexual assault, stalking, and harassment impacting the workplace. Scan this QR code to access the Resource Center.



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