

WORKPLACES RESPOND TO DOMESTIC & SEXUAL VIOLENCE

A NATIONAL RESOURCE CENTER

IMPROVING SAFETY AND RESPECT IN THE WORKPLACE: TRAINING FOR SUPERVISORS

This project was supported by Grant No. 2012-TA-AX-K055 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.



Full Training Learning Objectives (1)

As a result of the entire training program, supervisors will be better able to:

1. Describe domestic violence, sexual harassment, sexual assault, stalking, and other forms of violence.
2. Tell workers why it is important to understand and take action against these forms of violence.
3. Respond when they see or hear about it.

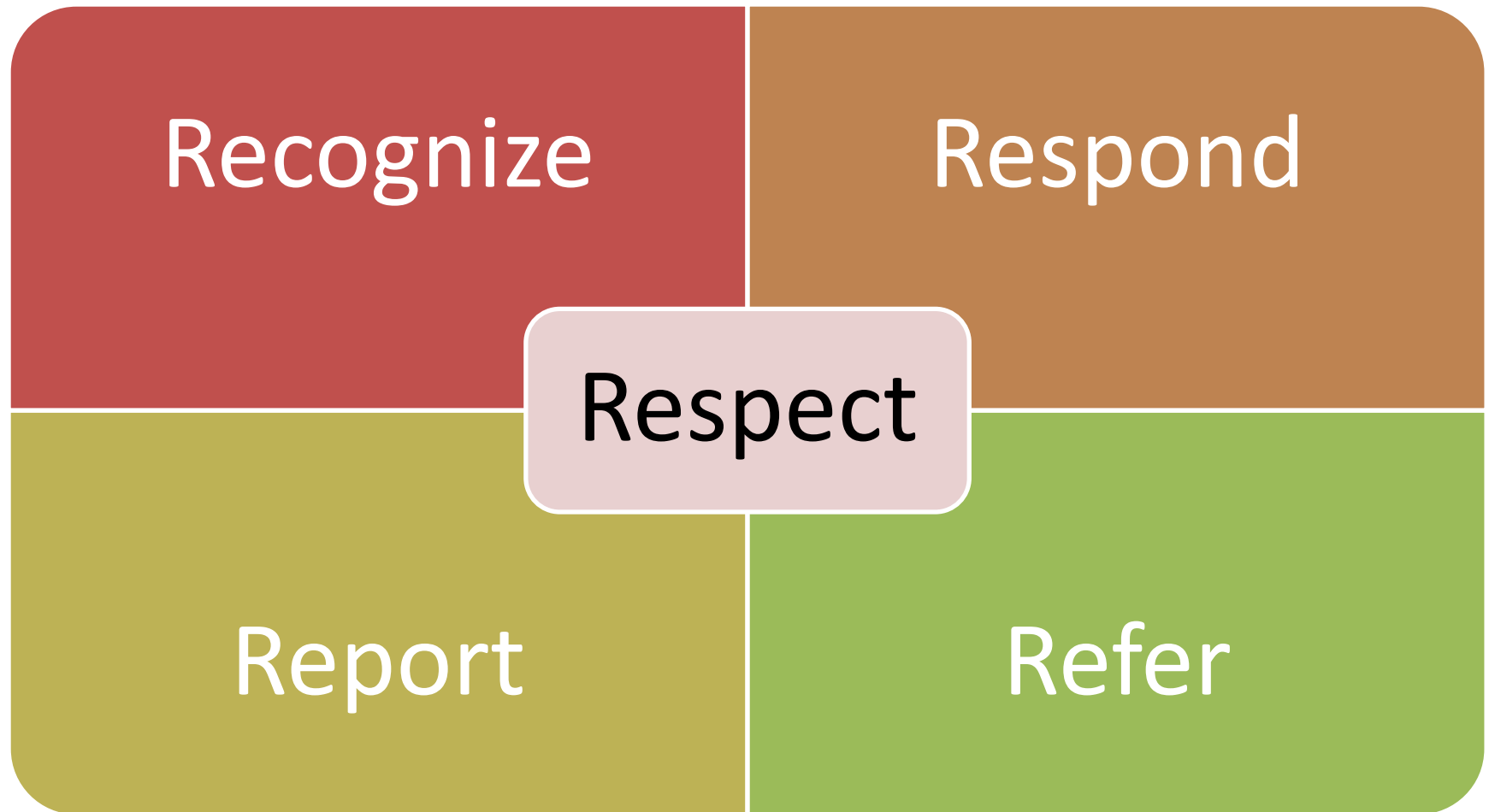


Overall Training Learning Objectives (2)

4. Promote a company culture of respect, be a role model for other supervisors and workers, and figure out ways to prevent violence and harassment.
5. List company resources available.
6. Give information to workers about workplace policies and apply them to promote safety, health, and respect at work and at home.



The 4Rs



MODULE 1: RECOGNIZE DOMESTIC VIOLENCE, SEXUAL HARRASSMENT, SEXUAL ASSAULT, STALKING, AND OTHER FORMS OF VIOLENCE



Module 1 Learning Objectives

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

1. Describe different types of violence and harassment in the workplace and at home.
2. Identify victims and perpetrators.
3. Recognize signs that violence or harassment has happened.
4. Break down false ideas and misunderstandings about why a person uses violence or harassment against another person.



STATISTICS ABOUT VIOLENCE AND HARASSMENT IN THE WORKPLACE



How widespread is this?

- 1 in 4 women and 1 in 7 men are victims of severe physical violence by an intimate partner.¹
- 1 in 5 women and 1 in 71 men raped in their lifetime.²
- 1 in 5 women report harassment by a boss and 1 in 4 were harassed by a coworker
- 1 in 6 women (16%) & 1 in 19 men (5%) stalked during lifetime.³

^{1, 2, 3} Centers for Disease Control, National Intimate Partner and Sexual Violence Survey, 2011



Workplace Impact

- 33% of women killed in workplaces from 2003-2008 by an intimate partner
- 1 in 8 victims of stalking lost time from work – 50% of them lost 5 or more days of work¹
- Of 150 women interviewed in the Central Valley, 80% experienced sexual harassment

¹ Bureau of Justice Statistics 2009; ² Human Rights Watch 2012; ³ International Labor Organization



SEXUAL HARASSMENT



Video: "CIW Know Your Rights — Sexual Harassment"

Let's watch a short video.



Small Group Discussion Questions

1. Who are the characters? Describe their interaction.
2. What is the boss asking Maria to do? Is it sexual harassment? Why or why not?
3. What are other things that a boss/supervisor could say or do that could be considered sexual harassment?
4. What might happen to Maria if she says no?
5. Why does the boss feel like he can say or do those things to Maria?
6. Why did the boss pick that place to talk to Maria?
7. What are some other places on the farm where a boss or supervisor might act or speak this way to employees?
8. Are there places off of the farm where this could occur?
9. What are the effects on the business and the workers if these things happen?



Large Group Discussion – Questions

#1-3

1. Who are the characters? Describe their interaction.
2. What is the boss asking Maria to do? Is it sexual harassment? Why or why not?
3. What are other things that a boss/supervisor could say or do that could be considered sexual harassment?



A range of acts

- Sexual harassment and sexual assault is a range of acts and behaviors: anything from sexual comments up to rape.
- Perpetrator can be any person such as a stranger, boyfriend, girlfriend, partner, family member, co-worker, acquaintance
- Victim can be anyone, male or female



What is sexual harassment?

- Sexual advances, requests and other conduct of a sexual nature
- Unwelcome
- Interferes with an individual's work performance
- Creates an intimidating, hostile, or offensive work environment



Examples of sexual harassment (1)

- Gestures, heckling, staring, whistling, unwanted flirtations
- Making unwanted comments or jokes about someone's appearance
- Promotions in exchange for sexual favors
- False rumors
- Retaliation



What is sexual assault?

- Sexual contact obtained through use of force, threat of force, intimidation, or coercion
- Consent = a clear yes only
- No consent if a person is unconscious, under the influence of a drug/alcohol, or under the age of 18



Examples of sexual assault

- Unwanted touching
- Unwanted kissing
- Fondling or groping
- Rape



Large Group Discussion – Questions #4-6

4. Why did the boss pick that place to talk to Maria?
5. What might happen to Maria if she says no?
6. Why does the boss feel like he can say or do those things to Maria?



Power Dynamics

- Fear of refusing sexual advances or reporting harassment/violence because they may lose their job
- May create visa/immigration problem
- May be very hard to find another job
- Shame/afraid people won't believe them
- Fear for safety



Large Group Discussion – Questions

#7-9

7. What are some other places on the farm where a boss or supervisor might talk to employees this way?
8. Are there places off of the farm where this could happen? Where?
9. What are the effects on the business and the workers if these things happen?



Workplace Impacts of Violence (1)

- Can take place anywhere at work.
- Might happen in some places more than others - wherever workers are alone, or a place that is far away from others.
 - Going to the bathroom
 - In the fields
 - On the bus



Workplace Impacts of Violence (2)

- Victims might miss work, have problems concentrating, medical problems, or be harassed or threatened at work
- Lack of response by supervisor sends a bad message
- This costs the company money



Workplace Impacts of Violence (3)

- Employers must take proper measures to prevent domestic and sexual violence and stalking in their company housing facilities.
- Physical and psychological problems create safety hazard for everyone, especially if operating machinery or working in a dangerous setting.



EXERCISE: MARI AND PATY



Large Group Discussion – Question #1

1. Why does Mari suspect that something is happening to her friend Paty?



Large Group Discussion – Question #2

2. What forms of violence are discussed in the scenario?



What is domestic violence?

- Pattern of behaviors used to establish power and control over another person through fear and intimidation.
- Not just *physical*; can also include *emotional, psychological, economic, and/or sexual harassment and sexual assault*.



Examples of physical violence

- Hitting, kicking, punching, slapping, scratching or a threat to do so
- Throwing objects or use of weapons
- Preventing medical or mental health care
- Breaking walls, windows, phone, personal items
- Harming a pet or any loved ones



Examples of emotional violence

- Making the person feel guilty
- Threatening a person and/or their loved ones
- Threats of suicide or self-harm
- Threatening to take away children
- Controlling what the person does



Examples of sexual harassment and sexual assault

- Coercion in participating in sexual acts, including sexual acts with others
- Unwanted touching of a sexual nature/fondling
- Rape



Examples of economic control

- Preventing victim from getting or keeping a job
- Control over their finances, or access to money and credit cards
- Making all big/important financial decisions



What is stalking?

- Harassing, unwanted and/ or threatening behavior that causes the victim to fear for his/her safety or the safety of a family member
- Perpetrator can be intimate partner/family; acquaintance/co-worker/dating/customer/client stranger
- Use of phones, texts, emails, computer, GPS
- Often happens with sexual assault and domestic violence



Examples of stalking

- Approaching or following a victim or their family/friends/love interest
- Sending victim unwanted items, including gifts
- Repeatedly contacting victim in text, emails, or phone calls
- Breaking into someone's home/vehicle
- Forcing contact



Large Group Discussion – Question #3-5

3. Is the violence affecting Paty's job?
4. Why doesn't Paty want to tell her boss what is happening to her?
5. What is the impact on the workplace?



Impact on the workplace

- Violence affects victim's work:
 - Absences
 - Relocation
 - Chronic tardiness
 - Changes in performance
 - Problems concentrating
 - On the job harassment and violence
 - Resign/fired
- Lack of response by supervisor models bad behavior



Why victims don't disclose to their employer

- Afraid of getting fired, being treated differently or being given different/worse duties or working conditions
- Shame
- Afraid for their safety
- Worried employer won't do anything to help or stop the violence or harassment



COMMON PLACES OR AREAS WHERE VIOLENCE AND HARASSMENT MIGHT OCCUR



Large Group Discussion Questions

1. What are some common places where violence or harassment can occur?
2. How does violence affect victims in workplace even if it happens somewhere else?



When violence occurs at home

- Conflict with partner/spouse/family member
- Controlling spouse/partner/family member
- Money problems
- Infidelity
- Separation/break up/divorce



When it occurs at the workplace

- Partner/family member/acquaintance appears in workplace
 - Makes threats, harasses, causes violent incident
 - Uses work resources (bus, truck, computer, phone)
- Employee/supervisor is perpetrator
 - Employee may feel they have to allow it to keep the job
- Coworker
 - Workplace romance
 - Harder for women in jobs with a lot of men, or where people are alone for long periods of time



VICTIMS AND PERPETRATORS



Anyone can be a victim

- Victims can be of any age, gender, sexual orientation, education level, ethnicity, or income status.
- Victims can also be of any immigration status: a citizen, a resident, an asylee, out of immigration status, on a work visa, etc.



Signs of victimization

- Depression/anxiety/stress/sadness/crying
- Avoids eye contact
- Low self-esteem
- Drug/alcohol/prescription drug abuse
- Suicidal thoughts/attempts
- Unexplained medical issues with bad excuses
- Changes in personality
- Uncharacteristic work related problems



Vulnerability to victimization

- Immigration Status
- Low Income/Poverty
- Past Abuse/Harassment history



Anyone can be a perpetrator

- Any age, sex, sexual orientation, education level, ethnicity, immigration or income status
- Most victims of violence are women (85%), and most perpetrators are men
- BUT women can be violent to men and women. Men can harm and harass other men
- Not always about sexual attraction/desire



Signs that someone might be a perpetrator

- Victim of domestic or sexual assault as a child
- History of violence and domestic violence or sexual harassment or assault
- Possessive, predatory and controlling behavior
- Drug or alcohol abuse
- Untreated mental disorder
- Unemployment or can't keep a job



Common beliefs and the real facts about victims...



Beliefs and facts: Victim's Fault

BELIEF:

- Victim's attitude/life style/actions/personality provoke violence

FACTS:

- Nothing justifies violence or harassment.
- A perpetrator is always responsible for violence they carry out.
- The victim is NEVER responsible.



Beliefs and facts: Violence is Physical

BELIEF:

- Violence is only physical

FACTS:

- Violence takes many other forms such as Emotional, Verbal, Psychological, Financial, Sexual.
- Physical violence is sometimes just easier to see



Beliefs and facts: Fear of Leaving

BELIEF:

- Victims are selfish and don't care about the well-being of their children, otherwise they would leave.

FACTS:

- Victims may not leave because of fear for safety
- Victims may not have another safe place to live, or child care, or money
- Don't want to lose the children
- As long as s/he is the only one being physically abused his/her children are not affected.
- Perpetrators use manipulation and threats to make victims afraid and do what they want



Beliefs and facts: Culture

BELIEF:

- Violence is ok if accepted culturally and some cultures condone them.

FACTS:

- Culture is not a justification or excuse for violence
- Attitude of "minding one's business" or "looking the other way" must change
- Men and boys are very important for changing this attitude



Conclusion

- Anyone can be a victim
- Anyone can be a perpetrator
- Control or taking advantage of victims
- Not just physical, and not just about sexual desire
- About power and control
- Violence can occur anywhere
- Need a culture of respect



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MODULE 2: RESPOND TO VIOLENCE AND HARASSMENT



Module 2 Learning Objectives

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

1. Explain the company's values, culture, and policies that promote respect and reject violence and harassment both at work and at home.
2. Respond differently to different kinds of violence and harassment.
3. Identify consequences for individuals and the company if failure to report an incident of violence and harassment.
4. Take appropriate actions according to company policies when reporting.



VALUES, CULTURE, AND POLICIES PROMOTING RESPECT



Anti-Violence and Human Rights-Centered Principles and Values

- Human rights are rights inherent to all people, whatever our nationality, gender, national or ethnic origin, religion, language, or any other status without discrimination.
- [EMPLOYER] is committed to providing a work environment that is free of discrimination, harassment, and violence.
- That commitment includes the human right for workers to have a **safe workplace**.



Policies for Addressing Violence and Harassment



Human Trafficking Policy

- Under policy, [employer] refuses to participate in any form of slavery, and holds all employees to same standard.
- Types of human trafficking include, and are not limited to, sex and/or labor trafficking
- Any employee found engaging in trafficking will be terminated and [employer] will notify proper authorities.
- When encountering employees who are victims of trafficking, a supervisor should notify upper management, which will contact the proper agencies [and Fair Food Standards Council].



No Harassment Policy (1)

- **Commitment** to promote work place free of discrimination, sexual harassment and/or any unlawful harassment.
- **Discrimination** means the unfair or unequal treatment of person or group based on race, color, religion, sex, national origin, age, disability, marital status, sexual orientation.
- **Harassment** means any verbal or physical conduct that denigrates or shows hostility toward an individual because of his/her race, color, religion, sex, national origin, age, disability, marital status, sexual orientation, or creates an intimidating, hostile, or offensive work environment.



No Harassment Policy (2)

- **Sexual harassment** means any form of discrimination or violence that is unwelcome and affects an employee's employment performance or creates an intimidating, hostile, or offensive work environment.
 - Examples: sexual advances, request of sexual favors, sexual assault, rape, or any other verbal or physical conduct of a sexual nature.



Domestic and Sexual Violence Policy (1)

- Purpose of policy: enhance workplace awareness/assistance for employees and help them understand how to prevent and respond to violence
- Requires employees in a supervisory position to receive regular training on preventing, recognizing, and responding to violence.
- Supervisory employees will be able to recognize and respond accordingly



Domestic and Sexual Violence Policy (2)

- Employees are educated on this policy so that they will be able to recognize a violation and follow the proper chain of command in reporting any issues.
- [Employer] should provide immediate assistance to employees who are victims
- The policy also creates consequences for employees who perpetrate violence or harassment. Sunripe will conduct an investigation and discipline any employee who has engaged in such behavior.



FAIR FOOD PROGRAM/CODE OF CONDUCT



Joint/External Complaint Resolutions

- Company policy provides that workers have the freedom to report complaints or concerns without fear of retaliation.
 - FFP Code provides that workers must also be informed of their right to contact the CIW or the Fair Food Standards Council (FFSC) to make complaints or express concerns.
- Retaliation or threats of retaliation are serious violations of the Code.



Health & Safety

- Sunripe agrees to provide a safe and healthy working environment for employees.
- Employees who feel in danger have the right to cease working (without pay) or fear of retaliation.
 - FFP Code also requires a Health & Safety Committee of paid employee volunteers who meet regularly to offer input and/or express concerns about health and safety in the workplace.



Applicable Federal/State Laws, Codes, and Regulations

- Sunripe agrees to abide by all of the following items, including:
 - FFP Code of Conduct,
 - Local, state, or federal laws regarding employee wages, benefits, working hours, equal opportunity, and employee and product safety.

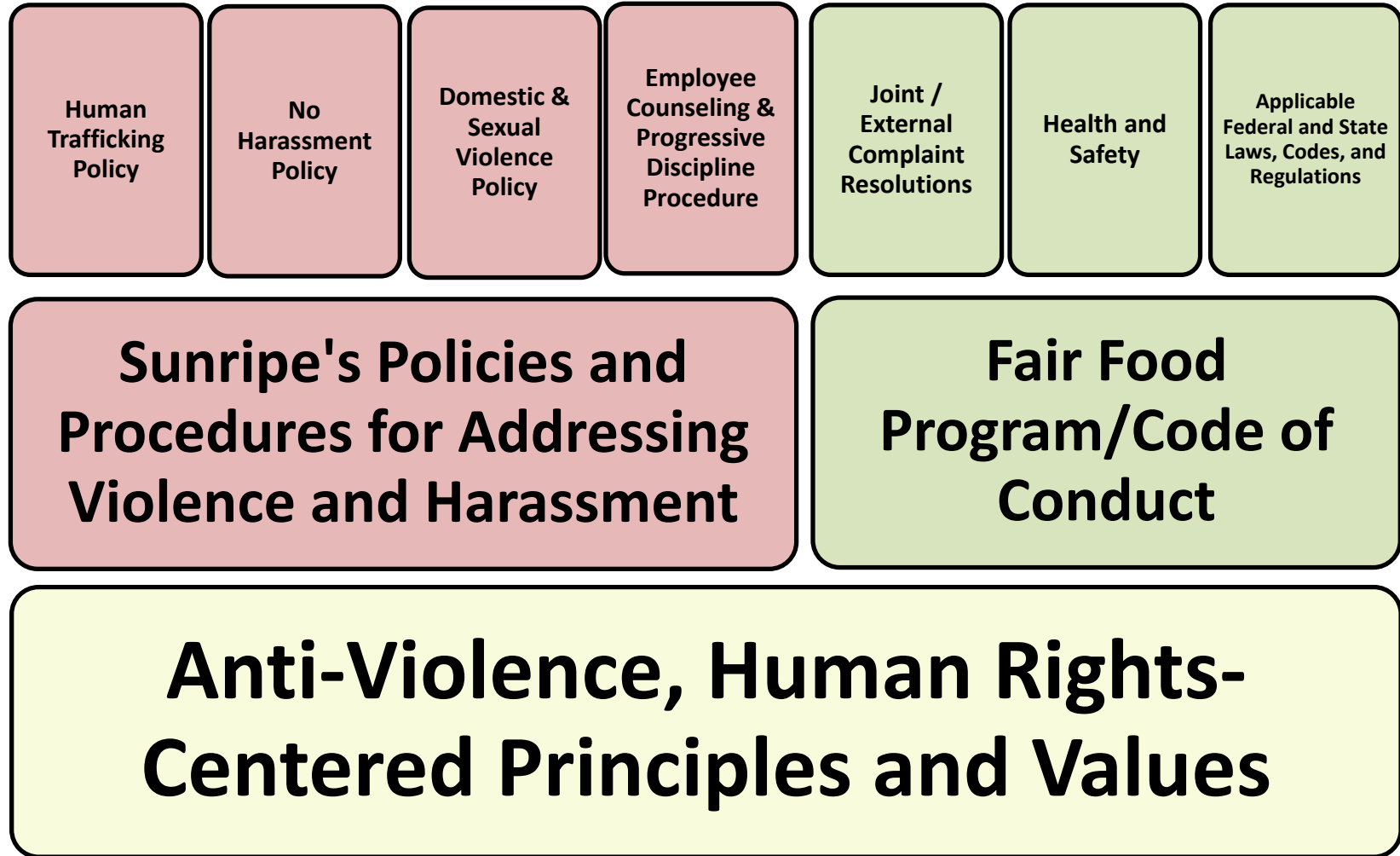


Zero tolerance provisions under FFP Code of Conduct

- **Forced labor** will result in termination of those responsible, banning of employment at FFP farms, and contacting the authorities. Additionally a finding of forced labor results in a company's suspension from the FFP.
- **Sexual harassment with physical contact** is a zero tolerance offense, requiring termination of those responsible and immediate corrective action by the company to avoid FFP suspension.



How Everything Works



SCENARIO 1: A LOVERS' ARGUMENT



SCENARIO 1: A LOVERS' ARGUMENT

Question #1:

Has Luis done anything wrong? If yes, what did he do? If no, why?



SCENARIO 1: A LOVERS' ARGUMENT

Question #2:

How should you RESPOND to Luis's behavior?



SCENARIO 1: A LOVERS' ARGUMENT

Question #3:

Should you say anything to the other dumpers and harvesters? If so, what should you say?



Learning points

- Importance of recognizing signs of violence or harassment.
- Your responsibility to respond appropriately to an incident of violence or harassment.
- Be proactive
- Remember that not everything is just physical.
- Personal issues between employees can have an impact on the workplace
- Role model respect among your crew.



SCENARIO 2: COMPANY HOUSING – BLURRED LINES BETWEEN HOME AND WORK



SCENARIO 2: COMPANY HOUSING – BLURRED LINES BETWEEN HOME AND WORK

Question #1:

**Was Maribel right not to do
anything? If yes, why? If no, why
not?**



SCENARIO 2: COMPANY HOUSING – BLURRED LINES BETWEEN HOME AND WORK

Question #2:

**What are some ways Maribel
could have intervened?**



SCENARIO 2: COMPANY HOUSING – BLURRED LINES BETWEEN HOME AND WORK

Question #3:

**Does the fact that this is a situation
between another supervisor and a worker
affect how Maribel should handle this?
Why?**



Learning Points (1)

- Respond to the situation instead of letting it go unaddressed
- Find out more information by talking to the individuals involved, separately and privately
- Collect relevant information
- Response can range from calling 911 to give a verbal warning
- Coaching , verbal warnings, and written warnings



Learning Points (2)

- Your response will depend on different factors about the situation
- Act as role models for your crew
- Men listen to other men
- Women supervisors are also looked to as valuable examples
- Your duty as a supervisor and a role model does not stop at the edges of the field



CONCLUSION



Learning Points (1)

- Work environment free of discrimination, harassment, and violence.
- Open communication between employees, supervisors, and management.
- Policies and procedures to promote a positive, respectful culture in the workplace



Learning Points (2)

- Don't just ignore the situation!
- Respond immediately when safe
- Talk to all parties involved, including bystanders.



Learning Points (3)

- Incidents at home also impact workplace.
- It is important to respond to and report violence or harassment because:
 - Negative effects for both the company and for individuals.
 - Set a good example for other employees



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MODULE 3: REPORT INCIDENTS OF VIOLENCE AND HARASSMENT



Module 3 Learning Objectives

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

1. Identify consequences for individuals and the company if you fail to report an incident of violence and harassment.
2. Take appropriate actions according to company policies when reporting.



INVESTIGATING A REPORT OF VIOLENCE OR SEXUAL HARASSMENT AND CONSEQUENCES FOR FAILURE TO REPORT



Investigation by FFSC (1)

- Employees may file complaints free of retaliation or threat of retaliation
- Confidentiality to the greatest degree possible
- Complaints received through the FFSC hotline are normally investigated by the FFSC and the company's HR staff in collaboration



Investigation by FFSC (2)

- All parties involved will be interviewed.
- All parties involved will be asked to provide witnesses, if possible.
- A resolution will be reached through conversations with the complainant, FFSC and HR staff.



Consequences for Supervisors if Failure to Report

- Failure to report an issue can subject you as a supervisor to the counseling and disciplinary process up to termination, depending on the severity of the unreported incident.
- More information in the next module!



Consequences for Company if Failure to Report (1)

- Failure to report serious issue doesn't just affect you, but also affects company as a whole.
- Failure to report an issue can cause the company to incur costs and liability if something should happen or if someone gets hurt.



Consequences for Company if Failure to Report (2)

- Fair Food Code of Conduct requires Participating Growers to report worker complaints to Fair Food Standards Council within 48 hours.
 - Failure to provide and allow prompt investigations and resolutions of worker complaints can result in the company being placed on probation and/or suspension from the Fair Food Program.
- If company loses money, then all employees lose money, too.



REPORT VIOLENCE AND HARASSMENT



DIEGO THE BUS DRIVER'S DILEMMA

Question #1:

**Did Juan do anything wrong? Yes
or No? Why?**



DIEGO THE BUS DRIVER'S DILEMMA

Question #2:

**Why do you think Diego said
what he did to Rosa?**



DIEGO THE BUS DRIVER'S DILEMMA

Question #3:

Should Diego say anything to Juan, Cristina, Rosa, and the other workers who heard the exchange? Why or why not? If yes, what could he say?



DIEGO THE BUS DRIVER'S DILEMMA

Question #4:

**Should Diego report what happened?
Why or why not? If yes, who should he
report to and what should he say?**



DIEGO THE BUS DRIVER'S DILEMMA

Question #5:

What could happen to Juan if Diego reports him?



DIEGO THE BUS DRIVER'S DILEMMA

Question #6:

**What if Juan had also grabbed Cristina's leg or rear in addition to the jokes and comments?
How should Diego respond and report (Refer to Handout 3-2)?**



Learning Points (1)

- Immediately stop violence or harassment when seeing or hearing about it
- Consult HR before taking any disciplinary measures. HR must give final approval.
- Tell workers and co-supervisors what will happen under company policy



Learning Points (2)

- Supervisors should set a good example for others
- Company expects all employees to act with respect always and to take responsibility for their own actions



CONCLUSION



Reporting

- Report to your supervisor only OR your supervisor & HR depending on the facts.
- Remind workers that they can report harassment and violence to HR directly (and to outside organizations like FFSC).



Disciplinary Consequences

- Action determined based on severity, frequency, degree of deviation from expectations, and length of time involved.
- Remember to report to HR either by phone or in person
 - Email or text is not adequate.



Role Modeling Respect

- Reinforce and praise respectful conduct.
- Reflect respect in your own behavior.
- Use open communication.
- Encourage employees to come speak with you



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MODULE 4: REFER WORKERS TO RESOURCES



Module 4 Learning Objectives (1)

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

1. Describe educational materials about violence and harassment that are available to inform workers.
2. Tell workers about resources available within the company and the community to help victims or workers who might experience violence or harassment.
3. Refer workers to specific company personnel who can further help.



RESOURCES TO ASSIST WORKERS ADDRESS VIOLENCE AND HARASSMENT



Large Group Discussion Question

What information do you already know that you can give employees on getting help related to violence or harassment from your company or in town?



Available Company Resources

- Insert your own company's number.



REFERRALS TO RESOURCES IN "A LOVERS' ARGUMENT"



Large Group Discussion Question #1

What resources can you provide to Ana?



Question #2

What if Ana wants to get an order of protection against Luis, the dumper, and she asks you what to do?



Learning Points (1)

- You should not tell victims what to do or to counsel them.
- Prioritize the victim's safety - privacy
- **Recognize** what is happening, **respond** to the employee in need of assistance, and **refer** them to people who can help.
- They can report this to HR, FFSC, or CIW without fear of any retaliation.



Learning Points (2)

- Also let them know that you will separately make a **report** to your own supervisor and, if the situation calls for it, to HR.
- Limitations to what you and HR can do



RAPID RESPONSE SCENARIOS



Scenario 1:

You are a crew leader and notice that the bus driver is always walking by the same female worker, Elena, talking to her and standing nearby watching her. She seems uncomfortable. What should you do?



Scenario 2:

After you intervene and move the driver to another part of the field, the driver states that Elena was actually leading him on and he should not be penalized for it. How should you respond?



Scenario 3:

You notice one particular male worker is being verbally and physically bullied by a group of other workers. They make inappropriate comments about the worker's sexuality. What do you say as a supervisor?



CONCLUSION



Overall Training Learning Objectives

As a result of the entire training program, supervisors will be better able to:

1. Describe what is meant by domestic violence (DV), sexual harassment, sexual assault, stalking, and other forms of violence.
2. Tell workers why is it important to understand and take action against these forms of violence and harassment.
3. Respond when they see or hear about conduct that is violent or harassing.
4. Promote a company culture of respect, be a role model for other supervisors and workers, and figure out ways to prevent violence and harassment.
5. List company resources available to help workers who might be experiencing violence or harassment.
6. Give information to workers about workplace policies and apply them to promote safety, health, and respect at work and at home.

