Generous funding for this program was provided by the Public Entity Risk Institute (www.riskinstitute.org)

Domestic Violence in the Workplace
Protecting Your Nonprofit and Your Employees
Nonprofit Risk Management Center
Jennifer@nonprofitrisk.org
January 16, 2008
2:00 – 3:00 pm EST
Generous funding for this program was provided by the Public Entity Risk Institute (www.riskinstitute.org)

Domestic Violence
A relatively hidden safety risk until recently
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What is the likelihood that this could happen?
- Nearly 1/3 of women report abuse at some point in their lives by husbands/lovers
- 1 million+ reports of a violent assault by an intimate partner every year
- 94% of corporate security directors rank DV as a high security problem
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What is the impact?
- One study: 41% of victims had job performance problems and 48% had difficulty concentrating at work
- 37% of victims reported that abuse impacted work in the form of lateness, missed work, difficulty keeping the job or getting promoted

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What Are Your Duties?
- Protect your employees
- Not violate any laws
- Protect your mission and resources

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What are the Risks?
- Disciplinary action against an employee who is a victim of domestic or sexual violence could be illegal
- Employees who are victims of domestic/other violence are:
  - less productive and more likely to be distracted and make mistakes
  - Potential victims of violence while “at work”

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**Injury/Violence at work**

- Will it be covered by workers compensation?
- Could other employees be at risk?
- Will general safety and morale be impacted if we take preventative measures?

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**Injuries While at Work – Can the nonprofit be liable?**

- Workers compensation is often the exclusive remedy
- Nonprofit generally has no duty to protect employees from unpredictable assaults by non-employees
- However, if employer knew or should have known = DUTY to prevent harm

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**Domestic Violence at the workplace**

Could it happen at your nonprofit?

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How Can We Be Prepared?

- Raise Awareness
- Know the Law
- Adopt Policies
- Be Responsive

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Raise Awareness

Partner with a local domestic violence group to train your staff

Know the Law

- Does your state have a law specific to victims of domestic violence?
- Specific to crime victims?
- Does your nonprofit have a policy?
- Does the FMLA or do state leave laws apply?

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Policies Provide:
- Proactive and practical direction to supervisors
- Guidance that may not be provided by other policies
- Consistency with applicable state, local and federal laws

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Be Responsive if it Happens
- Show concern and allay fears
- What impact will absences have on the employee’s job?
- Confidentiality issues
- Safety issues

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What Rights May Victims Have?
- Leaves of Absence – FMLA provides for 12 wks unpaid leave
- State laws could be consistent, could differ
- Local laws could provide leave for reasons other than medical care

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What Rights May Victims Have?

- Right to time off with job protection
- Right to be free from discrimination
- Confidentiality
- Reasonable accommodations (IL)

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Risk Assessment = HIGH

- Can happen at any workplace
- 1 out of 3 women experience DV
- Serious harm can result if a victim is unprotected
- Employer faces penalties for violation of leave laws or discrimination laws

Reduce risks by being PREPARED
Inexpensive protection
= Draft a policy
Train employees

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Next Month’s Webinar

**The New 990: Friend or Foe? What You Need to Know to Prepare Your Organization and the Board for the Road Ahead**

- February 6th, 2008
- 2:00 – 3:00 pm EST

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Thank You!

- Contact information:
  - Questions? Email Jennifer

  jennifer@nonprofitrisk.org

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