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## DOMESTIC VIOLENCE IN THE WORKPLACE

### RBS Employment Law Group Newsletter

Notwithstanding efforts to avoid it, work life and domestic life often intersect in unpredictable and disruptive ways. Perhaps the most unfortunate example of this is in the context of domestic violence. When the effects of domestic violence extend outside of the home and into the workplace, the safety of an entire workplace can be compromised.

A devastating example of domestic violence entering the workplace occurred in January 2000, when a man armed with a butcher knife entered a Starbucks in downtown Vancouver to confront his estranged wife who worked there. Tony McNaughton, the employee's manager, intervened to defend the employee and he was tragically stabbed to death in the process.

A more recent but similarly devastating example occurred in July 2011, when Manmeet Singh is alleged to have entered a Surrey newspaper office and savagely murdered his estranged wife, Ravinder Bhangu, with an axe and meat cleaver. Singh is also alleged to have seriously injured Bhangu's co-worker who attempted to intervene.

WorksafeBC has recently published "Addressing Domestic Violence In the Workplace: A Handbook for Employers", available on their website, to help raise awareness about domestic violence in the workplace, its signs and effects, the obligations of employers in response to it, and recommendations for addressing it.

As noted in the Handbook, domestic violence may enter the workplace when an abuser attempts to harass, stalk, threaten or injure a victim at work. The implications of domestic violence can range from reduced employee productivity to serious injuries or death. Victims of domestic violence may feel isolated due to shame, and may be reluctant to ask for assistance. This silence can put other workers at risk, and employers should strive to provide opportunities for workers to feel more comfortable discussing domestic violence so as to help prevent it from entering the workplace.

The Handbook also summarizes an employer's legal obligations, under occupational health and safety legislation or otherwise, to address domestic violence that enters the workplace. Such obligations include: (1) conducting a formal assessment or investigation of the risk; (2) eliminating or minimizing the risk by establishing policies and procedures, securing the premises, or contacting the police, depending on the



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*Established in 1871*

severity or imminence of the situation; (3) informing staff who are likely to be confronted of the nature of the risk, the abuser's identity, and the controls that have been put in place to deal with the situation; and (4) reporting and investigating any incidents that do occur, either to the police or to occupational and health authorities.

An employer is also required to address improper activity or behaviour that occurs between co-workers, including violence or threats of violence. This may include: eliminating or minimizing the possibility of contact between the employees while at work; offering appropriate referrals to both employees, such as providing information about where they can get help; developing a personal safety plan with the victim; talking to the abuser and being clear about what that employee is alleged to have done; and taking disciplinary steps to hold the abuser accountable, among other things.

Employers can also take proactive steps to help avoid the prospect of domestic violence entering the workplace, such as: creating clear procedures and a domestic violence policy for the workplace; developing a workplace domestic violence education program; working with affected employees and providing appropriate resources; developing a workplace safety plan to help keep the workplace and all workers safe from threats of domestic violence; and developing personal safety plans for employees suffering from domestic violence.

Employers and employees alike are encouraged to review the Handbook so that they are better aware of the risks of domestic violence in the workplace, and steps that can be taken to protect against it.

WorkSafe BC - Domestic Violence Handbook

