

DISCUSSION PAPER



DOMESTIC VIOLENCE IN THE WORKPLACE

1 Introduction

This paper discusses the role of employers in preventing domestic violence ¹ and providing support for survivors in the world of work. It draws on good practices from employer-led policies and jointly negotiated agreements between employers and trade unions.

Domestic violence can affect a survivor's working life, health and wellbeing in multiple ways. It can negatively impact a survivor's participation in employment, financial independence, productivity at work, career progression and safety at work. Supporting survivors of domestic violence helps them stay safely in their jobs and progress in their careers. Addressing domestic violence as a workplace issue is important for human resources (HR) personnel, for union and employer representatives involved in negotiations for workplace policies and in implementing prevention programmes in occupational and safety policies and procedures, and for managers and occupational health professionals providing support for survivors.

In the EU, one in three women have been victims of violence against women or domestic violence, and as many as one in 5 women have suffered domestic violence (European Union Agency for Fundamental Rights [FRA], 2014). Many survivors of domestic violence are of working age and in employment, so employers can play an important role in society's response to domestic abuse. ILO Convention 190² on violence and harassment in the world of work, adopted in 2019, and the accompanying recommendation 206³ have confirmed domestic violence as an issue that has implications for the workplace, and to which risk assessment could be applied. Employee surveys consistently indicate that around one in three working women has experienced at least one form of domestic violence during their working lives (European Trade Union Confederation [ETUC], 2017; ILO/UN Women, 2019; McFerran, 2011; Pillinger et al., 2019; Vodafone, 2021; Wathen et al., 2015). Reports of an increase in domestic violence during the COVID 19 pandemic (EIGE, 2021a) heighten the importance of addressing it, including regarding teleworking.

1.1 What is domestic violence?

Domestic violence is defined in the Council of Europe's Istanbul Convention as:

all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim. (Council of Europe, 2014, Art. 3b)

The European Commission's definition of domestic violence highlights that anyone can potentially be a victim but that women are disproportionately affected by domestic violence:

Domestic violence is a form of violence against women as it disproportionately affects women ... Women are disproportionately represented as victims of both forms of violence due to the underlying patterns of coercion, power and/or control. However, anyone can be a potential victim of such violence, regardless of their sex or gender. In the case of domestic violence, in particular, it can affect any person, including men, younger or older people, children and LGBTIQ persons. (European Commission, 2022, p. 1)

Evidence from prevalence surveys shows that on average 70% of victims of domestic violence are women and 30% men, although female victims are more likely to experience higher levels and severity of physical violence and coercive control than male victims. Women are murdered at work most frequently by an intimate partner

¹ Domestic violence is a form of gender-based violence and is variously defined as domestic abuse, intimate partner violence or family violence. The term survivors is used in this paper to define workers who are/have been both victimised and survived domestic violence

² ILO Convention 190 concerning the elimination of violence and harassment in the world of work https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100 ILO CODE:C190

³ ILO Recommendation 206 concerning the elimination of violence and harassment in the world of work https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100 ILO CODE:R206

(Wathen et al., 2015). Rates of femicide, the killing of women due to their gender, remain high across Europe.⁴ Some of the most significant risks of physical violence and assault occur after a survivor has left an abusive partner.

Domestic violence is an expression of interlinked forms of power and control resulting from unequal power relations in intimate relationships. Domestic violence (sometimes referred to as domestic abuse, intimate partner violence or family violence) can take the form of physical violence, sexual abuse and violence, psychological and emotional abuse and threats, financial/economic abuse, stalking and cyber-harassment. It frequently involves coercive control, a systematic pattern of behaviour used to undermine a survivor, create fear through threats, humiliation and intimidation, and deprive a survivor of her agency, social and family connections, support and independence. Laws in Ireland and the United Kingdom recognise that coercive control is a form of domestic abuse.

In the EU, the most prevalent form of domestic violence by a current or former partner experienced by 43% of women victims is psychological violence; 22% have experienced physical and sexual violence by a current or previous partner, and 18% have experienced stalking by a current or former partner (FRA, 2014). A ninecountry employee survey carried out by Opinium for Vodafone (2021) also found a higher prevalence of psychological/emotional abuse, which was experienced by 64% of survivors, followed by physical abuse (50%) and financial abuse (27%).

Domestic violence increased significantly during the COVID-19 crisis, when lockdown restrictions led to an unprecedented shift to teleworking/remote working. Cases of women seeking help more than doubled (European Commission, 2021; ILO, 2021; UN Women, 2020). Security, health and money worries, isolation at home with abusers and restrictions on movement, compounded by women's disproportionate burden of care, were exacerbating factors (UN Women, 2020). These developments have further reinforced structural gender inequalities and unequal power relations. The most recent Gender Equality Index published by the European Institute for Gender Equality (EIGE, 2022) confirms a worsening situation for gender equality in all EU Member States.

2 Why is domestic violence a workplace issue?

According to the ILO, although domestic violence may originate in the home it can spill over into the world of work (ILO, 2021) (see Box 1). Domestic violence can have severe and long-lasting impacts on the safety, health and wellbeing of workers and their capacity to remain in work and to work to their full potential. For this reason the ILO Convention 190 (see below) recognises that employers too can help to recognise, respond and address the impacts of domestic violence on the workplace. While it is recognised that it is the State that has the primary responsibility to tackle domestic violence, and while employers are not responsible for it, they are in a position to act as allies to address it and to reduce risks insofar as they are in the work setting.

Box 1: Spill-over of domestic violence into the workplace

'Although domestic violence may originate in the home, it can spill over into the world of work. This happens, for example, when abusive partners follow victims to their places of work, use work-related phone or computer technologies to intimidate, harass or control them, or prevent them from leaving the household to go to work. Domestic violence can also spill over into the world of work through the stress and trauma it causes, which may affect the ability to work of the victim and the perpetrator.' (ILO, 2021)

Surveys consistently find that survivors of domestic violence face safety and security issues at work or travelling to and from work, higher levels of sick leave/time off and lateness, presenteeism/productivity issues, and not being able to take up training and career progression opportunities, for example:

A survey of over 3,000 workers carried out by the Fórsa trade union in Ireland (Fórsa, 2022) revealed that one-third of respondents had experienced domestic violence (90% suffered emotional abuse, involving coercive control, isolation and threats, 55% experienced physical violence, and 32% experienced financial abuse, such as control of finances). More than 40% of respondents said the work

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⁴ In 2020, there were 400 femicides in Poland. There were 123 femicides in Italy in 2021, 103 femicides in France in 2021 and 110 femicides in the United Kingdom in 2020. Physical assault and femicide can occur at work, as this may be the only place where a current or former partner knows where to find a former partner. For further information see: European Observatory on Femicide: https://eof.cut.ac.cy

environment offered some safety and respite from the abuse, but the majority were unaware of supports available at their workplace.

- A nine-country employee survey carried out by Opinium for Vodafone (2021) found that one in three of the 5,000 employees surveyed had experienced domestic violence; 94% of survivors said that domestic violence and abuse impacted their work performance and opportunities for career progression. The workplace provided many survivors (74%) with a feeling of safety compared to their homes.
- A multi-company survey in six European countries found that over one-half (55%) of workers who had
 ever experienced domestic violence reported that domestic violence had affected their work in at least
 one of three ways: lateness, absenteeism or presenteeism/productivity (Pillinger et al., 2019).
- In the United Kingdom, a survey found that more than one in five victims of domestic violence took time off work because of abuse, and 2% lose their jobs as a result (Trades Union Congress [TUC], 2014).
- In an Australian survey of 3,611 workers, 19% of respondents who had experienced domestic violence in the previous 12 months said that the domestic violence had continued in the workplace; around half of survivors reported that domestic violence affected their capacity to get to work due to physical injury or restraint, such as hiding keys and refusal to care for children (McFerran, 2011).
- In the United States, 44% of employees said that they had personally experienced the effects of domestic violence in the workplace, and 64% said that their ability to work had been affected (Corporate Alliance to End Partner Violence, 2005).
- In a Canadian survey of 8,429 people of working age, more than half of survivors said that violence continued at or near their workplace, often in the form of abusive phone calls or text messages; 16% of survivors said that domestic violence led to them being distracted, tired or unwell at work (Wathen et al., 2015).

Financial/economic abuse is a common form of domestic violence, with approximately 90% of cases of domestic violence involving financial abuse, such as depriving a woman of access to her salary or other resources such as to pay for travel to and from work or mounting up debts in her name (ILO, 2021; Women's Aid & TUC, 2015). In addition, financial/economic abuse, which arises from the control of money and finances, can impact on a survivor's financial independence and capacity to continue to work, making it a critical work-related issue.

An independent income is one of the most vital indicators of and a pathway for survivors to leave abusive relationships. Furthermore, it can be difficult to leave an abusive partner when women cannot earn a decent wage because of the power and control inflicted on them during their working lives. In these cases, financial support may be one of the most important sources of support an employer can give a survivor. At the same time, there must be early intervention to enable a survivor to access specialised services in the community, including financial services, to enable her to stay at her job and live independently.

Survivors of domestic violence may also face safety risks of violence at work. Rather than being a place of safety, the workplace can be a place where partners and ex-partners perpetrate assault, psychological control and femicide (TUC, 2014; Wathen et al., 2015). Abuse may occur as a result of stalking when commuting to work and in the workplace, assault in the workplace or car park, and harassment by telephone, email and social media of workers during and after working hours. Co-workers are also potentially affected, for example, if they have to cover for a colleague who cannot work to their full potential. Perpetrators may pose safety and security risks for co-workers, for example, if they encounter a perpetrator who stalks their partner or ex-partner in the workplace or if they receive abusive and threatening phone calls or text messages. Drawing up a safety plan with a survivor can play an essential role in minimising these safety risks.

In the UK, resources on the Employers' Initiative on Domestic Abuse (EIDA) website include insights into domestic violence and work for employers taken from the experiences of survivors⁵.

2.1 The costs of domestic violence

The economic costs of domestic violence are high. According to UN Women (2016), violence against women cost the global economy US\$1.5 trillion in 2016, or around 2% of global GDP. These costs extend to employers in terms of losses resulting from time off, productivity, and recruitment and retention costs. In the EU, violence against women costs €336 billion annually (EIGE, 2021b). Lost economic output is estimated to be 14% of these costs. These estimates are based on United Kingdom research showing that domestic violence costs

http://osha.europa.eu

⁵ https://www.eida.org.uk/resources/insights-employers-survivors-domestic-abuse

£66 billion per annum, with £14 billion arising from lost output due to time off work and reduced productivity. In Australia, violence against women costs the economy AUS\$13.6 billion annually, of which AUS\$465 million is borne by employers (KPMG, 2016). In Canada, domestic violence costs the economy CAD\$7.4 million, while lost productivity alone from domestic violence costs the country CAD\$53 million (Zang et al., 2012). Domestic violence also has costs related to gender equality (see Box 2).

Box 2 Domestic violence as a work equality issue

Domestic violence can inhibit the success of companies' equality and diversity strategies that support women's progression into senior and leadership roles and have a broader impact on gender equality and the gender pay gap. This is because women experiencing domestic violence are more likely than other women to have disrupted work histories, including changing their jobs more frequently, working in casual or part-time jobs, holding lower-paid jobs and not progressing in their careers (Wathen et al., 2015). In the United States, 83% of women survivors said that their abusive partners had disrupted their work, for example, by preventing them from seeking a job, causing them to lose a job or to lose out on career and promotional opportunities (Institute for Women's Policy and Research, 2018). A global study of the costs of domestic violence (KPMG & Vodafone, 2019) revealed that absences from work, including an estimated 10.1 days leave for each woman affected by domestic violence, led to an annual average salary loss of US\$2,900 per woman and approximately US\$13 billion in lost potential earnings each year across nine countries surveyed. These negative impacts on career development opportunities and women's lower pay have to be considered in strategies to close the gender pay gap. This means that it should also be viewed as a work equality issue as well as a safety issue.

2.2 Domestic violence and third-party violence and harassment

Workers whose job requires them to deal with the public can be at risk from violence, known as third-party violence and harassment (TPVH), and employers have clear duties to manage this risk⁶. The way services are provided, building design, security and communication arrangements and training are among the factors that an employer should address to prevent the risk of workers being abused, threatened or assaulted in circumstances relating to their work. As an OSH issue, domestic violence in the workplace differs from TPVH towards workers from patients, clients, customers or other members of the public in relation to work and the control that the employer has to address it. Perpetrators of domestic violence differ considerably from customers or clients perpetrating TPVH, not least because perpetrators of domestic violence frequently impose complex and interconnected forms of power and control on a survivor, including coercive control. The employer is not directly responsible for the circumstances giving rise to domestic violence in the work setting in the same way as they are for risks from work-related violence. Nevertheless, in a workplace context, a current or former intimate partner who perpetrates assault or threats against an employee may be considered a third party and there are steps that the employer may be able to take to reduce the risk of the violence occurring in the workplace (see section 4.5). As some of the steps that can be taken are similar to the steps needed to address work-related TPVH, one way to address domestic violence in the work setting can be to incorporate it into existing policies on managing TPVH (EU-OSHA, 2019).

In a general sense, it is crucial to recognise the interconnection between all forms of violence and harassment in the world of work and the significant physical, psychological and economic harm to a worker as defined in the ILO Violence and Harassment Convention No. 190⁷ (see below).

3 Legal framework

A legal framework on domestic violence as a workplace issue exists at the international, European and national levels. Here we explore relevant provisions from the ILO, EU and Council of Europe, and existing national laws on domestic violence at work.

⁶ For information about TPVH, see EU-OSHA: https://osha.europa.eu/en/tools-and-publications/infographics/third-party-violence-workplace

⁷ https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100 ILO CODE:C190

3.1 ILO Violence and Harassment Convention No. 190 (C190) and Recommendation No. 206 (R206)

ILO C190 and R206 on violence and harassment in the world of work were agreed in 2019 at the ILO's tripartite International Labour Conference to provide a progressive, inclusive and comprehensive approach to ending violence and harassment in work, including domestic violence. The standards exist in the wider context of laws on OSH, gender equality, non-discrimination and fundamental rights at work. Domestic violence is referred to in the Preamble of the Convention:

Noting that domestic violence can affect employment, productivity and health and safety, and that governments, employers' and workers' organizations and labour market institutions can help, as part of other measures, to recognize, respond to and address the impacts of domestic violence. (para. 14)

The Convention calls on governments to '... recognize the effects of domestic violence and, so far as is reasonably practicable, mitigate its impact in the world of work' (Article 10f).

- 3.2 In supporting the implementation of the Convention, ILO Recommendation No. 206 sets out policies for mitigating risks of domestic violence that can include:
 - (a) leave for victims of domestic violence;
 - (b) flexible work arrangements and protection for victims of domestic violence;
 - (c) temporary protection against dismissal for victims of domestic violence, as appropriate;
 - (d) the inclusion of domestic violence in workplace risk assessments;
 - (e) a referral system to public mitigation measures for domestic violence, where they exist; and
 - (f) awareness raising about the effects of domestic violence.

C190 recognises for the first time in an international treaty that domestic violence is a form of workplace violence. Countries that ratify the Convention will have to pass laws in alignment with the provisions of the Convention, which would include duties on employers to mitigate the effects of domestic violence at work. This could be, for example, protecting a survivor's employment and addressing risks that may occur in the workplace such as domestic stalking, digital forms of harassment or physical assault that impacts workers' safety. C190 is also grounded in an intersectional approach. The Convention recognises that some groups of workers face multiple and intersecting forms of discrimination and may be at greater risk, such as women workers, black and minority ethnic workers, migrant workers, young workers, persons with disabilities and LGBTI+ workers.

In ratifying C190, governments also have to align national laws with the provisions in the Convention in consultation with employers' and workers' organisations when measures are introduced to prevent violence and harassment, address risks of violence and harassment, including psychosocial risks, and to ensure a gender-responsive approach (ILO, 2021). By January 2023, C190 had been ratified by 25 countries, including four EU Member States (Greece, Ireland, Italy and Spain), and two other European countries (Albania and the United Kingdom). Several other Member States, including France and Finland, are ready to formally ratify the Convention. A European Council Decision for EU accession to C190 is still pending, based on the Proposal for a Council Decision authorising Member States to ratify, in the interest of the EU, the Violence and Harassment Convention, 2019 (No. 190) of the ILO (European Commission, 2020a). It is anticipated that as many as 50 countries will have ratified C190 by 2023, including a large number of European countries (International Trade Union Confederation, 2022).

3.3 EU legal and policy framework

The EU Framework Directive on the safety and health of workers at work (89/391/EEC) (EU-OSHA, 2021) places duties on employers to assess risks and implement measures to mitigate the risks based on the risk assessment. These duties apply to all OSH risks, including work-related violence and harassment. The tool of risk assessment could be applied to domestic violence (OSHWIKI, 2019), as proposed in ILO Recommendation No. 206. Outside of the EU this approach has been taken by Canada (See Table 1).

While the **EU Strategic Framework on Occupational Safety and Health 2021-2027** (European Commission, 2021) contains no specific actions on domestic violence, it does, in the context of ILO Convention 190, make reference to the Commission's draft Directive on preventing and combatting gender-based violence against women and domestic violence, as announced in the Gender Equality Strategy 2020-2025.

Also relevant is the Directive on common minimum standards on the rights, support and protection of

victims (2012/29/EU), which contains some important measures for women victims of violence. The directive ensures that any victim in the EU is entitled to a minimum level of rights, protection, support and access to justice. It also provides protection against retaliation and repeat victimisation, for example, when a woman reports a crime or initiates court proceedings on domestic violence or stalking, which may potentially impact the workplace. Domestic violence is also included in the EU Strategy on Victims' Rights (2020-2025) (European Commission, 2020b).

The **EU's proposed Directive on violence against women and domestic violence** (European Commission, 2022) aims to provide an EU legal framework on prevention, protection, access to justice, support, coordination and cooperation between authorities, and to align EU law with the Council of Europe's Istanbul Convention (see below). The proposal includes the following "Those persons and employers shall receive information about the effects of violence against women and domestic violence on work and the risk of third-party violence." However, trade unions in Europe⁸ have made a strong case for provisions to be included on domestic violence as a workplace issue, for example, by putting obligations on employers to provide survivors with workplace support and paid domestic violence leave.

The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) (Council of Europe, 2014) sets out measures to prevent violence against women by '... encouraging employers, including those in the private sector, to promote women's participation in the labour force and to adopt policies acknowledging that violence is an obstacle to women's employment' (Article 12).9

3.4 National laws on domestic violence

A few examples of national laws that provide rights for survivors of domestic violence at work already exist. These include an example from Canada of requirements in OSH law (see Box 3). As more countries ratify ILO C190 they may also decide to implement it through their OSH laws.

Table 1 gives a brief description of laws on domestic violence in the world of work, which variously provide for workplace support and protection, and rights to paid leave recognising that survivors of domestic violence may need time off from work to go to court, find safe accommodation and schooling for their children, and seek safety or other ways to accommodate their jobs in order to address the impact of domestic violence on their lives. In some cases, the laws require survivors to provide official evidence from a court order or medical practitioner in order to take up paid leave. This is the case in Italy, for example, which has led unions to argue that this imposes unnecessary restrictions on survivors, who may not have disclosed domestic violence in an official capacity, on top of culture that still perpetuates shame and victim blaming, leading to a low take-up of domestic violence leave (European Public Service Union [EPSU] et al., 2022).

Table 1: Summary of national laws addressing domestic violence as a workplace issue

| Country | Summary of legal provisions on domestic violence at work |
|-----------|--|
| Australia | The Fair Work Amendment (Paid Family and Domestic Violence Leave) Act, 2022, provides paid domestic violence leave of 10 days in industry awards (which set out terms and conditions of employment), including for part-time and casual employees. The law includes care or support for a family or household member experiencing domestic violence and the right to request flexible working arrangements. |
| Canada | Recent amendments to the Labour Code and accompanying Workplace Harassment and Violence Prevention Regulations came into force in 2021, setting out provisions for workplace policies, prevention policy and risk assessment, and domestic violence leave of 10 days per year, of which five days are paid. Some Canadian jurisdictions, for example, Ontario and Manitoba, include paid domestic violence leave in their OSH laws, with duties on employers to prevent domestic violence. |

https://www.etuc.org/en/pressrelease/iwd-workplace-violence-missing-eu-action; https://www.uso.es/wp-content/uploads/2022/12/Directiva-sobre-violencia-sexual.pdf

In June 2022, the EU signed the Istanbul Convention. In addition, all EU Member States have signed the Convention, and 21 have ratified it. For further information see: https://www.coe.int/en/web/portal/home/-/asset_publisher/ke6Wfgn94238/content/eu-signs-council-of-europe-convention-to-stop-violence-against-women

| Country | Summary of legal provisions on domestic violence at work |
|---------------------|--|
| Ireland | The Work Life Balance and Miscellaneous Provisions Bill (2022) provides five days paid domestic violence leave and protection from unfair dismissal for survivors; leave can be taken to access medical or other support services, counselling, home relocation and legal assistance. The law is due to be enacted in 2023. |
| Italy | The Jobs Act (2016) (Legislative Decree 80/2015, Art. 24) implements a protection programme for survivors and paid leave of up to 90 working days, which can be taken over a period of three years. Workers are paid at the same level as provided for maternity leave; workers can change from full-time to part-time work or take the leave on a flexible basis. These entitlements must be negotiated in collective agreements. |
| New Zealand | The 2018 Domestic Violence Victims' Protection Act gives the right to 10 days paid leave for victims of domestic violence, short-term flexible working for up to three months, and puts an obligation on employers to implement workplace policies on domestic violence. |
| Northern Ireland | The Domestic Abuse (Safe Leave) Act (2022) introduced a new right for victims of domestic abuse to 10 days paid leave each year, permitting leave when a survivor needs to obtain legal advice, find alternative accommodation, and access healthcare, mental health support, welfare support and/or protection for family members. |
| Philippines | The section of the General Labour Standards (Republic Act No. 9262) that addresses violence against women and children entitles workers to up to 10 days paid leave, to enable a woman to attend to medical and legal appointments. This can be extended, if necessary, and as specified in a protection order. |
| Spain | Organic Law 1/2004 on protection against domestic violence provides for domestic violence leave, changes in working hours, workplace and work transfers, and terminating the working relationships. Collective bargaining agreements (CBAs) have extended these provisions, in mandatory company equality plans, under Organic Law 3/2007, amended in 2021 to be applicable for companies with over 50 employees. |
| United States | All federal government agencies have to adopt workplace policies and federal government contractors have to provide paid leave to their employees to address the impact of domestic violence. In 14 states, laws exist on unpaid leave; in six states, laws prohibit discrimination against employees who are victims of domestic violence; in 13 states, laws provide paid leave; and 42 states have included support in unemployment insurance for survivors of domestic violence. |

Overall, these laws set a legal minimum benchmark of 10 days paid domestic violence leave per annum, although in the Italian law paid leave can be taken for up to three months, and in Spain length of leave is not specified, but it can be indefinite. Company workplace policies or collective agreements between unions and employers frequently extend the minimum levels of leave set out in the law. Most of the laws also provide for protection of workers affected by domestic violence and workplace adjustments, such as work relocation, temporary change in work tasks and/or flexible working.

In addition, it is important to recognise that protection for survivors in the workplace may be specified through police or court-mandated protection, restraining, non-contact or other orders. In the United Kingdom, for example, the 2021 Domestic Abuse Act introduced a new provision to extend domestic abuse protection orders to cover the workplace. It is crucial that employers are informed about these orders when they cover the workplace, particularly if there are risks to the safety and security of a survivor at work and/or her co-workers. Although generally most laws in Europe do not require mandatory reporting of domestic violence, there may be situations where employers or co-workers become aware of injuries and other signs of domestic violence. In these cases it is recommended (see WHO/Europe, 2019) that if an employer or manager wants to report a case to the police that this takes place with a survivor's informed consent so that they are aware of the process and consequences of reporting to the police and with support from a specialist domestic violence organisation.

Box 3 An example of domestic violence in OSH law

In Canada, Ontario's Occupational Health and Safety Act in 2009¹⁰ requires employers to take reasonable precautions to protect employees from domestic violence in the workplace. Article 32.0.4 on domestic violence states "If an employer becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the employer shall take every precaution reasonable in the circumstances for the protection of the worker."

4 National policies and collective bargaining agreements

How domestic violence is approached as a world of work issue varies across different countries and sectors. Dedicated domestic violence policies often feature as part of company equality, diversity and inclusion programmes, human resources policies, and/or occupational health and wellness at work programmes.

4.1 Employer-led policies

An increasing number of employers across Europe recognise the benefits of implementing policies on domestic violence. In addition, several multinational companies have drawn up global policies on domestic violence for employees affected by domestic violence, which have an impact across multiple countries and markets. They include multinational companies that span many countries in Europe such as ABInBEV, 11 AngloAmerican, 12 Carrefour, 13 L'Oreal 14 and Unilever. 15 Three examples to illustrate different policies from leading companies, Kering, Vodafone and BNP Paribas, can be found below.

Kering, the French-based multinational company specialising in luxury goods, has since 2008 been a pioneering business leader in combating violence against women. In 2021, Kering launched a global policy on domestic violence, aimed at ensuring the health, wellbeing and safety of its employees across the world. Confidential support is provided for any employee who is a survivor of domestic violence, for example, in the form of paid leave or other financial assistance, adjustments to work arrangements, such as flexible working time or changing work location, and referrals to specialist organisations. ¹⁶ Kering has not only inspired other companies to take action, it has also played an important role in raising awareness internationally about domestic violence and why companies have a key role to play. The Kering Foundation works with local partners in China, France, Italy, Mexico, the United Kingdom and the United States that provide comprehensive and tailored services to women survivors and it works to change behaviours and attitudes by engaging youth, in particular young boys, to promote gender equality. As a private sector leader of the Action Coalition on Gender-Based Violence at the UN Women Generation Equality Forum, the Kering Foundation made five commitments, including, with the **OneInThreeWomen** network, to convince 50 private sector organisations to adopt and implement internal policies and procedures to support employees who are survivors of domestic violence.

Vodafone, the world's largest telecommunications company, launched a Global Policy on Domestic Violence and Abuse on 8 March 2019, setting a model for many companies across the world. Along with 10 days paid domestic violence leave, workplace support is given to survivors, and a strong commitment is given to training and awareness raising and guidance for managers in implementing the policy. A toolkit drawn up to support implementation 17 was updated in 2021 to include remote working, drawing on guidance, including podcasts, that had been issued to managers in 2020, in response to the pandemic. The global policy sets out a framework for support based on the **Recognise**, **Respond and Refer** model. A review of the implementation of the policy

¹⁰ Government of Ontario, 2009, Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace), S.O. 2009, c. 23 - Bill 168 article 32.0.4 https://www.ontario.ca/laws/statute/S09023

ABInBev's global policy includes 10 days domestic violence leave and other workplace supports for employees in multiple countries across the world: https://www.ab-inbev.com/news-media/news-stories/how-we-are-protecting-human-rights-across-our-business-value-chain-and-sponsorships/. In addition, the company launched the #NoExcuses campaign to show that alcohol should never be used as an excuse for domestic violence: https://www.ab-inbev.com/news-media/smart-drinking/noexcuse-campaign-tackles-violence-against-women/

¹² AngloAmerican's global policy on domestic violence, which includes 10 days domestic violence leave, was drawn up as part of the company's Living with Dignity programme: https://www.angloamerican.com/sustainability/people/diversity-and-inclusion

¹³ See: https://www.carrefour.com/en/news/carrefour-publishes-guide-preventing-violence-against-women-workplace-conjunction-un-womens

¹⁴ See: https://www.loreal.com/en/news/commitments/companies-are-the-only-places-where-the-victims-of-domestic-violence-can-speak-freely--interview-wit/

¹⁵ Unilever's global policy, including workplace support and 10 days paid domestic violence leave: https://assets.unilever.com/files/92ui5egz/production/d919cc694ee39d7040865edeb64a428e1dda896b.pdf/final-domestic-violence-policy-2021.pdf

¹⁶ See: https://www.kering.com/en/news/kering-implements-a-global-policy-on-domestic-violence

¹⁷ See: https://www.vodafone.com/sites/default/files/2021-11/vodafone-domestic-violence-abuse-toolkit-2021.pdf

in Vodafone's 27 markets (Vodafone, 2020) found that the policy had been implemented in 98% of markets, and that training had been provided or was planned for managers in implementing the policy in 80% of markets; 68% of respondents stated that the most frequent form of support was referral to employee assistance programmes, followed by paid leave, provided in 64% of markets. Key success factors that assisted the implementation of the policy include senior-level commitment, training and awareness raising so that survivors are aware of the policy and also ensuring that line managers are equipped to recognise the problem, respond effectively and refer to specialist support, including through successful partnerships with domestic violence organisations. As well as the actual provisions of the policy, its symbolic value was found to be important in naming the problem of domestic violence, which helped to build trust and awareness among employees.

The French bank **BNP Paribas** has been a pioneer in the financial sector in raising awareness and implementing concrete actions to end domestic violence. ¹⁸ For over 15 years, the social workers in the BNP Paribas Social Action Unit have provided personal support for employees across France, and the bank provides internal and external information, awareness campaigns and workshops, and has made links with domestic violence organisations for specialist guidance and support. Branches in Belgium, Italy and Portugal are also committed to supporting employees suffering from domestic violence. As a member of the OneInThreeWomen network of companies, BNP Paribas has participated in the sharing of best practices and the co-creation of awareness materials and tools. The 5th Agreement on Diversity and Inclusion with banking union SNB / CFE-CGC (2020-2024) refers to awareness-raising campaigns on domestic violence. BNP Paribas aims to launch a group intranet page dedicated to domestic violence, which will be open for employees worldwide with information about support and resources available for employees.

4.2 Collective bargaining

Domestic violence is sometimes addressed through collective bargaining agreements (CBAs) often as part of gender equality bargaining, for example: under the mandatory negotiations on professional equality in France; negotiation of gender equality plans in Spanish companies with over 50 employees, in line with criteria and guidelines for negotiation of CBAs; through workplace agreements negotiated with local representatives and/or works councils; and sectoral agreements that are applicable to a whole sector that include clauses on gender-based violence, including domestic violence. In Italy, the law specifies that domestic violence protection programmes and paid leave have to be implemented through collective bargaining. Examples can be found in Table 2.

Table 2: Selected examples of joint union-employer-negotiated CBAs

| Country | Examples of CBAs |
|---------|--|
| France | The French telecoms company Orange and unions (CGT-KAPT, CFDT F3C, CFE-CGC ORANGE, CGT FAPT, FO-COM, SUD-PTT) negotiated the 'Agreement on professional equality between women and men and the balance between private and professional life within Orange SA 2022-2024'. ¹⁹ Among provisions on domestic and family violence, confidential support is provided by the company social worker and/or from specialised psychological, legal, medical or emergency assistance, financial assistance, as well as support from domestic violence associations. Paid leave of five days can be divided into half days. Funding is made for emergency housing. Confidential counselling is provided by telephone or face-to-face from an external clinical psychologist. |
| France | The La Poste Agreement on professional equality between women and men (2019-2022) covers measures on the prevention of domestic and workplace violence. ²⁰ Any worker who experiences domestic or workplace violence can avail of three days paid leave, support from the company social worker, or they can call a freephone number to access external psychological support and counselling. Each entity appoints an HR manager who acts as the reference person to inform, guide and support postal workers and to establish risk prevention actions. A gender equality advisor will be identified and appointed by staff representatives to play a role in the prevention of risks to which women may be exposed. |

¹⁸ See: https://group.bnpparibas/actualite/lutte-contre-les-violences-faites-aux-femmes-bnp-paribas-prend-de-nouveaux-engagements

¹⁹ See: http://www.focom-orange.fr/wp-content/uploads/2021/12/accord egalite professionnelle et vpvp 2022-2024-pdf.pdf

²⁰ See: https://www.sudptt38-

^{73.}fr/images/ documentation/ poste/Egalité Femmes Hommes/Accord Egalite professionnelle femmes hommes 23072019 .pdf

| Country | Examples of CBAs |
|---------|--|
| | In addition, throughout the term of the agreement, training on sexist behaviour, harassment and sexual harassment, will be provided to all members of the occupational safety and health committee (CHSCT). |
| Ireland | In Ireland, the Danske Bank policy and guidance, ²¹ agreed with the Financial Services Union, sets out zero tolerance for domestic abuse, including the duty of care of the employer under applicable health and safety legislation. The policy aims to ensure that 'any colleague who is the victim of domestic abuse has the right to raise the issue with us in the knowledge that they will receive appropriate support and assistance' (p. 3). |
| Ireland | An Post drew up a domestic abuse and coercive control policy with the Communication Workers Union (CWC) in 2021. ²² It addresses support for victims and holds perpetrators accountable for domestic abuse. Workplace support includes changes in working hours, redeployment, financial assistance in the form of an advance to salary, up to two weeks paid leave, workplace security, and measures such as record keeping of violence and harassment by perpetrators. |
| Italy | The 2020 CBA between Italian trade unions (SLC CGIL, FISTEL CISL and UILCOM UIL) and Vodafone Italy ²³ addresses smart working and wellbeing at work, with provisions on domestic violence in protocols on teleworking/remote working. Workers experiencing domestic violence, along with workers with a disability, single parents with dependent children, parents with a child with a disability and new parents, can work reduced hours and they are also entitled to additional paid leave. The agreement increased paid domestic violence leave from 10 days (under the Vodafone Italy policy) to 15 days to cover medical and psychological advice and counselling. It provides security, with support in reporting to the police and assistance in contacting domestic violence organisations. |
| Italy | National agreements on domestic violence in the public sector in Italy provide workplace support for survivors of domestic violence, setting a model for agreements in other sectors. Leave for victims of violence was included for the first time in national agreements in the public sector (2016-2018), including the National Collective Agreement for education and research (Article 18), National Collective Agreement for central government functions Triennio (Article 36), National Collective Agreement for local authorities (Article 34) and National Collective Agreement in health (Article 39). ²⁴ |
| Spain | The collective agreement for the Spanish energy company Endesa Group and the UGT union, of 23 January 2020, ²⁵ provides for revised and flexible working hours, social care, legal advice and assistance, protection orders and counselling, psychological support and medical care. Financial support is given to cover up to 50% of rental expenses (with a limit of €450 per month for up to six months) and 50% of expenses related to personal safety and expenses related to a change of school of children. Special leave of absence is available for between three months and three years. Evidence has to be provided, such as a court-issued protection order or other document giving evidence of domestic violence. Protection measures set out in the policy apply to the victim and to dependent or disabled children or adults living with them. |
| Spain | The Finance and Insurance sectoral agreement in Spain was signed on 15 December 2021 by the trade unions CCOO-Servicios and UGT and the employers' organisations UNESPA, AMAT and UGT. ²⁶ |

²¹ See: https://www.fsunion.org/assets/files/pdf/domestic_abuse_-_support_for_our_colleagues_policy.pdf
22 See: https://www.anpost.com/getmedia/a97e62f8-294b-4a5a-b068-52a6181b5e99/An-Post-Domestic-Abuse-and-Coercive-Control-Policy.pdf
23 Oliver Date: 100001

Policy.poi

23 Cited in Pillinger (2023b).

24 See: https://www.funzionepubblica.gov.it/sites/funzionepubblica.gov.it/files/Direttiva n 2.pdf

25 See: https://www.boe.es/boe/dias/2020/06/17/pdfs/BOE-A-2020-6283.pdf

26 See: https://www.ccoo-servicios.es/seguros/html/39831.html

Country Examples of CBAs

It is an example of a sectoral agreement that includes clauses on: the 'protection of victims of gender violence', setting out rights for women workers to social assistance; a reduction in the working day with a proportional reduction in salary or the reorganisation of working time; and financial assistance of up to €1,000 for expenses such as moving home, legal advice and counselling. The agreement has resulted in many companies in the finance and insurance sector including clauses on domestic violence in their equality plans. Notable examples of agreements with financial institutions enable survivors to take a 50% reduction in working hours for up to one month on full pay, which can be extended for up to three months.

4.3 Domestic violence, the COVID 19 pandemic and teleworking

Training and guidance help managers and co-workers to recognise the signs of domestic violence and create a safe space for a worker to disclose domestic violence. Recognising these signs became more difficult during the COVID 19 pandemic, particularly as the first lockdowns resulted in an unprecedented increase in domestic violence when women were confined to their homes with abusers. During this time much greater visibility was given to domestic violence. This led companies, employers' organisations, trade unions and international organisations to issue guidance in detecting and responding to domestic violence during teleworking/remote working, and through recent hybrid working methods.

These signs include reduction in work performance, non-participation in calls or online meetings, the mute/video is turned off for prolonged periods, if they are called away or interrupted by a partner when on the phone or in an online meeting, or if there are unexplained changes in behaviour, demeanour and appearance and/or unexplained absences from work. Briefings, webinars and podcasts have helped managers to maintain regular communications, provide survivors with access to information about specialist legal and domestic violence services, give support with safety measures and to contact the emergency services, such as giving access to the office for those who cannot work safely at home. An example is given in the Box 4 from UN Women's guidance for companies.

Box 4 Adapting workplace support to the new reality of remote teleworking (UN Women, 2020)

- Adapt existing workplace support and safety measures that may already be provided for a survivor to remote working. For example, introduce a safety code or hand signal as a way to trigger emergency help.
- Offer workplace support such as paid leave if the survivor is finding it difficult to complete work tasks or
 if she needs to access essential services.
- Divert telephone calls or emails if there is abuse by phone, text or email from a current or ex-partner, and find safe and confidential ways to communicate with the manager and team members.
- Ensure that work equipment, such as a phone or computer, is provided to a survivor, and that there is emergency financial assistance, if a survivor is forced to leave home in an emergency.
- If the abuse is perpetrated by an ex-partner living separately, offer advice about a protection/restraining order and about contacting the police if the order has been breached.

4.4 Paid domestic violence leave

Paid domestic violence leave is an important element of the support provided to survivors at work. Good practices include ensuring confidentiality, ensuring flexibility so that leave can be taken when needed, combined with other workplace support such as temporarily shifting to part-time and/or reduced or flexible working hours, and ensuring access to leave without having to certify or provide evidence of domestic violence. Different levels of leave have been negotiated in recent agreements and workplace policies in several European countries ranging from three days to four months paid leave, as illustrated in Table 3.

Table 3: Examples of paid domestic violence leave in agreements and workplace policies

Country Examples of paid domestic violence leave in agreements and workplace policies

France

Agreements on professional equality in France have, since 2020, included paid domestic violence leave, ranging from three to five days. For example, the Orange agreement (2022-2024) signed with French unions provides for five days paid leave, while other agreements such as the EDF agreement with French unions (2021-2025)²⁷ do not specify the amount of paid leave available, rather that support will be given to take paid leave for court or other administrative appointments. The agreement on professional equality signed by Groupe SNCF and unions in 2021²⁸ provides for three days exceptional leave of absence to attend a court summons, meetings with a lawyer, or support from a specialist association and from company social and health services.

Ireland

Paid leave of 10 days has become the norm in policies on domestic violence and coercive control, examples of which include policies of An Post, Vodafone Ireland, EIR, and in several of the country's banks, including Danske Bank and the Bank of Ireland.

United Kingdom In the United Kingdom, paid domestic violence leave has been introduced in public and private sectors, including in health and local government, examples of which can be found in the health sector, such as the Belfast Health and Social Care Trust policy, ²⁹ and in local government in Luton Council, ³⁰ Newcastle City Council ³¹ and Belfast City Council, ³² among others, which cover unionised workplaces that employ large numbers of women. For example, a domestic abuse policy in Newcastle City Council provides up to two weeks special leave with pay for a variety of purposes, including for an unforeseen personal or domestic crisis. Luton Council decided to have no specific rules on the number of days of paid leave available to workers experiencing domestic violence and it is up to managers to agree the amount of leave with the survivor. United Kingdom-based telecoms company Vodafone was the first company to implement a global policy on domestic violence, providing for 10 days paid safe leave, which can be extended in extenuating circumstances.

Italy

An agreement for special leave for women victims of violence is included in the 2019 National CBA of the Wood, Cement, Brick and Stone sectors. Some agreements have extended leave beyond the three months contained in the law, as is the case with an agreement signed in the ICT sector in 2019, between unions and the IVS Group S.A., providing one month of additional paid leave. In the motor industry, the renewal of the CBA between ARVAL and unions in 2020 contains new provisions on protection for women affected by gender-based violence, with an additional two-months leave paid for by the company. As with all agreements in Italy, leave is available for a worker who has been certified as someone experiencing domestic violence by the social services of their municipality or by an anti-violence centre or shelter. The leave may be taken on an hourly or daily basis over a period of three years. The leave can be taken flexibly or on a part-time basis. The company is obliged to respond to requests to be transferred on a temporary or permanent basis in order to protect herself and/or her children.

²⁷ See: https://www.droits-salaries.com/552081317-edf-electricite-de-france/55208131766522-siege/T07520022212-avenant-de-prorogation-de-l-accord-2017-2020-relatif-a-l-egalite-professionnelle-entre-les-femmes-et-les-hommes-a-edf-sa.-egalite-homme-femme-diversite-vie-personnelle-egalite-pro.shtml

²⁸ See: https://www.droits-salaries.com/552049447-sncf-societe-nationale-sncf/55204944776279-siege/T09321008096-accord-en-faveur-de-l-egalite-professionnelle-entre-les-femmes-et-les-hommes-et-de-la-mixite-vie-personnelle-egalite-homme-femme-egalite-pro-diversite.shtml

²⁹ See: https://bwellbelfast.hscni.net/wp-content/uploads/2021/02/Domestic-and-Sexual-Violence-and-Abuse-in-the-Workplace-Policy.pdf

³⁰ See:

https://democracy.luton.gov.uk/cmis5public/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=w8QQ6L1dHQNCRmTEETN68cAxIVLVTNEpmOvQ7%2FFg5SgZd75bQswk8w%3D%3D&rUzwRPf%2BZ3zd4E7lkn8Lyw%3D%3D=pwRE6AGJFLDNlh225F5QMaQWCtPHwdhUfCZ%2FLUQzgA2uL5jNRG4jdQ%3D%3D&mCTlbCubSFfXsDGW9lXnlg%3D%3D=hFflUdN3100%3D&kCx1AnS9%2FpWZQ40DXFvdEw%3D%3D=hFflUdN3100%3D&uJovDxwdjMPoYv%2BAJvYtyA%3D%3D=ctNJFf55vVA%3D&FgPlIEJYlotS%2BYGoBi5olA%3D%3D=NHdURQburHA%3D&d9Qjj0ag1Pd993jsyOJqFvmyB7X0CSQK=ctNJFf55vVA%3D&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJFf55vVA%3D&WGewmoAfeNQ16B2MHuCpMRKZMwaG1PaO=ctNJFf55vVA%3D

³¹ See: https://www.safenewcastle.org.uk/newcastle-city-council-domestic-abuse-policy-stafe

³² See: https://minutes.belfastcity.gov.uk/documents/s79425/Appendix%20<mark>-%20Domestic%20Violence%20P</mark>olicy.pdf

| Country | Examples of paid domestic violence leave in agreements and workplace policies |
|---------|---|
| Spain | Paid domestic violence leave is frequently included in the negotiations for CBAs and equality plans, although the amount of leave is not always specified in agreements and in some cases can be indefinite. The Endesa agreement, for example, allows for a period of leave of between three months and three years. |

4.5 Risk prevention and safety measures in the workplace

While an employer cannot prevent domestic violence, there are steps they can take to support victims of domestic violence and help keep them safe at work. If a worker discloses to their employer that they are at risk of domestic violence, the employer should consider making a workplace risk assessment to ensure that the potential risk to the employee and work colleagues is minimised. If there is a reason to consider that the perpetrator presents a risk to other employees, the employer should also consider what measures need to be taken to protect other employees. Employers also need to consider what steps might be necessary to ensure the employee remains safe whether in the workplace or if they are working remotely. Employers may need to seek external advice from domestic violence specialists and/or security teams.

When a person discloses that they are experiencing domestic violence, they must be able to do this confidentially. Support measures should be discussed and agreed with the employee. Examples of support measures include:

- agreeing with the employee what to tell colleagues and how they should respond if the abuser contacts or visits the workplace;
- a change in work location, work patterns and work tasks, such as temporarily shifting from a customerfacing to a back office position;
- a safe car parking space;
- safety in travelling to and from work, providing a vehicle to enable the survivor to get to and from work;
- changes to computer or telephone equipment or email addresses, or redirection of calls and emails to a colleague;
- ensuring that the employee does not have to work alone or in an isolated area;
- if the employee works form home, ensuring that they are in daily contact with a colleague;
- notifying reception and security staff if the abuser is likely to come to the workplace;
- improved security around the worksite; and
- keeping a record of any abusive incidents, e.g. persistent phone calls.

Some policies address the safety of co-workers, as seen in the domestic violence policy agreed between the Irish telecoms company EIR and the CWU, 33 which includes measures to protect the safety of co-workers.

Given the applicability of the risk assessment approach, domestic violence could be covered in company OSH policies. It is also a gender equality issue. Therefore, the sensible approach is to involve both gender equality and OSH in a cooperative approach. To deal with it effectively, not only managers but also those responsible for OSH and OSH committee members (where a committee exists) should be trained about domestic violence, including prevention in the workplace and support measures. Some companies have appointed a gender equality advisor to play a role in preventing risks of violence and harassment. Trade unions in some countries have established closer connections between their union OSH departments and equality departments to create better joint approaches in training and implementing gender-responsive risk assessment.

Survivors of domestic violence will be more at risk of violence and harassment if policies and measures are not implemented fully or if risk assessments do not identify specific risks faced by different groups of women. For example, there may be greater risks faced by survivors working night shifts in isolated areas and may result in women becoming more vulnerable when travelling to and from work.

In the transport sector, guidance was drawn up by workers federation, the European Transport Workers Federation (ETF, 2020) on the steps that need to be taken in carrying out a gender-responsive risk assessment.

³³ The policy, agreed in 2021, provides support to victims of domestic violence, including up to two weeks paid leave per annum to attend legal and other appointments, changes to working hours and work location, support to ensure financial independence and signposting to support services, among other measures, and puts in place measures to ensure that there is a safe environment that enables those affected by domestic violence to feel comfortable speaking about the issue.

Its checklist on whether risk assessments cover violence and harassment against women workers includes a section on domestic violence impacts on the workplace. The risk factors covered include: the absence of a policy and training on domestic and the workplace, a culture of silence - making it difficult for someone to seek help, lack of a system to assess and respond when incidents occur, risks during teleworking, risks of stalking or assault when a worker works in isolation or late at night, or a lack of security in the car park.

One approach to addressing risks in the workplace is implementing a threat management process, an example of which is the Deutsche Telekom AG threat management process in Germany (Box 5).

Box 5 Deutsche Telekom AG³⁴ has developed a threat management process to ensure the OSH of workers facing threats to their safety and security at work. The process aims to prevent serious violence and threatening behaviour and to identify, assess and defuse the problem. The prevention of serious violence and threats against employees became a high-level priority in 2014, and a dedicated Physical & Personnel Security Department in Telekom Security was established. Trained personnel handle each case individually with tailored support and prevention. Support for survivors of domestic violence can include changes in work tasks or work location and paid leave, as well as practical support and counselling from the occupational health service. Critical success factors contributing to the policy's success include senior-level commitment, teamwork, coordination, an internal interdisciplinary network across all departments, an external network of security and support services and experts, and regular dialogue with unions.

In addition, the company provides the practical guidance 'Dealing with precarious situations in field service' for field staff who work with customers in their private residences. The guidance gives information about how they should react to, behave in and deal with situations that may be getting out of control, including how to respond to situations where domestic violence and child abuse or neglect is occurring and where relevant information is given about mandatory reporting to the police or social services. Specific support is provided for employees through designed processes and contact points.

4.6 Occupational health and employee assistance programmes

A further way that confidential support is provided is via a company's occupational health service or employee assistance programme, which may be the case if a survivor does not want to disclose the situation to a line manager. However, it is important to stress that occupational health and employee assistance programmes do not provide specialist domestic violence support services. Still, they may be able to help provide a safe space to talk about an experience of domestic violence and to find out about workplace support and specialist support in the community if needed. Social workers, psychologists and other occupational health practitioners are trained as part of support programmes for survivors of domestic violence to provide confidential support, counselling and information. They may also be able to make referrals for specialised support from domestic violence organisations.

Some companies also offer support and counselling via employee assistance programmes, as is the case with Vodafone in the Czech Republic, Ireland, Italy and the United Kingdom. In Ireland, An Post provides internal support through the company's Occupational Health and Support Team and the company's confidential Employee Assistance Programme.

4.7 Financial and housing support

Better awareness about financial abuse has led some companies to provide financial s0upport for survivors as part of a workplace support package. This can include advance of salaries, advice on financial planning, and direct financial support for housing or childcare costs. Several French agreements have ensured the provision of emergency housing through the framework of funding for the NGO Action Lodgement, as is the case of agreements with the telecoms company Orange, the energy section company EDF, the national rail provider SNCF and the postal service La Poste. In the case of the agreements signed by French companies Orange and EDF, financial assistance is provided for survivors, including salary advances, and exceptional aid emergencies and childcare.

In the banking sector some innovative measures have been taken to support customers affected by financial abuse, including training to identify financial abuse tactics and ensure customer safety. In the United Kingdom banking sector, for example, the Finance and Building Societies Association (2018) drew up a Financial Abuse

³⁴ Case study cited in Pillinger (2023a).

Code of Practice, which has been signed by over 20 banks. The code aims to raise awareness and understanding about financial abuse for companies, colleagues, victims, potential victims and their families. It gives guidance on providing support and training staff on how to respond and communicate with customers affected by financial abuse.

4.8 Partnerships with domestic violence organisations

When companies take a stand against domestic violence, it sends a strong message to all actors in the world of work and the wider society that domestic violence is not tolerated inside and outside the workplace. Some companies have established a special domestic violence fund or allocation of specific resources as part of their charitable commitment to ending domestic violence. As well as providing support for domestic violence organisations, these funds are sometimes used to provide financial support for employees who have experienced financial abuse and need emergency financial assistance.

A further important element of support for survivors of domestic violence is knowing when and where to provide signposting and/or referrals to specialist domestic violence organisations for legal, housing, counselling and other support. Establishing a partnership with a domestic violence organisation can not only help to formalise this support, it can also ensure that workplace policies are fit for purpose and that workers receive the specialist help they need in a timely way. A partnership is another way companies can show solidarity with and provide financial support for domestic violence organisations.

For example, in France, the energy company EDF established a partnership for expertise, advice and training with the domestic violence organisation Association FIT (*une femme un toit*). In Ireland, the CWU and An Post 'Domestic Abuse and Coercive Control Policy', agreed on 26 March 2021, was drawn up in consultation with LGBT+ organisations and women's and men's domestic violence organisations (Safe Ireland, Women's Aid, Men's Aid) and trade union partners.

During the pandemic, the French OneInThreeWomen network provided funding for domestic violence organisations, including a national information campaign to raise awareness about support services available for survivors of domestic violence.

Some companies have created networks and used their tech base to provide broader support in the community. Using its tech-based knowledge, Vodafone Foundation has developed a range of 'apps against abuse' using TecSOS technology, and in partnership with specialist domestic violence organisations, to give protection to victims of domestic violence in five countries: Germany, Ireland, Portugal, Spain and the United Kingdom. In addition, the 'Bright Sky' mobile app provides information and support to anyone concerned about domestic violence, including information about local services. To date, the app has been rolled-out in 10 countries.

4.9 Workplace advocates and persons of trust

In some companies, named employees are trained to provide confidential advice and information for survivors of domestic violence, often carried out in partnership with unions. A good example from Northern Ireland is a confidential support service provided by the Belfast Health and Social Care Trust, in partnership with trade unions. Staff members in different professions and levels in the organisation and trade union representatives are trained to carry out this role (as part of the implementation of the Domestic Violence Policy agreed in 2018). The support officers receive training from Women's Aid, Men's Advisory Project, Police Service of Northern Ireland and other organisations working with survivors of domestic violence. The support officer is there to listen but never to direct or advise someone what to do, but they can help to facilitate practical arrangements in the workplace. A confidential, dedicated telephone number and email address are available for survivors seeking information and support.

Also, in Belfast, the Belfast City Council's domestic abuse policy provides training to staff members to be 'trusted colleagues' who are the first point of contact for confidential information for employees experiencing domestic violence and abuse. The trusted colleagues are drawn from different parts of the Council, including staff from HR and trade union representatives. All trusted colleagues' names and contact numbers are displayed on all location noticeboards.

There may also be a possibility to build support into existing peer-support, mental health contact points, or persons of trust roles. For example, the global domestic violence policy drawn up by AngloAmerican as part of its 'Living with Dignity' programme is establishing a network of 'mental health first-aiders' who will also be trained to give confidential support and information to survivors. OSH laws in Belgium and the Netherlands provide for confidential support and information for workers, including on issues related to undesirable behaviour and violence and harassment. Such an approach could be extended to include support for victims

of domestic violence. However, it is not standard practice for 'persons of trust' to provide support for survivors of domestic violence, although it is an issue recommended by unions (ETUC, 2017).

4.10 Holding perpetrators accountable

A final related issue is how companies communicate with and address perpetrators of domestic violence who are their employees, for example, through their grievance systems and support for perpetrators who want to address their abusive behaviour. In cases where the company employs both the perpetrator of domestic violence and abuse and the survivor, policies can provide measures to ensure that the survivor and the perpetrator do not come into contact in the workplace.

Of relevance is to prevent a perpetrator from using their position or resources to find information or the phone number or address details of their partner or ex-partner. In some cases, specific sanctions apply to perpetrators who use workplace resources such as mobile phones, tablets and computers to perpetrate abuse inside and outside of working hours, such as investigation through the company's disciplinary procedures and/or immediate dismissal. Several company policies refer to the importance of referrals to national helplines for perpetrators, as established, for example, through the national helpline in Sweden, and/or referral to perpetrator counselling and training programmes. These programmes can make an essential contribution to preventing domestic violence and its reoccurrence.

4.11 Company networks

A further way to raise awareness and share best practices, and in some cases to share resources, is through the establishment of company networks. An example, is the United Kingdom-based **Employers' Initiative on Domestic Abuse** (EIDA), a network of 1,000 small and large employers, providing information and guidance for companies, aimed at raising awareness about the need for policies to support survivors, including paid leave. ³⁵ EIDA's Membership Charter supports employers to take action on domestic abuse, and asks its members to commit to awareness raising, creating a safe and supportive environment, supporting employees and sharing best practices.

In 2018, the **Kering Foundation and Face Foundation** in France co-founded **OneInThreeWomen** to inspire companies to take action to support employees who are surviving domestic violence and play a wider role in ending violence against women. By 2022, 15 companies had joined the network and made commitments to provide support for survivors of domestic violence (L'Oréal, Korian, BNP Paribas, Carrefour, the OuiCare Solidarity Fund, SNCF, Publicis, PwC, L'Epnak, Orange, Superga Beauty, Air France, l'Agence Française de Développement and Sanofi). Working together and sharing best practices, the network has developed awareness materials and online training, has carried out a multi-company survey on the impact of domestic violence, and has supported the development of company policies to provide confidential support, including paid leave, for survivors. Awareness-raising materials include a series of six podcasts.³⁶

4.12 The role of trade unions

In many European countries trade unions played an active role in raising awareness about domestic violence as a workplace issue, for example, by issuing guidance for union negotiators and OSH representatives, and including the issue in risk assessment and collective bargaining. Unions played decisive roles during the pandemic (Pillinger et al., 2022). Examples include:

- The French CGT declared that domestic violence during the lockdown was a trade union emergency, following a 32% increase in domestic violence recorded by the police in one week, and 36% for the Paris region; CGT called for employers to fulfil their responsibilities to guarantee the health and safety of workers and prevent violence.
- Union confederations in Spain, CCOO and UGT, played an important role in ensuring that members
 received information about domestic violence support measures and crisis services during the pandemic,
 including information about the Ministry of Equality's contingency plan declaring assistance to victims of
 gender-based violence an essential service.
- UNISON in the United Kingdom drew up detailed guidance and a model workplace policy on domestic violence in 2017, which was updated in 2022 to take account of COVID-19 and remote working, and to address domestic abuse as an OSH issue (UNISON, 2022). UNISON's 2022 Conference called for better integration of workplace measures on domestic violence in OSH. UNISON's model policy is recommended

³⁵ See: https://www.eida.org.uk

³⁶ See: https://podcast.ausha.co/one-in-three-women-the-podcast-companies-united-to-end-domestic-violence

to employers in the statutory guidance framework that supports the implementation of the United Kingdom's Domestic Abuse Act 2021. UNISON suggests that employers should play a role in domestic homicide cases, which under United Kingdom law require a multi-agency review to be carried out to identify what can be done to prevent future cases of domestic homicide.

4.13 European social partner initiatives

Domestic violence is also addressed in European social partner initiatives, three examples of which can be found below.

Risks of domestic violence are closely associated with digitalisation in the world of work following the increase in telework across the state sector during the pandemic. Domestic violence is included in a binding Framework Agreement on Digitalisation agreed in 2022 by the Social Dialogue Committee for Central Government Administrations (Trade Unions' National and European Administration Delegation et al., 2022). The agreement calls for measures to prevent domestic violence and reaffirms the duty of employers to provide a safe working environment.

There is unequivocal support among the European social partners in service sectors to include domestic violence in the updating of the 2010 Multisectoral Guidelines on third-party violence (EPSU et al., 2010). ³⁷ The guidelines were drawn up by the social partners of the commerce, private security, local governments, education and hospital sectors. The updated guidelines aim to address contemporary world of work issues such as digitalisation and domestic violence and to put a stronger emphasis on prevention through OSH risk assessment. The project has shown the interconnections between different forms of violence and harassment and the need for specific guidance and policies on domestic violence.

In a further European project (2021-2023) covering private services, the European trade union federation UNI Europa is leading a project with European employers in various sectors, including commerce, finance and banking, gaming, telecommunications, private care and the graphical sectors.³⁸ The project includes domestic violence in developing cross-sectoral and sectoral guidelines on violence and harassment that will address psychosocial risks and TPVH. An important part of the project has been to raise awareness and share examples of successful initiatives on domestic violence as a workplace issue to inform concrete guidance for the social partners to recognise that domestic violence is an important workplace issue.

5 Recommendations for employers

Many of the recommendations for employers are about taking simple steps to become aware of domestic abuse, having flexible responses and signposting survivors to specialist support organisations. This does not require large budgets; in fact, putting in place measures to support survivors to stay in their jobs can have significant cost savings for employers.

For **small businesses** there are steps to take to address the effects of domestic abuse in the workplace, such as:

- confidential support, reassuring an employee that their employment is secure and that support measures are available;
- safety measures such as diverting telephone, email and text messages;
- advice about safe travel to and from work, including a safe car parking space;
- flexible working hours for a defined period of time and reviewed on a regular basis; and
- referring a survivor to local support services.³⁹

In larger companies learning from best practices suggests that awareness of domestic violence, implementing a policy and recognising the different types of support for hybrid, remote and in-person/office-based working can contribute to the prevention of domestic violence.

³⁷ In 2010 Multi-Sectoral Guidelines on Tackling Third-Party Violence at Work in service sectors (healthcare, education, local government, retail, commerce and private security) by employers (HOSPEEM, CEMR, EFEE, EUROCOMMERCE, CoESS) and trade unions (EPSU, UNI Europa, ETUCE). Information about the 2022 updating of the guidelines: https://www.epsu.org/article/multi-sectoral-project-role-social-partners-preventing-third-party-violence-and-harassment

³⁸ See webinar reports in different sectors. ICTS: https://www.uni-europa.org/fr/news/icts-affiliates-and-their-counterpart-unite-for-the-right-of-everyone-to-a-world-of-work-free-from-violence-and-harassment/; Finance: https://www.uni-europa.org/news/europes-gaming-workers-call-for-an-end-to-workplace-violence-and-harassment/; Gaming: https://www.uni-europa.org/news/europes-gaming-workers-call-for-an-end-to-workplace-violence-and-harassment/;

³⁹ Guidance for small businesses can be found at: https://www.cipd.co.uk/knowledge/culture/well-being/supporting-employees-experiencing-domestic-abuse and https://www.cipd.co.uk/knowledge/culture/well-being/supporting-employees-experiencing-domestic-abuse and https://www.cipd.co.uk/knowledge/culture/well-being/supporting-employees-experiencing-domestic-abuse and https://www.thinkbusinessthinkequality.org.uk/toolkit/9-domestic-abuse/

The following are **recommendations for employers, which can be adapted** to small, medium and large organisations:

- 1. High-level support from the CEO, Board of Directors and senior managers, which will help in raising awareness about domestic violence and why the company/organisation is taking action to prevent and address the problem.
- 2. Participation of workers, trade unions and domestic violence organisations in the development, implementation and review of related policy. Negotiating collective bargaining agreements is important, as it can help to build trust among workers and ensure that there are appropriate policies, implemented sensitively and with confidentiality and non-retaliation.
- 3. Create a safe space(s) for survivors to disclose domestic violence and seek support, by providing accessible information about the policy, hold regular awareness events, including inviting speakers from domestic violence organisations, and provide information in company bulletins, circulars and noticeboards.
- 4. Training and awareness raising about domestic violence and related policy, ensuring that managers receive training and guidance about their roles in implementing the policy, including confidentiality and non-judgemental and empathetic communications. It is essential that information about the support available and the policy is widely disseminated and informs all workers about confidential information and support.
- 5. A workplace domestic violence policy and communications about available support are important in raising awareness about how domestic violence impacts the workplace, covering, but not limited to, the following:
 - cooperation between HR/equalities and those responsible for OSH;
 - definitions of domestic violence, including physical, sexual, psychological and financial violence and coercive control, and how it impacts the workplace;
 - confidentiality, non-discrimination and non-retaliation against employees;
 - clear roles and responsibilities for managers, including a named contact point in HR and/or a person of trust/advocate to provide confidential information for workers;
 - protocols and safety measures on support in different work situations, including in customer-facing roles and in teleworking/remote and hybrid working;
 - paid leave (current legal benchmarks in Europe range from 10 days to three months paid leave per annum), which can be taken flexibly, extended in exceptional circumstances and linked to reintegration support following a period of leave;
 - flexible working time and/or changes in work shifts, agreed for a defined period of time to protect the safety of workers during working hours;
 - adjustments to work tasks, including agreed temporary reduction in work tasks, and support with geographical relocation if a worker needs to move for the safety of herself and her family;
 - financial support and advice, loans/salary advances for employees and assistance with safe/emergency housing;
 - carrying out workplace domestic violence risk assessments
 - training and guidance for all relevant parties on domestic violence and workplace measures, including managers, supervisors, HR, safety officers joint OSH committees on gender-responsive risk assessment;
 - individualised risk assessment and a safety plan to address risks of violence and harassment for a worker and co-workers in the workplace from a former or current intimate partner;
 - workers who have police/court-mandated emergency barring, restraining and protection orders are assisted with practical safety planning if there is a risk that the order will be breached;
 - for companies that are in a position to support customers or clients affected by domestic violence, draw up guidance, communicate and raise awareness with customers about preventing domestic violence, including digital safety and advice relating to financial abuse; and
 - partnership(s), including funding, for local or national domestic violence organisation(s) for referrals, advice, guidance, training and information, and to ensure that companies contribute to the wider social goal to end domestic violence.

Further examples of individual employer actions on domestic violence can be found in a tool kit from Business in the Community (BITC, 2021). They are from larger organisations, but the actions could be adapted to smaller ones.

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