

ATTACHMENT JB-2

This is the attachment marked "**JB-2**" referred to in the witness statement of Jocelyn Bignold dated 13 July 2015.



Violence Against Women:

A Workplace and Employment Issue

- a position paper

McAuley Community Services for Women provides accommodation, support and advocacy for women and their children who are homeless, primarily as a result of family violence or mental illness.

This paper was commissioned by McAuley Community Services for Women to investigate the current body of knowledge that exists in Australia and overseas in relation to family violence, employment and the workplace. We would like to acknowledge the author, Ellen Kleimaker.

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1. Abbreviations

ABS	Australian Bureau of Statistics
ADFVC	Australian Domestic and Family Violence Clearinghouse
ALRC	Australian Law Reform Commission
EBA	Enterprise Bargaining Agreement
HR	Human Resources
IPV	Intimate Partner Violence
JSA	Job Services Australia
McAuley	McAuley Community Services for Women
TASA	The Australian Sociological Association
VCCAV	Victorian Community Council Against Violence
VicHealth	Victorian Health Promotion Foundation

2. Executive Summary

The issues

- Violence against women is increasingly recognised as one of the most critical issues in Australian society. It is one of the leading contributors to death, disability and illness for women between the ages of 15-44.
- It is estimated that, without appropriate action being taken, by 2021-22 violence against women will cost the Australian economy \$15.6 billion.
- At the current trend, the total production related costs of family violence will equate to \$609 million by 2021-22 with employers bearing 39% of these costs at \$235 million.
- Two thirds of women who report their experience of violence are employed.
- For nearly one fifth of women experiencing violence who are in employment, the violence follows them into the workplace because the perpetrator chooses this as a platform to continue the violence.
- Almost 50% of the women who were employed while experiencing family violence stated that the violence affected their work performance. Many women needed to take time off work or request flexible work hours and if this was not possible felt they had to resign.
- Women in unionised workplaces will be increasingly able to apply for special family violence provisions such as leave and flexible working hours. However, the vast majority of women are not trade union members and most workplaces are not unionised.
- Women who are financially independent are less likely to be in a relationship with a violent partner, and if they are in a violent relationship they are more likely to leave the perpetrator. Some women may find themselves in a vicious cycle where their financial independence may be the path to freedom from violence but the violence may prevent them from becoming financially independent.
- Family violence affects women in different ways but the experience commonly contributes to their sense of worthlessness, shame and lack of confidence. Seeking or maintaining existing employment can play an important role in their recovery and may also contribute to a sense of stability and purpose at a time of instability. This requires intensive and consistent support in relation to her experience of family violence, her sense of self, her need or wish to work and her ability to find work.

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- Women who seek the assistance of JSA hoping to gain employment and financial independence are commonly placed in temporary or unstable employment and often find themselves back on Centrelink benefits after 26 weeks. Of those who voluntarily seek assistance from Employment Services many are actively discouraged from participating because some staff perceive them to be 'too hard to place' or requiring a level of assistance that JSA or DES is unable to provide.
- The first three resources and systems of support that impact on women's experience of violence are:
 - Social isolation,
 - Income, education and occupation, and
 - Relative labour force status.

Strategies

- Strategies that ensure access to permanent employment and protection, affordable housing and a social security system that responds to the real needs of women are critical to the prevention of violence against women.
- Resources are now available to address family violence in the workplace. This includes family violence specific Enterprise Bargaining Clauses (EBA), which provide victims with flexible leave arrangements, flexible working hours and various forms of support. Existing strategies that focus on educating employees, employers and trade unions in regards to violence against women need to be further developed and implemented in workplaces, which are not unionised.
- In particular managers need to commit to education and training opportunities, which will provide them with the knowledge, tools and confidence to identify and respond to employees who are experiencing or are at risk of family violence.
- Women's training and employment requirements need to be considered while they are seeking support from family violence services.
- Family violence services need to be able to refer women to an organisation that has expert knowledge of the intersection between family violence and women's employment.
- It is therefore critical that a family violence organisation is funded to specialise in providing appropriate services for victims of family violence in relation to their training and employment needs.

3. Introduction

Violence against women occurs for a number of reasons. This includes the inequity between men and women and the cultural norms that support rigid gender roles.

McAuley Community Services for Women (McAuley) provide a specialist service for women who have experienced family violence but also support women who have experienced homelessness, and / or mental illness, women who are recent arrivals in Australia and a small minority of women who are exiting prison. Common to all women that McAuley works with are multiple barriers to maintaining or finding employment.

Supporting women experiencing family violence in relation to their employment needs has emerged as a priority for McAuley for a number of reasons.

Withholding money or stopping women from working is one form of violence and highlight the importance of women's financial independence in the prevention of violence.

Women who are employed are less likely to be in relationships with violent partners and women who are in relationships with violent partners are more able to leave if they are financially independent (Barrett Meyerling, 2011).

In other words, access to long-term, secure work is critical to reducing violence against women.

McAuley has found that women experiencing family violence who were employed when the violence occurred were at risk of losing their employment, due to the violence following them into the workplace. Some women were stalked or harassed at work by their violent partner and others were unable to work due to the stress experienced because of the violence. Other women were fearful of returning to the workplace because the violent party would be likely was likely to look for them there. Many did not feel confident enough to ask the employer for flexible working arrangements, including time off work and saw their resignation as the only option available to them.

It is in this context that McAuley also assists employers to develop structures that will improve women's ability to maintain work but also work towards the prevention of violence in the workplace.

4. Violence against women

4.1 Definition

“The term ‘*violence against women*’ means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life” (United Nations Declaration on the Elimination of Violence against Women).

Family violence can take the form of threatened or actual physical violence, including hitting, punching, kicking or choking. It also includes damaging property, name-calling, intimidation, bullying, withholding and controlling money, stalking and preventing her from going to work, attending appointments or social engagements.

Perhaps the most influential perspective applied to domestic violence research is feminist theory. According to feminist theory, male violence against women in intimate relationships is one tool that serves to support societal male dominance in society. On the structural level, by creating fear or physical or psychological debilitation, men's violence can restrict and subordinate women's participation in societal institutions. Women's employment may be threatening to men because it may provide women with economic autonomy from their male partners. By restricting women's economic autonomy, men would increase the probability that their partners would remain dependent upon them, and increase their ability to control their partners' behavior within the relationship. Feminist theory therefore provides an explanation for the direct impact of domestic violence on employment: men are motivated to block their partners attempt to obtain and maintain employment outside the home and violence is used, among other tactics, to purposely sabotage their partners efforts at work (Tolman & Wang).

For the purpose of this project the terms ‘*family violence*’ or ‘*violence against women*’ will be used to describe violence against women by their intimate partner except where we quote authors of other publications. In this case we use the term used by the author.

4.2 Prevalence

Violence against women is “increasingly recognised as a significant and complex issue and one which is not simply a private or individual issue, but rather a systemic one arising from wider social, economic and cultural factors” (ALRC, 2011).

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In its research VicHealth has found that male intimate partner violence is the leading contributor to death, disability and illness for women aged 15 to 44 years (VicHealth, 2004).

In Australia the ABS found that one in three women had experienced physical violence and nearly one in five women had experienced sexual violence since the age of 15 (ABS, 2006).

26% of women seeking assistance from homelessness services stated family violence as the reason for their homelessness (AIHW 2012. Specialist Homelessness Services Collection: first results, September quarter 2011).

Violence against women is one of the most underreported crimes and statistics do not represent its epidemic proportions. The reasons for this are complicated but fear of repercussions from the perpetrator and a sense of 'feeling responsible' for the violence or shame are common amongst victims of violence. Women who live in small communities, including migrant women and women living in rural areas, may not report the violence because of the impact this would have on their lives.

In its report the Victorian Community Council Against Violence identified that 80 % of women experiencing family violence in the last 20 years did not seek help from any services (VCCAV, 2004).

4.3 Cost

Family violence comes at a high cost to women, who may lose their income, financial security, housing and health but it also comes at a cost to the broader community.

A study commissioned by National Council Against Violence Against Women and their Children states that domestic violence and sexual assault perpetrated against women is estimated to cost the nation \$13.6 billion each year. By 2021, this figure is likely to rise to \$15.6 billion if extra steps are not taken. The total production related cost will equate to \$609 million of which \$235 million will be borne by employers (National Council Against Violence Against Women and their Children, 2008).

5. Violence against women in the context of Australian Government policies, programs and initiatives

5.1 Federal Government

In May 2008, Prime Minister Kevin Rudd and the Minister for the Status of Women, Tanya Plibersek, set up the 11-member National Council to Reduce Violence against Women and their Children.

The central goals of this current National Plan are to reduce violence against women and their children, to improve how governments work together, increase support for women and their children and create innovative and targeted ways to bring about change. It outlines 6 national desired outcomes, which are

- Communities are safe and free from violence,
- Relationships are respectful,
- Indigenous communities are strengthened,
- Services meet the needs of women and their children experiencing violence,
- Justice responses are effective, and
- Perpetrators stop their violence and are held to account.

5.2 Victorian Government

The previous Victorian Government has funded and/or undertaken a number of initiatives, including

- Women's Safety Strategy 2002-2007
- Family Violence Protection Act 2008
- A Right to Respect, Victoria's Plan to Prevent Violence against Women 2010-2020
- Victorian Indigenous Family Violence Strategy - Strong Culture, Strong Families 2002
- Victorian Police Violence Against Women Strategy (2002-2008)
 - Police Code of Practice into the Investigation of Family Violence (2004)
 - Living Free from Violence – Upholding the Rights (2009-2014)

At the time of writing this report the Victorian Government had commenced the 'Action Plan Consultation Framework for Addressing Violence Against Women and their Children.'

6. Victorian Health Promotion Foundation (VicHealth)

VicHealth is a major recipient of State government funding and has developed a comprehensive report on “Preventing violence before it occurs”.

In its 2011 initiative “Creating healthy workplaces”, VicHealth identified five areas in which employers can develop health promotion processes and structures that will lead to systemic changes, including violence against women. The program will enhance and sustain workplace health promotion research, policy and practice in Victoria by building the evidence base on effective workplace health interventions (VicHealth, 2011).

VicHealth has also funded Women’s Health Victoria to work with the company Linfox on a flagship project aiming to strengthen the organisational capacity of male-dominated workplaces to promote equal and respectful relationships between men and women. This venture will serve as the means for the development and modeling of prevention of violence against women activities within Victorian workplaces through the evolution of transferrable tools and systems (Durey, 2011).

7. Violence against women, employment and the workplace

Violence against women is not a private matter. It occurs across all spectrums of society and comes at a social and economic cost to the victims, their children, employers and the broader community. Women who are experiencing family violence are the main sufferers and are affected by the violence no matter where they are.

Workplace

Violence against women in their home can become an issue at the workplace in a number of ways. Some violent partners chose to continue the violence in the workplace by harassing her and this may affect the woman’s ability to be a productive worker. She may not be able to work because of her physical or psychological injuries. The employer of the perpetrator may also be affected if the perpetrator continues the violence by using his employer’s resources to harass his current or former partner.

McFerran and Braaf identified that victims of domestic violence may experience a broad range of physical, emotional and psychological consequences, including physical injury, depression, anxiety and low self-esteem, all of which can adversely impact on their work (McFerran, Braaf, 2011).

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An Australian study shows that violence against women is a workplace issue because

- two thirds of women who have experienced domestic violence with their current partner are in paid employment,
- nearly half of those who have experienced violence reported that the violence affected their capacity to work, and
- for 19% the violence continued in the workplace. (ADFVC, 2011)

A more extensive US study by the Employers Against Domestic Violence states that 74% of employed women were harassed by their violent partners at work. This caused 56% of them to be late for work at least five times per month, 28% to leave early at least five times per months and 54% to miss at least three full days of work a month. 47% of senior executives felt that domestic violence had a harmful effect on the company's productivity and 94% of corporate security directors ranked domestic violence as a high security risk at their company (Employers Against Domestic Violence).

It can be assumed that the considerable difference between Australia and the US in the two studies is due to the population sample and research questions rather than the actual difference in the occurrence and affects of violence against women.

Employment

Family violence affects women who work and those who wish to work in a number of ways.

Women who are employed may not to be able to maintain their employment because of the violence and because the perpetrator may continue the violence in her workplace. However, being financially independent may provide women with the choice of leaving while financially dependent women may find it difficult to leave or if they do, may return due to financial hardship.

Violent men may prevent their partners from engaging in any social contact and for those women employment may provide a supportive social network.

Women who experience family violence are often prevented from working by the abusive partner. Women experiencing abuse are more likely to have a disrupted work history, or be employed in low paid, casual employment and as a result are more likely to be exposed to further abuse. Other researchers have identified a different vicious cycle where the woman's financial independence may be the path to freedom from violence but the violence may be the barrier to seeking or maintaining employment. This in turn prevents her from becoming financially independent, (Lindhorst, Oxford, Gilmore, 2007; Braaf, Barrett Meyerling, 2011; Bowlus, Seitz, 2006).

Even though one of the key actions of the National Plan to Reduce Violence Against Women and Their Children, endorsed by the Council of Australian Governments, is to "improve women's economic participation and

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independence”, it does not discuss strategies to improve women’s employment and economic independence in detail (National Plan to Reduce Violence Against Women and their Children).

Access Economics found that women who are unable to seek or maintain employment because of the abuse and its long-term affects may develop a long-term dependency on social security benefits and an increased inability to leave (Access Economics, 2004).

In summary, central to the reduction of violence against women is women’s access to secure employment and workplaces that provide support for women experiencing family violence while also encouraging respectful relationships between women and men.

8. Addressing violence against women, employment and workplace issues

In order for women to achieve financial independence, the issues of access to employment and affordable, secure housing have to be addressed at a systemic level. At a more individual level women experiencing family violence require support that assists them in staying in or gaining sustainable employment.

McAuley has found that the major gap in this context is the individual support that women require in order to maintain their existing employment or seeking training and permanent employment opportunities.

Franzway and Chung suggest that the lack of connections being made between family violence and women’s employment is partly due to domestic violence services not including women’s employment in their work with family violence victims. They assert “it is striking how little has been done to take the problem of domestic violence beyond the private domain.” (Franzway and Chung, 2005).

McAuley argues that family violence crisis services are playing a vital role in supporting women and their children. They assist women by providing counseling and support services in regards to their experience of violence, housing and, where relevant their social security needs. However, family violence services are not funded to support women in relation to their training and employment needs. This requires specialist skills and knowledge regarding the intersection between family violence, women’s employment and their financial independence.

Clearly a disjuncture exists between family violence in the context of work. Family violence services are not experts in employment issues and employment services do not have the critical skills and expertise required to

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support women experiencing family violence in the context of their employment needs.

“There needs to be a recognition that some people who are out of work but want to work face multiple disadvantages and require in-depth long-term support to cope with their complex life situations and to move towards the labour market perhaps over several years” (Wright, 2008).

Barrett Meyerling identify the lack of support available for women in regards to other financial issues such as debts, saving, assets and income. They argue that “financial concerns may prevent women from leaving or where a woman has left financial difficulties may force her to return to the violent partner. Not having an income may also compromise her safety as she may not be able to afford to install safety locks, move to a safer environment or maintain a car or phone” (Barrett Meyerling, 2012).

The Australian Law Reform Commission has undertaken an inquiry, examining the intersection between family violence and employment laws and has recently released its recommendations including the consistent definition of family violence material across the Australian Prudential Regulation Authority, Department of Human Services, Australian Taxation Office and in relation to superannuation laws. This move has the potential to redressing the determinants of violence against women, namely the inequity that exists between men and women (Australian Law Reform Commission, 2011).

At a more practical level Governments, trade unions and employer organisations in the US, UK and Canada began to address family violence in the workplace some time ago. The NOW Legal Education Fund, for example has developed a guide for employers which includes the following recommendations

- provision of mandatory training for security personnel and supervisors,
- provision of flexible family violence leave,
- where possible accommodate a woman’s request for re-location,
- creating safe and fair workplaces, and
- creating socially responsible workplaces (NOW Legal Education Fund, 2002).

The CEO Challenge is Australia’s first organisation to address family violence and employment by developing partnerships between employers and family violence services. It also offers a series of corporate awareness sessions and training seminars, which include topics such as

- Understanding domestic and family violence,
- A workplace response to domestic and family violence,
- Respectful communication,
- The impact of chaotic families on children, and
- Violence and abuse at work

(CEO Challenge, www.ceochallengeaustralia.org).

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More recently the “Domestic Violence and Workplace Rights Project” has developed a resource booklet for employees, employers and unions, which will not only increase the knowledge and awareness levels but also contribute to the increased skills required to address family violence in the workplace (ADFVC, 2011).

As stated earlier, the ADFVC together with some trade unions has developed sample EBA clauses that are now being used to negotiate the inclusion of family violence specific clauses in EBAs. The Surf Coast Shire Council became the first to include 20 days leave for victims of family violence in 2011 (ASU, 2011).

A number of Australian government members have publicly stated that they support the inclusion of family clauses in enterprise bargaining agreements (ADFVC, 2011).

These strategies will contribute to the reduction of violence and improve the support that women experiencing family violence require. They will increase the ability and confidence of employers and their staff to create workplace environments that promote respectful relationships between men and women.

However, none of these strategies addresses the fact that women’s employment is critical to the prevention of violence and in order for women to seek long-term employment individualised support in relation to their training and employment is crucial.

9. The role of Centrelink and Job Services Australia in the context of violence against women

“There are few more critical factors in an individual’s well being than access to decent work: dignity, identity, security, personal and family stability, income” (Fowkes, 2011)..

It is McAuley’s experience that the services central to employment, namely Centrelink and Job Services Australia (JSA) are not aware of the employment and training needs of women who experience family violence. “They don’t appear to take into account the complexity of family violence and how this may effect women’s ability in their search for long-term, secure employment” (McAuley).

A study by the Australian Domestic and Family Violence Clearinghouse (ADFVC) highlighted the difficulties and dissatisfaction experienced by many women and workers in this context. Even though women had disclosed their abusive relationship they were not informed about the Domestic Violence Crisis Payment. Women found the forms confusing and did not know how to survive financially throughout the long wait for the first payment. A number of women were too scared to ask questions because they experienced some

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Centrelink and Job Services staff as hostile and unsympathetic towards them (ADFVC, 2011).

McAuley has supported women who were actively discouraged by Centrelink staff in requesting a referral to employment services. Some women were not appropriately assessed, which resulted in a referral to the incorrect stream resulting in inadequate servicing. The requirements of JSA rarely seem to match the needs of women experiencing family violence and some women find it difficult to negotiate with JSAs in order to access funding for training or employment purposes.

Many women who were interviewed by Braaf and Barret Meyerling identified serious administrative barriers in accessing Centrelink services. This included not receiving information or receiving conflicting information on what they could access, considerable waiting times for payments to be processed, and payments being cut off due to administrative errors. Women were distressed about being asked to explain their domestic violence situation to a different officer every time they went into Centrelink and felt undermined by negative encounters with staff. (Braaf & Barret Meyerling, 2011).

Bowman and Lawler found that the support provided by social security and job services are not sufficient for those job seekers facing multiple barriers. They require individualized assistance to gain and maintain employment. Supporting workers in jobs is an investment, but individualized approaches are not cheap (Bowman, Lawlor, 2010)

Experiencing violence at the hands of their partner is likely to create a number of issues for women including the loss of confidence and assertiveness that is required to access complex systems such as Centrelink and Job Services Australia (JSA). It is McAuley's experience that many women were unable to seek training or employment during their time of high stress. For women born overseas these issues were magnified by language and cultural barriers.

A number of researchers have identified that JSA in its current role does not provide the support that is required by many women who experience family violence.

Where service provision is compromised it is likely that the longer-term barriers faced by many clients have not been addressed and in many instances preference was given to highly skilled and qualified job seekers in their employment placement over those who have lower qualifications and may be harder to assist. Some argue that JSA may have become more risk adverse focusing on strategies that were proven to deliver short term results, rather than more speculative long-term investments (Wright 2008, Fowkes, 2011).

However, in its own cost benefit analysis McAuley has identified that cheaper does not have to equate with lesser services for clients seeking employment support (see Attachment 1). Most importantly it is the consistent client centered approach that is likely to lead to a long-term employment outcome.

McAuley has been able to provide support services for women that result in their long-term employment and financial independence. In contrast only 20% of JSA clients gain full-time employment and over 50% had no work at all after 16 months (Fowkes, 2011)

Given the evidence provided in this report it could be argued that women who sought the support of JSA and lost their work after 16 months are more at risk of returning to their violent partner because their struggle for long-term financial independence has failed.

To ensure the safety of women, as well as for purely economic reasons, it is vital that the intersection between family violence and sustainable employment be addressed.

Government, Centrelink and JSA policy and practice must recognise that women effected by family violence can only take personal responsibility for their employment and financial independence if their life is free from violence and if the levels of individual support are timely, appropriate and lead to long-term, secure employment.

10. Gaps and weaknesses in the current system

In the previous sections we have focused on the effects that family violence has on the workplace and on the victim's ability to seek or maintain employment. We also looked at policies and initiatives that look at ways of addressing family violence in the workplace and the importance of women's financial independence.

This section will briefly address the gaps that exist in regards to victims of family violence accessing services that can assist them in gaining sustainable employment.

We have identified that many women who have been abused require in-depth and long-term support in relation to their training and employment needs. Those who are employed require this support in order to stay employed and those who are not employed require long-term support that will lead to sustainable work that ensures their financial independence.

In the workplace trade unions have initiated a number of changes but this will not affect the majority of women who are not union members and do not work in unionised workplaces.

Family violence services are not funded to support women in regards to their work and employment needs and Centrelink and JSA do not provide the level of employment support that is required.

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In order for these gaps to be filled governments need to make funds available to a family violence service that specialises in 'women, family violence and employment issues' to develop frameworks that support

- systemic cultural changes in the workplace,
- individual women in their workplace, and
- individual women in regards to their training and employment needs.

It is important that stakeholders, including Centrelink, JSA, employers, HR staff, and managers and union organisers gain greater awareness of family violence and the effect this has on women and their children. It is, however, equally important to acknowledge and understand that they cannot provide quasi-family violence support services. McAuley has found that where they have approached employers to seek support for women most were willing to do so but lacked the required knowledge, skills and confidence.

McAuley already fills some of the existing gaps and is able to expand its services if additional funding was made available. Currently the support that we provide for women in gaining sustainable employment consists of

- Assisting in identifying training and employment needs;
- Identifying training and employment pathways;
- Effective, targeted resumes;
- Building relationships with a number of employers who are interested in providing job placements;
- Providing support for women in gaining long-term employment, and
- Mentoring women in how to 'get ready for work'.
- Mentoring and coaching women to increase their general coping skills; and
- Redressing vocational and non-vocational barriers simultaneously.

McAuley works across Victoria and has worked for some time with women experiencing family violence, providing them with the critical long-term support they require in order to become financially independent and less vulnerable to family violence. McAuley already receives referrals regarding this employment support for women and would be well placed to become a specialist state-wide provider for women who are abused and their training and employment needs.

Many women who have sought assistance from McAuley have already achieved sustainable employment, a goal that has been identified by a number of government strategies, including the 'Victorian Mental Health Reform Strategy 2009-2019', the Victorian Homelessness 2020 Strategy and the National Plan to Reduce Violence Against Women and their Children.

11. A model for the support of women experiencing family violence in relation to their employment needs

Maintaining or gaining financial independence will ultimately assist women in living a life free from violence and homelessness and it is therefore critical that attention is paid to women maintaining and gaining employment (Franzway, Chung, 2005).

Based on its experience McAuley would be well placed to become a provider for women who have experienced family violence and their employment and vocational training needs.

Following is a framework, which would address in parts the employment and training needs of women experiencing family violence:

A) McAuley Family Violence Employment Support Services

AIM: To provide support for women to obtain ongoing, flexible employment that accurately reflects their career goals, skills and circumstances

1. Assessment
 - a. Risks
 - b. Education
 - c. Aspirations
 - d. Environmental factors
 - e. Demographics
 - f. Critical needs
 - g. Essential requirements
 - h. Current capacities
2. Vocational Preparation
 - a. Work readiness
 - b. Identification of employment goals
 - c. Identification of training needs
 - d. Resume
 - e. Expectations
 - f. Communication skills
 - g. Mentoring and coaching
3. Support to protect, retain and/or improve employment
4. Job Search
 - a. Vacancy targeting
 - b. Employer approaches
 - c. Support with applications and addressing key selection criteria
 - d. Interview preparation
5. Employer Strategy

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- a. To build relationships with employers and provide information resources, training and education.
- b. To work with employers and their workers to provide individual support to victims of family violence at respective workplaces
- c. Together with employers develop strategies that will lead to respectful relationships between men and women.

6. Trade Union Strategy

Where appropriate, build partnerships with relevant unions.

B) Family Violence and Employment Committee

Membership consists of organisations who can refer clients to McAuley; e.g.

- a. Family violence service/s
- b. Community Health Services
- c. JSAs
- d. Centrelink
- e. Employer representative
- f. Union representative

Alternatively McAuley may choose to seek funding from DEEWR to become a specialised job services provider for women experiencing domestic violence and/or homelessness.



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Attachment 1: Relevant initiatives

- Equal Opportunity for Women in the Workplace Agency (EOWA) (role is to administer Equal Opportunity for Women in the Workplace Act (1999 and, through education, assist organisations to achieve equal opportunity for women. Provide guidance and structures for employers to build women's participation in the workplace. (located within FaHCSIA)
- Domestic Violence: Workplace Rights and Entitlements. ADFVC involving unions and employers,
- Right Smart Employers Toolkit, Victorian Equal Opportunity and Human Rights Commission, Queensland
- Western Australian Government, Freedom from Fear Campaign (to enable early support for those involved in domestic violence and increasing awareness of domestic violence and its affects across a range of site incl. workplace intervention targeting employers, managers, supervisors, including training and further research
- Stand up: Domestic Violence is everyone's business. Women's Health Vic
- CEO Challenge
- EBA - Australia Post
- EBA - Surf Coast Shire
- EBA - Australian Education Union
- EBA - Thoroughbred Racing Agreement
- Domestic Violence Free Workplace program (NZ), Safer Homes in NZ, encourages improved response to DV by employers, aims to reduce stigma associated with DV, create safe, supportive workplaces for victims of DV and support economic autonomy for victims . Te Rito Strategy, Ministry for Health. DV Free has been successfully established in business, local and central government. Auckland City Council won 2003 Equal employment award for its implementation of the program.
- Hopeline – Verizon (US)
- US Corporate Alliance to end Partner Violence (US) The only national non-profit organisation in the US founded by the business community to address domestic violence as a workplace issue. Currently employer members reaching over a million employees across the US with the message that "Domestic violence is "Everybody's business.
- Safe at Work Coalition (US)
- Clothing Manufacturer Liz Claiborne Inc., Raises funds to support women's services, donates merchandise, raises awareness, developing community based training, resources, internal policies, employee assistance program.
- Polaroid (US) Domestic Violence Program in the Workplace
- American Federation State and County Municipal Employees (US)
- Employers against domestic violence (US)
- Women's Aid 2004 – Guide for employers on DV (UK)

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- Phoenix Project (US)
- Legal Momentum (US)
- Domestic Violence Intervention Centre (East Alabama, US) a refuge where case workers are assigned to help set goals for employment and financial assistance
- UK Corporate Alliance Against Domestic Violence, Over 140 companies have joined the alliance to create a work environment where employees can seek practical support and advice and take positive action to end domestic violence.

Attachment 2: The impact of violence in the lives of working women – Creating solutions, creating change

Absenteeism

Domestic abuse results in thousands of lost work days each year. Studies of battered women have found that 50 to 85 percent of abused women missed work because of abuse; over 60 percent reported arriving late due to abuse.

Impaired job performance

The obstacles faced by women who have survived rape, sexual assault, or domestic violence and who want to continue working are complex and can interfere with job performance and career advancement. Survivors can suffer from physical and emotional damages that may distract them from their work. Studies show that domestic violence has a particular impact on job performance because batterers commonly harass their partners at work through means such as stalking and telephone harassment. Batterers sabotage women's ability to work in other ways by failing to provide promised child care or transportation, stealing car keys or money, hiding clothing, or inflicting visible injuries. In addition, many co-workers and supervisors harbor stereotypes about rape and domestic violence survivors, which affect their performance evaluations. Prejudice and hostility lower the employee's morale and diminish her job performance.

Loss of experienced employees

Businesses lose dedicated employees due to violence against women. Studies show that 24 to 52 percent of surveyed battered women had lost their jobs – at least in part – because of domestic violence. Even Congress recognized that “[a]lmost 50% of rape victims lose their jobs or are forced to quit in the aftermath of the crime.”

Employers sometimes fear that they will expose themselves to liability by taking action to prevent or remedy domestic violence. However, it is much more likely that an employer would instead face liability due to inaction. Companies can best promote workplace safety and avoid liability by taking prompt and effective remedial action after learning about a situation involving sexual harassment.

Women are twice as likely as men to be victims of assault at work.

Failing to take violence against women seriously and failing to treat women with respect and confidentiality compounds the harm to survivors of rape, sexual assault and domestic violence who already have suffered grave injury

Hold training seminars on domestic violence, rape, and sexual assault so that employees understand the seriousness of this crime. Consult with local rape crisis and domestic violence organizations about local laws and resources.

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Use your company newsletter, e-mail, and personnel and union bulletin boards to make sure employees understand that your company's policies reflect a serious commitment to stopping violence. Post the telephone numbers of local and national domestic violence and sexual assault hotlines and support services in visible places throughout your company, including cafeterias, restrooms, and lounges. Adopt a policy regarding violence in the workplace that mandates disciplinary measures for abusive employees who threaten or commit acts of violence at work, including those who use office resources, phones, faxes, or e-mail to harass or stalk others.

Provide mandatory training for security personnel and supervisors

- understand protective orders and how to enforce them under local law;
- be able to deal with employees' intimate partners or stalkers, who may be able to talk their way past sophisticated security systems;
- recognize possible warning signs of domestic violence, rape, and sexual assault, and know how to respond sensitively and confidentially when victim.

Designate “anti-violence” contact people for employees who feel threatened

Identify several people in your company with particular training in the problem of violence against women. Encourage employees to contact these people if they have concerns. Be sure that all supervisors, contact persons, and employee assistance program personnel know about local domestic violence and rape crisis hotlines and counseling centers – working with such organizations can add immeasurably to your program's effectiveness.

Create partnerships with local domestic violence and rape crisis programs to support their important work. Develop public education campaigns to help inform local communities about the problems of violence against women and what every person can do to help stop it. Join together with other companies, service providers, and government agencies to build collaborative partnerships aimed at creating productive workplaces that are safe and supportive for all employees.

Confidentiality

Anti-violence policies work best when there is a general policy of confidentiality. Letting a victim of violence know that her confidentiality will be maintained to the full extent of the law underscores your staff's respect for her view of the situation and how it should be handled.

Absences

Victims of violence need time off for various valid purposes. Review your company's medical leave and disability leave policies to ensure that nothing restricts supervisors from flexibly accommodating your employees' needs. Personal and discretionary leave policies should allow employees to waive advance notice requirements in emergency situations.

Relocation

An employee may request a change in work shift or location to prevent further incidents of violence. Supervisors should ask each victim of violence what

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solutions best suit her circumstances. Encourage your supervisors to accommodate a woman's requests for relocation whenever possible.

Security

Home phone numbers and addresses of employees should not be given out without specific authorization. Whenever possible, pictures of identified batterers or stalkers should be kept at the front entrance to help prevent access. Security or other personnel can protect women who have been subjected to incidents or threats of violence by escorting them to the parking lot, bus stop, or subway station.

Some companies provide designated parking spaces close to the building for employees threatened by violence. Some offer silent alarms at desks or provide cellular telephones to women who are at risk.

Recruiting and hiring

Questions about an applicant's past or current exposure to violence should not be part of the recruiting and hiring process. Only job-related questions, such as the applicant's education, employment history, skills, and willingness and ability to do work, should be considered.

Obtaining a civil protection order does not usually require a lawyer; however, it is helpful for legal department staff or others familiar with the legal system to walk employees through the process. Make sure human resources personnel, employee assistance program staff, and supervisors know about and can refer an employee to victim advocates in her community.

An employer can assist a woman who has survived violence by encouraging her to document what happened. It may be helpful for her employer to document a victim's bruises or record the fact that she reported a violent incident to someone at the company. Local advocates and experts can help determine what documentation an employer should keep and ensure that a victim's privacy is not compromised.

A national coalition of employer, labor, and government organizations set out to define a set of standards that would guide workplace responses to domestic violence. The result of that process was a consensus document, Ten Principles for the Workplace, which describes the attributes of a comprehensive and compassionate workplace response to domestic violence.

Creating safe workplaces:

We will strive to create a workplace environment that is safe from all forms of violence including domestic violence and which supports victims of domestic violence to understand and access services, information, and protections available to them.

We are committed to nondiscrimination against domestic violence victims in all aspects of our business and operations, including the delivery of services to customers.

We will to the fullest extent possible take active measures to increase the safety of all employees who request assistance because they are victims of domestic violence. We acknowledge the importance of keeping all requests

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for assistance in confidence, making information available only on a “need to know” basis.

We will strive to provide education on domestic violence to employees and/or union members. We believe that this education should include information about resources available in the workplace and/or community for victims of domestic violence and batterers.

We will strive to make all personnel, benefits, security policies, and employee assistance programs responsive to the needs of employees who are victims of domestic violence.

In all workplace responses to domestic violence, we will respect the authority and autonomy of the adult victim to direct her or his own life.

Creating fair workplaces:

We believe that employees should not be disciplined or terminated simply because

We acknowledge that employees who are victims of domestic violence should have the same rights, opportunities, and benefits as all other employees.

Creating socially responsible workplaces:

As members of local, state, and national communities, we believe in our responsibility to support community efforts to end domestic violence.

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