Barbara Warner Workplace Domestic Violence Policy

Report to Governor John R. Kasich July 2015

OHIO DEPARTMENT OF HEALTH

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John R. Kasich / Governor

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Governor Kasich:

The Barbara Warner Committee on Workplace Domestic Violence strives to implement your Executive Order that affirms the implementation of the Barbara Warner Workplace Domestic Violence Policy. The committee first convened in January 2009.

Human trafficking, sexual and domestic violence, and child maltreatment represent a continuum of violence for which proactive crisis intervention and prevention steps have been prioritized in Ohio. Continued efforts across these range of issues is creating momentum for real change with the potential to make our state a safer place for our residents.

In this report, you will find the accomplishments of the committee, a listing of committee members and information about the materials that have been distributed to assist state employees regarding domestic violence intervention, with attention to both immediate crisis services and prevention.

Planned next steps include:

- *Ensure continued compliance with the Executive Order and Statewide Policy, including training of new supervisors*
- *Continue to provide training and resources as needed, while looking for new opportunities and resources as best practices in addressing domestic violence evolve*
- *Promote bystander intervention training*
- *The committee continues to work with the Ohio Department of Administrative Services (DAS) and the Ohio Employee Assistance Program (OEAP) to ensure that Human Resources and EAP staff are prepared to respond to the calls that may result from participation in this training.*

Debra Seltzer
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Barbara Warner

Workplace Domestic Violence Policy

In Executive Order 2011-04K, one of the first issued by Ohio's Governor John R. Kasich, the governor affirmed the implementation of Ohio's "Barbara Warner Workplace Domestic Violence Policy." This policy was first established in 2008.

Domestic violence is a public health issue in Ohio, characterized by a pattern of control used by one person to gain power and control over family or household members. Domestic violence may include verbal, emotional, financial/resource, sexual and physical types of abuse. Domestic violence can affect people of all ages, gender, religion, income, race, culture, education and sexual orientation.

Additionally, domestic violence has had a significant impact on the workplace. Domestic violence does not stay at home when employees go to work. Violence can affect employees in the workplace by

Barbara Warner

Note:

The term "intimate partner violence" is sometimes used interchangeably with "domestic violence" in this report. Domestic violence may by broader, including household members other than intimate partners.

interfering with the employee's ability to safely perform his or her work duties. Employees affected by domestic violence may also have attendance problems due to violence and the abuser's controlling behaviors and this can result in an employee's low morale and productivity.

The policy is named after Barbara Warner to honor her memory. Barbara was an employee of the Ohio Department of Health and was a victim of domestic violence throughout the course of her marriage, and was eventually murdered by her husband on May 27, 1997. This Executive Order is critical because it sends the message that the State of Ohio is committed to having its employees work in healthy environments free from abusive behaviors. Ultimately, it is the hope that the Barbara Warner Domestic Violence Workplace Policy will provide guidance for management and employees on how to address and reduce the occurrence of domestic violence and its devastating impact on the workplace.

a former co-worker, remembers . . . .

ODH employee Beth Malchus

I am the keeper of one of Barbara's plants since she was murdered May 27, 1997. It's a golden pothos; yellow and white streak across its dark green, heart-shaped leaves. The plant is a subtle reminder of her day-to-day presence, her steady, calm demeanor and true regard for family, co-workers and friends. She was able to find humor in the worst situation. If there wasn't anything funny, she would do something funny like draw a silly doodle. Barbara would refresh everyone with her contagious laughter. She had a way with fostering the best in everyone by drawing out individuals' strengths and commonalities.

Barbara was one of my co-workers in the Family Planning Program. I remember her as a mentor who taught me the meaning of feminism. It was a different definition than I was led to believe. Barbara's included: not to be silent and to have an opinion; to be able to wear flats and comfortable clothes and still have power; and to have passion and integrity for what you do. Barbara walked it like she talked it. She always showed her enthusiasm, dedication and passion for the Family Planning Program and the people served by this

From left to right – Vera Al-Sabur, Barbara Warner, Beth Malchus, Andrea Jones (ODH Family Planning circa winter 1997)

program. Her legacy includes initiating a requirement for all ODH-funded family planning agencies to screen for domestic violence and physical abuse and provide referrals to local shelters. This policy was implemented before it became a national standard.

When I remember Barbara, I sometimes find myself thinking "if I only." I had become a content expert in warning signs for domestic violence, but I never thought it was happening in Barbara's life. She was the passionate fighter to screen all patients for domestic violence.

Barbara was very good at hiding the abuse. Her home life was a secret to most. Her marriage to Mark was filled with violence and isolation. Barbara said she liked wearing blouses that were dark paisley colored and had long sleeves because of her weight. But, I now believe the tops covered up any bruising. Mark would frequently call her at work; I told her it would drive me nuts if my partner did this. Barbara quickly wrote it off as "they were still in love." There were several times that Barbara came to work with broken glasses, a cut on her face or a bruise on her cheek. When we would ask, she'd laugh it off saying, "I tripped over my beloved dogs." Thinking back, Barbara was never clumsy at work and why didn't I put two and two together?

She was the last person I would think this would happen to.

Barbara was tragically killed on May 27, 1997. She had told Mark that a friend was leaving her husband. He asked her if she was planning on doing the same. She said no. That night, waiting for her to leave the bathroom, he unloaded his gun into her. Mark was found guilty of aggravated murder and was sentenced to twenty years to life. He was given three additional years for committing the offense with a firearm. Mark died in prison in 2011.

Pothos is a Greek word meaning to desire, to long for, to regret, and to want. I think of Barbara when I look at her pothos plant. I have pothos. I wish to hear her laughter and I regret that I didn't ask more questions.

A successful response,

ensuring safety and protection for a current employee . . .

The following describes an actual situation within a state agency here in Ohio within the past year. Details are withheld to protect confidentiality.

- An employee disclosed in the workplace an extremely sensitive, dangerous and challenging domestic violence-related situation
- Managers provided a quick, empathetic and compassionate response
- In the face of this extremely stressful and delicate situation, staff members were able to ensure the safety and confidentiality of the employee
- Follow-up services provided to the employee in need were holistic in nature
- The employee was kept safe, and was able to continue working and contributing in the workplace
- The perpetrator was held accountable and additional violence and trauma were prevented

This response by management epitomizes the spirit of Gov. John R. Kasich's Executive Order 2011-04K. We know that similar situations have occurred throughout state government. When handled well, violence and trauma are prevented, therefore these stories do not come to the attention of the public. The ultimate success in anti-violence work means those involved may not be recognized for their accomplishments; instead the reward for success lies in the knowledge that a colleague has been protected and is able to thrive as a survivor.

Accomplishments

In compliance with the Barbara Warner Workplace Domestic Violence (BWWDV) Policy, issued pursuant to Executive Order 2011-04K, the following activities have taken place:

- **The State of Ohio Barbara Warner Workplace Domestic Violence Policy is in place**
- **Online domestic violence training is available to all state employees**
- **Local and national resources have been provided to state employees**
- **Related training has been provided to Human Resources and Employee Assistance Program staff**

During 2014 – 2015:

As of July 1, 2014, online domestic violence training became available to all State of Ohio employees via the Enterprise Learning Management (ELM) system. There are two online training programs available: *What Every Manager Should Know-The Impact of Domestic Violence on the Workplace* and *What Every Employee Should Know-The Impact of Domestic Violence on the Workplace.* The training is an online, interactive program that was originally developed by JP Morgan Chase & Co., in collaboration with The Center for Family Safety and Healing (TCFSH).[1] The State of Ohio is using the online training program with the permission of JP Morgan Chase & Co. through a lease agreement. This program has been modified to be more specific to the State of Ohio as the employer.

The BWWDV statewide policy (HR-27) requires that all managers at state agencies, boards and commissions receive training on the statewide policy and the impact of domestic violence on the workplace. Specifically, managers are required to complete the online *What Every Manager Should Know—The Impact of Domestic Violence in the Workplace* now available through ELM. For purposes of the training requirement, managers are any employee with at least one direct report.

[1]In 2013 the Columbus Coalition Against Family Violence changed its name to The Center for Family Safety and Healing.

Since the online training became available on July 1, 2014:

- Out of approximately 6,184 managers that were enrolled in the ELM course, 2,733 have completed the online training. Please note that five state agencies had already completed the training requirement in past years (See Prior Accomplishments, p. 9).

- The committee would like to recognize the additional state agencies, boards and commissions that have very high participation and completion so far in the current year. The following agencies have achieved at least an 80 percent completion rate for their managers since the July 1, 2014 roll out:
  - Department of Administrative Services,
  - Environmental Board of Review,
  - Environmental Protection Agency,
  - Department of Insurance,
  - Lake Erie Commission,
  - Medical Board,
  - Ohio Industrial Commission,
  - Orthotics, Prosthetics, Pedorthics Board,
  - Optometry Board,
  - Pharmacy Board,
  - Public Defender,
  - Occupational/Physical Therapy/Athletic Trainer Board,
  - Respiratory Care Board,
  - Sanitation Board,
  - Speech and Pathology Board,
  - Tuition Trust Authority,
  - Petroleum Underground Storage Tank Release Compensation Board.

- Remaining agencies, boards and commissions continue to work toward completion of the training requirement.

- The availability of the training on ELM allows agencies to enroll new managers as they are hired or promoted into a supervisory role. In the year that just ended, Ohio Department of Rehabilitation and Correction trained 329 new employees and 80 new supervisors.

Although the statewide policy does not require all other employees to complete the online training, individual agencies may require their employees to complete the *What Every Employee Should Know—The Impact of Domestic Violence on the Workplace* through ELM. Approximately 40 percent of non-management employees have completed the employee version of the online training since its rollout on July 1, 2014.

Prior Accomplishments:

From 2012 through 2014, online training on domestic violence was completed at the following agencies:

- Ohio Department of Aging
- Ohio Office of Budget and Management
- Ohio Department of Health
- State Library of Ohio
- Ohio Attorney General's Office
- Ohio Department of Rehabilitation and Correction (ODRC) completed an expanded training, which included the basic required online training as well as additional agency-specific content. This expanded training was prepared by the ODRC training team with input from BWWDV Committee members.

- Survey responses from employees have been entirely positive and demonstrate an interest in more staff training on this topic.

- As a direct result of the training at the Ohio Department of Aging, there were two separate incidents in which employees who completed the training stepped forward to ask questions on behalf of co-workers who were potentially experiencing domestic violence. These individuals had been somewhat aware of the situations previously but had not taken the initiative to ask questions prior to this training.

Previous training opportunities:

- In 2011, Human Resource directors identified the agency point of contact within their department for issues related to domestic violence. Those agency points of contact received an in-depth, four-hour training from the BWWDV committee to better prepare them to respond appropriately to calls or questions they may receive.

- Beginning in 2009, training opportunities and resources have been provided to Human Resources staff, Ohio Employee Assistance Program staff, and wellness ambassadors including information about domestic violence, the work of the committee, domestic violence as a health issue, and ways to include information about domestic violence in programming. Domestic violence materials, handouts from the Ohio Attorney General's office for survivors of crime, and women's health information have also been provided to these groups.

- The committee prepared additional resources for agencies where employees are interested in additional programming related to domestic violence, including providing support to agencies for options such as "lunch and learn/ brown bag lunches" and domestic violence awareness month activities.

Art by Barbara Warner found on her work computer after her death.

Referrals and Resources:

- Along with The Center for Family Safety and Healing (TCFSH), the committee developed posters and resource cards containing information and referrals for state employees. The materials were posted to the DAS website adjacent to the domestic violence policy in June 2009, and some revisions were made in 2015.

- Through the generous donation of materials from the TCFSH in 2010, card holders and resource cards were placed in every staff restroom at 25 state agencies. Cards are either Central Ohio-specific or have statewide resources for use in office locations outside of Central Ohio. Agencies have been contacted annually to ensure they have adequate supplies of the resource cards.

- The committee encouraged state agencies to download and post the materials within their facilities as per the Executive Order. The committee continues to follow-up to ensure initiatives, such as the domestic violence resource card distribution and training for new employees, are maintained.

- Community agencies worked with the Ohio Employee Assistance Program to expand domestic violence resources available through their website, including additional resources for batterers.

Incidents in Ohio

According to the Ohio Attorney General's Office, in 2014, law enforcement responded to 64,531 domestic violence calls that involved 59,294 reported victims. [2]

Each year, for the 3,630,718 women (18-64) in Ohio:

More than 65,000 are physically assaulted by a current or former partner*
4,761 take shelter in a local domestic violence shelter**[3]

Each year, for the 3,630,718 women (18-64) in Ohio:

More than 32,000 experience physical dating violence*
More than 29,000 are forced to do sexual things by someone they are dating*[4]

Each year, for the 3,630,718 women (18-64) in Ohio:

More than 48,000 live in homes where an adult reports intimate partner violence*
4,341 take shelter in a local domestic violence shelter**[5]

In addition, across the state:

46,654 victims are involved in domestic violence incidents recorded by law enforcement***
19,081 domestic violence civil protection orders are filed[6]

Prevalence at the workplace

Nationally (1992–2013), homicides were a much higher proportion of fatal work injuries to women than to men, and the most frequent type of assailant in work-related homicides involving women was a relative or domestic partner.[7]

In Ohio (2011), nearly half of homicides against women were associated with intimate partner violence (44.2 percent), and intimate partner violence for female homicides was almost five times more likely than for male homicides (44 percent versus 9 percent).[8]

According to a 2006 study from the U.S. Bureau of Labor Statistics, nearly one in four large private industry establishments (with more than 1,000 employees) reported at least one incident of domestic violence, including threats and assaults, in the past year.[9]

A 2005 phone survey of 1,200 full-time American employees found that 44 percent of full-time employed adults personally experienced domestic violence's effect in their workplaces and 21 percent identified themselves as victims of intimate partner violence.[10]

Impact at the workplace

The cost of domestic violence to the US economy is more than $8.3 billion. The cost includes medical care, mental health services, and lost productivity (e.g. time away from work).[11]

The impact of domestic violence on co-workers:

- 31 percent of respondents felt "strongly" to "somewhat obliged" to cover for a victim of domestic violence by performing his or her work or offering excuses for his or her absence.
- 27 percent reported "extremely frequently" to "somewhat frequently" having to do the victim's work.
- 25 percent resented the victim because of the effect of their situation on the workplace.
- 38 percent of respondents were "extremely" to "somewhat concerned" for their own safety when they found out a co-worker was a victim of domestic violence. [12]
- The impact of intimate partner violence on perpetrator's work life:
- 78 percent of surveyed perpetrators used workplace resources to express remorse or anger, check up on, pressure or threaten their victim.
- 74 percent had easy access to their intimate partner's workplace.
- 21 percent of offenders reported they contacted the victim at the workplace in violation of a no-contact order.[13]

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[2] Ohio Attorney General, Domestic Violence Reports 2014. Available at http://www.ohioattorneygeneral.gov/Law-Enforcement/Services-for-Law-Enforcement/Domestic-Violence-Reports

[3] Ohio Colleges of Medicine Government Resource Center. *The Scope of Family Violence in Ohio: Ohio Family Violence Prevention Project* URL. Available; http://www.grcapps.osu.edu:3838/OFVPP/ 2014. *Rounded, conservative estimate, based on the 95 percent lower confidence limit of survey data. **Figures for domestic violence shelters only include those located in Ohio. Some residents may use shelters elsewhere. Figure may include a small number of victims 65+.

[4] Ibid

[5] Ibid

[6] Ibid ***Includes incidents recorded through the Ohio Incident-Based Reporting System.

[7] U.S. Department of Labor, Bureau of Labor Statistics, 2015. Number of fatal work injuries, 1992–2013. Available at http://www.bls.gov/iif/oshwc/cfoi/cfch0012.pdf

[8] Ohio Violent Death Reporting System – Selected Counties: Annual Report, 2011. Violence and Injury Prevention Program, Ohio Department of Health, Columbus, Ohio, 2014.

[9] U.S. Department of Labor, Bureau of Labor Statistics. 2006. *Survey of Workplace Violence Prevention*, 2005. Washington, DC. Available at: http://www.bls.gov/iif/oshwc/osnr0026.pdf

[10] *CAEPV National Benchmark Telephone Survey.* 2005. Bloomington, IL: Corporate Alliance to End Partner Violence. Available at: http://www.caepv.org/getinfo/facts_stats.php?factsec=3

[11] Max W, Rice DP, Finkelstein e, Bardwell RA, Leadbetter S. The economic toll of intimate partner violence against women in the United States, Violence and Victims 2004;19(3):259-72)

[12] Ibid

[13] Maine Department of Labor and Family Crisis Services study, released February 17, 2004.

Stalking in the workplace

Stalking is the most prevalent form of abuse at work[14] and poses a significant problem for workplaces. Stalking poses risks to the physical safety of victims, co-workers, and customers/clients; can lead to property damage; and can negatively affect productivity and morale. In addition, employers could be held liable if an employee uses work time and resources to engage in stalking.

In 2013, the Ohio Incident-Based Reporting System reported 1,342 incidents of stalking. The majority of stalking incidents were reported as occurring at a person's residence; however, incidents were reported in numerous public areas as well. Of the single-victim/single-suspect cases for which relationship data was known and reported (approximately 91 percent), the data show that stalking victims nearly always knew their stalker — only six percent of victims reported the stalker as a stranger.[15]

Next steps

for the Barbara Warner Workplace Domestic Violence Committee:

- Ensure continued compliance with the Executive Order and Statewide Policy, including training of new supervisors
- Continue to provide training and resources as needed, while looking for new opportunities and resources as best practices in addressing domestic violence evolve
- Promote bystander intervention training

[14] Reeves, C. A., & O'Leary-Kelly, A. (2009). A Study of the Effects of Intimate Partner Violence on the Workplace. University of Arkansas, Fayetteville, AR.

[15] Gordon, Anjolie Stalking In Ohio – 2013 and Preliminary 2014 Data, Ohio Office of Criminal Justice Services

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Notes

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