

Barbara Warner Workplace Domestic Violence Policy



Report to
Governor John R. Kasich

 **2018**

Report to Governor John R. Kasich July 2018

Honorable Governor Kasich:

The Barbara Warner Committee on Workplace Domestic Violence is charged with implementation of your Executive Order that affirms the enactment of the Barbara Warner Workplace Domestic Violence Policy. The committee first convened in January 2009.

The policy is named in honor of Barbara Warner, a staff member at the Ohio Department of Health (ODH) who was murdered by her husband in 1997. Our on-going efforts are to minimize the impact of domestic violence by supporting victims and holding those causing harm accountable as early as possible so everyone can live their best life.

The impact of your executive order through its implementation over the past eight years has been to embed an appropriate response to domestic violence as part of the landscape within state agencies. 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.

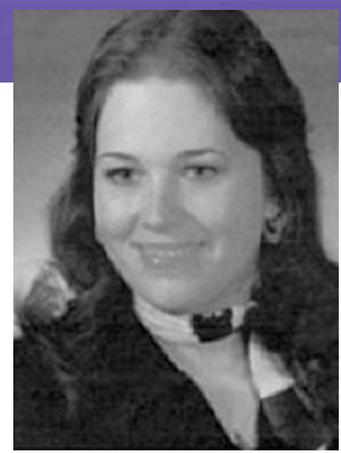
The committee continues to work with the Ohio Department of Administrative Services (DAS) and the Ohio Employee Assistance Program (OEAP) to ensure that Human Resources and OEAP staff are prepared to respond to the calls that may result from participation in this training.

Sincerely,

A handwritten signature in black ink that reads "Lance D. Himes". The signature is written in a cursive style.

Lance D. Himes
Director
Ohio Department of Health

Barbara Warner Workplace Domestic Violence Policy



Barbara Warner

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 coercive control used by one person to gain power over family or household members. Domestic violence may include verbal, emotional, financial/resource, sexual and physical types of abuse. Domestic violence affects people of all ages, gender, religion, income, race, culture, education and sexual orientation.

Additionally, domestic violence has 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 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 which 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.

Note: The term "intimate partner violence" is sometimes used interchangeably with "domestic violence" in this report. The scope of domestic violence may be broader, including household members other than intimate partners.

Accomplishments

In compliance with the Barbara Warner Workplace Domestic Violence 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 and local and national resources have been provided to state employees

- The state policy and a listing of resources, prepared by the Barbara Warner Committee on Workplace Domestic Violence can be found on the Human Resources page of the Department of Administrative Services website in the Workplace Domestic Violence Section: <http://bit.ly/DAS-HRD-OCB-policy>
- Individual agencies also distribute the state policy and/or may have additional agency specific domestic violence policies. Posters with the resources are available for download by individual agencies. All state agencies received cardholders and cards with this information for posting in all staff bathrooms in 2011; cards and cardholders were updated and redistributed in 2018.

In Spring 2018, The Center for Family Safety and Healing generously donated resource materials for state agencies. Working together the committee members disseminated 45,740 cards and 1,558 card holders to 28 state agencies. These resources were placed in employee restrooms and agencies were provided extra resource cards for restocking.

Cards are meant to be a discrete tool for employees who may be domestic violence survivors to access services confidentially. It is known that survivors will frequently take and act upon services if they can be provided safely and with confidentiality.

Online domestic violence training is available to all state employees

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 Healing¹. 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 Barbara Warner Workplace Domestic Violence statewide policy (HR-27) requires that all managers at state agencies, boards and commissions receive training on the statewide

¹ In 2011 the Columbus Coalition Against Family Violence changed its name to The Center for Family Safety and Healing.

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.

While the policy does not require non-management employees to complete the online training, it is available online to all employees and some individual agencies have required their employees to complete the *What Every Employee Should Know—The Impact of Domestic Violence on the Workplace* through ELM. 5,188 managers/employees completed the online training in SFY 2018.



Additional Opportunities for Training

Additional opportunities for training in domestic violence response and prevention are now available for state employees.

Each two hour in-person training has been made available in sessions open to any state employee, and have also been offered on-site in specific state of Ohio agencies for their staff. This year, in response to agency requests, the Barbara Warner Workplace Domestic Violence Committee prepared the training content as one combined three-hour training which focuses primarily on how to intervene safely as a bystander to prevent domestic violence and includes content on how to respond when an employee or co-worker is affected by domestic violence.

Critical Conversations on Domestic Violence includes video examples of managers modeling effective conversations with employees who may be victims of domestic violence or causing harm in their relationships, as well as state of Ohio specific situations and resources.

See the Signs & Speak Out helps employees learn how to intervene safely as bystanders to prevent domestic violence. The program focuses on how employees can have conversations about domestic violence that will make a difference in the workplace and in their communities.

Guidance for Managers Document

The Barbara Warner Workplace Domestic Violence Committee created a new handout “Guidance for State of Ohio Managers Regarding Family Violence” to be used as a part of the “Critical Conversations on Domestic Violence” training for managers on effective conversations with employees who may be victims of domestic violence or causing harm in their relationships. This provides an accessible resource for managers to refer to in specific situations.

Training for In-House Attorneys

The Barbara Warner Committee on Workplace Domestic Violence and the Attorney General co-sponsored the continuing legal education program “Domestic Violence Awareness for In-House Attorneys.”

In collaboration with the Attorney General’s office, this program was provided to 126 State of Ohio in-house attorneys on June 19, 2018. The purpose of the training was to assist in-house attorneys in responding to requests from agency human resources staff, managers, and/or

employees with regard to domestic violence impacting the workplace. During the training, participants learned about:

- How domestic violence may manifest at work and lead to legal concerns
- What obligations employers have, and what actions employers can take, to protect themselves and their employees
- How domestic violence concerns intersect with employment laws
- What types of policies and benefits employers can consider to discourage domestic violence and to help those impacted by domestic violence

Trainers were:

Erin Butcher, Assistant Attorney General, Employment Law Section. Erin represents all state agencies, boards and commissions in matters relating to employment.

Micaela Deming, Esq., Staff Attorney, Ohio Domestic Violence Network, has been serving survivors all over the state of Ohio as a practicing attorney, mostly in the family courts, in cases involving domestic or sexual violence, particularly when child maltreatment is also a concern. She is a member of the Supreme Court of Ohio Advisory Committee on Domestic Violence and has presented locally and nationally on topics related to sexual assault and abuse, domestic violence, and child maltreatment.

Julie Griffith is a Training Coordinator at The Center for Family Safety and Healing (TCFSH). She is an authorized facilitator of a variety of family violence programming, and most recently became certified in Trauma-Responsive Care by the Tri-State Trauma Network. Julie's passion, knowledge and experience enables her to assess organizational needs and provide effective education solutions to help break the cycle of family violence.

Natalie M. McLaughlin is a partner in the Vorys, Sater, Seymour and Pease LLP Columbus office and a member of the Labor and Employment group. Natalie has significant experience litigating harassment, discrimination, retaliation, wrongful discharge and non-compete cases. Natalie has represented clients before state and federal courts, the Equal Employment Opportunity Commission, and numerous state civil rights commissions. She also counsels employers on compliance with employment laws, the development of personnel policies and practices, employee discipline and termination, and internal complaints and investigations.

Debra Seltzer is the Program Administrator for the Sexual Assault and Domestic Violence Prevention Program, Bureau of Maternal, Child and Family Health, Ohio Department of Health. She chairs the Barbara Warner Committee on Workplace Domestic Violence, implementing the Governor's Executive Order to provide domestic violence training and resources to all State of Ohio employees.

126 Participants attended the training. Continuing Legal Education Credits were provided.

New Online Training for Ohio Department of Rehabilitation (ODRC)

Innovative new online training modules for both managers and employees were developed by ODRC, working in partnership with BWWDV Committee members to create course content, drawing from the content of the in-person “See the Signs” and “Critical Conversations” trainings. Modules include a course for managers on how to talk to staff who may be victims or may be causing harm in relationships, and a course for other employees on how to intervene appropriately if they are concerned that domestic violence may be affecting a colleague. Survey responses from 307 managers and 1,032 other employees show that the majority of employees thought the courses successfully met the purpose of maintaining awareness of domestic violence in the workplace and its impact on staff. Some comments include:

“Very informational course and good topic to learn.”

“I’ve been through domestic violence before, so I know the stress it causes”

“This E-Learning module was very clear and easy to understand”

“It was nice to have an updated/changed training program instead of same old training every year.”

“I enjoyed this course and also really liked the vignettes.”

Agencies work collaboratively with the Ohio Employee Assistance Program (OEAP) when considering corrective actions related to the job performance of victims of domestic violence. OEAP is available to provide assistance upon request, and OEAP staff continue to receive on going training related to domestic violence from the BWWDV Committee.

OEAP Intake By Problem Type		
2015	2016	2017
Medical 15	Medical 10	Medical 11
Legal 12	Legal 12	Legal 13
Financial 15	Financial 17	Financial 19
Psychiatrist 31	Psychiatrist 22	Psychiatrist 36
Relationship 44	Relationship 23	Relationship 36
Substance Abuse 125	Substance Abuse 89	Substance Abuse 108
Other 24	Other 113	Other 37
Marital 132	Marital 135	Marital 124
Family 184	Family 232	Family 252
Job 251	Job 280	Job 273
Emotional 640	Emotional 529	Emotional 675
No Data/Unknown 130		No Data/Unknown 215

Definitions

Emotional: Dealing with feelings of anxiety, anger, helplessness or hopelessness, burnout, depression, grief, stress, and suicide/homicide

Family Issues: Divorce, child-rearing, parenting and eldercare, domestic violence

Career or Job: Job loss caused by organizational changes, reorganization, diverse workforce issues and difficult co-workers

Substance Abuse issues: Chemical dependency/abuse, recreational drug use, abuse of prescription drug or OTC drugs, co-dependency

Financial and Legal: referrals for debt management, financial planning, foreclosure, medical bills, divorce

Other: mediation, CISM, training needs, consultations and intervention services

No additional definition for: Marital, Psychiatric, Relationship

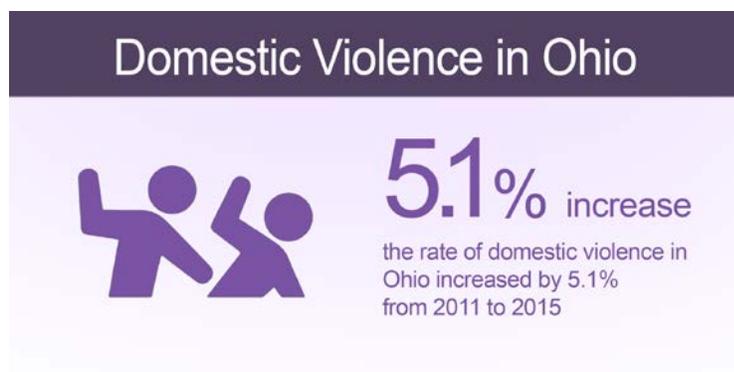
NOTE: Information is from the Ohio Employee Assistance Program, 2015, 2016, 2017

Domestic Violence in Ohio

In Ohio, an estimated 6.4% of all children are exposed to domestic violence each year, and 25% of all children will be exposed before they turn 18 years old.²

By the time a child exposed to domestic violence reaches age 64, that individual's average additional cost to the economy will be \$50,500 due to costs associated with healthcare use, violent crime, and productivity losses. When calculated across a single cohort of individuals—say, the 43,215 Ohio 20-year-olds who were exposed to domestic violence as children—the cost to the economy is \$2.18 billion.³

The rate of domestic violence in Ohio increased by 5.1% from 2011 to 2015.⁴



² The HealthPath Foundation of Ohio (2017). Impact of Domestic Violence Exposure: Recommendations to Better Serve Ohio's Children Executive Summary. Cincinnati, OH: Author. Available from <http://www.healthpathohio.org/dvimpact>.

³ Ibid

⁴ Wedd, Alan; Domestic Violence In Ohio. Office of Criminal Justice Services, 2015. Available at http://www.publicsafety.ohio.gov/links/Domestic_Violence_in_Ohio_2015.pdf

Prevalence at the workplace

Domestic violence accounted for 27% of violent events in the workplace.⁵

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.⁶

In Ohio, from 2012 to 2014, an average of **81 people were killed each year** in IPV-related homicides. This annual average includes about 53 women and 25 men (age 15+) as well as 3 children less than 15 years old. Overall, IPV-related homicides account for 14% of all homicides in Ohio.⁷

⁵ United States Department of Labor <https://www.dol.gov/oasam/hrc/policies/dol-workplace-violence-program.htm>

⁶ 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/foi/cfoi/cfch0012.pdf>

⁷ Ohio Violent Death Reporting System – Selected Counties: Annual Report, 2011. Violence and Injury Prevention Program, Ohio Department of Health, Columbus, Ohio, 2014.

With 1 in 4 women experiencing domestic violence at some point in their lives, domestic violence likely impacts every workplace. Together, we can shift workplace defaults of silence and isolation toward workplace cultures of support and resilience.⁸

Domestic Violence in the Workplace



⁸ Polkey, A. (2017, July 7). Domestic Violence: What workplaces don't know can hurt everyone. Retrieved from <https://www.futureswithoutviolence.org/workplaces-domestic-violence/>

Impact at the workplace

According to The Occupational Safety and Health Administration (OSHA), 8.6 percent of workplace fatalities in 2015 were homicides. Of those, 43 percent were female employees killed by a male relative or domestic partner, while 2 percent of male employees were killed by a female relative or domestic partner. These statistics highlight the strong correlation between domestic violence and workplace violence.

Workplace Violence in Ohio

In an attempt to better understand the prevalence and circumstances of domestic violence fatalities in Ohio, the Ohio Domestic Violence Network (ODVN) reviewed media reports identified by staff members or local member programs. Fatalities included targeted victims, perpetrators, and others at incidents.

From the report issued in 2016 (for 7/2015 – 6/2016) there were three cases of workplace violence with five total deceased including two primary victims, and one perpetrator. For the report issued in 2017 (7/2016 – 6/2017) there were three cases with seven total deceased, including three primary victims, two perpetrators, one law enforcement, and one co-worker. Coincidentally, in both years, a perpetrator went to a nursing home to kill his ex, employed at the nursing home; a co-worker of the victims died in both cases. (Kirkersville and Chagrin Falls).⁹



⁹ ODVN

The impact of domestic violence on co-workers:

- 31% 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.¹⁰
- 27% reported "extremely frequently" to "somewhat frequently" having to do the victim's work¹¹.
- 25% resented the victim because of the effect of their situation on the workplace.¹²
- 38% of respondents were "extremely" to "somewhat concerned" for their own safety when they found out a co-worker was a victim of domestic violence.¹³

The impact of intimate partner violence on perpetrator's work life:

- 78% of surveyed perpetrators used workplace resources to express remorse or anger, check up on, pressure or threaten their victim.¹⁴
- 74% had easy access to their intimate partner's workplace.¹⁵
- 21% of offenders reported they contacted the victim at the workplace in violation of a no-contact order.¹⁶

¹⁰ Corporate Alliance to End Partner Violence, October 2005

¹¹ Ibid

¹² Ibid

¹³ Ibid

¹⁴ Maine Department of Labor and Family Crisis Services study released February 17, 2004.

¹⁵ Ibid

¹⁶ Ibid

Next Steps for State Fiscal Year 2019:

- Continue efforts to support provision of domestic violence resources for employees
- Increase implementation of the “See the Signs” and “Critical Conversations” content through customized in person training in additional state agency settings
- If additional support is available, create a new online training for state employees providing additional/new information beyond the original mandated training
- Provide support to agencies where on-line access to training can be a barrier

Barbara Warner Workplace Domestic Violence Committee

Chrystal Alexander

Office of Victim Services
Ohio Department of Rehabilitation and
Correction

Brooklyn Armstead

Ohio Employee Assistance Program

Sheryl Clinger

The Center for Family Safety and Healing

Kate Foulke

Ohio Department of Youth Services
Office of Victim Services

Julie Griffith

The Center for Family Safety and Healing

Gary Heath

Family Violence Prevention Center
Office of Criminal Justice Services,
Ohio Department of Public Safety

Sandra Huntzinger

Office of the Attorney General

Jessie Keyes

Office of Collective Bargaining
Ohio Department of Administrative Services

Cathy Mockus

Sexual Assault and Domestic Violence
Prevention Program
Ohio Department of Health

Nancy Neylon

Ohio Domestic Violence Network

Debra Seltzer,

Sexual Assault and Domestic Violence
Prevention Program
Ohio Department of Health

Aimee Szczerbacki

Labor Relations and Human Resources
Ohio Department of Administrative Services

Mindy Vance

Ohio Department of Mental Health and
Addiction Services