

Addressing Offenders and Managing Risk in the Workplace

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Outline

- ◆ Importance of including provisions around violence offending
 - ◆ Prevalence
 - ◆ Stance
 - ◆ Impact on workers and workplaces
- ◆ What is needed
- ◆ Risk/threat assessment
 - ◆ Key risk factors
 - ◆ Aspects of assessment

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Why Include Offenders?

DV is common and ubiquitous

- ◆ According to the General Social Survey's most recent data, the five-year prevalence rate of DV victimization among Canadian adults in relationships is 4% (Canada General Social Survey)
- ◆ In terms of lifetime prevalence, the Pan-Canadian survey on Domestic Violence in the Workplace (Wathen et al., 2014) reports that:
 - ◆ one third (33.6%) of respondents reported ever experiencing
 - ◆ 35.4% reported having at least one co-worker who they believed was experiencing or had previously experienced
 - ◆ 11.8% report having at least one co-worker who they believe is being abusive, or had been previously abusive, towards his/her partner

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Why Include Offenders?

- ◊ Zero tolerance is not going to work
 - ◊ "Those who perpetrate DV are our co-workers and supervisors and those working under our supervision. Our intervention plan cannot be limited to screening out and removing from our workforce everyone who has perpetrated DV."
- ◊ Risk of making DV a "woman's issue"
 - ◊ "If we continued to document workplace impact and create responsibilities around dealing with DV victimization without paying similar attention to the impact and responsibilities of employers around DV perpetration, women may be unfairly disadvantaged."
- ◊ Addressing DV is consistent with our values of creating a safe and supportive workplace for everyone

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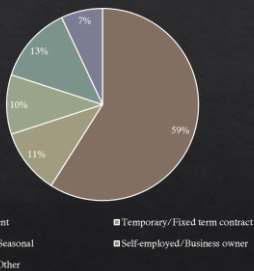
DV Perpetration Impacts Workplaces

- ◊ 501 participants in Ontario's Partner Assault Response Programs, representative of geographical regions (Scott et al., 2017)

Job Sector	
Trades, Transport and Equipment Operators and Related Occupations	53.3%
Sales and Service Occupations	19.3%
Occupations in Manufacturing and Utilities	7.5%
Natural and Applied Sciences and Related Occupations	4.2%
Business, Finance and Administration Occupations	4.6%
Management Occupations, Arts based, Education, Legal services, Health Occupations, Agriculture and Natural Resources	Less than 4%

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Employment Status



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What constituted Conflict, Monitoring and Emotional Abuse in the workplace?

In the past two years, have you ever:
 1) used phone calls, texts, emails or other messages while at work to...
 2) went by your (ex)partner's workplace to...
 3) went by your (ex)partner's or other place where you thought they would be to...

Continue an argument/conflict	Check up on your (ex)partner to make sure they were doing what they said they would do	Say something deliberately hurtful or degrading
Try to resolve an earlier conflict/argument	Find out if your (ex)partner was where they said they would be	Intimidate, threaten, or scare your (ex)partner
Conflict	Monitoring	Emotional Abuse

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DV at Work

■ DV did not continue ■ DV did continue

Emotionally abusive and monitoring behaviours reported equally as often

Over 90% reported sending messages

Almost one third reported going to the workplace

About one quarter reported using workplace time to go to where their partner was (i.e., her home or workplace)

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Frequency of Impact

■ Very Often ■ Often ■ Sometimes ■ Rarely ■ Never

"Anxiety/depression resulted from conflicts and I was unable to focus/concentrate on my work. When I did work, much of my work was sub-standard."

"I am a cook at a busy restaurant and dealing with an argument before work would cause me to get annoyed when a lot of orders would come at once, when normally, I enjoy cooking many orders."

"Taking time off and things not being done because of it. Missing events that I had organized and had big roles in because they took place days after the incident."

"Just trying to tell my boss I need a day off for [PAR], but not telling him [about PAR]."

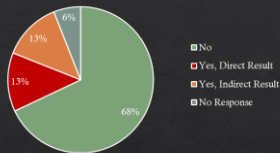
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9% Reported Accidents

- "I was working on a roof of a house [...], and I was missing a co-worker saying something and almost fell off roof."*
- "I have slipped and [fallen] and nearly caught my foot in the blade."*
- "I spent a night in jail, and got out in the morning, went to work, and due to lack of sleep and stress, I got into a car accident with a work vehicle."*
- "Because of my preoccupation [with] my thoughts, I damaged two expensive units at work."*
- "Dropping a load of bricks on somebody."*
- "I thought I burned my hand on hot material few times. Knocked over skid part on forklift. Could have caused death."*
- "I forgot that I was assigned 6 patients on day shift, so I missed one of them when it came to administering medication. The incident caused me to be reprimanded and questioned by my manager."*

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Job Loss



- "After having gone to court and getting a record, no job place will hire me with my record, so I am forced to be on Ontario Works. I would much rather work!"*
- "I have been unable to find work since the incident, and do think that the criminal record has helped stop me from working. Prior to this, I had never a ticket or a fine, and also never experienced any trouble trying to find work."*
- "If my workplace management knew I was charged or on probation, I may be terminated."*

Needed Responses (and OHSA Obligations)

- ◊ Preventative (violence prevention policy)
- ◊ Early Intervention – say something, catch things early (identify vulnerabilities)
- ◊ Protocol to investigate complaints
- ◊ Progressive range of responses including
 - ◊ Supportive for those wanting help, workplace pressure for those who are more reluctant
 - ◊ Risk assessment often a necessary part

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*The danger may be greater if the **victim***

- Has just separated or is planning to leave.
- Is in a custody battle, or has children from a previous relationship
- Feels for her own life and for her children's safety.
- Is hiding injuries.
- Is involved in another relationship.
- Has no access to a phone outside work.
- Faces other obstacles (e.g. does not speak the language, is not yet a legal resident of Canada, lives in a remote area, etc.).
- Does not have family or friends outside work.

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Recent or pending separation

◊ *Many deaths related to domestic violence in Ontario occurred when the relationship was ending or following separation. If one of your employees has an abusive partner and has recently separated or is thinking about separating, be alert to the increased risks.*

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Stalking or criminal harassment

◊ *Take stalking seriously. Stalking has been identified as one of the primary risk factors for attempted and actual murder of female partners in intimate relationships. Even if she has a restraining order, there is no guarantee that the abuser will respect it. Take steps to ensure the victim's safety if she is being stalked, or a restraining order is breached.*

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How do you recognize domestic violence in the workplace?

Interfering with the victim while at work by:

- ◆ Repeated harassing phone calls
- ◆ In-person harassing at the workplace
- ◆ Repeatedly phoning or emailing the victim.
- ◆ Stalking and/or watching the victim.
- ◆ Showing up at the workplace and pestering co-workers with questions about the victim (where is she, who she's with, when will she be back, etc.).
- ◆ Lying to co-workers (she's sick today, she's out of town, she's home with a sick child, etc.).
- ◆ Threatening co-workers (if you don't tell me, I'll...).
- ◆ Verbally abusing the victim or co-workers.
- ◆ Displaying jealous and controlling behaviours.
- ◆ Destroying the victim's or organization's property.
- ◆ Physically harming the victim and/or co-workers.

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Information about a person with a history of violent behaviour

- ◆ The Occupational Health and Safety Act clarifies that employers and supervisors must provide workers with information, including personal information, related to a risk of workplace violence from a person with a history of violent behaviour.
- ◆ However, this duty is limited and applies only when the:
 - a) worker can be expected to encounter the violent person in the course of his or her work; and the,
 - b) risk of workplace violence is likely to expose the worker to physical injury.
- ◆ Employers and supervisors must also not disclose more information than is reasonably necessary for the protection of a worker from physical injury.

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What is the ultimate goal of Threat Assessment and Management?

HOMICIDE PREVENTION

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Criminal investigation (if it is a police matter)

- ◆ A criminal investigation is responsive and determines whether or not a crime has been committed and who has committed it.

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Protective fact finding (whether it is a police matter or not)

- ◆ Protective fact finding is preventative and attempts to prevent a crime from taking place

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Threat Assessment

- ◆ Analyzing behaviour to *prevent* crimes

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When is a threat
a threat?

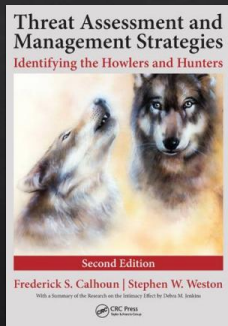
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threats

Not everyone who *makes* a threat
poses a threat

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Howlers & Hunters



Howlers and Hunters

Howlers - engage in problematic behavior, but not lethal violence. A howler measures success in terms of causing stress through inconveniencing, frightening or embarrassing.

Hunters - intentionally use lethal violence to resolve perceived injustices. Their behaviors follow a defined trail (the pathway to intended violence). A hunter measures success in terms of death and destruction.

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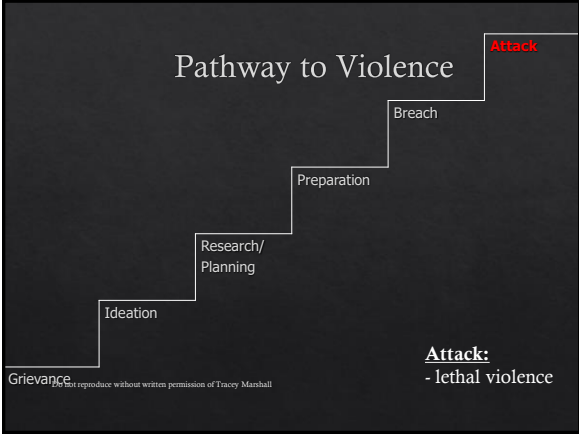
Investigation and assessment

- ◆ A criminal investigation looks at a “moment in time”
- ◆ A threat assessment looks at the evolutionary process
- ◆ An arrest and criminal charge does not lower the risk of violence...in fact charges may add to the justification process.

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The Pathway to Violence

Frederick Calhoun, Ph.D. and Stephen Weston, J.D.
U.S. Secret Service Study



JACA
Gavin DeBecker

JACA

◇ Does the person feel *justified* in using violence?

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◆ Does the person have the *ability* to be, or believe they can be successful in delivering a form of violence?

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◆ How does the person view the *consequences* associated with using violence?

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◆ Does the person perceive that he has available *alternatives* other than violence?

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Scenario

Scenario

Employee Stella: Stella has recently separated from her husband of 19 years. He is known to be jealous and has been violent in the past. He believes that Stella left because she is involved in a romantic relationship with her supervisor Matthew. Stella obtained a restraining order which prohibits her ex-husband from attending her workplace. Since being served this restraining order his drinking has increased and he sent her an email at work "when you married me, you promised it was until death do us part...I'm going to make sure you keep your promise."

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Level of Risk?

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The use of a standardized threat assessment tool would...

- ◆ Ensure consistency of language within the company and in cooperation with any required external agencies.
- ◆ Allow for on-going monitoring and identify escalation or de-escalation of risk.
- ◆ Ensure on-going communication and assessment until the risk has been deemed to be reduced.

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Who should Stella tell?

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What should happen next?

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What strategies should be put in place?

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Thank You
