The Facts: Domestic Violence, Dating Violence, Sexual Assault, Stalking and the Workplace

Domestic violence, dating violence, sexual assault and stalking (DSV) are epidemics in our society with dramatic, negative effects on individuals, families and communities. These crimes know no economic, racial, ethnic, religious, age, sexual orientation or gender limits.

By conservative estimates, 2,800,000 people are victimized by intimate partners annually. A recent study which looked to current and lifetime victimization rates determined that “29% of male workers and 40% of female workers reported having been subjected to intimate partner violence at some point in their lives.” The researchers determined that victimization rates in the workplace were higher than those in the general populace because DSV victims are “overrepresented in the workplace.”

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Sexual assault and rape also are endemic throughout the United States. Nearly 1 in 5 women aged 18 and older report having been raped in their lifetime (18.3%), with almost half of all women having experienced some other form of sexual violence in their lifetime (44.6%). Nearly a quarter (22.2%) of men aged 18 and older report experiencing some form of sexual violence over the course of their lifetime. More than half (51.1%) of female rape victims report being raped by an intimate partner and 40.8% by an acquaintance; for male victims, over half (52.4%) reported being raped by an acquaintance and 15.1% by a stranger. Although the majority of sexual assault victims are assaulted by perpetrators who are known to them, many perpetrators are not intimate partners.

Similarly, high rates of stalking experienced by women and men in the United States remains an issue of public health concern. The Centers for Disease Control and Prevention (CDC) report that 1 in 6 women and 1 in 19 men in the U.S. have experienced some type of stalking behavior over their lifetime, causing them to fear for their safety or the safety of someone close to them.

Employers Need to Proactively Address DSV

Domestic, dating, sexual and stalking violence are workplace issues that do not stay at home when victims and perpetrators go to work. DSV can compromise the safety of employees and directly interfere with the work of an organization, by decreasing morale and productivity, as well as by increasing absenteeism and health costs. The CDC estimated that the cost of intimate partner rape, physical assault and stalking totaled $5.8 billion each year for direct medical and mental health care services and lost productivity from paid work and household chores. Of this, total productivity losses accounted for nearly $1.8 billion in the United States in 1995. When updated to 2003 dollars, the cost of intimate partner rape, physical assault and stalking is more than $8.3 billion.

Proactively addressing DSV is a good practice for employers. “94% of corporate security and safety directors at companies nationwide ranked domestic violence as a high security concern.” In addition, 55% of senior executives believe domestic violence hurts their
businesses productivity, xiii 61% indicated that their insurance and health care costs increased due to domestic violence, xiv 70% found their worker attendance affected by domestic violence, xv and 55% found domestic violence to be a cause of employee turnover. xvi

In addition, employers have legal obligations to address DSV, which implicate a broad range of existing federal and state labor and employment laws. For example, perpetrators of sexual assault may be supervisors, managers, co-workers, customers or clients. As a result, an employer’s legal obligations to respond to and remedy sexual harassment claims pursuant to Title VII of the Civil Rights Act of 1964 may be triggered by acts of DSV. xvii Furthermore, an employer may also need to meet its Americans with Disabilities Act obligations to accommodate victims with disabilities as a result of the violence. xviii

Looking at DSV from a business perspective, employers have financial, in addition to ethical and legal, incentives to proactively address the needs of employee-victims and employee-perpetrators.

THE WORKPLACE CONSEQUENCES OF DSV FOR EMPLOYEES EXPERIENCING VIOLENCE
Domestic violence intersects with employment in myriad ways. A 2006 national survey found that 21% of full-time employed adult respondents (women and men) identified themselves as victims of intimate partner violence. xix The same study reported that: 64% of domestic violence victims found that their ability to work was impacted by abuse; 40% experienced “harassment by an intimate partner at work (either by phone or in person),” and 34% reported that “fear of intimate partner’s unexpected visits” caused reduced productivity. xx Batterers undermine their victims’ work by preventing them from getting to work on time or at all, disabling their car, hiding or taking their car keys, slashing their tires, taking or hiding their cash, or sabotaging childcare. xxi Another study found that 56% of battered women arrived at work one hour late five times per month because of the abuse. xxii A different survey found that 74% of working female domestic violence victims were harassed at work by their partner. xiii Female victims of rape or sexual assault report diminished work functioning for up to eight months following the attack. xxiv

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 onsite incidence of domestic violence, including threats and assaults, in the past year. xxv and the U.S. Department of Justice estimates that eight percent of rapes occur while the victim is working. xxvi Also very troubling is the fact that nearly 33% of women killed in U.S. workplaces between 2003 and 2008 were killed by a current or former intimate partner. xxvii

According to the CDC, domestic violence victims lose a total of nearly 8 million days of paid work, the equivalent of more the 32,000 full-time jobs, and nearly 5.6 million days of
household productivity as a result of abuse.\textsuperscript{xviii} In 2000, 36\% of rape/sexual assault victims lost more than 10 days of work after their victimization.\textsuperscript{xxix} Two recent studies of partner stalking of survivors found that between 15.2 and 27.6\% of women reported that they lost a job due, at least in part, to domestic violence.\textsuperscript{xxx} Similarly, almost 50\% of sexual assault survivors lose their jobs or are forced to quit in the aftermath of the assaults.\textsuperscript{xxxi} A recent U.S. DOJ study reveals that more than half of the stalking survivors surveyed lost five or more days from work, and 130,000 survivors reported being fired from or asked to leave their jobs because of stalking.\textsuperscript{xxxii} A U.S. General Accounting Office study found that close to 50\% of sexual assault victims lost their jobs or were forced to quit following their assault.\textsuperscript{xxxiii} 

\textbf{The Workplace Consequences of Employees Who are DSV Perpetrators}

One over-looked element of DSV and the workplace is that employees may be perpetrators of violence. People who perpetrate abuse often use workplace time, resources and property (company telephone and computer, company car, etc.) to do so. One study found that 78\% of abusers reported using employer resources in connection with an abusive relationship.\textsuperscript{xxxiv} In addition, “48\% of abusers reported having difficulty concentrating at work and 42\% reported being late to work.”\textsuperscript{xxxv} Perpetrators of violence may also present with absenteeism and may cause accidents or endanger their colleagues. A 2012 study of domestic violence perpetrators in Vermont found that 80\% of the perpetrators said their own job performance was negatively affected by their perpetration of domestic violence.\textsuperscript{xxxvi} Of the perpetrators surveyed, 19\% caused or almost caused an accident at work.\textsuperscript{xxxvii} In many cases supervisors were aware of the perpetrator's behavior but failed to confront/admonish the employee about it.\textsuperscript{xxxviii} 

\textbf{Develop Your Own Workplace DSV Policy}

\textbf{Establishing A Formal Workplace Policy Is A Good Business Practice}

DSV, whether it occurs at work or away from it, has workplace consequences that affect not only employees who are victims, but also co-workers, managers, employees who perpetrate violence and customers or clients. Yet over 70\% of workplaces in the U.S. have no formal workplace violence program or policy,\textsuperscript{xxxix} and only 4\% of employers actually train their workforce on domestic violence.\textsuperscript{xl} Although many organizations may have “workplace violence” policies or protocols in place that they assume are adequate for addressing DSV, domestic, dating, sexual and stalking violence have unique features that require dedicated employer attention. Additionally, employees who are victims may not recognize that their employer has policies and protocols in place that address their workplace needs.\textsuperscript{xli} A workplace policy that addresses DSV and its workplace impacts provides a guide for employers, supervisors and employees not only to respond in DSV in supportive, safe and effective ways, but also to engage in prevention as well.
**Download the Policy**

Download the ABA’s Model Workplace Policy on Employer Responses to Domestic Violence, Sexual Violence, Dating Violence and Stalking at [http://www.americanbar.org/content/dam/aba/administrative/domestic_violence1/Wor kplace/Updated%20112a.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/administrative/domestic_violence1/Wor kplace/Updated%20112a.authcheckdam.pdf)

**Technical Assistance**

For expertise or technical assistance, training and support around workplace violence issues, contact us at [https://abanet.qualtrics.com/SE/?SiD=SV_dmdKzq0DWEhqwYG](https://abanet.qualtrics.com/SE/?SiD=SV_dmdKzq0DWEhqwYG)

**Media Inquiries**

For media requests or expertise regarding workplace violence issues contact Betsy Adeboyejo of ABA Media Relations at 202-662-1039 or [betsy.adeboyejo@americanbar.org](mailto:betsy.adeboyejo@americanbar.org)

**Our Partners**

The ABA Commission on Domestic & Sexual Violence has a number of collaborators on this project. For technical assistance and support, you may contact us using our “TA link” on this page. You may also seek the support Workplaces Respond to Domestic & Sexual Violence: A National Initiative [link to http://workplacesrespond.org/], led by CDSV Commissioner Maya Raghu of Futures Without Violence, and the Corporate Alliance to End Partner Violence [link to http://caepv.org/], led by former CDSV Commissioner, Kim Wells.

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iii Id. At 45 (Survivors require economic autonomy and stability to leave or stay safe following abuse or an assault).


v Id.


vii This may include, inter alia, supervisors, coworkers, and classroom peers.

viii Id.


xii National Safe Workplace Institute survey, as cited in "Talking Frankly About Domestic Violence," Personnel Journal, April, 1995, page 64. NOTE: The National Safe Workplace Institute is now called the National Institute for School and Workplace Safety.


xiv Id.

xv Id.

xvi Id.


xviii Id.


xx Id. According to one study, 74% of victims are harassed at work by their abuser. Id. at 12 (citing Victim Services of New York, Report on Costs of Domestic Violence, (1987)).

xxi Weiser, Wendy R. & Widiss, Deborah A, supra n. 15, at n. 3. (See McFarlane, J., Malecha, A. Gist, J, Schulz, P. et al., Indicators Of Intimate Partner Violence In Women's Employment: Implications For Workplace Action, AAOHN Journal (2000) 48(5), 215 (44% of domestic violence victims surveyed were left without transportation to get to work when their abuser disabled their car or hid their car keys).


Id.


Baum, K., et. al., *Bureau of Justice Statistics, U.S. Dep’t of Justice, Stalking Victimization in the United States*, 1 (2009), http://bjs.ojp.usdoj.gov/content/pub/pdf/svus.pdf. (Please note that 130,000 is not the number of stalking victims nationwide who were terminated but is the number of respondents to the survey).


Id. at 598.

(83% of supervisors were aware of why respondents took time off of work due to their domestic violence offense; however, only 32% of supervisors gave any response to the employee about his domestic violence incident, his behavior, or his relationship in general).


According to a Society for Human Resource Management survey that was commissioned by Futures Without Violence, 53% of organizations indicated that they did not provide training on domestic violence, sexual violence and stalking because they were “covered in sexual harassment training or other training.” Society for Human Resource Management, The Workplace Impact of Domestic and Sexual Violence and Stalking, January 29, 2013.

See Workplace and Domestic Violence Survey, Supra N.17 (72% of executives say their companies offer programs and services that address domestic violence but less than half of employees (47%) are even aware of this fact).