

- You're listening to the HR Mixtape, your podcast with the perfect mix of practical advice, thought-provoking interviews, and stories that just hit different so that work doesn't have to feel, well, like work. Now your host, Shari Simpson.

- Joining me today is Lynn Fairweather, president of Presage Consulting and Training, LLC. Lynn is an abuse survivor who has worked in the domestic violence response and prevention field for over 30 years. She's an experienced and engaging public speaker with a focus on practical real-life skills for evaluating and managing domestic violence threats. Lynn, thanks for jumping back on the podcast with me.

- Thank you so much for having me. It's a pleasure to be back.

- I know our audience got a lot out of our last discussion around supporting victims of domestic violence, so I wanted to bring you back so we could dive into this a little bit more and really talk about, you know, HR and the organization and what we can do differently. So I'll start with this. In your view, what do you think the primary role HR has in preventing workplace violence related to those domestic violence situations?

- You know, HR professionals are really in the perfect position to help prevent workplace violence because they are the recipients of so much information. They're on the front lines every day, and they also have the power to create organizational culture changes, foster supportive environments of trust, and encourage voluntary disclosure in the workplace. HR is often the channel through which employee concerns are triaged and assessed and managed or escalated to a threat assessment team, for example. And that means that HR professionals can encourage open communication. They can investigate concerns about safety or employee behavior or violations of policy. They can develop and evaluate protocol. They can arrange trainings and they can participate in threat assessment teams. So a company's HR department is both a valuable stakeholder at the table and an agent of change in the prevention of workplace violence.

- You know, as you think about their role, and I love that definition 'cause I think it's definitely multifaceted. There's a lot of things there that we can be participating in. Often our role is in policy, sits in the policy space, which, you know, a more modern HR department doesn't live in policy, but it's still part of our responsibilities. So as we think about creating those workplace violence policies, prevention policies, what are some key elements we need to think about including in those?

- It's a great question, because policy is really the backbone of any successful workplace violence prevention program. And there's a few different ways in which you can shape that. You can either roll it

into your existing workplace violence policy or your employee conduct policy. You can add it as an addendum or you can create a standalone policy to address domestic violence only, for example. So it's really up to the company. However, there are a few elements that we really like to see in a gold standard policy, and those include a purpose statement, which serves as a strong company stance against domestic violence. Applicability and definitions, who does this policy cover and what exactly does it cover? You can list some types of workplace violence or domestic violence, but you wanna make sure people know it's not an exhaustive list. So if something's not on that list, it could still be considered a violation. It's important to have a confidentiality clause because this is very important to people who are experiencing domestic violence in particular. They wanna know that their information is going to be kept secret except for a need-to-know basis. And you also wanna talk about the processes for reporting and investigating domestic violence concerns. Who do you bring concerns to, whether it's about yourself or a coworker, and how is the company going to respond? So you're really gonna be laying out those employer responses to both victims and violators of the policy. So that includes your accountability measures for abusers and safety-related or administrative remedies and accommodations for victims. You can give some examples of those, but again, it's not an exhaustive list, so there are things outside of that. A couple other things that you wanna include are statements of non-discrimination and non-retaliation. And if you are a company that is operating over many different states, you might have to be more general about this. But if you're in one state, every state, almost every state in the U.S. has laws that are around the protection of jobs or leave of absence or other types of remedies for domestic violence victims in particular. So you'd wanna check with your state as to what those are. There's also a couple optional clauses that people can choose to add or not. Things like training mandates, rules about prohibition of firearms on premises, the reporting of restraining orders or arrests, and duty to cooperate with investigations. So those are really up to the company to decide if they want to include them. We always wanna use simple gender-neutral language. We wanna provide copies of the policy in alternative formats and languages so that people can receive a paper copy, they can read it online. If they need a translation, it's available. And the last thing I would say about policy is that there has been a shift recently in the threat assessment world around the idea of having a zero-tolerance policy for workplace violence or domestic violence. And the reason is that it sounds great, it sounds like something that you would want to have, and of course no company tolerates this, but it does box you in a little bit. And I find that it's better to have more flexibility, because if you say zero tolerance, then anything can be considered a violation of policy. For example, if you have a dual employee case where both the victim and abuser work in the same location, if the abuser tries to attack the victim and the victim pushes him or her away, that victim is now violating the workplace violence policy. And because you put it in

writing zero tolerance, you have no way to see that in a different context or respond to it differently. So allow yourself some wiggle room with that because every case is gonna be different and you'll want that flexibility.

- You talked a lot there about confidentiality, and these situations are complicated to say the least. And I think about those scenarios where you might have a restraining order, right? So you have to prevent a person from accessing your building or, you know, somebody might have witnessed something, a coworker might have witnessed something. How do we go about creating and maintaining real confidentiality so we can be really supportive in these situations, but also, like you said, we gotta notify certain people, right? Certain people have to be in the know, but we wanna minimize obviously the employee chatter and divulging information that's really not supposed to be out there in the public.

- Yeah, definitely. Information around cases in domestic violence are always shared on that need-to-know basis only. So we let someone know that we are not going to make their personal life water cooler gossip. We're just going to alert the people that may be in a position to help them. This is for ethical reasons, but also for safety and liability reasons as well. Because if a company, for example, was to tell everybody what was happening and then one of those people was to make an error in how that is handled, it could come back to the company in a doctrine called vicarious liability. So we have to make sure that everybody is getting the same message on that. If we are talking about documentation like a restraining order, then copies of that should be kept under lock and key with security, and any information in files that has to do with the domestic violence case should be protected and only available to the people working on that case. Sometimes cases that involve employees in a high-profile role, or maybe an employee connected to the threat assessment team, for example, could be transferred to another team. I just worked on a case last week where the company's threat assessment team in Asia had a smaller team, and one of the cases that came before them involved a person who was connected to a member of the team. So they switched that case over to their European threat assessment team so that it was completely out of that realm, and the victim felt much safer talking to the people who she knew would not be connected to the person that she was reporting about. In other ways, we can do this by using generalizations, for example. So say you work in a small office where there's only a few employees. It's hard to keep everybody's business out of each other's ears. But you know, we could say something like, instead of saying, hey, this person's been having trouble with their ex-partner coming in and asking questions about them or calling, you know, that calls them out and it lets everyone know what's happening. Instead, you could say something like, hey, the company is really trying to do a push lately around safety and confidentiality. So we wanna remind everybody across the board that no information is to ever be given out about any

employee whatsoever. And that way you're taking it off that one individual and maybe you're also helping in a future case as well, because maybe they're gonna remember that and they're going to have that action in a future case without being reminded. In terms of coworkers who make reports about a concern that they have, we wanna protect their identity at all costs, because we don't want to create rifts between employees or conflicts and we don't want to get employees involved in a domestic violence situation. So you don't want the abuser to then be coming after a coworker because they've reported them. And you also wanna make sure that everybody feels safe in coming forward to disclose. So whenever possible, we recommend that. And if you have a situation where say an employee, a coworker has witnessed something that they were the only other one in the room and they would know it was them, maybe you can say, hey, we happen to have surveillance cameras in that area and they picked this up, so that way it takes the pressure off of the reporting coworker. So yeah, it is something that's very important to think about and we wanna make sure that we're protecting victims in every way, whether it be their relationships in the workplace, their legal confidentiality, or their actual safety.

- How do we train our managers to handle these situations? And so often, you know, HR sometimes is like the last person to find out about stuff. So it's obviously important that we give, you know, managers and staff and HR as well the tools that they need. What are some of the types of trainings that exist out there that you would encourage us to look into for that population?

- So ideally, all employees, whether they're line workers, managers, HR, security, they should all receive training in the basics of domestic violence and what we call the three Rs. That stands for recognize, respond, and refer. So ideally, everyone in the company would know how to identify a potential victim of domestic violence, how to respond to disclosures in a safe, effective manner, and how to refer the victim to help either in the company or outside in the community. So a foundational education like this can be delivered to everybody, but it can be slightly altered for a roles-based format. So people with different duties will get the information that's most applicable to what they do. In-person training's always best, but if a company has a lot of employees in different locations, you can do this virtually or you can offer it as a self-paced online module. It can also be part of a broader employee awareness campaign to educate people around the issue of domestic violence and the help that's available. A lot of companies kick that off in October because it's the National Domestic Violence Awareness Month. But we generally keep those trainings sort of short and sweet and then we can move on to more intermediate trainings for certain departments. So for example, you could hold a training in threat assessment and management for security, or a training in victim engagement or diverse victim support trainings for HR or for management. And those departments might come

together for a more advanced leadership training on a specific topic like managing dual employee cases or managing employee batterers in the workplace. Overall, training should be conducted either at onboarding or repeated on a regular basis. So we're covering all the new employees and requiring mandatory attendance. This is a tough one, a lot of employers don't want to do that, but when you let people elect to come or not, then the people who are coming may feel self-conscious because their coworkers know that they're going to that training and they may think, well, do you have an issue with domestic violence? Why are you going? And the people that choose not to go for whatever reason are not getting that information. So you have different people on different pages and you really want everyone to be receiving that same info. So we have to make sure that they know it's important to the company that they all get that training.

- I wanna switch gears a little bit and talk about resources. Specifically, I wanna start with, you know, what HR should be doing, the employees, and then external organizations, how we think about partnering with them. So maybe you could talk a little bit about resources in general.

- Absolutely. So resources for domestic violence victims can be divided into three basic categories. So you've got safety, administrative, and supportive. So, safety resources include things like workplace safety plan, providing parking lot escorts, designating an onsite safe room, hiring extra security guards, or creating an absence protocol so that managers and HR know how to respond if a victim is like a no call or a no show for work. Some of my larger clients go above and beyond. They offer temporary safe accommodations like a hotel or an Airbnb, home security systems, or personal safety devices like a piece of jewelry that silently calls 911. It all depends on the company's budget and how far they wanna go to assist victims. But even smaller organizations with fewer resources can help in some way, and that often falls into the second category of administrative. So administrative resources are accommodations like offering a leave of absence, transferring to another location, filtering or rerouting abuser calls and emails to security, changing the employee's emergency contact, or providing in advance on paid to help them secure safe housing. And you can also offer along with that the next category, which is supportive resources. So those are generally internal and external referrals like EAP or a community-based domestic violence organization, a criminal justice agency or a legal aid group. And this can also mean designating a trusted point of contact, either within direct management or HR to check in and channel concerns so the victim doesn't have to tell their story over and over to multiple people. Some employers also have internal supports like an employee resource group, or an ERG, through which victims of domestic violence can connect with and seek support from others who have experienced similar challenges. Employers really have a vast menu of options that they can offer, but you know, sometimes it takes that

creative thinking outside the box type solutions. And all the things I just mentioned are examples, but they're certainly not an exhaustive list. Every case has unique needs and there is no one size fits all solution. We can also deliver this by mentioning those resources, but the only way to truly know what a case requires is to ask the victim what they need instead of assuming. So saying, how can we help you to feel safer at work? What would make it easier for you to perform your job? Victims vary in the level of support desired, so the role of HR is to make sure that the level of support given matches the level of support desired. And always remember, if a victim doesn't want to engage and they refuse those resources, pass on the information anyway and allow them to exercise self-determination. They may very likely access those on their own or they may come back at some point in the future to take you up on that offer.

- What about partnering with our communities? I know that there are resources out there specific to domestic violence, specific to, you know, housing for somebody who's experienced that. How do we make sure that we're partnering with those organizations in our communities that provide these resources?

- Well, first off, you wanna be aware of them and know what is around you. Many of the larger companies I work with will request an employee resource guide for domestic violence, which will look at every location in which they operate and then give the various resources for that location. And they can put this on an online database or in a document and anybody around the country or around the world who wants to get resources for a victim can look at that. Another way is to establish relationships in advance of the need. So this means reaching out to, for example, your local domestic violence organization to ask about their services and find a point person that you might call on to ask questions or find assistance for future cases. So before the emergency presents itself, you've established that connection already. And this is also great because you can ask if they have sponsorship or volunteer opportunities. Many of them have education that they offer, like a domestic violence one-on-one training where they'll come into the company and do sort of a brown bag lunch presentation or a webinar to let people know. For the more advanced training topics like the things we mentioned earlier, or for actions on policy and protocol changes, or for assessing and managing threat in individual cases, I'd recommend hiring a specialist. There are many people in the domestic violence and threat assessment community, like myself, who offer customized services for training and consultation around these more complex issues. And conferences and sources like LinkedIn are usually a great place to start looking for one of those partners.

- I liked the mention about free resources. You know, we're always strapped for cash I feel like when it comes to thinking about training and development in our organization. So that's such a great tip to, you know, engage an outside organization who's probably willing to

give the information freely without any cost to yourself and to your employees. So I really appreciate that. You know, as I think about, we talked about policies already, how often though should we be looking at revising those? Is it annually? Is it, you know, more than that? What have you seen kind of in the industry, the speed of change related to domestic violence policies?

- An annual review is ideal because sometimes state victim protection laws change or new initiatives crop up under new leadership or maybe there's an alteration in the reporting structure within an organization. However, I'd also recommend reviewing policy after a major incident such as a workplace assault or whenever it becomes apparent that the current system isn't working. You might find this out due to feedback from employees that are affected by domestic violence or maybe a high rate of victims who refuse to engage with the employer's efforts. These things can let you know that something's not working and maybe you need to look at it and get some more opinions and feedback from people who have been working with the team on the domestic violence case, or people who identify as survivors of domestic violence, and say to them, what would you like to see different here? What changes do you think we should make? How does this policy help you? Or how does it make it harder for people to come forward and get help? So by drawing from the knowledge of the people who have experienced this, as well as the HR professionals who have worked on these domestic violence cases, you can sort of hone and perfect your policy as you go and keep it, again, as I said earlier, flexible so that you can make those changes if they're necessary and you don't feel like you just have to stick with what you've always been doing.

- As you think about reporting, how do we make it effective and safe for those who've experienced domestic violence to ask for help, to raise their hand? What are some great tactics there?

- So the employee awareness campaigns that I mentioned earlier are a great way to introduce people to the idea that you can come forward and there are things we can do. Encouraging disclosure is really important because if you don't know that an employee is experiencing domestic violence, then you can't help them and you can't foresee any of the workplace safety risks that might come along with domestic violence. So you definitely don't wanna take a head in the sand position on this. If you are part of a very large company with lots of employees and you're not getting domestic violence disclosures, something's wrong, and you need to look at why. It's important to offer a number of options and channels, like either direct reporting to a manager or HR, anonymous reporting avenues, text, email, or phone options, community-based resources for people who need help but they don't want to disclose to their employer but we still want them to get that help. And in order to get people to use these, the employer has to be very clearly communicating three messages to their employees.

The first one is: you won't lose your job for coming forward. The second one is: you won't be judged or shamed for what you're experiencing. And the third one is: there are things we can do to help, and we've helped other people before, we want to help you now. So having those reassurances can greatly improve the disclosure rates within an organization.

- Lynn, this was such a great discussion. There's so much meat here and takeaways for our audience. You know, I always appreciate the level of sincerity that you bring to this through your experience and through the work you're doing. If somebody wants to learn more about your work specifically or maybe engage you in a training or an evaluation, how do they get in touch with you?

- You can go to my website, which is [www.presagetraining.com](http://www.presagetraining.com). That's P-R-E-S-A-G-Etraining.com. And you can also look me up on LinkedIn. I am more than happy to connect with anybody who wants to talk or has a quick question, and they can also access my articles and posts and things that I do related to this too.

- Well, thank you for spending a few minutes of your day with me, Lynn.

- I hope you enjoyed today's episode. You can find show notes and links at [thehrmixtape.com](http://thehrmixtape.com). Come back often and please subscribe, rate and review.