

# 2005 World Conference on Prevention of Family Violence

## From Knowledge to Practice: Impacting DV in the Workplace

### Liz Claiborne's Response

Banff, Alberta  
October 24, 2005

Dennis Butler  
Vice President, Associate Relations  
Liz Claiborne Inc.

# Liz Claiborne's Involvement

- ◆ Focus on DV began in 1991.
- ◆ Awareness Oriented.
- ◆ Love Is Not Abuse Handbooks and Brochures.
- ◆ Launch of Love Is Not Abuse HS Curriculum .

# Partner Violence: Exactly What Are We Talking About?

- ◆ Partner violence is abusive or coercive behavior between two people in an intimate relationship.
- ◆ In the US, the highest risk factor for being involved with partner violence as an adult is exposure to violence between parents in family of origin.

# Who Does It Affect?

- ◆ The US Justice Department and Centers for Disease Control found that nearly 25% of women, and about 7% of men say they have been assaulted by a current or former partner.
- ◆ Internationally the Commonwealth Fund found that 1 in 3 women will be a victim of partner violence at some point in her lifetime.

# DV In the Workplace

- ◆ Intimate partner's behavior that interferes with associate's ability to safely/securely perform duties at work.

# Who Is Affected by DV at Work?

- ◆ 57% know someone affected.
- ◆ 44% experienced DV's impact at work:
  - Co-worker was a victim (45%).
- ◆ Impact consistent across all educational levels.

# Victims Words About How DV Affected Them at Work:

‘I took time off work to enable bruising to go away . . .

‘I resigned-- I was too ashamed to face my colleagues with my injuries.’

‘I applied for a promotion and put my life into that interview -- I knew it was the only way I could move to another part of the country and escape.’

‘The bruises and disfigurement as well as my anxiety should have prompted my manager to refer me for some support or counseling.’

‘It wasn't the physical violence because bruises and cuts go over time, it was the psychological abuse which stayed with me and affected my whole life.’

# Partner Violence and the Workplace: Medical Costs

- ◆ Direct medical costs associated with domestic violence in the US are \$1.8 billion a year.
- ◆ US women experiencing partner violence have increased health care costs -- \$1,775 more a year than a general female enrollee in one study.
- ◆ Women experiencing partner violence had healthcare costs averaging more than \$5,000 (US) per year, compared to an average of \$2,900 for women in the control groups.

# Partner Violence and the Workplace: What Do Employees Experience?

- ◆ 74% of victims are harassed at work.
- ◆ 37% of those involved in partner violence felt its impact reflected in lateness, missing work, difficulty keeping a job, and difficulty advancing in careers.
- ◆ 25% of workplace problems are rooted in family violence.
- ◆ Victims lose the equivalent of more than 32,000 full-time jobs and nearly 5.6 million days of household productivity due to violence.

# Partner Violence and the Workplace: Batterers At Work

- ◆ Most abusers report being distracted and preoccupied at work.
- ◆ Some abusers make costly and dangerous mistakes on the job as a result.
- ◆ Most abusers use company phones, email, and vehicles to perpetrate domestic violence.
- ◆ Most abusers use paid work time to go to court (average 7 business days).

# Liz Claiborne's Workplace Program

- ◆ DV policy in place since early 1990s.
- ◆ Significantly upgraded the program in 2002:
  - Revised our DV in the Workplace Policy.
  - Established protocol for HR, Legal and Corporate Security for how to handle cases
  - Established a Domestic Violence Response Team (DVRT)
  - Trained HR, Security, Managers and Employees

**Why did Liz Claiborne  
enhance its DV in the  
Workplace program?**

# Creating A Workplace Program

Step One: Organize a multi-disciplinary team to oversee the process

- ◆ Human Resources
- ◆ Legal
- ◆ Security
- ◆ Subject Matter Experts

# Creating A Workplace Program?

Step Two: Develop a corporate policy on partner violence

# Creating a Workplace Program

## Step Three: Provide Training

- ◆ Response protocol
- ◆ Multidisciplinary Team (DVRT)
- ◆ Managers
- ◆ Employees

# Creating a Workplace Program

## Step Four: Build awareness through workplace communications

- ◆ Recognize, Respond, Refer
- ◆ Posters
- ◆ Brochures
- ◆ Employee Health Fairs
- ◆ Department Meetings

# A Few Words About the DVRT...

- ◆ Notified whenever a DV issue is identified.
- ◆ Manages the response.
- ◆ Addresses ancillary issues.
- ◆ Documents cases.
- ◆ Meets periodically.
- ◆ Identifies trends and training gaps.

# Key Points to Remember

- ◆ Focus on safety for victim and workplace.
- ◆ Company representatives don't act as counselors – we are conduits to experts.
- ◆ Each situation is unique.

## More Key Points...

- ◆ Knowing right referrals is most effective.
- ◆ Policies and protocols are guidelines only.
- ◆ Environment must be open and comfortable.

# DV in the Workplace Training Should...

- ◆ Educate HR and Security personnel on how to handle situations that arise.
- ◆ Educate re: warning signs of DV, rape, sexual assault.
- ◆ Inform employees how to communicate with victim, batterer and the company.

# DV Training in Workplace Should...

- ◆ Emphasize how NOT to become a counselor or psychologist.
- ◆ Outline what actions are appropriate and what referrals are available.

# What Else can Employers do?

- ◆ Allow time off.
- ◆ Flexible hours.
- ◆ Security escorts.
- ◆ Change phone numbers or location.
- ◆ Work with local law enforcement.

# What Difference Does It Make?

- ◆ Increases productivity.
- ◆ Decreases absenteeism and turnover.
- ◆ Enhances workplace safety and security.
- ◆ Increases employee loyalty.
- ◆ Enhances quality of life in your community.
- ◆ Saves lives.



# What Difference Does It Make?

# Next Steps

- ◆ Make a commitment today to do something to recognize, respond & refer issues of partner violence in the workplace.
  - Consider contacting/joining joining the CAEPV

# What Is CAEPV?

- ◆ Corporate Alliance to End Partner Violence.
- ◆ The only NGO in the US founded by corporations themselves with this mission.
- ◆ Members companies represent over a million employees across the US.
- ◆ Members include large and small private employers, units of local government, and service providers themselves.

# Why Was CAEPV Created?

- ◆ Business community as area of influence in society.
- ◆ Workplace has existing mechanisms for communicating with people (their employees) through workplace communications.
- ◆ Opportunity for businesses to work together on this issue and bring a unified message that partner violence is a business issue.

# CAEPV Around the World

- ◆ Australia
- ◆ United Kingdom
- ◆ Israel
- ◆ Turkey

# Web Sites For More Information

◆ Corporate Alliance to End Partner Violence – [www.caepv.org](http://www.caepv.org)

■ [Kwells@caepv.org](mailto:Kwells@caepv.org)

◆ Safe At Work Coalition – [www.safeatworkcoalition.org](http://www.safeatworkcoalition.org)

◆ [www.corporatealliance.uk.com](http://www.corporatealliance.uk.com)

Ending partner violence, whether in the workplace or in the community—  
**IS DEFINITELY YOUR BUSINESS!**



# Questions?

# World Conference on Prevention of Family Violence 2005

## Knowledge to Practice to Impact

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# Who Does It Affect?

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- ◆ Internationally the Commonwealth Fund found that 1 in 3 women will be a victim of partner violence at some point in her lifetime.

# DV In the Workplace

- ❖ Intimate partner's behavior that interferes with associate's ability to safely/securely perform duties at work

# Victims Words About How DV Affected Them at Work:

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- ◆ 37% of those involved in partner violence felt its impact reflected in lateness, missing work, difficulty keeping a job, and difficulty advancing in careers.
- ◆ 25% of workplace problems are rooted in family violence.
- ◆ In the US, intimate partner violence victims lose the equivalent of more than 32,000 full-time jobs-and nearly 5.6 million days of household productivity as a result of the violence.

# Partner Violence and the Workplace: Batterers At Work

- ◆ Most abusers report being distracted and occupied at work
- ◆ Some abusers make costly and dangerous mistakes on the job as a result
- ◆ Most abusers use company phones, email, and vehicles to perpetrate domestic violence
- ◆ Most abusers use paid work time to go to court (average 7 business days)

# Liz Claiborne's DV Workplace Program

- ◆ Involved in DV issues since 1991
  - Love Is Not Abuse Campaign
- ◆ Established DV in the Workplace program in 2002
  - Revised our DV Workplace Policy
  - Established Protocol for HR, Legal and Corporate Security for how to handle cases
  - Established a Domestic Violence Response Team (DVRT)
  - Trained HR, Security, Managers and Employees

# Why Did Liz Claiborne Start Their DV in the Workplace Program?

- ◆ Did not know how to respond to an actual DV Case when it came up

# How Do You Create A Workplace Program?

**Step One: Organize a multi-disciplinary team to oversee the process**

- ◆ Human Resources
- ◆ Legal
- ◆ Security
- ◆ Subject Matter Experts

# How Do You Create A Workplace Program?

Step Two: Develop a corporate policy on partner violence

# Creating a Workplace Program

## Step Three: Provide Training

- ◆ Multidisciplinary Team (DVRT)
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- ◆ Managers
- ◆ Employees

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- ◆ Department Meetings

# A Few Words About the DVRT...

- ◆ Notified whenever a DV issue is identified
- ◆ Manages the response
- ◆ Helps address ancillary issues, e.g.,  
Threat assessment, "toxic gossip"
- ◆ Documents cases
- ◆ Meets periodically
- ◆ Identifies trends and training gaps

# Key Points to Remember

- ◆ Focus on safety for victim and workplace
- ◆ Company representatives don't act as counselors
- ◆ Managers won't know exactly what to do in all situations
  - Act as a conduit

## More Key Points...

- ◆ Knowing right referrals is most effective
- ◆ Policies and protocols are guidelines only
- ◆ Environment must be open and comfortable

# DV Training in Workplace Should...

- ◆ Educate HR and Security personnel on how to handle situations that arise.
- ◆ Educate on Warning Signs of DV, rape, sexual assault.
  - Respond sensitively and confidentially.
- ◆ Inform employees how to communicate with victim and batterer.

# DV Training in Workplace Should...

- ◆ Emphasize how NOT to become a counselor or psychologist
- ◆ Outline what actions are appropriate and what referrals are available

# What Else can Employers do?

- ❖ Referrals
- ❖ Allow time off
- ❖ Flexible hours
- ❖ Security escorts
- ❖ Change phone numbers or location
- ❖ Work with local law enforcement

# What Difference Does It Make?

- ◆ Increases Productivity
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- ◆ Enhances Safety And Security in Workplace
- ◆ Increases Employee loyalty
- ◆ Enhances Quality of Life in Your Community
- ◆ Saves lives

# What Difference Does It Make?

When the estranged husband of a Liz Claiborne employee in Pennsylvania came looking for her at work, he was stopped short by security guards who knew he was ordered by a court not to contact her.

The man, who had made angry threats to her in the past, was carrying a gun.

Furious, the man left the company's campus and later ended up in a several-hour standoff with police. He was arrested before anyone was injured.

"It was really intense and it could have been really tragic because he was said to have weapons," said Jane Randal, vice president for corporate communications for Liz Claiborne, Inc., in New York.

The Bulletin (January 19, 2004).

## **...And a Reader's Response...**

I would like to congratulate Liz Claiborne on how effective their workplace violence program is. I have no doubt that if the employee's abuser showed up at her work with a gun that he fully intended to use it. Your efforts prevented a major tragedy for your company, and may have given this man another chance to change the way he deals with his need to control her.

# Next Steps

- ◆ Make a commitment today to do something to recognize, respond & refer issues of partner violence in the workplace
  - Consider joining the CAEPV
- ◆ Ending partner violence, whether in the workplace or in the community—**IS DEFINITELY YOUR BUSINESS**

# What Is CAEPV?

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  - [Kwells@caepv.org](mailto:Kwells@caepv.org)
- ◆ Safe At Work Coalition – [www.safeatworkcoalition.org](http://www.safeatworkcoalition.org)



# Questions?



## **Handling Domestic Violence in the Workplace: Guidelines for Human Resources and Corporate Security**

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### **I. Overview**

Liz Claiborne Inc. has the following plan for addressing domestic violence in the workplace:

- Maintain a multi-disciplinary Domestic Violence Response Team (DVRT) that will review each case. A case is defined as a domestic violence situation that currently affects or has the potential to affect workplace security and performance.
  - A designated member of the DVRT will be notified by the Human Resources or Corporate Security associate who first speaks with the victim or manager.
  - The DVRT will include an associate from the following departments: Security, Human Resources, Legal and Employee Assistance Program. Local law enforcement and domestic violence advocates may be consulted as needed.
  - Back-ups for each associate should be determined in the event they are unavailable
- Standardize Liz Claiborne Inc. protocols.
  - Train all Human Resources, Corporate Security, Legal and Health Services associates on domestic violence and Liz Claiborne Inc.'s domestic violence and workplace violence policies and guidelines.
  - Train receptionists, often the first line of defense in domestic violence workplace situations, on appropriate responses to an abuser showing up at the workplace.
- Publicize policies to reach associate population
  - Speak at town meetings
  - Hang posters
  - Use intranet, email, etc.
- Conduct senior management (Leadership Council) sensitivity training on domestic violence.

## **II. Discretion**

Every domestic violence situation is unique. What is appropriate in one situation may be harmful in another. Therefore, Human Resources and Corporate Security must evaluate each situation individually and use their discretion and judgment to determine the most effective response. These guidelines and any policy should not be interpreted as prohibiting Human Resources and Corporate Security from making necessary decisions that will prevent violence or threats from occurring or developing.

## **III. Legal Considerations**

When an associate is experiencing domestic violence, many laws and other Liz Claiborne Inc. policies may come into play: worker's compensation, Family Medical Leave Act (FMLA), Americans with Disability Act (ADA), sexual harassment, discrimination, unemployment insurance, short/long term disability, benefits, and short/long term leave. The above list does not represent all of the applicable laws and policies but is a sample of possible ones. When an associate has self-disclosed about an abusive relationship or a domestic violence incident has occurred at the workplace, investigate all possible legal implications with the DVRT.

## **IV. Role of Human Resources and Corporate Security**

Human Resources and Corporate Security should avoid taking the role of a counselor when talking with or providing resources to an associate experiencing domestic violence. Rather, they should provide support, workplace resources, and referrals. In addition, they should focus on security and safety for both the victim and entire workplace.

## **V. Guidelines for Associates who are Victims of Domestic Violence**

### **A. General Considerations**

Keep in mind that most victims have been warned against talking to others about the abuse and fear retaliation from the abuser if she/he does tell someone. The victim may also fear she/he will be fired or disciplined if the workplace finds out about the abuse.

### **B. If You Suspect an Associate is a Victim**

Possible signs that an associate may be a victim of domestic violence include the following: obvious injuries, such as, bruises, black eyes, broken bones, and/or hearing loss; increase in absences or tardiness; poor

concentration and/or inconsistent work; high anxiety and/or fearfulness; and receiving unusual number of call, faxes or emails from partner.

If you suspect an associate is a victim but she/he has not self-disclosed, carefully probe the situation without trying to force disclosure. These are difficult and delicate conversations and they require extreme sensitivity. The following are suggested ways to raise the issue of abuse without intruding into her/his personal life:

- Meet with the associate in private.
- Let the associate know what you or concerned co-workers have observed. For example, “I noticed the bruises you had last week and you look upset and worried today.”
- Express concern that the associate might be abused. For example, “I thought it was possible that you are being hurt by someone and I am concerned about you.”
- Make a strong statement of support. For example, “No one deserves to be hit by someone else.”

If the associate does not want to talk about the abuse, you cannot force her/him to do so. If appropriate, let the associate know about resources and referrals. However, if there is a direct threat to the safety of any associate or a workplace violence incident, you must take appropriate action, including but not limited to contacting the DVRT.

If the associate is experiencing performance issues, these need to be address regardless of disclosure. See page 4 for guidelines. If the associate self-discloses, see page 3 for guidelines.

### **C. If an Associate Self-discloses she/he is a Domestic Violence Victim**

Start by reassuring the victim that no one deserves to be abused and that she/he is not alone. Help is available. Be sensitive and nonjudgmental. Do not try to diagnose the victim or tell her/him what to do. Some appropriate comments that may be helpful to the victim are the following:

- “I am concerned for your safety”
- “There is no excuse for abuse”
- “You are not responsible for the abuse”
- “No one deserves to be abused”
- “There is help available”
- “You are not alone”

Some inappropriate comments that may upset the victim are the following:

- “You should leave the abusive relationship”
- “Why haven’t you left”
- “Why have you stayed in the relationship”
- “What did you do to cause the abuse”
- “I know how you feel”

Review with the associate possible actions Liz Claiborne Inc. may take if appropriate, available and/or permissible. Remember to ask the victim what they need to feel safe. Do not make decisions for the victim. The following is a list of possible actions:

- Referrals to the Employee Assistance Program and/or local domestic violence organizations
- Allowing time off so that associates can seek safety and protection, attend court appearances, arrange for new housing or take care of such matters.
- Arranging for flexible hours and short-term leaves of absence with the guarantee in most cases of a position upon return.
- Assigning special parking spots and providing people escorts to and from their cars or other points of transportation
- Screening telephone calls, changing phone extensions, hours of work or workspace location
- Working with local law enforcement to enforce restraining orders on company property
- Documenting incidents of abuse/harassment in the workplace for use in court either now or in the future
- Changing benefits to associates name or naming new beneficiaries
- Implementing a workplace safety

Whenever an associate self-discloses contact the lead DVRT associate, who will assign a Corporate Security associate to perform a Threat Assessment. Advise the victim that this step is necessary to ensure the safety of herself/himself and the entire workplace. Give a description of the Threat Assessment so the victim will know what to expect. See page 7 to view the Threat Assessment questionnaire. Ask the victim if she/he would like you to be present during the Threat Assessment.

The DVRT will assign a case manager to each incident. Follow-up is mandatory at appropriate agreed upon intervals until the DVRT determines it is no longer necessary. During each follow-up conversation, the case manager will assess whether the situation is escalating or additional actions need to be taken. Even in cases that do not seem dangerous at first can become deadly. Violence often escalates and becomes lethal when a victim leaves the abusive relationship or exerts more independence.

Advise the victim that confidentiality will be kept to the fullest extent possible. Only information necessary for her/his safety and the safety of others will be shared on a need to know basis.

#### **D. Addressing Victim's Performance Problems**

Regardless of whether the associate discloses abuse or not, you need to address any performance issues that exist. If you feel they are related to domestic violence, use the following outline:

- Find a private space to talk
- Clearly identify the performance problems
- Express empathy that sometimes "personal issues" can interfere with performance
- If the signs of abuse are clear, gently urge the associate to share what may be upsetting her/him
- Offer a referral to the Employee Assistance Program
- Suggest ways to improve performance
- Discuss the review process and the consequences

Document all performance problems as you would with any other associate but be careful not to disclose details of the domestic violence situation if it was disclosed. You may make a note in the performance documentation that "factors outside the workplace are potentially affecting the associate's performance."

If the associate discloses during this conversation, follow the guidelines on page 4.

### **VI. Guidelines for Associates who are Abusers**

#### **A. General Considerations**

When communicating with an abuser, be careful not to reinforce his/her abusive behavior by agreeing with statements that suggest the victim is at fault, joking about domestic violence, or blaming the victim for the abuse.

Also, do not help the abuser maintain contact with the victim by providing access information if known.

## **B. If You Suspect an Associate is an Abuser**

Possible signs that an associate may be an abuser include the following: display inappropriate anger or resentment toward victim; blame others – especially victim; share convincing stories about his/her “difficult” partner; show defensive injuries, such as, scratch or bite marks; and makes unusual number of calls, email, or faxes to partner.

If you suspect an associate is an abuser but he/she has not self-disclosed, carefully probe the situation without trying to force disclosure. Just as with victims, these are difficult and delicate conversations. If applicable, the following are suggested ways to raise the issue of abuse:

- Meet with the associate in private.
- Let the associate know what you or concerned co-workers have observed. For example, “I have noticed that you have been making a lot of phone calls lately and look very upset after them.”
- Express concern over inappropriate comments about spouse or domestic violence in general. For example, “It makes me uncomfortable when you constantly insult your spouse,” or “I don’t think joking about domestic violence is funny.”
- Make a strong statement against domestic violence. For example, “No one deserves to be hit by someone else.”

If the associate does not want to talk about the abuse, you cannot force him/her to do so. If appropriate, let the associate know about resources and referrals. However, if there is a direct threat to the safety of any associate or a workplace violence incident, you must take appropriate action, including but not limited to contacting the DVRT.

If the associate is experiencing performance issues, these need to be addressed. See page 7 for guidelines. If the associate self-discloses, see page 6 for guidelines.

## **C. If an Abuser Self-discloses**

Start by reassuring the abuser that help is available through the Employee Assistance Program and/or community agencies. Be sensitive and nonjudgmental. Do not try to diagnose the abuser or tell him/her what actions to take.

Whenever an abuser self-discloses, contact the lead DVRT associate and inform him/her of the situation. The DVRT will look at a number of factors to determine an appropriate course of action, such as but not limited to, history of violence, use of workplace resources to perpetrate domestic violence, convictions, recipient of restraining/protective order, impact on employment. The DVRT will make the final determination as to appropriate actions.

Advise the abuser that confidentiality will be kept to the fullest extent possible. Only information necessary for the safety of the workplace will be shared on a need to know basis.

#### **D. Addressing Abuser's Performance Problems**

Address and document all performance problems as you would with any other associate. When documenting, be careful not to disclose details of the domestic violence situation if known. You may make a note in the performance documentation that "factors outside the workplace are potentially affecting the associate's performance."

If the associate discloses during this conversation, follow the guidelines on page 6.

### **VII. Documentation**

- Human Resources will document performance problems only. Corporate Security and the DVRT will produce and maintain all documents relating to domestic violence situations at Liz Claiborne Inc. All such documents will be housed by Corporate Security in a central file.

### **VIII. Threat/Risk Assessment**

A risk assessment of the abuser's lethality is essential to determine the overall safety of the associate and workplace. In order to perform a risk assessment, Corporate Security will have to ask the associate many difficult questions. All of these questions should directly relate to assessing workplace risk. The following assessment questionnaire is not intended to be exhaustive, but rather represents good indicators of lethality and risk to the workplace. When asking these questions, find out how the associate would like you to refer to the abuser (i.e. by his/her first name).

1. What is the name, address and telephone number(s) of the abuser?
2. What is his/her relationship to you?

3. Can you provide us with a description and current picture of the abuser and his/her automobile?
4. Do you feel safe?
5. Do you think you or others are in danger here? Are you afraid for your life or others? (*The victim knows best what the abuser is capable of*)
6. Does the batterer know where and when you work?
  - a. Has he/she visited the facility in the past? Under what circumstances?
  - b. Has the batterer ever sent threatening or harassing e-mail messages, telephone calls, faxes or mail to your workplace? Have you saved these messages? What did these threats say?
  - c. Has the batterer ever come to your workplace to threaten, harass, or injure you? What happened once he arrived at the workplace? Including prior workplaces.
  - d. Has the batterer ever threatened to come to your workplace to harm you or others? What kind of threats were made?
7. Are your co-workers aware of the situation?
  - a. If so, who are they and what information has been given to them?
8. Has the batterer ever threatened or physically harmed you?
  - a. What was the specific language of the threat?
  - b. How often and under what circumstances have threats been made?
  - c. What type of injuries did you receive? How often etc.
  - d. Where you ever hospitalized for these injuries
  - e. Where weapons involved (guns, knife, bat etc.)
  - f. Where the police ever involved?
9. Has the batterer ever made homicidal or suicidal threats to you or another person?
10. Has the batterer ever stalked you or anybody else?
11. Does the batterer have a history of violence?
  - a. If so, please explain each situation.
12. Does the batterer possess any type of Firearms or weapons?
  - a. If so, are they registered?
  - b. Please describe the type (*Handgun, shotgun, assault rifle, knives etc*)
13. Has there been any police involvement? If so, what is the current status?
  - a. Would you mind if we contacted them?
  - b. Does he have a criminal record?

14. Has an order of protection been issued?
  - a. If so, can you please provide us with a copy?
  - b. If not, are you planning to file one?
  
15. Is this the first report you are filing or have there been others?
  
16. Are you planning to leave the relationship?
  - a. If so, do you have a safety plan in place?
  - b. How do you think he will react?
  - c. Do you need additional safety measures during this time?

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## Domestic Violence in the Workplace Policy

July 2003

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### PURPOSE

Liz Claiborne Inc. is committed to the health and safety of our associates.

Domestic Violence is a leading cause of injury to women in this country. The purpose of our Domestic Violence Workplace policy is to raise awareness of domestic violence; provide support, when appropriate, to associates experiencing domestic violence; give guidance to management on addressing the occurrence of domestic violence and its affects on the workplace; and create a safer work environment.

### DEFINITIONS

**Domestic violence** is a pattern of coercive behavior that is used by one person in an intimate relationship to gain power and control over another. Domestic violence includes physical, sexual, emotional, psychological, and financial abuse. Some examples of coercive behavior are the following: hitting, punching, shoving, stabbing, shooting, slapping, threatening behavior, name calling, humiliating in front of others, controlling what one wears, says, and does, controlling the financial decisions, stalking, destroying or attempting to destroy property, and using children to control. Domestic violence occurs between people of all racial, economic, educational, and religious backgrounds, in heterosexual and same sex relationships, living together or separately, married or unmarried, in short-term or long-term relationships.

The **batterer, perpetrator, or “abuser”** is the individual who commits an act of domestic violence as defined above.

The **survivor or “victim”** is the individual who is the subject of an act of domestic violence.

### OUR POLICY

#### A. Education and Support for Associates who are Victims of Domestic Violence

Liz Claiborne Inc. will attempt to make available appropriate information, referrals, and resources to victims and other associates. Liz Claiborne Inc. will provide support through our Employee Assistance Program, our Security and Human Resources personnel, as well as, referrals to community agencies. We encourage all associates to take advantage of these resources.

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### Employee Assistance Program

We have an Employee Assistance Program that has professionals trained to handle domestic violence cases. These professionals provide counseling, support, and referrals. In addition, our Employee Assistance Program is a resource for associates wanting to learn more about domestic violence or find out how to help a friend, family or coworker. To contact these resources call the following numbers:

**Employee Assistance Program: 1-800-424-4314**  
**UNITE's Member Assistance Program: 1-800-732-MAPP (6277)**

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### Human Resources and Corporate Security Personnel

Liz Claiborne Inc. Human Resources and Corporate Security personnel are also a resource for associates. When appropriate, available, and permissible, personnel in these departments can assist victims in a number of ways, including but not limited to:

- Developing a safety plan for the workplace
- Assigning special parking spots
- Escorting people to and from their cars or other points of transportation
- Screening telephone calls and removing an associate's name from automated telephone directories
- Working with local law enforcement to enforce restraining orders on company property
- Relocating an associate's workspace to a more secure area
- Having paychecks delivered to another location
- Changing benefits to the victim's own name
- Saving any threatening emails
- Allowing time off so that associates can seek safety and protection, attend court appearances, arrange for new housing, attend counseling, receive medical care or take care of other appropriate matters
- Arranging for flexible hours and short-term leaves of absence with the guarantee in most cases of a position upon return

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Corporate Security is available twenty-four (24) hours a day and seven (7) days a week. Any communication with Human Resources and Corporate Security will be kept confidential to the fullest extent possible. Others will be informed only on a need to know basis for the security of the victim, other associates, and the workplace.

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To contact these resources call the following numbers:

**Corporate Security: 1-800-753-3030**

**Human Resources: Your Human Resources Generalist (If you are not sure who to contact in your human resources department call Dennis Butler at 201-295-7516)**

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Community Agencies

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Liz Claiborne Inc. encourages victims and other associates to contact community agencies for resources and referrals. Many provide free services for safety planning, counseling, support groups, shelter, and legal assistance. To contact these resources and receive referrals call the following numbers, which are available twenty-four (24) hours a day and seven (7) days a week:

- National Domestic Violence Hotline 1-800-799-SAFE (7233)
- Center for Victims of Crime 1-800-374-2255
- NJ Coalition for Battered Women 1-800-572-7233
- NY Coalition Against Domestic Violence 1-800-942-6906
- PA Coalition Against Domestic Violence 1-800-932-4632
- RI Council on Domestic Violence 1-401-467-9940
- YWCA of Greater Cincinnati DV Hotline 1-888-872-9259
- Safe Horizon (NY-Metro only) 1-800-621-HOPE (4673)
- Los Angeles County Rape & Battering Hotline 1-310-392-8381
- Los Angeles County Domestic Violence Hotline 1-800-978-3600
- Safelink (Massachusetts statewide hotline) 1-877-785-2020

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Liz Claiborne Inc. will not discriminate against domestic violence victims or associates perceived as domestic violence victims in hiring, firing, staffing, or other terms, conditions, or privileges of employment.

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Liz Claiborne Inc. is aware that domestic violence victims may have performance problems such as chronic absenteeism, tardiness or lower productivity as a result of domestic violence. When addressing performance and safety issues, Liz Claiborne Inc. will make reasonable efforts to consider all aspects of the associate's situation and, to the extent possible, utilize reasonable options to help resolve the performance and/or safety problems. If reasonable attempts to resolve the performance and/or safety problems are unsuccessful, Liz Claiborne Inc. may have to take appropriate action.

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**B. Temporary or Permanent Protective/Restraining Orders**

Any associate who obtains a temporary or permanent order of protection from a court, which lists Liz Claiborne Inc. locations as protected areas, must provide Corporate Security with a copy of the petition and court order. In addition, the associate must provide Corporate Security with the following information on the abuser: a photograph picture or physical description, description of automobile and license plate number, and any other information Corporate Security needs for the security of the workplace.

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### C. Associates who Commit Acts or Threats of Domestic Violence

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Any associate who commits acts/threats of domestic violence at the workplace or while using workplace resources, will be subject to disciplinary action, which may include but is not limited to dismissal. If appropriate, law enforcement will be contacted, which may result in arrest, criminal charges, and/or prosecution.

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Workplace resources include, but are not limited to, phones, fax machines, e-mail, mail, automobiles, pagers, office supplies, and photocopy machines.

Some job positions may give an associate access to certain types of information or resources. If that associate intentionally uses this access to enable an abuser to harm/contact a victim, that associate and abuser, if an employee, will be subject to disciplinary action, which may include but is not limited to dismissal. If appropriate, law enforcement will be contacted, which may result in arrest, criminal charges, and/or prosecution.

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Deleted: **GUIDANCE**

Deleted: Liz Claiborne Inc. will provide support through the Employee Assistance Program as well as our Security and HR departments. We encourage associates who are experiencing domestic violence to take advantage of these resources.

Liz Claiborne Inc. recognizes that abusers also need assistance and resources. We will provide, when appropriate, referrals to our Employee Assistance Program and/or Battersers' Intervention Programs, defined as programs designed to eliminate violence in intimate relationships, stop other forms of abusive behavior and increase victim safety.

### D. Law Enforcement and Legislation

Liz Claiborne Inc. will cooperate to the fullest extent legally possible with law enforcement and other appropriate government agencies. In addition, this policy shall be interpreted and applied in accordance with all applicable local, state and federal laws.

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Deleted: Employee Assistance Program can be reached at: 1-800-424-4314¶ UNITE's Member Assistance Program can be reached at: 1-800-732-MAPP (6277)¶

¶ Human Resources and Liz Claiborne Security personnel are also able to help. Associates in these departments can assist you in a number of ways, including: ¶

¶ <#>Assigning special parking spots¶

¶ <#>Escorting people to and from their cars or other points of transportation¶

¶ <#>Screening telephone calls and removing an associate's name from automated telephone directories¶ (... [1])

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Human Resources and Liz Claiborne Security personnel are also able to help. Associates in these departments can assist you in a number of ways, including:

- Assigning special parking spots
- Escorting people to and from their cars or other points of transportation
- Screening telephone calls and removing an associate's name from automated telephone directories
- Working with local law enforcement to enforce restraining orders on company property
- Relocating an associate's workspace to a more secure area
- Having paychecks delivered to another location
- Saving any threatening emails
- Allowing time off so that associates can seek safety and protection, attend court appearances, arrange for new housing or take care of such matters.
- Arranging for flexible hours and short-term leaves of absence with the guarantee in most cases of a position upon return.

Corporate Security is available 24 hours a day, 7 days a week by calling 1-800-753-3030. They understand the sensitive nature of this issue and have developed confidentiality procedures, which recognize and respect the privacy of the reporting associates.

Of course, any communication with these departments or help given will be kept confidential to the fullest extent possible.

The Company will also assist associates who are perpetrators of abuse in finding appropriate Batterers' Intervention Programs, defined as programs designed to eliminate violence in intimate relationships, stop other forms of abusive behavior and increase victim safety.

#### **Additional Numbers To Seek Help:**

National Domestic Violence Hotline	1-800-799-SAFE (7233)
Center for Victims of Crime	1-800-FYI-CALL (374-2255)
New Jersey Coalition for Battered Women	1-800-572-7233
New York Coalition Against Domestic Violence	1-800-942-6906
Pennsylvania Coalition Against Domestic Violence	1-800-932-4632
Rhode Island Council on Domestic Violence	401-467-9940

Alabama Coalition Against Domestic Violence	334-832-4842
Safe Horizon (NY-Metro only)	1-800-621-HOPE (4673)
Los Angeles County Rape & Battering Hotline	310-392-8381
Los Angeles County Domestic Violence Hotline	1-800-978-3600
Safelink (Massachusetts statewide hotline)	1-877-785-2020



LIZ CLAIBORNE INC

## **DISCUSSING OFF THE JOB PERFORMANCE ISSUES**

As we approach review time, it is important to remember that associates' home lives can affect their performance at work. Issues like physical or mental illness (either the associate or a family member), domestic violence, financial troubles, substance abuse (either the associate or a family member), or child/elder-care troubles can significantly impact the workplace.

If an otherwise valuable member of your team has inexplicably becomes less productive, it could be that something else is causing the problem. Signs to note include:

- Increase in absences or tardiness
- Poor concentration and errors, slow and/or inconsistent work
- High anxiety and/or fearfulness
- Requests for special accommodations, such as to leave early
- Unusually quiet or isolated from others
- Emotional distress or flatness, tearfulness or depression
- Sensitivity about home life or hints of trouble at home

If you suspect this is the case, but he/she has not self-disclosed, you may carefully probe the situation without trying to force disclosure. However, you must be careful to keep the focus of discussion on how behavior or performance is affecting work, to avoid the appearance of interfering in an associate's private life. This means saying something like:

*"I've noticed a change in your work in the past few months. You are not as productive, you are frequently late for work, often leave early, and have missed a few meetings. I am concerned about you, and about your work performance – is there anything I can do to help you improve or get back on track?"*

These are difficult and delicate conversations and they require extreme sensitivity. Following are suggested ways to raise the issue without intruding into an associate's personal life:

- Find a private space to talk
- Clearly identify the performance problems
- Express empathy that sometimes "personal issues" can interfere with performance
- If the signs are clear, gently urge the associate to share what may be upsetting her/him
- Offer a referral to the Employee Assistance Program
- Suggest ways to improve performance
- Discuss the review process and the consequences

If the associate does not disclose anything about home, then you must respect his/her privacy, but do remind the associate of resources available through the company if assistance is ever needed. These resources may include work/life initiatives, human resources or our Employee Assistance Program. If an associate does disclose a problem during the conversation, please contact Dennis Butler at 201-295-7516 or your HR Generalist for guidance and next steps.

As a manager, it is your responsibility to work with the associate on a performance improvement plan. If the associate is experiencing performance issues, these need to be address regardless of disclosure. Document all performance problems as you would with any other associate. However, you may make a note in the performance documentation that "factors outside the workplace are potentially affecting the associate's performance."