



ACCA'S 1999 ANNUAL MEETING: Session Pro Bono: Identifying Pro Bono Counseling Opportunities

Additional Materials: [WHAT IS DOMESTIC VIOLENCE?](#)

The IMPACT OF DOMESTIC VIOLENCE ON THE WORKPLACE: What can employers do to help?

You have been called by an anxious manager because he has been told by an employee that her husband regularly beats her and she fears he may come to the office and threaten her. Last night, her son tried to stop him; she spent the night in the emergency room having her son's broken wrist set into a cast. She is afraid to go home and doesn't know what to do. The manager tells you that she had been distracted lately and absent more frequently than usual, but he had had no idea that this was going on. He seeks your advice on what to do. Do you know?

There is no doubt that perpetrators of domestic violence wreak havoc within their families, causing physical and psychological damage. This violence reverberates in the workplace; generally, 70 percent of domestic violence victims are employed and over 70 percent of them report that the abusers harass them at work either over the telephone or in person. Perpetrators cause over 60 percent of the victims to be either late to and/or absent from work. The answer is not to fire the employee/victim, although sadly that often has been the corporate response.

Addressing the issue of domestic violence is a unique and important opportunity for corporate counsel to provide a benefit not only for his or her corporate client, but also to aid the victim and to help provide a pro bono service in the process.

In order to help the employee while preserving the corporate investment in that employee's training and work, the most valuable contribution the employer can make to its employee is to be supportive of the victims and to assist them in keeping safe. . A knowledgeable company lawyer can serve this role personally in situations where he or she is asked to handle a domestic crisis that has spilled over into the workplace or by helping to educate others in management of ways to help.

In 1998, the American Bar Association's Tort & Insurance Practice Section and the Commission on Domestic Violence began to address the impact of domestic violence on the workplace through a campaign entitled Domestic Violence: It's Everybody's Business. The first step of this project was to make safety planning information for victims, their friends and families accessible in the workplace. This is done through the Be Safe safety planning pamphlets, which are now available in English, Spanish, Chinese, Japanese, Korean and Vietnamese. Over 250 companies, including AFC Enterprises, Inc., (Churchs Chicken), BellSouth, Delta Air Lines, Winn Dixie and the State of Florida have customized the brochures and made them readily available in the workplace.

Other corporations, such as Polaroid, Liz Claiborne, Marshall's, and the Body Shop have taken the second step by creating employment policies and guidelines about domestic violence. The ABA Commission on Domestic Violence has published a guide for employers, entitled Domestic Violence in the Workplace to assist employers with developing such protocols and policies. Policies like these help management know what to do, and what not to do, in situations where violence is threatened in the workplace or when an employee comes to work showing signs of being beaten.

Essential to assisting your employees is identifying experts on domestic violence within the community. It is critical to know where employees can find counseling and legal representation. Often the groups which provide one are linked with the other to be most effective.

Pro Bono programs and legal services programs are always seeking pro bono attorneys who are willing to be trained to represent victims of domestic violence in civil protective order hearings. In most instances, the time commitment to represent one client is small, but the impact on her life is huge. Seek the assistance from these programs and the counseling groups to educate the lawyers in your company about domestic violence.

In-House lawyers have a unique opportunity to help their company and their own employees in cases of domestic abuse. Knowing what to do and educating others is the first step. The result can be a form of pro bono service that directly helps your own company and enables your lawyers to make a positive contribution to the community as well.