

# ADDRESSING DOMESTIC VIOLENCE IN THE WORKPLACE: A HANDBOOK FOR EMPLOYERS



**WORK SAFE BC**

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## About WorkSafeBC

WorkSafeBC (the Workers' Compensation Board) is an independent provincial statutory agency governed by a Board of Directors. It is funded by insurance premiums paid by registered employers and by investment returns. In administering the *Workers Compensation Act*, WorkSafeBC remains separate and distinct from government; however, it is accountable to the public through government in its role of protecting and maintaining the overall well-being of the workers' compensation system.

WorkSafeBC was born out of a compromise between B.C.'s workers and employers in 1917 where workers gave up the right to sue their employers or fellow workers for injuries on the job in return for a no-fault insurance program fully paid for by employers. WorkSafeBC is committed to a safe and healthy workplace, and to providing return-to-work rehabilitation and legislated compensation benefits to workers injured as a result of their employment.

## WorkSafeBC Prevention Information Line

The WorkSafeBC Prevention Information Line can answer your questions about workplace health and safety, worker and employer responsibilities, and reporting a workplace incident. The Prevention Information Line accepts anonymous calls.

Phone 604 276-3100 in the Lower Mainland, or call 1 888 621-7233 (621-SAFE) toll-free in Canada.

To report after-hours and weekend incidents and emergencies, call 604 273-7711 in the Lower Mainland, or call 1 866 922-4357 (WCB-HELP) toll-free in British Columbia.

OPPORTUNITIES AT [worksafebc.com/careers](https://worksafebc.com/careers)



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## WorkSafeBC publications

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Many publications are available on the WorkSafeBC website. The Occupational Health and Safety Regulation and associated policies and guidelines, as well as excerpts and summaries of the *Workers Compensation Act*, are also available on [WorkSafeBC.com](http://WorkSafeBC.com).

Some publications are also available for purchase in print:

Phone: 604 232-9704

Toll-free phone: 1 866 319-9704

Fax: 604 232-9703

Toll-free fax: 1 888 232-9714

Online ordering: [WorkSafeBC.com](http://WorkSafeBC.com) and click on Publications; follow the links for ordering

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- Alberta Council of Women's Shelters  
*Domestic Violence and your Workplace: An Employer's Toolkit*  
[www.acws.ca](http://www.acws.ca)
- Manitoba Family Services and Consumer Affairs  
*Family Violence and the Workplace: It's Everyone's Business: An Employer's Toolkit*  
[www.gov.mb.ca/fs/fvpp\\_toolkit/index.html](http://www.gov.mb.ca/fs/fvpp_toolkit/index.html)
- The New Brunswick Family Violence and the Workplace Committee  
*Family Violence: It's your Business: A Workplace Toolkit*  
[www.toolkitnb.ca](http://www.toolkitnb.ca)
- Occupational Health and Safety Council of Ontario  
*Domestic Violence Doesn't Stop When Your Worker Arrives at Work: What Employers Need to Know to Help*  
[www.ossa.com/documents/OHSCO\\_EmployerBooklet.pdf](http://www.ossa.com/documents/OHSCO_EmployerBooklet.pdf)
- Public Services Health and Safety Association, Ontario  
*Addressing Domestic Violence in the Workplace: A Handbook*  
[www.osach.ca/products/resrcdoc/PH-MWVP0-E-100109-TOR-001.pdf](http://www.osach.ca/products/resrcdoc/PH-MWVP0-E-100109-TOR-001.pdf)

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## Purpose

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The purpose of this handbook is to raise awareness about domestic violence in the workplace. It describes the signs and effects, your potential legal obligations as an employer, and provides recommendations and tools to address domestic violence in the workplace. While intended for employers, the handbook may also be useful to others in your organization who deal with domestic and other forms of workplace violence.

As an employer, you will learn about:

- The Occupational Health and Safety Regulation sections that apply to domestic violence in the workplace
- The social and financial effects domestic violence has on a workplace
- The signs of domestic violence
- Ways to help prevent domestic violence from spilling into the workplace — and addressing issues if it does
- How to talk about domestic violence

The handbook focuses specifically on the workplace. It does not contain information on keeping employees, co-workers, and friends safe from domestic violence outside the work environment. However, our website provides information and links to resources that address a variety of circumstances. Visit [www.worksafebc.com/domesticviolence](http://www.worksafebc.com/domesticviolence) to find out more.

## Preface

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*One of your employees rushes into your office in a panic. She has just received an angry text message from her boyfriend, accusing her of cheating with a co-worker. She explains that her boyfriend has been emotionally abusive for months, and that lately the violence has become physical. Now he is threatening to confront her at work, and she thinks he owns a gun. What do you do?*

\* \* \*

Although we sometimes think of domestic violence as a private, family problem, it does not stop when your employees come to work. Domestic violence can affect your workplace in many ways, ranging from decreased employee productivity to disruptive phone calls, harassing emails, threats, inappropriate visits from an abuser, and violent confrontations. And, as recent workplace incidents have proven, domestic violence can have deadly consequences.

According to the *Workers Compensation Act* ([sections 172–177](#)) and the *Occupational Health and Safety Regulation* ([s4.24–4.31](#)), employers have a legal duty to protect workers from violence arising out of their employment. Under certain circumstances, this may include violence arising from domestic situations.

This handbook describes employers' legal obligations, dispels some myths about domestic violence, and provides information and tools to help with workplace preparedness. While some of the recommendations are good management practices, they might not be legally required. Many suggestions are intended as guides to help prevent domestic violence situations from escalating into a workplace hazard. For any safety questions about domestic violence in your workplace, contact WorkSafeBC's Prevention Line. A list of other resources and professionals to help address domestic violence in the workplace can be found at [www.worksafebc.com/domesticviolence](http://www.worksafebc.com/domesticviolence).

**WorkSafeBC  
Prevention Line**

Toll-free within Canada  
1 888 621-SAFE (7233)  
Fax 604 276-3247

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# Introduction

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Workplace violence can arise from a variety of sources, including domestic violence. As an employer, you have a legal obligation to address violence in the workplace that puts your employees at risk. Legal definitions of violence and your obligations as an employer are outlined later in this handbook, but we will begin with a broader introduction to domestic violence and how it can affect your workplace.

## What is domestic violence?

The term *domestic violence* describes a range of behaviours or actions taken by a person to control and dominate another person. Domestic violence is characterized by abusive, coercive, forceful, or threatening acts or words used by one member of a family, household, or intimate relationship against another. Domestic violence may take the form of physical, emotional, sexual, financial, and/or spiritual abuse. The forms of abuse may differ, but the motivation is ultimately the same: the control of the victim by the abuser.

Domestic violence occurs in all sectors of society, regardless of age, gender, marital status, socio-economic status, sexual orientation, culture, or ethnicity.

The definition of domestic violence used in this handbook may differ from that used by other organizations and agencies. Other commonly used terms to describe similar behaviours include family violence, intimate partner violence, and spousal violence.

## Domestic violence can happen to anyone

This handbook focuses on domestic violence between current and former intimate partners, but it is important to remember that domestic violence can also happen within other family and household relationships. Domestic violence occurs in all socio-economic and cultural settings.

Many workers and employers still believe that domestic violence is a personal issue that is none of their business. However, the effects of domestic violence often extend outside the home. Domestic violence can enter the workplace when an abuser attempts to harass, stalk, threaten, or injure a victim at work. This can endanger co-workers

Domestic violence can enter the workplace through:

- Disruptive phone calls
- Harassing emails
- Inappropriate visits by the abuser
- Threats of harm to the victim's co-workers
- Physical violence in the workplace

In 2007, over 40,000 incidents of spousal violence were reported to police across Canada, accounting for 12 percent of all police-reported violent incidents.<sup>1</sup>

From 1999–2004, an estimated 183,000 British Columbians were victims of spousal violence.<sup>2</sup>

Statistics show that women are far more likely than men to be victims of domestic violence.<sup>3</sup> However, it can happen to anyone. Persons with disabilities, men, youth, seniors, and same-sex partners may also be coping with domestic violence. It occurs within families, between spouses, common-law couples, boyfriends and girlfriends, and ex-partners.

The frequency of violence in same-sex relationships is similar to heterosexual partnerships; it affects approximately one in four couples.<sup>4</sup>

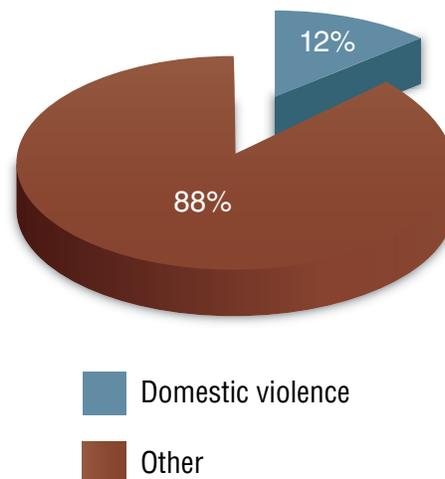
and clients as well as victims, putting an entire workplace at risk. The implications of domestic violence can range from reduced employee productivity to serious injuries and even death.

The social, emotional, and financial costs of violence are difficult to measure, but current research estimates the cost of domestic violence in Canada at \$6.9 billion per year.<sup>5</sup>

People experiencing domestic violence are often isolated due to shame and fear, and may be reluctant to ask for help. The silence surrounding this kind of violence can put other workers and the workplace at risk. Creating opportunities for workers to feel more comfortable talking about domestic violence can help to prevent it from entering a workplace and can assist with your plans to deal with violence should it arise. Employers, supervisors, managers, unions, co-workers, Joint Health and Safety Committees (JHSCs), and health and safety representatives (HSRs) can all play a role in supporting victims of domestic violence.

#### Homicides in B.C. (2003–2011)

Between January 2003 and December 2011, 952 homicides occurred in British Columbia; 13 percent of those homicides resulted from domestic violence. 73 percent of the domestic violence homicide victims were female and 27 percent were male (including children and bystanders).<sup>6</sup>



# Legal obligations of an employer

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Domestic violence that occurs outside of the workplace and beyond an employee's assigned work duties is not workplace violence and the employer has no legal obligation to address it. However, if domestic violence spills into the workplace, the employer may have certain legal duties. For example, if a worker's partner makes a threat of violence that puts the workplace at risk or comes to harm the employee at work, the employer must take steps to address the risk to employees.

This section addresses violence or threats of violence from someone outside your organization. Your legal obligations when two employees are involved in a domestic violence situation with each other are covered on [page 5](#).

The Regulation defines violence as:

“the attempted or actual exercise by a person, other than a worker, of any physical force so as to cause injury to a worker, and includes any threatening statement or behaviour which gives a worker reasonable cause to believe that he or she is at risk of injury” ([s4.27](#)).

## Four steps to meeting your legal obligations

### 1. If you learn of a threat — assess the risk

According to the Regulation, employers must conduct a risk assessment if there is interaction between employees and persons other than co-workers that might lead to threats or assaults ([s4.28](#)). If you learn about domestic violence that puts your employees at risk, you must assess the risk and decide how best to protect your workers.

Conducting a risk assessment for domestic violence in the workplace may be a complex process, depending on the circumstances. An employee may not disclose all the details of her/his situation or may downplay the seriousness of the violence. A situation that appears to be of no immediate threat or danger to workplace safety may change over time. You may wish to seek assistance from a professional to complete a risk assessment surrounding domestic violence in the workplace. A sample risk assessment tool as well as links to other resources and professionals that can help you to conduct a risk assessment can be found at [www.worksafebc.com/domesticviolence](http://www.worksafebc.com/domesticviolence).

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## 2. Eliminate or minimize the risk

If the threat of violence is *imminent*, you should contact the police immediately. You must also take steps to eliminate or minimize the risk to workers — for example, secure the premises. When non-imminent threats exist, employers must establish procedures, policies, and a work environment to address the risk ([the Regulation, s4.29](#)). (Some suggestions are provided on [pages 10–16](#).)

## 3. Instruct your workers

Inform staff of a hazard as soon as it is identified. If you learn of a risk from an individual, you must inform any staff who may encounter the individual in the course of their employment about the person’s identity, the nature and extent of the risk, as well as the necessary controls ([the Regulation, s4.30](#)). There is no duty to inform all workers, only those who are likely to encounter the individual in the course of their work. You must balance the requirement to keep workers safe with your employees’ right to confidentiality. This may involve competing legal obligations that must be addressed on a case-by-case basis.

If you learn of a threat, instruct workers on:

- How to recognize the potential for violence
- The policies, procedures, and arrangements in place to address the risk
- How workers should respond
- How to obtain assistance
- How to report, investigate, and document any incidents of violence

([the Regulation, s4.30](#))

## 4. Responding to an incident

If a violent incident occurs at your workplace review your obligations under [sections 172 to 177](#) of the *Workers Compensation Act* and [s3.4](#) of the Regulation to report and/or investigate the incident and take the appropriate action. If a worker is injured in a violent workplace incident, advise her/him to consult with a physician ([the Regulation, s4.31](#)).

WorkSafeBC’s Critical Incident Response (CIR) Program provides critical incident intervention to workers and employers who have experienced a traumatic event in the workplace. The goal is to reduce the distress experienced immediately following an event and to prevent the development of more serious difficulties. If your workplace has experienced a critical incident and you would like support or information about the service, page the CIR Program at 1 888 922-3700 between 9 a.m. and 11 p.m., seven days a week.

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But why wait until you learn about a threat before you take action? Situations can change quickly and there may be little or no warning about an employee's violent partner or family member. It helps to have policies and procedures in place to address domestic violence *before* it touches your workplace. The following sections demonstrate how to do this.

**Under British Columbia law, if you have reason to believe that a child (anyone under the age of 19) is at risk, you are legally obligated to report it.**

This responsibility may arise if the employee experiencing domestic violence is under 19 or if the employee has children.

In addition to the normal rules of criminal and civil law that apply to everyone, there is also specific legislation in B.C. called the *Child, Family and Community Service Act*, which is designed to protect children from abuse and neglect. [Section 13](#) of the Act sets out the circumstances that must be reported, for example, when a child has been, or is likely to be, physically harmed or sexually abused by the parent.

If you have reason to believe that a child is in need of protection, you must report your suspicions to the Ministry of Children and Family Development. *Reason to believe* means that you think a child could be at risk, based on what you have seen or information you have. It is an offence not to report suspicions of abuse or neglect. You don't need proof. Just report what you know.

To make a report, contact the Helpline for Children at 310-1234 (no area code required).

## **When two employees are in a domestic violence situation with each other**

When both partners in a violent relationship work in the same organization, the employer has to respond appropriately to both the victim and the perpetrator. This kind of situation can be highly volatile and complicated.

The Regulation states that "A person must not engage in any improper activity or behaviour at a workplace that might create or constitute a hazard to themselves or to any other person" ([s4.25](#)), and that

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“Improper activity or behaviour must be reported and investigated” (s4.26) in accordance with the requirements as set out in [Part 3](#) of the Regulation and the *Workers Compensation Act* ([sections 172–177](#)).

According to the Regulation, *improper activity or behaviour* includes “the attempted or actual exercise by a worker towards another worker of any physical force so as to cause injury, and includes any threatening statement or behaviour which gives the worker reasonable cause to believe he or she is at risk of injury” ([s4.24](#)).

It is the employer’s responsibility to address violence or threats of violence between workers. Effective training can help a manager or supervisor devise a proper plan to respond to these kinds of situations. Some suggested actions for keeping victims of domestic violence safe at work are presented in the “safety plans” section beginning on [page 14](#). In addition, if two employees are involved in a domestic violence situation with each other, appropriate action may include:

- Eliminating or minimizing the possibility of contact between the employees while at work (e.g., scheduling the workers on different shifts and keeping the victim’s schedule private)
- Offering appropriate referrals to both employees, such as giving them information about where they can get help
- Developing a personal safety plan with the victim to address her/his needs at work
- Talking to your employee who is the abuser and being clear about exactly what he/she said or did, and why it is unacceptable (see [page 20](#) for tips on how to talk to a perpetrator of domestic violence)
- Taking disciplinary steps to hold the abuser accountable for any inappropriate or unacceptable behaviour in the workplace
- Making it clear that workplace resources should not be used to harass, stalk, or abuse the victim
- Keeping lines of communication open with both employees

# The effects of domestic violence in the workplace

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Domestic violence can have serious implications for your workplace, including:

- Reduced employee productivity and motivation
- Loss of focus, which can also lead to increased risk of injury
- Increased absenteeism
- Replacement, recruitment, and training costs if victims are injured or dismissed for poor performance
- Higher company health expenses
- Decreased worker morale
- Strained co-worker relations
- Potential harm to employees, co-workers, and/or clients when a violent abuser enters the workplace
- Liability costs if a member of the public or another employee in the workplace is harmed

54 percent of domestic violence victims miss three or more days of work per month.<sup>7</sup>

Domestic violence has serious impacts on the health of victims and their families as well as on the health care system. Physical health effects include injury, disability, chronic pain, and problems related to alcohol and substance abuse. Impacts on mental health include depression, post-traumatic stress disorder, and suicide attempts. Victims of domestic violence often require medical attention and hospitalization.

People who witness violence also suffer mental health consequences, making co-workers vulnerable as well. Increased absenteeism and sick time, and decreased work productivity stemming from domestic violence could result in high costs to your organization. The social and emotional costs are even greater.

## Signs of domestic violence

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Domestic violence can occur in all cultures and communities. While it can be difficult to recognize, there are many signs that might indicate an employee is experiencing domestic violence.

Being aware of potential signs of domestic violence can help you to take appropriate measures to prevent it from escalating in your workplace. Safety planning and other actions are discussed later in this handbook.

You may notice that your employee is less productive than usual or see changes in social behaviour. Research on violence against women has shown that some of the more visible signs of abuse might indicate an escalation of violence that could enter a workplace.

The following table provides some signs to be aware of. You may notice others.

Work productivity	Social behaviour	Escalating abuse
Your employee is . . .		
<ul style="list-style-type: none"> <li>• Having trouble concentrating</li> <li>• Often arriving late</li> <li>• Missing work more frequently than usual</li> <li>• Less productive</li> <li>• Making excuses for poor work performance</li> <li>• Receiving frequent phone calls and emails from a partner</li> </ul>	<ul style="list-style-type: none"> <li>• Behaving differently than usual</li> <li>• Appearing withdrawn and isolated</li> <li>• Engaging in fewer social activities than usual</li> <li>• Making last minute cancellations</li> <li>• Using drugs and/or alcohol to cope</li> <li>• Apologizing for a partner's behaviour</li> </ul>	<ul style="list-style-type: none"> <li>• Appearing flustered by incoming phone calls or emails from a partner</li> <li>• Trying to cover up bruises and scratches (e.g., wearing long sleeves or turtleneck tops in summer)</li> <li>• Showing signs of strangulation — this is a major risk factor for future homicide of women</li> <li>• Receiving unannounced visits from a partner at work</li> <li>• Acting nervous when a partner shows up at the workplace</li> <li>• Being followed to/from work by a partner</li> </ul>

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Domestic violence and stalking behaviour sometimes coincide with child custody battles and/or divorce proceedings. Research shows that a female victim is most at risk of violence when she is preparing to leave an abusive relationship and just after leaving.<sup>8</sup> All forms of abuse are unacceptable; many are against the law and can be signs of an escalation in risk.

## **Examples of abusive behaviour**

Domestic violence often follows a victim to work. A perpetrator might:

- Show up at the workplace and pester co-workers with questions about your employee (e.g., *Where is she? Who is she with? When will she be back?*)
- Lie to employers and co-workers about the victim (e.g., say your employee is ill, out of town, or at home with a sick child)
- Threaten co-workers
- Verbally abuse the victim or co-workers
- Damage the victim's or organization's property
- Physically harm the victim and/or co-workers

Jealous and controlling behaviour may also include:

- Controlling the victim's finances
- Isolating the victim from family, friends, and co-workers
- Threatening to harm the victim's family, children, property, or pets
- Threatening the victim with deportation or arrest by police
- Threatening the removal of the victim's children by the authorities
- Accusing the victim of cheating, perhaps with a co-worker
- Forcing the victim to have children or sabotaging birth control efforts — a practice known as “reproductive coercion”

Domestic violence can take many forms. Your employee might be late for work because her/his partner is:

- Hiding or stealing car keys or transportation money
- Hiding or stealing identification cards
- Failing to provide childcare
- Physically restraining or assaulting her/him before work

# Preventing and addressing domestic violence in the workplace

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Studies estimate that 36 to 75 percent of employed domestic violence victims are bothered by their abusive partners while at work. In a study of employed women who recently filed domestic violence orders, 35 percent were stalked on the job.<sup>9</sup>

Research shows that employers can and do make a difference in contributing to the safety of those experiencing domestic violence. Before you find yourself faced with a threat or a violent incident, there are steps you can take to help prevent this from happening. You can:

- Create clear procedures and a domestic violence policy for your workplace, including accountability measures for any abusers working in your organization
- Develop a workplace domestic violence education program
- Work with affected employees and provide appropriate resources
- Develop a workplace safety plan to help keep the workplace and all workers safe from threats of domestic violence
- Develop personal safety plans for employees suffering from domestic violence

The following sections of this handbook explain how to take action on each of these steps.

Anti-violence organizations, transition homes, shelters, and your local police unit may have additional resources and suggestions. Building relationships with these local services before you need them is important; consider connecting with service providers to get more information about their roles and mandates, streamlining the referral process, and bringing them in to your organization to provide training about domestic violence and how to respond appropriately. See [www.worksafefbc.com/domesticviolence](http://www.worksafefbc.com/domesticviolence) for a list of resources.

## Establishing clear policies and procedures

Suggestions for establishing relevant policies and procedures include the following:

- Create a policy about domestic violence in the workplace. Documents and resources to help you create a workplace policy are available at [www.worksafefbc.com/domesticviolence](http://www.worksafefbc.com/domesticviolence).
- Develop a workplace safety plan for dealing with domestic violence, as described on [page 14](#).
- Consult with the JHSC/HSR as well as trained professionals to develop reporting, investigation, and follow-up procedures.

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- Establish a process for employees to report threatening situations they have experienced or witnessed in or around the workplace.
  - Establish a process to notify supervisors and managers of the situation and the plans that have been developed, and to keep them informed of new information.
  - Establish processes for reviewing policies and procedures regularly (e.g., *Are they in place? Have they been effectively communicated? Do they address current and potential security risks?*).
  - Design policies for flexible work hours, extended leaves of absence, and workplace relocation for victims of domestic violence.
  - Assign responsibility to appropriate staff who will report to the police any acts of violence, threats of violence, or stalking that occurs in the workplace. Know when threats and/or incidents of violence must be reported and/or investigated in accordance with [sections 172 to 177](#) of the *Workers Compensation Act* and [s3.4](#) of the Regulation.
  - Develop accountability measures for abusers working in your organization.

## **Developing a workplace domestic violence education program**

A workplace domestic violence education program can be incorporated into staff meetings, new and ongoing staff training, and other aspects of your organization. Consider the best options for your work environment. Inviting an anti-violence group to your workplace can help with education and training.

A workplace domestic violence education program could be designed to:

- Increase awareness about the effects domestic violence has on workplace health and safety
- Decrease the stigma attached to victims of domestic violence
- Encourage employees to talk about domestic violence in general and to report threats
- Ensure and improve confidence that disclosure of domestic violence will lead to an appropriate response from the employer, supervisor, union, JHSC/HSR, and co-workers
- Reduce employee risk from domestic violence in the workplace

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The education program could include the following, where appropriate:

- A review of workplace policies and procedures for domestic violence, such as:
  - Procedures for handling domestic violence incidents, including specific steps to take when it enters the workplace
  - Policies regarding leaves of absence, flexible work hours, etc.
  - Appropriate safety planning for victims and co-workers
- A review of the workplace safety plan, including instructions on when to call the police
- Facts and figures about domestic violence and who it affects
- Signs, symptoms, and consequences of domestic violence in the workplace
- Supportive and effective responses following disclosure
- Local organizational and community services such as anti-violence organizations, shelters, transition homes, and support groups for victims and perpetrators, and how to make an effective referral to them
- Displaying educational materials around your workplace, such as posters, information cards, and fact sheets (available at [www.worksafefbc.com/domesticviolence](http://www.worksafefbc.com/domesticviolence))
- Reminders about the importance of maintaining employee confidentiality — without compromising workplace safety — and the importance of not giving personal advice (explained further on [page 19](#))

These are just a few suggestions. You may wish to provide other information to your employees. Visit [www.worksafefbc.com/domesticviolence](http://www.worksafefbc.com/domesticviolence) for links to resources and organizations that can help educate your employees and advise them on where to get additional assistance.

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## Working with affected employees and providing appropriate resources

You are not expected to be an expert in domestic violence, but the following suggestions can help you support a victim in your workplace:

- If possible, offer an employee assistance program that includes resources for domestic violence victims and perpetrators.
- Discuss individual needs and resources with employees experiencing domestic violence, such as:
  - A flexible work schedule or adjusted workload so they can attend medical and legal appointments
  - Time off or temporary leaves
  - Personal safety planning for enhanced security (described on [pages 14–16](#))
- Discuss any existing protection orders such as restraining orders, peace bonds, or bail conditions.
- Keep lines of communication open.
- Follow up and monitor the situation.
- Offer to help employees experiencing domestic violence connect with local service providers — keep a list of victim support services on hand, including police, local victims' service and anti-violence programs, transition house programs (shelters), and other community resources (see [www.worksafebc.com/domesticviolence](http://www.worksafebc.com/domesticviolence) for a list of possible resources).
- Respect your employees' privacy as much as possible without compromising workplace safety: every situation is different and privacy issues must be addressed on a case-by-case basis.

Take all forms of abuse seriously, including criminal harassment (stalking). Stalking is one of the primary risk factors for attempted and actual murder of female partners.<sup>10</sup>

Even if your employee has a protection order (e.g., a restraining order), there is no guarantee the abuser will respect it.

Acts and threats of violence, stalking, and breaching protection orders are all crimes and should be reported to the police.

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Victims may wish to confirm that existing protection orders are registered in the Protection Order Registry. The registry is a computer database the police have access to. If someone phones the police to say a partner or ex-partner has violated an order, the police can access up-to-date information and can enforce the order right away.

- Victims can call VictimLink BC (toll-free) at 1 800 563-0808 any time to confirm their orders are in the registry and to access information about resources.
- Victims can also register with the provincial Victim Safety Unit for information about the status of an accused or an offender, including whether or not they are currently in provincial jail, when they may get out of jail, what community they may be in, and what conditions the accused or offender may have to follow. The Victim Safety Unit can be contacted at 1 877 315-8822 or [vsusg@gov.bc.ca](mailto:vsusg@gov.bc.ca).
- More information about protection orders is available through the B.C. Ministry of Public Safety and Solicitor General website: [www.pssg.gov.bc.ca/protection-order-registry](http://www.pssg.gov.bc.ca/protection-order-registry).

## **Safety plans**

This handbook discusses the use of both *workplace* safety plans and *personal* safety plans to help prevent and address domestic violence situations that put workers and workplaces at risk.

### **Workplace safety plans**

A *workplace safety plan* sets out specific actions that will be taken to help keep the workplace and all workers safe from threats of domestic violence. You may wish to combine your violence and domestic violence workplace safety plans into one. The contents of your workplace safety plan will depend on various factors including the size, type, and location of the workplace, the number of employees, and whether you are aware of any threats made against them.

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## Personal safety plans

*A personal safety plan* is designed to keep a specific employee who is experiencing domestic violence safe while at work. A personal safety plan will depend on the individual's specific situation. Preferably it is developed in consultation with the employee and tailored to her/his self-identified needs, keeping the overall safety of the workplace in mind.

Both types of safety plans might be useful for addressing violence and domestic violence in the workplace.

Following are examples of actions you may want to include in your safety plans. Not all steps listed will be appropriate for every workplace or all domestic violence situations. Think about what else you can do and what is appropriate in your workplace.

If you need help developing either a workplace safety plan or a personal safety plan, go to [www.worksafefbc.com/domesticviolence](http://www.worksafefbc.com/domesticviolence) to find a list of resources and/or organizations that can help.

*A workplace safety plan* might include the following prevention steps:

- Making emergency phone numbers readily available — next to or on the phone
- Ensuring the workplace is well-lit and secure, both inside and outside
- Making sure employees know how to report concerns or threats
- Specifying when police should be called and when doors should be locked
- Creating code words so staff can discreetly alert others to potential danger
- Installing panic buttons and/or personal alarms for staff
- Setting up an interdisciplinary team of key personnel (e.g., management, human resources, security) who can
  - Work with external specialists (e.g., police, threat assessment professionals, anti-violence organizations) to ensure the organization can respond quickly and effectively when an employee discloses concerns about domestic violence
  - Investigate violent incidents that occur in the workplace

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A *personal safety plan* might include:

- Establishing clear communication procedures for the employee to report a threat at work
- Providing the perpetrator's photo or physical description to reception, security, and/or staff working nearby
- Screening the victim's calls to reduce harassment, or providing the victim with a phone that has caller identification and having another employee record the voice mail greeting
- Obtaining an emergency contact telephone number, other than the perpetrator's, in case the employee is late or absent from work
- Arranging for an escort to and from the employee's vehicle or public transit at the beginning and end of each work day
- Providing the employee with a parking spot near the building entrance to increase her/his sense of security
- Relocating the employee to another workstation away from windows and doors, or away from the place the perpetrator expects to find her/him
- Relocating the employee to another worksite
- Connecting the employee with services available in the community or through the workplace (see [www.worksafebc.com/domesticviolence](http://www.worksafebc.com/domesticviolence) for a list of possible resources)
- Integrating strategies the victim already has in place to increase her/his safety

# How to talk to your employee about domestic violence

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Talking about domestic violence can be difficult. Bringing up personal issues with an employee can be uncomfortable and you may feel frustrated if a victim doesn't want to take action. This section provides tips for speaking to victims and perpetrators, as well as some reminders to help you deal with frustration.

## Talking to the victim

Since it can be difficult to identify someone experiencing domestic violence, approach conversations with caution. Remember to bring up domestic violence only in a safe and private environment.

You can start a conversation with statements such as:

- *I'm concerned about you. You're such a good employee, but you've seemed distracted and upset recently.*
- *Sometimes when a person's performance changes at work, it could mean they are experiencing conflict at home. Could this be happening to you?*

If the victim discloses abuse, show that you are supportive, remain non-judgemental when you ask questions, be clear, and be sensitive. You could ask:

- *What can we change here to help you feel and be safer at work?*
- *Has your partner ever threatened to come to work?*
- *Can I give you information about resources in the community that can support you?*

People experiencing domestic violence are most commonly referred to as victims or survivors. Asking what kind of language your employee is most comfortable using creates an opportunity to help her/him feel empowered, valued, and heard.

When talking to your employee, do **NOT** say things like:

- *This is so hard to believe!*
- *Things may get better with time.*
- *I can't believe you put up with this!*
- *Your partner just doesn't seem like that kind of person.*
- *If you're still with him/her, it must not be that bad.*
- *You can't stay in this situation.*
- *You have to leave!*

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These statements might make victims feel like you don't believe them or that you are blaming them for allowing their situation to continue. Furthermore, experts advise that victims of domestic violence should not be encouraged to leave a relationship before they feel ready and have assessed that it is safe. Instead, when an employee or co-worker discloses there is domestic violence:

- Keep it confidential. If there is a threat to the workplace, tell your employee that you will only share the information on a need-to-know basis. If you do need to share information, a more empowering approach is to tell the victim you will try to do it when she/he is present, or ideally allow her/him to share the information.
- Listen and provide support. Tell your employee, *Help is available. I am here if you need me and there are programs in the community with special expertise that can help.*
- Believe your employee.
- Do not judge.
- Acknowledge the courage it takes to talk about domestic violence.
- Invite her/him to participate in creating a personal safety plan for her/his time at work (described on [pages 14–16](#)).

Once an employee has disclosed that she/he is experiencing domestic violence, she/he should be encouraged to:

- Participate in creating a personal safety plan with trained community professionals for time spent outside of work
- Share ideas with the employer on making changes to increase safety for everyone at work — including threat assessments, safety planning, and risk management
- Contact a local anti-violence program to get additional information and support

No matter how terrible a situation sounds, victims of domestic violence are more likely to downplay their situation than to exaggerate it. They also tend to understate their fear. Take it seriously if someone tells you about an experience of domestic violence, or if they express fear.

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Avoid giving personal advice. Domestic violence involves the perpetrator taking control away from the victim so it is important not to engage in the same behaviour, even when the intention is to help. Rather than giving advice, you can provide support, information, and contact details for community resources and trained professionals. Unfortunately, your personal advice may actually be unsafe since you will only know the parts of the story your employee feels comfortable sharing. A common piece of advice given to victims is to leave their partner, but telling them to leave a relationship before they are ready and have safety measures in place can be dangerous. Statistics show that a female victim is at greatest risk of homicide around the time she leaves or is preparing to leave an abusive partner.<sup>8</sup>

## **Dealing with frustration**

Helping someone experiencing domestic violence can be difficult and frustrating. Victims may not explore the options you suggest, which could cause you to experience “compassion fatigue.” Remember that domestic violence involves the perpetrator controlling the victim and taking away her/his power. It can therefore be difficult for someone suffering abuse to leave the relationship.

There are many reasons victims sometimes stay with their abusive partners, including financial dependence, lack of suitable housing options, religious or cultural pressures, and social stigma. Some remain because they love their partners and want to support them to heal and change. Victims may stay while making personal plans to more safely escape a relationship, or may have assessed that staying is better for their children or is safer than leaving. They may have a physical disability and be dependent on a partner for care. Your employee’s partner may also be making threats about having her/him deported, killed, or of committing suicide if the relationship ends.

Domestic violence can be a gradual process and it may take years for the abused to realize it will never stop. If you become frustrated while trying to help a victim of domestic violence, remember that it can take time for someone who has experienced abuse to feel empowered. Your support is important and can make a real difference.

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Anti-violence services in the community can assist you with managing this issue and with supporting your employee.

## **Talking with the perpetrator**

This section is of particular importance in situations where both the victim and the perpetrator are your employees. If you feel unsafe starting a conversation with someone perpetrating violence, contact a professional for help. Safety is your primary concern and you should not put yourself or anyone else in your organization in a situation that seems unsafe.

You may become aware that an employee is using work hours and/or equipment such as telephones and emails to harass a partner. If your employee makes threats or commits acts of violence in the workplace, it is important to take immediate action. First, take steps to ensure the safety of the workplace. Read the earlier section beginning on [page 5](#) about how to handle a situation when two employees are involved in a domestic violence situation with each other.

If your employee confides that he/she is being violent at home, or you otherwise become aware that your employee is abusing a partner, you might try the following:

- If there is immediate danger, call the police or worksite security.
- Reinforce your organization's accountability measures for abusers in the workplace, as outlined in your domestic violence policy (if you have one).
- Be direct about what you have seen but avoid making judgments.
- Point out that you are talking to the individual because you are concerned about both parties in the relationship (and any children they may have).
- State that this behaviour needs to stop. Explain what actions your employee must take according to company policy and the consequences if such steps are not followed.
- Refer your employee to professional, community, or workplace resources, such as your employee assistance program if one exists. Don't force the employee to seek help and don't argue about the abuse. Keep communication open and look for opportunities to help. (Visit [www.worksafebc.com/domesticviolence](http://www.worksafebc.com/domesticviolence) for a list of resources.)

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You can open a conversation by saying things such as:

- *I appreciate you coming forward with this. There are community resources with counsellors that can help you. Would you like me to connect you with them now? Is your partner hurt? Do we need to get her/him some help?*
- *I'm concerned. It's clear that you feel a lot of anger and tension over this. What can we do to make sure nobody gets hurt?*
- *No matter how angry you are at your partner, there are ways to talk about that anger without being violent.*
- *I know you believe she/he started it, but you are choosing to respond with violence. No one can make you be violent or abusive.*
- *It doesn't have to be this way. You can get help. You can learn to control the way you react. There are other people who have been where you are at and can help. Would you like me to call a counsellor now?*

Point out that you are not qualified to help directly, but can help your employee connect with trained professionals. Keep the personal safety of yourself and your employees top of mind and do not physically intervene in a violent situation or try to mediate relationship issues.

## Safety versus stigma

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Violent behaviour related to domestic violence sometimes occurs around the time of separation or coincides with custody disputes. A woman who has separated or is thinking about separating from an abusive partner is at greater risk of homicide.<sup>8</sup>

Unfortunately, there is still a lot of stigma around domestic violence. Most people are uncomfortable talking about it, including those experiencing it. To encourage domestic violence victims to come forward, employers, supervisors, unions, and JHSCs/HSRs should work together to increase confidence in workplace supports, to decrease stigma, and to encourage general discussion about this prevalent issue.

Open discussions about domestic violence decrease the risk for everyone in the workplace. If your employees feel comfortable bringing forward information about potential threats or violent behaviour, then employers and co-workers can be better prepared to recognize potential risks and prevent a workplace incident.

A victim might choose <i>not to</i> disclose if:	A victim might choose <i>to</i> disclose if:
<ul style="list-style-type: none"> <li>• She fears losing her job</li> <li>• He sees it as a personal/private matter</li> <li>• She fears being humiliated by the perpetrator</li> <li>• He is too ashamed to speak about it</li> <li>• Co-workers, supervisors, or union representatives are friends of the perpetrator</li> <li>• She fears being held responsible for the domestic violence</li> <li>• He fears that the perpetrator will be harmed</li> <li>• She fears that the perpetrator will seek revenge</li> <li>• He believes that the employer doesn't care and has no time for domestic violence problems</li> <li>• She does not feel safe in the work environment</li> <li>• He doesn't trust his employer</li> <li>• She is worried about cultural taboos</li> </ul>	<ul style="list-style-type: none"> <li>• She has a sympathetic supervisor, co-workers, or union representatives who are willing to listen, and she feels safe in her work environment</li> <li>• He needs someone to confide in and talk to</li> <li>• She wants to explain her decreased work performance, increased absences, or tardiness</li> <li>• He needs time off from work for court appearances or medical appointments</li> <li>• She wants to confirm supervisor, co-worker, or union representative suspicions</li> <li>• He wants to explain reasons for calling in sick, appearing upset at work, or having physical injuries and bruises</li> <li>• She wants to explain past/future phone calls or visits from the perpetrator</li> <li>• He wants to warn the workplace that the perpetrator may show up there</li> <li>• She is afraid for her safety</li> <li>• He wants support to call the police or other helpers</li> <li>• She knows her rights and wants justice</li> </ul>

In a healthy workplace where difficult topics can be discussed, people are more likely to notice when a co-worker is in distress and a person experiencing domestic violence can more safely disclose her/his situation. Have open discussions with your employees to improve workplace safety.

## Scenarios

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When an employee discloses her/his situation, the employer must determine whether there is a risk to the workplace. As an employer, you must be aware of your obligations under the Regulation to protect workers from violence arising out of their employment (see previous section on legal obligations on [page 3](#)).

The following scenarios provide examples of how a workplace might respond to a domestic violence situation when 1) there is an immediate threat or danger, or 2) there appears to be no immediate threat or danger to the workplace.

These are sample situations and responses only. Each workplace, employee, and domestic violence experience is different and responses should reflect the specific situation (e.g., other hazards, workplace culture, policies and procedures, location, availability of resources such as office security).

### **Scenario 1: An immediate threat to workplace safety**

Sasha is a lawyer and has worked at a law firm for less than a year. Her co-workers have noticed that she often appears agitated when arriving at work and preparing to go home at the end of the day. Sasha is very quiet and tends to keep to herself. She has been calling in sick a lot recently and her partner often phones her at work. Sasha's boss Karen is becoming concerned and slightly annoyed. This morning Sasha receives yet another phone call from her partner. When Sasha hangs up the phone, she goes immediately to Karen's office and tells her that her partner has just threatened to come to the workplace with a gun. Karen has never spoken to Sasha about her personal life before and is unaware that Sasha is in an abusive relationship. Fortunately, the office has a domestic violence in the workplace policy and Karen is equipped to take action to protect the worksite.

Following are steps Karen could take to protect the safety of her employees.

1. Karen determines that there is an immediate threat to workplace safety. She dials 911, explains the situation, and asks the police to come right away.

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2. Karen informs the front reception staff (or office security, if applicable) of the danger. She asks Sasha for a physical description of her partner and provides it to reception and security. She also informs the appropriate staff who are in charge of securing the premises in the event of a threat of violence. They lock the doors until the police arrive.
  3. Karen remains calm and tells the other workers in her office that they have received a threat of violence. Since the workers at the site could potentially come in contact with Sasha's partner, Karen informs the workers of his identity and physical description.
  4. The workers follow the advice of the police which, in this case, is to stay at the workplace and remain calm.
  5. Once the immediate threat has been managed by the police, Karen speaks confidentially with Sasha about what happened. She directs Sasha to the firm's domestic violence in the workplace policy. Karen tells Sasha that the firm will make security staff aware of any protection orders against Sasha's partner (such as restraining orders, peace bonds, or bail conditions), and informs Sasha of other support services the firm offers, such as counselling services. She also provides Sasha with a list of free and confidential support services available in the community and through the employee assistance program.
  6. Karen talks to the police and local anti-violence groups to collaborate on the recent incident and to receive assistance in conducting a risk assessment, updating the workplace safety plan, and developing a personal safety plan with Sasha.
  7. Karen suggests that she and Sasha sit down and establish a personal safety plan for her time at work. Available options for Sasha include relocation to another area within the workplace or to another worksite, establishing specific work hours and a reporting system if Sasha is going to be late, having phone calls screened, and ensuring Sasha always has an escort to and from the parking lot. Karen advises Sasha to create a personal safety plan for her time outside of work and offers to connect her with a local anti-violence organization that can help.

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8. Sasha decides to take a few days off work following the incident. Karen asks Sasha to keep her informed about when she intends to return, of any protection orders Sasha obtains, and of any other information that may be important for ensuring workplace safety.
  9. Karen asks Sasha if there is anything else she can do to make Sasha feel safer at work.
  10. Karen follows up with all other workers affected by the threat of violence to make sure they feel safe and are aware of available support services.

How could Karen and her law firm have been better prepared?

- Along with their broader workplace violence policy, the firm already had a domestic violence policy in place; this was a positive first step to being prepared.
- Karen could have collaborated with local police and anti-violence groups earlier to educate herself and her employees, and to streamline procedures.
- Karen should have actively ensured all workers were aware of, and had read, the firm's policy. She and her colleagues should have reviewed it regularly and updated it as necessary.
- Sasha may also have come forward sooner if she had trusted her employer and felt confident that Karen would take steps to help her feel safe at work. Research shows that raising awareness in a workplace about domestic violence helps victims to speak out before abuse escalates. Having a more open dialogue about domestic violence may also have helped Karen and her co-workers recognize the signs of Sasha's situation earlier so they could have offered her support.
- Karen could have used tools like posters, the firm's intranet, and wallet cards to provide information about victim support services. (Visit [www.worksafebc.com/domesticviolence](http://www.worksafebc.com/domesticviolence) to obtain copies of these resources for your workplace.)

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## **Scenario 2: No immediate threat to workplace safety**

Robin has been an office worker for 10 years and was married about a year ago. Over the past six months, Robin's colleagues have noticed she has lost self-esteem and has had trouble concentrating. One day, in talking with her boss Sandeep, Robin confides that her husband has been verbally and emotionally abusive towards her. Robin's husband calls her names, embarrasses her in public, and Robin feels that nothing she does is ever good enough. Her husband has also threatened to hit her, but she doesn't think it will happen. Robin makes excuses and says her husband has been under a lot of stress lately, but she is clearly upset, and Sandeep recognizes the situation as a form of domestic violence that could turn into physical violence.

The following outlines the steps Sandeep could take as an employer to support Robin and to improve the safety of the workplace.

1. As there does not appear to be an immediate threat to the workplace, Sandeep does not believe it is necessary to phone 911 at this time.
2. Sandeep listens to Robin and remains non-judgmental. He does not tell Robin what to do, but offers options to help Robin make her own decisions. He asks what Robin would find most helpful and supportive at this time.
3. Sandeep prints out a copy of the company's domestic violence policy for Robin and gives her a list of resources and services available in the community and through the employee assistance program.
4. Sandeep points out that professional counselling services are available for both Robin and her husband through the company's extended medical plan and encourages her to use this service.
5. Sandeep makes it a priority to sit down with Robin and establish a personal safety plan to improve her safety at work. They agree to get a trained professional from a local anti-violence organization to help them develop the plan.

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6. Sandeep offers Robin flexible hours to attend appointments and counselling sessions and tells her the situation will remain confidential unless it becomes necessary to notify other staff members for safety reasons.
  7. Sandeep asks Robin for an emergency contact number, other than her husband's, in case she is unexpectedly absent or late for work.
  8. Sandeep encourages Robin to make a personal safety plan for non-working hours and offers to contact a local anti-violence program to help her develop a plan.
  9. Sandeep asks Robin if there is anything else she needs to feel safe. He tells Robin that if she thinks of anything else in the future, she should share it immediately.
  10. Sandeep works with the local police to update the company's workplace safety plan and reviews it with staff at their next safety meeting.

## Conclusion

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Implementing policies and programs to address all kinds of violence in the workplace, including domestic violence, is in an organization's best interest. Employers should be alert to their legal obligations, the signs of domestic violence, and be able to assess potential risks to the victim, co-workers, and other bystanders. Procedures, policies, and work environment arrangements must be in place to eliminate or minimize known risks. Addressing employees' personal safety needs and connecting them with appropriate community resources helps them feel safe, and results in a healthier, more productive workforce. Promoting awareness and implementing appropriate procedures and policies can further prevent serious injuries and fatalities.

The suggestions outlined in this handbook should help you and your organization to recognize your legal obligations, to establish prevention measures and procedures, and to develop an education program to raise awareness about domestic violence in the workplace. While every organization is different, being prepared and knowing what to do will make your workplace safer.

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## **WorkSafeBC offices**

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Fax 604 556-2077

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Phone 604 276-3100  
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Fax 604 232-5950

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Phone 604 276-3100  
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Phone 250 334-8765  
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Phone 250 371-6003  
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Fax 250 717-4380

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1 800 663-7382  
Fax 250 751-8046

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Phone 250 352-2824  
1 800 663-4962  
Fax 250 352-1816

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Phone 604 276-3100  
1 888 875-6999  
Fax 604 232-1558

### **Prince George**

1066 Vancouver Street V2L 5M4  
Phone 250 561-3700  
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Fax 250 561-3710

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Phone 604 276-3100  
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Fax 604 232-7077

### **Terrace**

4450 Lakelse Avenue V8G 1P2  
Phone 250 615-6605  
1 800 663-3871  
Fax 250 615-6633

### **Victoria**

4514 Chatterton Way V8X 5H2  
Phone 250 881-3418  
1 800 663-7593  
Fax 250 881-3482

### **Head Office / Richmond**

*Prevention Information Line:*

Phone 604 276-3100  
1 888 621-7233 (621-SAFE)

*Administration:*

6951 Westminster Highway  
Phone 604 273-2266

*Mailing Address:*

PO Box 5350 Stn Terminal  
Vancouver BC V6B 5L5

### **After Hours**

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