

CHAPTER 12

The Business Community

Floor of the New York Stock Exchange
Friday, April 19, 1996, 10:02 a.m., EST.

I was standing near a trading position . . . speaking to a harried specialist about the hectic pace of the trading day. . . . A message went out across the electronic ticker informing us that trading would be halted shortly. The directors of the Exchange walked out onto the balcony overlooking the floor. The bell was rung in remembrance of the 168 victims of the Oklahoma City bombing. There were 3,000 people on the floor. They all went silent. It was an eerie feeling that for a whole minute the wheels of capitalism had come grinding to a halt. Some people bowed their heads in silent prayer for the people killed at the Oklahoma City federal center. Others looked around, stunned by the rare sight of the trading floor at a dead stop during the middle of a session. . . . For that minute, even Wall Street bonded with the victims on Main Street.

Aldo Svaldi, Reporter, The Denver Business Journal¹

The New York Stock Exchange has not been alone in remembering the victims of the worst terrorist attack on American soil. Businesses across the nation, particularly in Oklahoma City and Denver, Colorado, the site of the bombing trial, have given generously to the victims in time, money, and emotional support. In fact, the private sector has taken giant steps toward meeting the recommendations of the *Final Report* of the 1982 President's Task Force on Victims of Crime, which stated that:

- Businesses should authorize paid administrative leave for employees who must miss work because of injuries sustained in a violent crime, and for employees who must attend court hearings.
- Businesses should establish employee assistance programs for victims of crime.
- Creditors should make liberal allowances for persons who are unable to make timely payments because of recent victimization.

- The private sector should encourage private contributions of money and other support to victim service agencies, whether public or private.

In the past 15 years, employers have begun to recognize that it is good business to offer employees a full spectrum of assistance programs to help them deal with problems, including criminal victimization, that affect job performance and the safety of the workplace. Employee assistance programs are now routinely offered in many workplaces. Some enlightened employers and unions are implementing policies to prevent violence in the workplace and to assist employees who become victims. Unfortunately, many barriers still block corporate America's ability and willingness to respond fully and appropriately to crime victims.² This chapter highlights innovative corporate approaches to assisting victims and responding to workplace violence and proposes recommendations to improve the business community's response to violence.

Cash and In-kind Corporate Contributions

The hundreds of companies that have made monetary and in-kind donations to individual victims and community victim services in the past few years are too numerous to name. The examples below were chosen to illustrate the variety of private sector contributions. For many companies, their response followed a violent crime that affected the organization's employees, customers, or community.

- In 1988, Warner Bros. Television helped to establish a medical clinic to provide pediatric forensic examinations of children suspected to be victims of sexual abuse. Instead of giving holiday gifts to their producers and actors, they made a difference in the community by supporting expert medical care for abused children in a child-friendly setting. The company continues to fund the clinic, which is a program of the Rape Treatment Center at Santa Monica-UCLA Medical Center.
- Kaiser Permanente signed on as the title sponsor for a 5K/10K run in June 1996 to raise money for college scholarships for youth whose lives have been affected by violent crime. The program was started by a group, "Friends of Janie," formed to help the Fountain Valley, California, Police Department in apprehending the killer of Jane Carver. Carver's husband was a longtime Kaiser Permanente employee.³
- Bank of America donated \$50,000 to the Los Angeles Police Memorial Foundation and \$50,000 to the Los Angeles City Attorney's Victim Assistance Program after armed robbers brandishing automatic weapons entered a branch office and forced employees and customers into the bank vault. Several police officers and local residents were shot.⁴

- The outpouring of help for the victims and families of victims of the Long Island Railroad shooting massacre included donations from singer Mariah Carey from the profits of her hit single “Hero” and an offer by the Mitchel Field physical therapy and rehabilitation center to provide its services free of charge to the injured.⁵
- Marshalls Inc., a national retailer headquartered in Andover, Massachusetts, issued a “Business 4 Family” Challenge, encouraging other firms to join in raising funds to support victims of domestic violence. Marshalls donated a portion of sales from its 460 stores nationwide as part of its “Shop ’till it Stops!” day. Additional contributions were raised by Vanity Fair Corporation, Sodexo, IBM, FootAction, Bradlees, Jordan’s Furniture, Frugal Fannie’s, Charette Art Supply, and several Boston law firms.⁶
- Polaroid Corporation, a leader in innovative human resources policies, donates substantial funds through the Polaroid Foundation to battered women’s shelters throughout Massachusetts. Polaroid’s CEO Project encourages local businesses to “adopt” a women’s shelter, providing financial support, in-kind assistance, volunteers, and advocacy.
- Countrywide Moving and Storage, an independent small business in Texas, provides free moving and storage to help victims move out of an abusive home and resettle in a safer environment.
- The Rykä R.O.S.E. (Regaining One’s Self Esteem) Foundation, established by Sheri Poe, a sexual assault survivor and owner of a highly successful Massachusetts-based athletic shoe business, Rykä, Inc., funds education, prevention, and treatment programs to help end violence against women.
- Many cellular phones and communication service companies, including Cellular One, AT&T, BellSouth Mobility (Atlanta), First Cellular Omaha, AirTouch Cellular Company (Phoenix), and Bell Atlantic Nynex Mobile (New Jersey), donate cellular phones programmed to call 911 to stalking victims and victims of domestic abuse. These lifeline projects are coordinated by local law enforcement and domestic violence shelters. Communications companies have also donated voice mail boxes for women in abusive situations to receive messages from family members, advocates, the police, and their attorneys.⁷
- ADT Security Services has begun a nationwide program to donate security systems and emergency electronic necklaces to aid battered women. A woman in danger can squeeze the necklace and a silent signal will be sent to a security operator, who contacts the police.⁸

- A prominent advertising agency, Dailey and Associates, collaborated with Santa Monica's Rape Treatment Center to produce educational materials for a national campus rape campaign. As a result of this effort, posters and brochures as well as television and radio public service announcements were made available to college campuses across the country.

The arts and entertainment industry has initiated innovative victim assistance efforts, including:

- America's first nationwide sexual abuse hotline, 1-800-656-HOPE, was launched by pop star Tori Amos, whose song "Me and a Gun" describes her own harrowing experience as a rape victim. The hotline is operated by the Rape, Abuse & Incest National Network (RAINN) based in Washington, D.C.
- Austin, Texas, musician Tony Murillo, whose mother was murdered over 10 years ago, organizes annual "When the Music Stops" benefit concerts during National Crime Victims Rights Week. All proceeds go to crime victims.
- Artist Peter Max painted four portraits of 17-year-old Corie Williams, a student slain by gang gunfire in Compton, California, as she rode a bus home from high school in January 1997. Copies of the original artwork will be used as billboards announcing a "Stop the Violence, Start the Peace" campaign.⁹
- A group of prominent professional athletes led by Don Edwards and 15 NFL alumni from the Los Angeles Raiders, Pittsburgh Steelers, Kansas City Chiefs, and other teams, established the Athletes Helping Kids campaign as well as free football clinics and stay-in-school programs for inner-city youth at risk of violence. Mr. Edwards also arranged for noted athletes to provide assistance to children in Oklahoma City following the bombing of the Alfred P. Murrah Federal Building.

By producing memorable programs, the television industry has dramatically increased public awareness about crime victims' issues, particularly in the area of child abuse, sexual assault, gun violence, stalking and domestic violence.

- In the 1970s, CBS aired an Emmy-award winning episode of *All In The Family* in which Edith Bunker was a victim of an attempted rape. The production company, Tandem Productions, underwrote a national campaign in which educational materials about rape and a discussion guide for rape crisis centers to use in local communities were distributed nationwide.

- The first television movie to deal with the topic of incest, *Something About Amelia*, had a major impact on focusing public attention on the need to report the crime and treat its victims and perpetrators.
- More than 15 years ago, *Hill Street Blues* was the first television series to introduce the role of a victim advocate.
- In the 1980s, the movie *Adam's Story* brought national attention to the tragedy of abducted children. A true story produced with input from Adam's parents, John and Reva Walsh, it helped to publicize the National Center for Missing and Exploited Children's toll-free hotline.
- NBC televises public service announcements and hotline numbers after airing movies that publicize the trauma of victimization. Examples include *Schindler's List* (hate crimes), *She Cried No* (campus date rape), *Fight for Justice: The Nancy Conn Story* (victims' rights), and *The Burning Bed* (domestic violence).
- HBO has produced and aired several documentaries on gun violence including *5 American Handguns*, *5 American Kids* and *Guns: A Day in the Death of America*. HBO also produced and aired a special on workplace violence, *Murder 9 to 5*.
- In 1993, CBS aired *I Can Make You Love Me: The Stalking of Laura Black*. The National Victim Center's toll-free information and referral service was publicized during the show and received more than 15,000 calls in 36 hours.
- For more than two television seasons, ABC's *NYPD Blue* developed a leading character who has helped to educate the public about the long-term effects of childhood sexual abuse, which are complicated by the common occurrence of the victim keeping the secret until adulthood.

Workplace Violence

The National Institute for Occupational Safety and Health reports that murder is the leading cause of death for women at work, and third leading cause of death for men. While some occupations are clearly at higher risk for violence—law enforcement, retail, and emergency medical professionals, to name a few—no group is immune from workplace violence. It attacks the public and private sector alike. A pawn shop owner, a convenience store clerk, a psychologist, two sanitation workers, a tavern owner, a fisherman, a cook, two cab drivers, a furniture store owner, a restaurant manager, a maintenance supervisor, a video store owner, and a postal carrier were all murdered at work in this country in one week, according to the Centers for Disease Control. Each year, nearly one million individuals become victims of violent crime while working or on duty,

A man fired 9 months earlier from an insurance company in Tampa, Florida, returned to the cafeteria of his former employer and began shooting. Within minutes, five people were wounded, three of whom died. "This is what you get for firing me," he uttered as he fled the scene. These were the last words his coworkers would ever hear. He drove a rental car to a park where he used to play frisbee and committed suicide. In many ways, he was a classic, violence-prone ex-employee, and in many ways, he was not. But the type of crime he committed is on the rise and is one of the newest and most threatening dangers in the workplace.

FBI Law Enforcement Bulletin,
April 1995

costing an average of 3.5 days of missed work per crime.¹⁰ Five percent of women victimized at work are attacked by a husband, ex-husband, boyfriend, or ex-boyfriend.¹¹

Whenever a violent incident occurs in the workplace, there is great potential for physical, emotional, and financial damage to both primary and secondary victims as well as the entire community. Victimization and its consequences must be dealt with by employee victims, but they need assistance, information, and referrals to do it effectively. The reaction, support, and assistance of management and crisis responders are crucial to survivors of workplace violence. Secondary victimization can occur if the reaction and response of colleagues and management are ineffectual and uncaring.

Businesses are beginning to take a serious look at the threats and damage to their employees and workplaces from violent workplace incidents. They are developing prevention efforts to keep violence out of the workplace, including instituting security measures and hiring psychologists to develop risk assessment profiles of typical workplace killers. When violence strikes, employers now realize that they must deal with both the physical injury and the emotional consequences of trauma. Onsite and offsite employee assistance programs—which typically deal with drinking, drug abuse, and other family problems—are used by nearly 50 percent of organizations in the aftermath of workplace violence.¹²

In Columbia, South Carolina, Post Trauma Resources has a team of specially trained mental health providers that are available 24 hours a day to respond to the needs of survivors of personal, work, and duty-related trauma. Founded in 1982 to serve the needs of Vietnam veterans and their families, today Post Trauma Resources responds to over 150 violence-related incidents each year that occur in business, law enforcement, corrections, and other settings. The group works closely with the business community in providing specialized trauma response in the aftermath of incidents such as bank robberies and workplace shootings as well as in safety planning.

Other organizations use ad hoc crisis management teams or independent trauma consultants. The National Organization for Victim Assistance (NOVA), for example, has initiated a National Community Crisis Response Team project to respond to violent incidents in workplaces. The project was started after NOVA led a team to assist the community of Edmond, Oklahoma, in the aftermath of the slaying of 14 post office employees in August 1986. Another innovative response is sponsored by Mothers Against Drunk Driving, which publishes “Monday Mourning” to assist businesses when an employee or employee’s family member is killed by a drunk driver.

When business and industry take an active role in prevention planning and response to violence at work, the human and financial losses can be significantly reduced.

Dr. Lawrence Bergmann,
President,
Post Trauma Resources,
Columbia, South Carolina

In early 1997, the National Victim Center, through an Office for Victims of Crime grant, convened a major workplace violence symposium to improve the capacity and preparedness of employers and victim assistance providers to respond to the unique needs of victims of workplace violence. Participants represented a broad cross-section of fields of expertise related to issues of workplace violence victimization, including victim service professionals, management and human resource professionals, employee assistance professionals, union representatives, representatives from governmental research and regulatory agencies related to workplaces, researchers, workplace violence experts, mental health professionals, and representatives from the military and law enforcement. Participants also included three victims of workplace violence. Participants shared information about promising practices, worked in small multidisciplinary groups to identify areas for further action, and produced recommendations to improve the response to victims of incidents of workplace violence, some of which are included in this report.

Domestic Violence and the Workplace

Whether domestic violence impacts a workplace directly because a batterer follows his prey to her job site, or indirectly by affecting an employee's job performance, employers are beginning to take responsibility for assisting employees who are victimized. The National Workplace Resource Center on Domestic Violence, a project of the Family Violence Prevention Fund in San Francisco, California, serves as a focal point for national and local responses to domestic violence as a workplace issue. The center was founded in 1995 by a broad-based national coalition of business, labor, and advocacy organizations. With support from the Office for Victims of Crime, the center is building on the pioneering work of companies like Polaroid, Liz Claiborne, the Gap, and Kaiser Permanente to educate other private and public employers, as well as the unions representing their workers, that domestic violence is a workplace issue. Some of the promising programs initiated by companies affiliated with the center are described below.

- In 1984, the Polaroid Corporation in Cambridge, Massachusetts, dealt with its first known case of domestic violence. Since that time, a concerted effort has evolved within the corporation to develop a comprehensive program to respond to the issue. Polaroid has made a commitment to domestic violence awareness, prevention, and response corporationwide, encompassing the company's employee assistance, human resources, legal, medical, security, and ombudsperson departments.

If you [as an employer] know someone is being abused, until you have done everything you can to help them, you are not doing your job.

Jerome Rossi,
President, Marshalls, Inc.

Domestic violence follows our state employees to work and directly impacts the health, safety, and welfare of our state workforce...In February of 1996, at 4:30 one afternoon, an employee of our state's Department of Revenue was gunned down by her husband, who then killed himself. Workers in offices statewide were shocked and saddened when they heard about this tragedy. They want to know what to do....As Governors we are in a unique position not only to help pass important laws and recommend policies to law enforcement, the courts or social service agencies, but also to help our state employees lead safer, healthier lives.

Governor Lawton Chiles,
Florida, September 1996 letter
to the nation's governors in
support of Domestic Violence
Awareness Month

- In 1991, Liz Claiborne, Inc., began its WOMEN'S WORK campaign, a collaborative effort with public agencies to increase awareness of domestic violence. The campaign promotes public awareness through multimedia public service announcements, posters, tee shirts, mugs, and brochures.
- Since 1995, Aetna, Inc., based in Hartford, Connecticut, has integrated domestic violence prevention education and awareness into "Aenhance," its nationwide employee wellness program, thereby making education and prevention a routine part of its commitment to employee health and well-being. The company observes the annual Work to End Domestic Violence Day sponsored by the Family Violence Prevention Fund, holds workplace seminars, mounts art exhibitions on domestic violence, and publishes articles about domestic violence in employee publications. In 1996, Aetna, Inc. acquired USHealthcare, to form Aetna/USHealthcare, which offers a domestic violence training program to its network physicians.
- Since 1979, AFSCME District Council 37 in New York City has offered free legal and social services to members who are victims of domestic violence. These services include counseling, measures to protect members' safety, emergency housing relocation, referrals to shelters, and legal assistance including help obtaining orders of protection. AFSCME's Women's Rights Department has produced a domestic violence guide for all members, stewards, and labor-management representatives.
- Florida Governor Lawton Chiles convened the state's first Interagency Workgroup on the Impact of Domestic Violence on the Workplace on July 1, 1996, as part of his administration's Task Force on Domestic and Sexual Violence. The mission of the workgroup, which includes representatives from each state agency in Florida, is to heighten public awareness of domestic violence and to promote statewide guidelines for workplace domestic violence policies.
- Kaiser Permanente's Southern California branch, based in Pasadena, California, made a yearlong commitment in 1997 to educate its corporate employee assistance program (EAP) customers about the impact of domestic violence on their workforces. The company held a series of conferences for EAP managers and professionals throughout southern California, educating them on basic domestic violence issues including domestic violence in the workplace, the relationship between domestic violence and chemical dependency, and effective interventions and services for victims. In 1996, the CEO of Kaiser Permanente spoke to employees about domestic violence on Work to End Domestic Violence Day.

- Mintz, Levin, Cohn, Ferris, Glovksy & Popeo, PC, a large law firm with offices in Boston and Washington, D.C., has created the Mintz Levin Domestic Violence Project to provide free legal representation to victims of domestic violence. To respond to the needs of its own employees, Mintz Levin has instituted workplace guidelines on domestic violence and offers legal assistance to employees threatened by domestic violence.

Recommendations from the Field for the Business Community

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #1

Business leaders should commit resources in addition to money to victim assistance and crime prevention efforts.

The easiest way for businesses to contribute to crime victims' needs is by writing a check. While monetary donations are always important and can be used to effect significant change, corporate America can assist in many other ways. For example, copy machines, computers, telephones, fax machines, and conference rooms can be made available to victim organizations after business hours or on weekends; delivery trucks can be used to transport equipment for nonprofit fundraising events; and employees can be encouraged to become volunteers, perhaps with a few hours of company time.

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #2

All managers, supervisors, union officials, shop stewards, and other designated employee representatives should receive training on how workplace violence impacts employees and the company; how to develop and implement policies and procedures to resolve conflicts before they erupt into violence; and how to develop and implement crisis response plans in the aftermath of violence.

Workplace violence cost companies \$4.2 billion in lost work, claims, and legal expenses in 1992. According to the National Safe Workplace Institute, the cost to employers of a single episode of violence can amount to \$250,000. Violence interrupts business with customers and reduces employee productivity. Costly repairs and cleanup may be

required. Valued employees may quit or retire early because they fear the workplace is no longer safe. By being prepared, however, companies can minimize the damage from violent crises and facilitate a smoother transition to normalcy.

Although most companies have policies in place for fire and earthquake emergencies, and plans and contingencies for weather emergencies, many do not have policies for responding to workplace violence incidents. To respond effectively to workplace violence and its traumatic aftermath, companies must have procedures in place to meet the needs of victims. Personnel policies and procedures should be developed to address such issues before and after acts of violence whether they occur on or off the job. A company's policies should include options such as employee transfers, disciplinary measures, and termination. Implementation of these options should be accompanied by education for all relevant parties about risk assessment, the causes of violence, the needs of victims, and models for violence prevention. Human resource professionals should be educated about making appropriate referrals to community resources and services.

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #3

In cases of serious trauma and multiple victims, employees should be assisted by long-term expert psychological counseling.

Companies should be prepared to refer employees victimized at work to victim assistance and counseling agencies. In cases of high trauma, employee assistance programs may not be equipped to respond adequately. Individual and group crisis intervention and counseling is often needed to assist traumatized employees. Surveys show that employees who receive prolonged counseling and assistance after a violent incident are more productive and less likely to file lawsuits.

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #4

Counseling for psychological injuries suffered by victims of terrorist attacks in the workplace should be covered by worker's compensation and other employer-sponsored insurance.

In the aftermath of the 1993 bombing of the World Trade Center in New York City, and the massive truck bomb explosion at the Alfred P. Murrah Federal Building in Oklahoma City in 1995, many security experts have come to believe that terrorism is now a part of American life. Insurance attorneys initially refused to recognize workers' claims for psychological damage as a result of these terrorist acts, but judges in Oklahoma have ordered insurance companies to provide such coverage.¹³

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #5

Workplace policies and programs should be responsive to the needs of all crime victims, including victims of domestic violence.

Because domestic violence as a workplace issue has only recently come to the attention of employers and unions, many businesses do not know how to respond. Managers and supervisors, unions representatives, human resource personnel, company security, legal departments, employee health services, and employee assistance professionals should develop clear guidelines and policies on domestic violence that ensure victims access to all available workplace and community resources.

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #6

Employers and unions should work together to adopt leave and benefit policies that accommodate the needs of victimized employees to go to court, counseling, or a shelter without penalizing them with unexcused absences or dismissal.

Victims of crime often need time to meet with prosecutors and appear in court. Some victims need counseling to deal with the aftermath of horrendous crimes. When victims of domestic violence begin to make changes in their lives to escape their abuser, they must use normal business hours to take care of legal, financial, and personal safety issues. It is not possible to break away from an abusive situation without taking these steps. One of the most important actions that employers and unions can take for victims is to ensure that they have the time they need to consult lawyers, go to court, meet with law enforcement officials, and receive counseling services.

As President Clinton stated in a Rose Garden address on June 25, 1996:

There ought to be, I believe, in every law, federal and state, a protection for victims who participate in the criminal justice process not to be discriminated against on the job because they have to take time off. That protection today is accorded to jury members; it certainly ought to extend to people who are victims who need to be in the criminal justice process.

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #7

All managers, supervisors, union officials, and shop stewards should receive training on how to recognize signs of domestic violence in their staff and apply organizational policies and programs to employees or members who are victims of domestic violence.

Administrators or executives who allow violent actions, words, or threats to go unnoticed without discipline are sanctioning violence.

Ann Wolbert Burgess,
Examining Violence in the Workplace, Journal of
Psychosocial Nursing, 1994

Prudent managers and union officials know that the success of even the best policies and programs is determined by how well those who implement them at the front line of the organization are trained. Because of the sensitivity of many of the issues involved in an abusive relationship, supervisors and shop stewards need to be trained in how to deal with domestic violence situations. In some large organizations, because it is not possible to train all supervisory and union staff, it may be appropriate to issue written guidelines, policy manuals, or other materials. Regardless of the form it takes, training should include basic facts about domestic violence, the organization's commitment to providing a supportive environment for victims, advice for talking with victims about performance-related problems, and guidelines for making appropriate and timely referrals to services within the company and the community.

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #8

Employee assistance program (EAP) staff, corporate fitness and wellness programs, and workplace health services providers such as occupational nurses and medical directors should receive specialized training in how to deal with employees who have been victimized.

While supervisors and shop stewards may have initial responsibility for referring crime victims to internal services, the social workers in the EAP and medical personnel in the company's health care unit provide the services. In recent years, organizations representing social workers, physicians, and nurses have begun to define how their professions can best serve the needs of crime victims. Businesses should ensure that their provider staff receive the best possible training on victimization issues and develop liaisons with local victim assistance services.

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #9

All workplaces should educate their employees to increase awareness of domestic violence and sexual assault as societal and workplace issues. Such education will promote compassionate responses to the needs of these victims and will serve to encourage victims to seek services available to them in the workplace and in their communities.

Domestic violence and sexual assault are crimes not well understood by society at large. Victims of these crimes are burdened with negative stereotypes, and the impact of domestic violence and sexual assault is not generally appreciated. Victims of domestic violence usually live in fear of family, friends, neighbors, and employers discovering that they are being abused. Workplaces can send compassionate, well-informed messages to all employees, whether or not they are victims, to begin changing societal attitudes. In doing so, employers and unions will provide a supportive environment in which victims can feel comfortable requesting services and help from the organization.

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #10

Research is needed that focuses on the risks and costs of workplace victimization to both the company and the employee.

Research is necessary to enhance public awareness of the scope, incident rate, and total impact of workplace violence. Studies are needed on the costs of workplace violence in lost productivity, the financial resources spent implementing workplace safety measures, the costs of workplace violence-related litigation, and the effect of

workplace violence on a company's image. Research should also be conducted to determine which victim assistance and service programs have the greatest impact on employee morale and productivity.

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #11

Due to the complex issues and effects of workplace victimization, a comprehensive, multidisciplinary approach to delivering services for these victims must be developed and implemented at the national, state, and local levels.

A multidisciplinary approach to addressing the needs of workplace victims must include professionals and experts from a wide range of fields, including general and specific victim services; employee assistance services; mental health services; human resources and management; the legal profession, including prosecutors and civil, labor, and domestic dispute lawyers; workers' compensation; labor unions; and security and law enforcement agencies. The victim services field must build collaboration and implement cross-training between victim service professions, employee assistance professions, and labor-related groups to build understanding of the victimization experience and its short-term and long-term impact and consequences, as well as to develop an understanding of labor issues and initiatives. Moreover, the victim services field must encourage collaboration between all these professional groups on responding more effectively to workplace victimization and related issues. It is imperative that multidisciplinary groups work together to improve the capacity and preparedness of employers and employee assistance and victim assistance providers to respond to the unique needs of victims of workplace violence.

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #12

Employers should adopt policies and practices that accommodate crime victims who suffer physical and psychological disabilities as a result of their victimization in accordance with the Americans with Disabilities Act (ADA).¹⁴

Crime victims often pay a heavy price for the violence they suffer, but employers have it within their power to reduce the price victims pay in their professional lives. By its nature, violent crime inflicts serious physical

and psychological injuries on its victims which may give rise to temporary or even permanent disabilities. If an employee suffers a temporary or permanent disability as a result of their victimization, employers are required to make reasonable accommodations under the Americans with Disabilities Act (ADA). But employers should be encouraged to go beyond the letter of the law to accommodate employees who are harmed by crime—particularly when employees are injured in the line of duty.

The ADA also bars discrimination against victims with disabilities on the basis of their disability. Victims injured by crime are often doubly disadvantaged in economic terms. Many not only lose their jobs due to incapacitation but are saddled with considerable financial debt as the result of lost wages and medical bills. When they are ready to return to the workforce, victims are forced to compete for the first time in an employment market with a disability. It is unfair to expect victims to shoulder such a disproportionate share of the burden for crime in our society. Employers should be encouraged to make every effort to hire victims who, while they may have special needs, are more than capable of doing the job. Indeed, many such victims are more highly motivated to succeed on the job than those who have not had to overcome the challenges of being a victim of crime.

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #13

Employers should report all violent crime that occurs on their premises and encourage their employees to do likewise.

Some employers have failed to report violent crime that occurs on their premises based on the mistaken view that the crime is not serious enough or that they can handle it themselves. Others fail to report violent crime because they fear that publicity of violent incidents may negatively impact their image in the community. Such misguided motivations have led to tragedy on more than a few occasions and left employers exposed to considerable legal liability. To avoid these problems, employers should report violent crime to authorities and inform their work force so that they can take appropriate precautions for their safety.

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #14

Worker's compensation programs should be combined with employee benefit programs to cover all expenses and lost income employees incur as the result of violent victimization on the job.

Worker's compensation programs and employee benefits such as health and disability insurance are intended to provide for the economic needs of employees who are injured on the job. While employers should make every effort to prevent violence in the workplace, when employees are injured by crime in the course of service to their employers, they should not be made to suffer financial ruin in addition to the physical and psychological hardships they are forced to endure. Employers, in conjunction with policymakers, have a responsibility to provide for the financial well-being of victimized employees through public and private compensation programs and insurance policies.

BUSINESS COMMUNITY RECOMMENDATION FROM THE FIELD #15

Employers should develop and implement crime prevention and safety measures to protect their employees, clients, and customers.

Studies clearly indicate that crime has an impact on where people choose to work and where they choose to shop. This fact has important implications for all employers generally and retail business specifically. It is in the interest of both to develop and implement measures that deter crime and enhance safety in their workplace. Indeed, failure to provide minimum safety measure will likely expose employers and business to considerable legal liability from employees and customers alike.

Apart from adopting traditional strategies to enhance security, such as installing better lighting and surveillance cameras and hiring security guards, businesses can establish personnel practices which foster a safer workplace. For example, businesses need to take steps to secure their employees, including controlling how people enter and move about their premises and information concerning the whereabouts of employees. Employers should control access to secluded areas of their premises such as parking lots and restrooms and closely control keys and codes that access such areas. Personnel departments should conduct criminal background checks and adopt screening policies in their hiring practices. Managers should be trained to identify signs that may indicate violent tendencies among employees and develop strategies to deal effectively with such threats.

The recommendations in this chapter were based upon input from participants at public hearings and reaction and working groups, as well as papers submitted by experts in the field, identified in Appendix A. The recommendations do not necessarily reflect all of the views of the contributors, nor do they necessarily represent the official views of the Department of Justice.

Endnotes

- 1 "It was Silence Heard and Felt on Wall St.," *Denver Business Journal*, April 26, 1996, 1996 WL 10036078.
- 2 See generally, Isaac, N. E., *Corporate Sector Response to Domestic Violence*, supported under National Institute of Justice award No. 94-IJ-CX-0050.
- 3 "First Annual 'Friends of Janie' Memorial Run Scheduled for June 8", *Business Wire*, May 8, 1996.
- 4 "Bank of America Announces Donations to Police, Victim Organizations," *PR Newswire*, March 3, 1997.
- 5 "Outpouring of Help: From Superstar to Strangers, Hundreds Reach Out to Victims," *Newsday*, Nassau and Suffolk Edition, December 15, 1993, News Section:7.
- 6 Isaac, *Corporate Sector Response to Domestic Violence*.
- 7 See "High-Tech Protection for Victims of Abuse," *Los Angeles Times*, September 9, 1997, A1.
- 8 "Public-Private Effort to Aid Battered Women Begun," *The Richmond Times Dispatch*, March 26, 1997, B3.
- 9 "Artist Helps Woman Honor Memory of Slain Daughter," *Los Angeles Times*, March 20, 1997, Metro Section:5.
- 10 Bachman, R., *Violence and Theft in the Workplace*, Crime Data Brief, Washington, D.C.: U.S. Department of Justice, July 1994, NCJ 148199.
- 11 *Id.*
- 12 Survey of 1000 human resource professionals, of which 479 responded, conducted by the Society for Human Resources Management (SHRM). *Employee Assistance Program Digest*, March/April 1994, 25.
- 13 Dilworth, D.C., "Very Special Cases: Attorneys Seek Remedies for Victims of Terrorism," *TRIAL*, February 1, 1997, 1997 WL 9957654.
- 14 42 U.S.C. 12101 (see also, Department of Justice Internet Web Page on the subject: www.usdoj.gov/crt/ada/adahoml.htm)