



Report on a scoping study into the effects of sexual violence on employees and the workplace

Never Stand Still

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Gendered Violence Research Network

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Safe at Home, Safe at Work



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Part I: Report on a scoping study into the effects of sexual violence on employees and the workplace

"It makes you realise that rape is almost like a murder because they've killed that person and now you're a new person. Yes, so you have these new little rules, or you're always on guard or always aware of (your personal safety)."

Background

In June 2013 the Safe at Home, Safe at Work project team of the Gendered Violence Research Network (GVRN, formerly the Centre for Gender Related Violence Studies) at UNSW Australia embarked on a small scoping study into the workplace impacts of sexual violence. The researchers hoped to learn about support needs in the workplace context, such as time off to deal with legal, medical and counselling issues workers may have following experiences of sexual violence. We wanted to find out whether workers felt able to disclose to someone at work about what had taken place, and if so, which responses of employers or co-workers were supportive or helpful. More generally we hoped to scope the range of impacts the experience of sexual violence might have on workers and the workplace, as we wanted to better understand what workplaces might do to stem the impacts of lost productivity and assist their employees to carry out necessary steps to cope with the immediate situation and any ongoing effects, without having to quit or lose valued employment.

Impacts of sexual assault taking place in the workplace, or perpetrated by a co-worker, have been considered previously by a small number of studies in the American context (Garrett 2011; Duhart 2001). Our research was not limited to events taking place in the workplace or between co-workers, but rather focused on the impacts of sexual violence that has taken place in any context of a person's life and how such events then impact on the person's ability to continue working, be productive and hold down a job.¹

The core focus of the research is therefore how experiences of sexual assault or sexual abuse, wherever and whenever they have taken place, impact the ongoing work lives of those affected and the workplaces they are attached to. The research responds to an identified need for employers and workplaces to have more information about this and our detection of a gap in the literature about effects of sexual violence pertaining specifically to the workplace context and types of support that may be required there.

¹ Definitions of domestic and family violence do include sexual violence, but this study includes violence committed by people other than family members or intimate partners.

As researchers with the Safe at Home, Safe at Work team of the Australian Domestic & Family Violence Clearinghouse (a project of the GVRN) we have previously considered the area of domestic violence workplace impacts (McFerran, 2011; www.dvandwork.unsw.edu.au). This has made us acutely aware of the significant pressures, vulnerabilities and risks for workers who are inadequately supported by employers or denied the opportunity to take leave needed to sort out legal, counselling and other issues associated with impacts of violence. Unemployment, financial stress and homelessness are significant risks associated with experiences of domestic violence (Braaf & Meyering, 2011), however our work has identified many ways that workplaces can and do make a difference by supporting affected employees to get through the crisis, feel safe in the workplace and stay on in their jobs. The outcomes of providing a supportive work environment are extremely positive for both individual workers and the morale and productivity of workplaces (McFerran & Walden, 2012).

The pervasive effects of sexual violence on the many domains of survivors' lives has been well acknowledged in other research (Boyd 2011; Morrison, Quadara, & Boyd, 2007; Lievore, 2005; Cashmere & Shackel, 2013) and the workplace has been mentioned as one of the areas in which impacts are noted. However the extent and type of impacts, workplace needs and support required has not previously been investigated.

Prevalence and cost

Sexual assault is a prevalent and costly social problem for Australia today. Finding out more about its particular impacts will enable researchers to more accurately assess the social and economic impacts of sexual violence.

In 2005 the Australian Bureau of Statistics estimated that 1.3 million women and over 350,000 men have experienced an incident of sexual assault since the age of 15 (ABS 2005). This means that around 1 in 6 Australian women and 1 in 20 Australian men have been sexually assaulted since they turned 15. In addition, almost 1 million women and 337,400 men reported experiencing sexual abuse before the age of 15 (ACSSA 2002, pp7-8; ABS 2005).

The experience of sexual violence can severely disrupt and alter a victim's life across various spheres, including home, work and community (Mayhew et al 2003). It can also have significant financial costs, including "loss of earnings, loss of earnings capacity, medical expenses, counselling expenses and a myriad of intangible costs not measureable in monetary terms" (Morrison et al 2007, p2).

The Australian Institute of Criminology (AIC) has estimated the economic costs of sexual assault in this country to be \$230 million per year in 2001, representing a unit cost of \$2,500 per assault (Mayhew & Adkins 2003), however, as only a limited range of costs were considered in this analysis, it seems likely to be a significant underestimate of costs according to ACSSA (Morrison et al 2007, p23). Furthermore, due to under-reporting, it is frequently assumed that prevalence figures are underestimated.

In the United States, we are not aware of specific research into workplace impacts of sexual violence, however advocates and agencies working to promote awareness of problems in this sphere have relied on Justice Department figures of crime victimisation to emphasise the costs and impacts of sexual violence on the American workforce in terms of lost productivity and days absent from the workforce (e.g. Connecticut Sexual Assault Crisis Services; Minnesota Coalition Against Sexual Assault). In 2001 the Department of Justice estimated that rape was the most costly of all crimes- that 36% of rape or sexual assault victims lost more than 10 days work after victimisation, and that around 8% of rapes occur while the victim is working (Duhart, 2001).

Place-based context of this research

In November 2012 the Northern Territory Commissioner for Public Employment introduced a new guideline to provide paid leave and other entitlements to assist workers experiencing domestic, family or sexual violence (NT OCPE 2012). This initiative is in line with new entitlements for domestic and family violence being introduced by public sector and large private sector organisations in other states and territories of Australia, with one important distinction: the Northern Territory Commissioner's Guideline on Miscellaneous Leave also included sexual violence.

As a result of Australian research over the past three years, we now have considerable evidence of the negative impacts the experience of domestic violence can have on Australian workers and workplaces, including lost productivity and risks to workplace safety (ADFVC 2011; Access Economics 2004), but to date there has been little or no research carried out on the specific impacts of sexual assault on workers and workplaces.

The Safe at Home, Safe at Work project has been operating since 2010, investigating the extent and prevalence of workplace impacts of domestic violence in order to try to understand what can be done in the workplace to assist affected workers. As employers and government agencies in the Northern Territory urgently needed information about the impacts of sexual violence, it was considered appropriate that we extend our focus to consider how the workplace is affected by an individual's experience of sexual violence.

The current study adopted a qualitative research methodology to explore the ways in which the workplace and work performance are affected by a worker's experience of sexual violence as well as elucidating what victims might need from employers in order to be enabled to move forward in their recovery following sexual assault while remaining at work.

This small scale study in the Northern Territory city of Darwin set out to:

- explore the nature of the effects on the workplace, employees and their colleagues
- act as a scoping study for further research into the impacts of sexual assault on workplaces

Advice from the Northern Territory Working Women's Service and Ruby Gaea Darwin Centre Against Rape (Ruby Gaea), a sexual violence counselling and support service, who collaborated with the researchers on this project, has been that: attendance, performance and security of work may all be affected by a person's experience of sexual violence. Individuals may require time off for counselling, court appearances and other matters related to the violence. The research proposed to document the work-related experiences of individual survivors of sexual assault and sexual abuse to capture the various types of consequences and support needs affected workers may have.

Whether or not employers are aware of it, sexual violence causes lost productivity and increased turnover in workplaces, placing significant cost burdens on employers (Mayhew & Adkins, 2003). Our research has tried to identify processes that employers might introduce to support workers and thereby contain negative impacts on the workplace. Workplaces cannot afford to ignore this issue, as prevalence data on sexual violence tells us that no workplace is immune (ABS, 2005).

Conducting recorded interviews and a small focus group, the researchers heard from 13 female participants, all survivors of sexual assault or child sexual abuse, about how their experience of sexual violence impacted them in the workplace. This report provides a summary of our findings from this small scoping study, along with our expert advice about industrial implications and recommendations for what employers and support services might put in place to ensure workers are supported and to help reduce negative workplace impacts.

This is an important new area of research which has barely been touched upon in the literature relating to sexual violence here and overseas. The researchers feel the topic calls for a broader investigation, possibly via a national survey run in collaboration with major Australian workplaces and unions. This would be helpful to validate and explore the extent of common experience with the types of impacts identified in the findings of the current study located in Darwin, NT.

Collaboration with local services

In conceptualising the need for, and establishing the parameters of this study, the researchers collaborated with two Darwin-based services: Ruby Gaea Darwin Centre and the Northern Territory Working Women's Centre (NTWWC). Whilst most participants in the research were recruited via Ruby Gaea, the NTWWC provided expert knowledge and understanding of common workplace experiences, as it is their core business to work with female clients in need of workplace support.

Interestingly the two services have not previously done a lot of cross-referral with one another, however, as a result of the new NT public sector Guideline and working with us on this research, we gained a sense that the two organisations – one focussed on counselling and support for sexual violence survivors, the other on supporting women in terms of a range of workplace issues – may in future be more aware of critical issues in the other domain. In fact, a critical incident during the period the research was being conducted saw the two organisations confer to jointly assist a person who needed both crisis counselling and work-related advice, following sexual assault by a work colleague.

Methodology

The research was carried out during June 2013 at the premises of Ruby Gaea, a sexual violence crisis counselling and information service based in Darwin NT, with counselling support made available to all participants. The researchers recorded individual face-to-face interviews, one small focus group, and two telephone interviews. The majority of participants were clients of the Darwin-based service, recruited by the service director and a counsellor, and so were well known to the counsellors supporting the research process. Participants were given the option of having a counsellor sit in on the interview or focus group for support, as well as the opportunity to debrief with a counsellor immediately afterward, given the likelihood that discussions could bring up traumatic or distressing memories. A small number of women took up the offer to have a counsellor in the room for the interview, while almost half the participants decided to debrief immediately after the interview or focus group.

A total of 13 participants took part in the research, all female, including 12 Northern Territory-based women and one woman from Victoria. At the close of the research period Ruby Gaea counsellors relayed that participants said they had enjoyed being part of the research and had felt good about participating in a project that might help others in future.

The interviews and focus groups were asked to consider:

- Whether and how the experience of sexual assault has affected them in the workplace?
- What particular needs have arisen as a consequence of the assault? (e.g. need time off to attend counselling, medical appointments or attend to legal proceedings)
- Whether they disclosed to a supervisor or work colleague about what happened, and if so, did they find the supervisor / colleague helpful? Were there adverse consequences?
- What assistance or support has been provided in the workplace to assist in their recovery?
- What else might their employer do or have done to support them?

The researchers used a semi-structured interview guide with prompts to encourage reflection on various aspects (see Appendix). After encouraging individuals to reflect on personal experiences in the workplace and relay their own stories, interviewees were invited to comment on some suggested practical processes and supports employers and workplaces might put in place to support survivors of sexual violence.

Overview of findings from the research

Many different workplace impacts were identified by research participants. The most frequently mentioned issues are summarised here. (see also Part 2 of this report Quotes from the interviews, for more detailed quotes from participants)

Many women talked about difficulties in holding down a job after experiencing sexual violence, for example, because of:

- needing to take extended periods of time off due to medical and emotional impacts, or frequent shorter periods to attend legal and other appointments, without feeling able to disclose or explain to work what was going on
- low self esteem and depression, feeling shattered 'as if old self gone', making it very difficult to continue carrying out normal work and participate socially or professionally in the workplace

"It's sort of a bit of a random thing of when I'm feeling, you know, not good and needing to take time off. Over the years it hasn't really sort of been a kind of a linear journey in any way. I've had times where, you know, months go by and I feel quite good and then seemingly, for no sort of reason that I can tell I'll just, you know, sink into depressions and have to spend a lot of time speaking to counsellors and things like that."

A number of women said they had left jobs they enjoyed and valued, without being able to disclose what had happened to them, why their work performance had plummeted, and why they were leaving. Many people indicated that if their workplace had been able to provide the right level of support or flexibility to accommodate needs they might not have had to leave.

"So my counsellor ended up writing a letter to my work and saying that there had been an incident that I didn't want to report to the police yet because he was threatening me that he would kill me if I went to the police and so my counsellor, said to them that I needed to take more time off whilst I worked things out and they didn't do anything. They just gave me the amount of leave that I had and then sent me a letter saying, that you know, your leave is now up. So, I guess, yeah, they could have been more sensitive to what was going on in that way."

Fear that disclosing to anyone at work would lead to gossip was a common experience reported. Concern that 'everyone would find out', or that people would treat you or 'look at you' differently, was expressed by numerous participants.

"It's a bit of a risk factor because it's, like, "Should I trust them or not?" I mean, if I tell the truth that I'm having a few personal problems... is the gossip going to get round? ... There's the fact that I really could lose my job and they could replace me, whether she can't do her job or - there's all these questions and - it's fearful because I need this job."

This indicates a strong need for workplaces to ensure both confidentiality and that they can provide a well-informed contact person as a first point of disclosure and assistance for affected workers. This contact person would be able to provide referral to sexual assault experts, and most importantly act as a workplace advocate to help broker whatever leave or flexibility the affected worker may need while maintaining their confidentiality.

" I thought I could just continue my life as normal like everyone else and I thought everyone gets anxiety. It just seems like you're hypersensitive... the fact is you go to work and all of a sudden if there's you and the boss, you start to feel unsafe and you think thoughts in your mind that say, "Is he going to hurt me? Shall I scream? Will I be able to make my way out of here without screaming and swearing or something? Can I keep calm without wanting to feel like I'm going to pass out?"

All these horrible feelings and anxiety and uncertainty. Your mind just races 100 miles an hour because you think, "Oh, my goodness, I'm in a danger zone. Red light. Red light." Your senses become so sharp, like, your hearing and skin feels like something's crawling all over it. It's just that anxiety level just builds up so much and you smell, you smell something; it's like, "That cologne on him, I just can't stand it."

You don't feel like you're at work at all. You just feel you're in this war zone. It's like a scene in the movies; you see explosions going off. You feel like your mind's just playing tricks on you and it's, like, transferring you from an ordinary workplace which is books and tables and chairs, to a place where you're in a battle zone. That battle zone's sort of, like, you and your feelings, your emotions. I don't know if this making much sense.

It's, like, insanity in your head. Your boss might be talking to you and you don't hear that part. All you can see is someone hurting you and everything comes back. It's, like, you're not at work anymore. I'd go into a cold sweat and I'd start to shake. It would be worse if my boss would try to touch me or something. If he said something to try and calm me down I'd feel worse.

You'd go outside and eventually I'd go back to reality where it was, like, okay, I was having a bit of really bad anxiety attack or something. I'm not in a war zone and everything goes back to normal. I'm back in my office. I thought, "Geez, what happened to me?" The boss says, "Are you okay? I lost you there." "Sorry, I'm just not feeling too well." Anyway, word got around that I was suffering from post-traumatic stress and because I told one of the girls it actually went around. I thought, "Geez, everybody knows now." I thought, "There goes trust out the window".

Particular work situations were found to be challenging and provoke extreme anxiety, anger, distress or panic attacks, even dissociative episodes at work, in the aftermath of sexual violence:

- having a male boss or working in all-male teams
- having to be alone with a male client or give them personal care (e.g. nursing, youth work)
- being expected to take part in team building weekends or days where alcohol would be involved, and there may be safety risk or risk of 'letting your guard down'
- having to run training for groups of men (as a lone female presenter)
- male (and sometimes female) colleagues making jokes or inappropriate comments about sexual violence
- training or meetings where sexual assault is specifically discussed without prior warning

This strong theme arising from the findings points to a need for emotional safety planning to protect sexual violence survivors from triggers in the workplace.² This process might involve the affected individual, their counsellor and a trusted workplace contact collaborating to develop a plan to identify and manage potential triggers, set contingencies for the person to feel safe at work, and resolve how any future issues that arise will be handled. Workplace training about trauma would help staff, team leaders and managers to become more aware and understand the impacts of trauma, what happens for people in the workplace and how to appropriately manage this on an individual and organisational level.³

Greater vulnerability to other types of workplace misconduct was also identified by a number of informants as an outcome of their experience of sexual violence. Several participants disclosed that they experienced sexual harassment or bullying in the workplace and felt there was a direct link between their past experience of sexual violence and being selected by workplace bullies/harassers as 'vulnerable' due to low self-esteem or lacking confidence. The women described extreme psychological distress and trauma inflicted by this further victimisation in the workplace, and reported it contributed to self-harm, drug and alcohol abuse and mental breakdown.

Comparison of workplace impacts related to sexual assault vs domestic/family violence

From this research we have identified many similarities, but also some key differences, in terms of workplace impacts of sexual violence compared with the impacts of domestic and family violence (DFV) on workers and workplaces. There is similarity in areas like worker productivity being affected, time off being needed, workers' concerns around disclosure at work and confidentiality, and the very real fear of losing your job without being able to discuss the reasons behind reduced productivity or reliability.

² A trigger is an experience that brings on intrusive thought and distressing recollections in someone who has experienced trauma. Women who have experienced sexual violence may constitute the single largest group of people affected by trauma or post-traumatic stress disorder (Boyd 2011, pp11-12).

³ Education and training about trauma has strong relevance to the workplace as trauma affects many people. There are many things, besides sexual violence, that can also cause people to experience trauma, eg: domestic violence, accidents, loss of a loved one, active war service or refugee experiences (advice provided by Ruby Gaea, December 2013).

Key differences appear to exist in terms of how people experience the workplace environment as a result of their experiences outside. For example, for people affected by DFV the workplace may actually feel like a safe place, away from the abuser at home. And while perpetrators of DFV may threaten a person while they are at work via phone, email or showing up, workplaces can play a protective part in collaborative safety planning to keep a person safe while on the job.

For people affected by sexual violence however, the workplace environment may become a frightening or unsafe place if there are particular triggers or reminders of trauma evident, if further workplace victimisation takes place, or aspects of the work present challenges. One example of this given by a number of informants was the difficulty of being able to feel safe working closely or alone with a male boss, or being in a room with a group of males. People also described being very guarded at work, not letting anyone get close to them. By contrast, we know from our work with women experiencing DFV, that disclosure to someone at work is relatively common, and many people come to rely on trusted colleagues or other workplace personnel, such as a supervisor or security guard, for support and to feel safe at work.

Many women in the current study of sexual violence workplace impacts affirmed what we also hear from people experiencing DFV, about the importance of work for financial security, identity and job satisfaction, continuity and having something 'normal' to focus on (or return to) when coming out of a time of intense personal crisis.

Implications for sexual violence protections in enterprise bargaining and law reform

The findings of this research suggest that sexual violence can have a profound effect on the work performance of employees. While the sexual violence protections for the public service were first introduced in the Northern Territory, which has the highest rates of violence against women in Australia, this issue is not unique to the Northern Territory. The researchers believe there is a strong case for the introduction into industrial instruments and legislation across Australia of dedicated industrial protections for workers who have experienced sexual violence.

“I think, for me, if it was more promoted in the workplace - you need some support, - I'd feel more confident in seeing someone. But because nothing is said about it, it's kind of like you just go to work, it's all business, you keep your private life at home and you just come to work and you do your job. It kind of takes away the support factor which is important in the workplace as in the end, it makes you a better worker if you have that support.”

Further research

Given the significance of this issue to individuals' lives, the prevalence of sexual violence, and the previously unexplored nature of this area of research, we recommend further work be undertaken in this area. Further research might extend the findings of our scoping study which was limited to a particular geographic location and a small set of participants. Survey methods might be combined with further qualitative research to validate various aspects of our findings and further investigate issues that have emerged from our findings.

Recommendations

Based on what we know from previous research about the prevalence and broad-ranging impacts of sexual violence, the findings of this particular study into workplace impacts and the work of Safe at Home, Safe at Work toward introducing and implementing domestic violence clauses, we make the following recommendations.

High level recommendations

1. The ACTU and Peak Industrial and Employer Bodies should consider including sexual violence in enterprise bargaining for domestic/family violence clauses
2. The ACTU and Peak Industrial and Employer Bodies should consider resources and training to assist members and affiliates understand the workplace effects of sexual violence and trauma
3. Counselling and support services staff (Sexual Assault Services, Employer Information Services, EAPs) should be resourced and trained to understand the workplace effects of sexual violence, and should refer to each other where appropriate
4. The Australian Government should initiate a coordinated and whole-of-government national education and awareness campaign about domestic/family and sexual violence and their impact in the employment context
5. The Australian Government should support research, monitoring and evaluation of domestic/family and sexual violence-related developments in the employment law sphere, for example by bodies such as the National Centre for Excellent to reduce violence against women and their children
6. The Australian Government should consider further domestic/family and sexual violence-related amendments to the Fair Work Act 2009 (Cth)

Recommendations for employers and workplaces

Organisations able to support employees as they deal with and recover from experiences of sexual violence stand to benefit considerably: from strengthening staff loyalty, productivity and job retention, but also in displaying good corporate citizenship by playing a part in community-wide initiatives to reduce the impacts of violence against women. On the other hand, our research has shown that a lack of workplace support may force employees to leave or be forced out of jobs they love, with long term financial complications for people already in crisis, and cost implications for employers needing to recruit and train new staff.

To support staff and stem costs associated with lost productivity and staff turnover, workplaces can put in place practical measures to assist employees, including providing leave, flexibility and safety planning measures.

Workplaces need be particularly aware of the complexity involved when sexual violence is perpetrated at the workplace or by an employee on another. Steps need to be taken to deal appropriately with this situation, given the consequences for victims of not being believed, excluded or fired (as participants in this study have revealed). Internal workplace review is not an appropriate mechanism to resolve an alleged crime of sexual violence. With the victim's consent, such matters need to be referred to police. Careful handling may require expert legal and sexual assault sector advice.

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1. Always involve the affected person in workplace planning to support their needs
 2. Provide leave/time off to allow employee to pursue counselling, legal appointments and court hearings (negotiating extended leave should longer periods of absence be required)
 3. Offer flexible work arrangements
 4. Provide referral to sexual violence experts if needed
 5. Consider reassigning tasks or caseload if certain types of work or situations become distressing or difficult for the employee (e.g. working with at-risk or violent clients)
 6. Ensure robust procedures are in place to deal with bullying and sexual harassment (further victimisation may have severe psychological impacts on survivors of sexual violence)
 7. Ensure zero tolerance of sexist and inappropriate comments and behaviours in the workplace (which may cause psychological trauma for sexual violence survivors)
 8. Provide a trained contact person: a safe person to whom employees can disclose; able to provide practical workplace assistance such as brokering need for time off, changes to work allocation, flexible work arrangements and physical safety planning; available to work with the employee and their counsellor to develop an emotional safety plan for the workplace
 9. Handle disclosures or allegations of sexual violence in a sensitive and professional manner, express that you believe the person and take it seriously (the employee will be highly vulnerable at time of disclosure)⁴
 10. Guarantee confidentiality and no adverse action resulting from disclosure

Recommendations for services

Sexual assault services play a vital role in helping survivors negotiate the various aspects of their lives following sexual violence, and the workplace is increasingly identified as an important sphere that is affected. Sexual assault counsellors may need to become more aware of particular impacts that can affect their clients in the workplace setting, and the risks this can pose to ongoing livelihood and wellbeing should the person lose their job. At the time of crisis and beyond, sexual assault services can broach with clients potential impacts on their work, what they may need and how to negotiate with their employer. Counsellors may also refer clients to their union or a workplace support service, if there is one, to provide expert advice and assistance.

Workplace support services, such as working women's centres and unions, also need to become more aware of the dimensions of sexual assault, including that it poses a serious risk to employees and workplaces. Services and unions need to ensure their officers receive training about sexual assault, its pervasive effects on people's lives, and the particular ways it can therefore impact people at work. Workplace services may develop resources for workers and employers, with information, referrals and advice for workers about how to negotiate their needs, and to help employers know what they can do to support an employee affected by sexual assault.

⁴ Education and training for the workplace can be provided by sexual assault services to assist staff and managers know how to safely and appropriately respond to disclosures.

Employee Assistance Program services (EAPs) are often the first point of referral for employees affected by sexual violence, so they need to be particularly cognisant of workplace impacts of sexual violence, and ensure they have appropriately trained counsellors and/or referral mechanisms to specialised sexual assault services.

This study indicates a person may be at high risk of losing their job as a result of sexual violence and its aftermath. Sexual assault services, EAPs and other workplace support services can play a vital role in supporting affected employees to manage workplace arrangements, working together to offer:

1. Crisis decision-making support around when and what to communicate to a person's workplace
2. Assist the person to ascertain what types of support or flexibility may be available in their work place
3. Help the person to consider their options in relation to confidential disclosure to the workplace which may be vital to negotiate time off for medical, counselling, legal and other appointments
4. Help the person consider what other workplace safety planning they may need (type of work they do, specific risks the work environment may pose in future and how to handle these)
5. Refer the person to other services that may wrap around and help navigate the crisis, such as their union or a local sexual assault service (e.g. EAPs may need to refer clients to more specialised sexual assault services for ongoing counselling)
6. If requested to do so, communicate confidentially with the person's employer to confirm the experience of sexual violence and advocate for workplace flexibility, leave and confidentiality to be provided
7. Be aware of added complexity where the perpetrator of the assault is a work colleague, as organisations may be liable to handle this poorly, failing to adequately support a victim nor deal with the issue

Conclusion

Impacts of sexual assault and child sexual abuse can be devastating for individuals in all spheres of life including the workplace. Evidence points to the fact that workplace productivity is significantly impacted by sexual violence, whether the violence takes place at work or outside of the workplace.

Research is only just beginning to explore how a personal experience of sexual violence intersects with and impacts on a person's professional life and their experiences in the workplace. Given this area is so new, it is not surprising that few people have a good understanding or expertise in both the issues surrounding sexual violence and the industrial issues that may arise for employees as a result. As researchers we hope this study will help to clarify what is at stake in the sphere of the workplace, and help practitioners in both sexual assault and workplace relations sectors to think about how they might work together on this issue to develop effective supports for people affected.

Australia has been internationally recognised for providing best practice in responding to domestic/family violence as a workplace issue. This study provides the evidence for further work that can be done in Australia to ensure that sexual violence does not lead to economic poverty for those affected.

Part II: Quotes from the Interviews

Leave taken

I reckon probably a total of three months over the year with various things. I mean, you've got your 10 days' sick leave. So that's two weeks. Then you've got your four weeks annual leave. So rather than going on your holiday you would take your annual leave as time you needed away; do you know what I mean? Then the rest would just be unpaid leave. I can see that you would be - not an asset, a liability to the company if you're only working that much of a year. So in the time that I could work and I was strong I just had to power, power, power.

I think I got quite emotional at times and needed time off work to deal with certain aspects personally. Also associated was drinking and drugs to try and get through certain things. Obviously that has effects on getting up in the morning and trying to get through your day.

The doctor said, "Well, if you want I'll write out a medical certificate to get you some time off." I said, "Doctor, I've had that much time off." He said, "Look, they can't ignore this medical certificate. It's a legal document." I said, "Yeah, I know. But if I get my marching orders because" - he said, "No. No. You've got a medical problem. It's okay. This is a common thing with people that go through trauma."

I certainly was very good at my job and I was told I was good at my job. But also I was hanging on by the skin of my teeth with time that I had off of work and that sort of thing. They ... supplied employee assistance through counselling and that sort of thing, which was great. My boss was very understanding. But there also came a point where I was written a letter to say we have a business to run so we need you committed - that sort of thing. So there was always two sides to it.

It got to the stage where they had a section in the office called employee relations and they referred me to another section saying whether I really wanted this job or not. I said, "Look, I'm having a few problems at the moment; personal problems, and I need you guys to be a bit patient." They said, "What sort of problems?" I said, "Is that really necessary I have to say what my problem is?" They said, "Yes, because your boss has referred you to the employee relations. When we get people taking time off work we need to know what the problem is. It's part of our job."

I think I took a couple of weeks off. I think that probably wasn't long enough actually. I think, just in general things like focus and you go through, I guess it's a kind of depression. So you lose your motivation, you lose your confidence, you do lose your sense of self really and for me, I had to move back to my parents' place. So it caused a lot of different upheavals in my life that meant, going into work and functioning became quite challenging.

I think if there had been leave for sexual assault available I would have taken it, but I guess there are other implications that that can have for a person - like it's just an acknowledgement that that event's fairly momentous and that it warrants time off.

Getting to work

There are mornings I get up and I just don't want to be anywhere. I don't want to go to work, I don't want to go to the shops, I don't want to go anywhere. I just want to hide out in my house. I had one of those yesterday and I just rang in and said I'm not coming to work.

I just said to my boss, my team leader yesterday actually, I just said to her I was having a hard morning, I was awake all night because I suffer with agitated insomnia so I find it really hard to sleep as well.

I still struggled to get to work and be at work, just get up in the morning. But, to have a routine was really helpful.

Impact on productivity & confidence

I get my good days and bad days; days when I don't concentrate and days when I get depressed and emotional and anxious. I just hate it. Even though the assault happened years ago I still feel a bit like that today and I hate it. I mean, I'm speaking a lot better with male bosses now (but) if a boss got really annoyed at me that would (still) send shivers up my spine.

I find if things are getting to me, I find it very difficult to talk about that so I'll just lose it. I might have a little anger outburst and I think they're used to that too. They just leave me alone. But I don't think that's healthy for either of us. You know what I mean? ...I don't know. Maybe they could have a gym at work where we could go in for a half an hour and burn that frustration out, some private space like a cooling down room that you let the manager know or whoever your contact person is that's aware of your situation, you let them know you need time out.

It makes you feel you're incapable, you're useless. It just impacts on all aspects of your life. It's such a destructive thing to be raped, yes. It takes away all your self-esteem

Isolating yourself

You always isolate yourself and I find I isolate myself at work too. I'm never nasty to anybody but I just will not (get too close).

I think I've just - I've narrowed by life down extremely to cope with the everyday and not much more really. And I think that's a lot to do with my sense of myself. And I never would have asked for anything special. I just would have bloody worked twice as hard to make sure I could cope with everything.

Disclosing

You can't just say to any casual person who says 'How are you today?' – 'Oh, I don't feel too well, you know, memories of the rape.' You can't just talk about it.

I come from a very strong work ethic background and I just feel, because I haven't been honest with people and I can't tell people what's happening, that I'm doing something wrong. I feel like I'm doing something wrong every time I take the time out. I feel guilty. But I know if I go to work and I break down everyone will know. Yesterday was one of those days.

I don't think I was dealing with things particularly well and I needed support but didn't know how to get it. It becomes very complicated. You go through this process of who do I tell, what do I tell them? So I've probably in hindsight told more people than I would now just because I thought maybe I was obliged to tell them what was going on and why I wasn't my usual happy positive self, which obviously at that point I wasn't. And why maybe I was really down at times, and why maybe I had to leave meetings, or couldn't work with certain clients or put myself in certain situations. So that was difficult and it took a long time.

Well, (when I asked for leave) my team leader at the time, she wanted documentation and I was unhappy with that. I actually wasn't happy with her knowing either but she was my team leader. The manager said that I didn't need to tell my team leader anything or provide any documentation. So I just spoke to her, the manager, and she's well aware.

When you're someone who has been assaulted you take on a lot of the guilt and the shame that doesn't at all belong to you. I think that being able to disclose it to someone at your workplace and tell them, that I have been a victim of this crime and now I have to take time off to go to court for me, it has really shifted the idea of the shame that is involved with it. You know, this is not my fault and it's unfortunate that I have to do these things but it shouldn't bite into my annual leave, or my sick leave, which are my entitlements. It should be used for the right reasons.

Need for workplace contact person

I think some days you feel strong and other days you don't. On those days you're not feeling strong maybe you need an advocate or something. I know there are people out there that were certainly supportive, but not knowing where to go to help you out. I think it's not clear what steps need to be taken. I mean, it's got a lot better. Don't get me wrong. But I think more still needs to be done.

It would have been good to have that one person in there have a full awareness and understanding because I do find that people who haven't gone through that kind of stuff don't have an understanding and can be quite judgemental.

It's quite a full-on kind of process to go through. So I think if there's someone at work who has that knowledge then to me that just means another person who can help you.

I mean, I was happy in that job. I was quite happy working there. But if there had have been someone that I could go to explain my situation, I would have stayed, you know? The bottom line was I felt like I had no-one to go to and I was suffering by myself dealing with it and, in the end, I left a job that I liked because I felt like that was what I had to do to survive.

Counselling

The (EAP) counselling sessions weren't nearly enough though. I think it's also a rapport that you've got with the counsellor or psychologist. So to be able to choose - I don't know whether you can choose your own, sometimes the fit isn't quite right.

When I got referred to counselling, of course, yes, I only had six sessions, so I got going to see my own psychologist because back then they didn't have any - okay, they had workplace counselling but six sessions really isn't enough.

There are a few issues with the male bosses but, with counselling I realise that these feelings I had were normal. The anxieties were just a part of the traumatic experience that I'd been assaulted.

I've had counselling over the years at various times and stages. And, in hindsight, if I was wiser and it was a bit more out there, talked about, there was that awareness of the need of people, then perhaps I would have been braver to, take some down time to deal with it. I tried to deal with it all at the same time as having children and frantic lifestyles, full-time work and all that sort of stuff, and it didn't actually work well for me, I have to say.

Triggers

Definitely there are times, yeah, where things happen and it triggers bad memories and makes me very upset. Like, even today, these two quite horrible girls that I happen to work with unfortunately, were saying that they were watching TV last night and there was some show on and they were saying "Oh and did that character get raped like she was - like we thought she would?" And the way they ended up speaking about it made me upset and angry. You can't ever escape this topic and so, when people do talk about sexual assault or stalking, and say upsetting things about it... I had to go into the bathroom and have a cry and then felt better after that. This is 16 years after the event, so it's got these long term effects on your ability to concentrate at work, to participate in certain things at work.

I guess for me it's getting that slimy feeling about certain people or they just go over that boundary... (and certainly anger... If I was feeling strong nothing would trigger anything. But then other days could fall to pieces over the silliest thing.

The other trigger that I think people need to understand in the workplace is that you feel like – people bring assault up – stories of assaults without being very sensitive that it's such a common thing and that it can really affect people if you talk about it.

I actually didn't go to this staff meeting deliberately because it would come up and it did and I know the topic was kind of brought up and there was this whole conversation about it. For me personally, I wouldn't have been able to sit in the room and have that conversation without warning at least.

Male boss or being in a male-dominated workplace

I had a lot of problems communicating with male bosses because they were people of authority and I just did not feel safe at all being with them alone. I was okay if there was another woman working with me, but otherwise I just couldn't communicate with the male bosses. I just found it hard to express myself and I'd get really anxious and nervous.

I had to give presentations and training to a whole group of truckies, predominantly male. Most of the time I could get through it without too much fear but in the back of my mind was always feeling so vulnerable that I could be set upon at any time. I think it was a good thing for me to face those fears in one regard. But in the other regard, if I wasn't feeling particularly strong, I could fall to pieces and just say, like, "I can't do this." I think I had to just keep telling myself that, too, that they weren't there to hurt me. They just want to learn or whatever.

Particular roles or aspects of a job that become difficult

I suppose when everything was really still raw, at the beginning they (made) sure that I didn't do any cases that reflected what was happening.

I think, specifically because of the work I was in doing at the time, it actually made it quite difficult for me to do my job. Because, it was a job where I was dealing with people who had their own experiences of trauma and a lot of whom had been institutionalised and also had maybe some sort of psychiatric or mental illness. So, in a state where you are suffering from post-traumatic stress, at times it becomes really difficult to do that kind of work because you are not strong enough yourself essentially. The org I was working for at that time were really supportive and they moved me into a different role which was really good because I just couldn't do the other job anymore essentially.

Small things, little things might trigger me. I'm doing preventative behaviours at the moment. I can control it but I do get all choked up inside and feel emotional when we watch a movie, about stopping sexual abuse and when people are ignorant about it that sometimes triggers stuff.

I actually made this department accountable, very accountable. I ended up having seven months off with leave, with full pay and seeing a psychiatrist. The immediate manager up there wasn't supportive - but the managers in Darwin - the top manager was.

Vulnerability to bullying and harassment in the workplace

One (male executive) was really mean to me. He thought I was incapable ... Every now and then I'd sort of ignore him and he would start throwing things at me like pens and that and calling me names. That made me feel worse because he knew I lacked the confidence. I managed to talk to the other girls about it and they said, "We don't have any problems with him." I said, "Why is it just me, then?" I actually plucked up the courage (to tell them) what had happened to me. They said "Gee, that's terrible."

I think - it's like you give off an air that I'm vulnerable, please harass me or something. But you're already - your self-esteem is at rock bottom, you've got no confidence. You really do need protecting. But you're a grown woman too... He was a direct boss to me and he basically said to me, "I can take your job away," that sort of thing. So it's like the power thing - you want to speak up but there's also that other side where it's like, well, you didn't know where to go with it without losing your job and you need that job.

Team building / retreats

It affects your work, your work life and your capacity to work in so many different ways and in so many unexpected ways as well. Something that has really affected my work and I thought that I was going to have to perhaps quit my job when I did start here was that they have annual work retreats. They say it's about planning and teambuilding and all that sort of thing but I think it's just a way to spend money and for everyone to get drunk.

I won't go to those things because it just upsets you so much and it triggers huge panic attacks and I remember when I was first told about these retreats that they have, I had a dissociative episode.

I was told that this was mandatory and that was the thing that probably prompted me to tell my boss, who I was gaining a lot of trust in. I did say to my boss that I can't take part in this. So, we made a good compromise where I could go for the day part of it and then leave. In the end it was really good because my boss just said that something has come up and that M's had to go home. If I hadn't have had a good boss then definitely I would have quit my job and have to find another one over the retreat issue.

They put you under pressure to have a drink too. I don't let myself get drunk because if I let myself get drunk I'll blurt it all out.

I'll ring in and say I'm sick and I'm not – I just don't want to go and do that.

Confidentiality

It just seemed like there were no processes in place to like protect my privacy at all. I was talking to my Mum about it on the weekend and I said, it won't be long before they'll sack me with having so much time off because no one talks to you about it, like there's no supervision happening so if you try and explain something you're explaining something to your team leader in an open room...

I know when I pass any of the other supervisors I always wonder, 'Oh, I wonder if they know?' Whether they all go, 'Oh, that's her.'... Could every workplace have some kind of ...an advocate for the people that are working there who is a competent, confident person who will not spread everything around?

Need for workplace training

Especially, in this day and age that there's so much access – you have so much access to information and that - you know, people can do lots of research into how to do the right thing and that there's really – there's no excuse for the workplace not to deal with things like this in the right way.

Flexibility / safety

Because I work for such a big organisation it has meant that I've had some options like that I've swapped jobs a couple of times when, you know, things got difficult.

They're flexible because we travel a lot so they were really flexible around dates. So if I let my team leader know that I can't travel on certain dates she's flexible with that. She ensures that I'm not rostered on to fly out on those days.

Certain situations, like going home late at night - I didn't like to do any of that and actually I think moving to regular hours and not working that Sunday when there was no one around in the building and things like that was good because there was always people at work when I was at work then.

Positive experiences

I was lucky enough to get a job yeah, about three years ago with someone who's just amazing and we get along really well and I trust her. I trust her completely and then when this problem... happened, I felt really confident in talking to her about it. That she would keep it confidential if I asked her and that she would do what she could to help me. So, she had lots of really clever ideas.

She said that this is something that we should talk to security about and I agreed, so our security department came and we had a meeting with them where we talked about the options, what we could do to increase my security.

The boss I was with at the time was one of my good bosses so he didn't hold any grudges or anything. He was quite an understanding person which helped a lot. I just thought I was going to die of embarrassment. But it was just the fact that, okay, I was having a panic attack and I couldn't do much about it.

When I had a particularly, like, a major mental health breakdown and I was hospitalised and that, work actually did a return to work programme as if they would with workers compensation. That meant just going in a couple of hours one week and then building that up to my full time, so I really appreciated that side, too. They knew where I was coming from. That was done in conjunction with my doctor and work and me. So, yeah... work helped me in that way as well.

The CEO of that org was really good. She was the one who reshaped my role to be supportive. She came to me to have a conversation. So that was a good, I didn't have to do it on the phone, I didn't have to go to work and at that point I wasn't capable, really of doing it.

They were just really caring. I remember getting a phone message. I didn't answer the phone but I remember getting a message from her telling me to look after myself and they sent me a bunch of flowers from the organisation and were just really lovely and remained quite open to me letting them know what I needed, so that was important. In fact, that phone call, the message from her, is one of the things I remember most about that time.

How personal adversity contributes positively at work

My workplace has a committee called the behavioural risk assessment management committee and it's for all of the students and staff who have critical incidents and there's a group of people who get together to work out ways, like protocols for handling it sensitively and doing the right thing. Having the confidence of knowing that my work supports me, now I can do things like this. And it's funny because, like, a couple of my friends have said to me, "Oh, do you think that that's a good idea, because you're going to hear some pretty disturbing and upsetting things in these meetings" but it makes me feel better and more empowered that I'm doing something that can help people.

I know, actually, that's it made me a whole lot more sensitive and vigilant a person with young people, particularly, and I was working with young people with behaviour problems and you can almost sense, have a second-sense about kids, I think, and potentially, you know, abuse of some sort or something like that.

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Appendix

INDICATIVE INTERVIEW/FOCUS GROUP TOPIC GUIDE: Sexual Assault and effects on the Workplace

Thank participant/s for agreeing to participate in this research

- Researcher provides verbal overview / why we are undertaking this research
- Remind participants that the focus of today's discussion is not to discuss the details of your sexual assault, but rather the specific effects it may have had on work, such as attendance, work performance and support offered
- Remind participants they can withdraw at any time
- Ensure Participant Information Statements have been read and Consent Forms signed
- Point out list of contacts for further information and support

General questions to start off:

What type of work do you do?

Which of the following best describes your employment status?

Permanent ft / Permanent pt / Casual / Temporary

Core questions

1. Do you think the experience of sexual assault has affected you in the workplace – and if so how has it affected you?
2. What particular needs have arisen as a consequence of the assault (e.g. need for time off to attend counselling, medical appointments or attend to legal proceedings)
3. Did you disclose to a supervisor or work colleague about what happened? And if so, did you find the supervisor / colleague helpful? Were there adverse consequences?
4. What assistance or support has been provided in the workplace to assist in your recovery?
5. What else might your employer do or have done to support you?

Prompts – Potential types of impact:

- Short term impacts
- Longer term impacts
- Impacts on getting to work or being able to remain at work, due to
- Physical injury
- Emotional / psychological distress (e.g. sleep deprivation, anxiety, stress)
- Other ongoing impacts on you in the workplace:
- Stalked or harassed by perpetrator?
- Types of things that might be triggers in the workplace

Prompts – Potential types of support:

- Provide time off/paid leave as needed including at short notice (flexibility where strictly no applicable leave or you've used all your leave)
- Workplace safety planning (where ongoing threat/contact from perpetrator is a factor)
- From our DV work we know these can help:
 - Moved to a safer place at work
 - Change/screen work numbers or emails
 - Provide transport between work and home
 - Provide security alarm
 - Alert security staff
 - Provide a supportive environment
- Confidentiality / discretion
- Supportive words / actions from supervisors or colleagues
 - Believing you
 - Taking the incident and your ongoing needs seriously
 - Practical assistance (referral)
- Trained contact person in the workplace?
 - Help to negotiate needs, refer to services, advice to person and supervisors about what to expect, how to handle things
- Emotional safety planning?
 - Understanding potential for triggering and need for support / help to work out practical strategies that might be put in place in the workplace

