

AMSSA Migrant Worker Hub Webinar Handout:

Supporting Migrant Workers Experiencing Domestic Violence



Supporting Migrant Workers Experiencing Domestic Violence

On November 16, 2021, AMSSA's Migrant Worker Hub held a webinar on this topic with speakers Rosa Elena Arteaga from the Battered Women's Support Services, who shared an overview of key terms, concepts and forms of domestic violence and abusive relationship cycles, along with impacts and risk factors of domestic violence on migrant workers. Then, Kyla Fair from Highline Mushrooms, shared with us an overview of domestic violence in the workplace and what the employer's responsibilities are in these situations. Both speakers provided options for support services and resources. All of the information presented during the webinar is reflected in this accompanying handout to be used as a learning tool for those working with and supporting migrant worker communities in Canada.

The webinar can be accessed here on the Migrant Worker Hub:

<https://migrantworkerhub.ca/migrant-resource/supporting-migrant-workers-experiencing-domestic-violence/>

INTRODUCTION

Domestic violence is prevalent in all communities and COVID-19 has amplified the incidence of such abuses. With quarantine restrictions, precarious employment, and fewer supports available due to the pandemic, domestic abuses have been on the rise. Migrant workers face additional vulnerabilities in accessing supports due to lack of knowledge or availability of service, understanding of the law, language barriers and the cultural differences that may dictate their course of action in such abuses. Addressing the prevalence, impact, and best practices in responding to domestic violence can attribute to better supports for migrant workers in addressing this issue.

DEFINITION

The term “domestic violence” describes a range of behaviors or actions taken by a person to control and dominate another person. It is characterized by abusive, coercive, forceful, or threatening acts or words used by one member of a family, household, or intimate relationship against another. Domestic violence can take many forms, including physical, emotional, sexual, financial, and/or spiritual abuse (Source WorkSafeBC).

Other common terms associated with domestic violence include gender-based violence, wife battering, spousal violence, intimate partner violence, partner abuse, family violence and woman abuse. In Canadian law, the legal term used is “Domestic violence”.

KEY HIGHLIGHTS

Why a gender-based lens?

Victims of domestic violence are primarily women, followed by children, highlighting the gendered power relations that cause

and perpetuate domestic violence. In fact, women experience serious violence three times more than men in domestic violence (Source: Statistics Canada, 2014)

Forms of domestic violence

- Physical abuse- hitting, punching, pushing, burning, hair pulling, choking, throwing.
- Sexual abuse- forced sexual activity, sexual violence, acts that humiliate and degrade, refusal of contraceptive, forced pregnancy/abortion.
- Emotional abuse: threatening, controlling, isolation from others, creating consistent fears of punishment, use of guilt, feeling of helplessness, victimization of the abuser.
- Financial abuse: restricting use of finances such as credit cards, withholding resources, making financial decisions without discussions, not allowing partner to work or have her own financial security.
- Spiritual abuse: insulting or ridiculing spiritual beliefs, preventing religious practices, using religious text as rational for abuse
- Stalking: repeated intrusiveness such as following, watching, making repeated unwanted calls, leaving harassing messages, visiting home or place of work, other conduct carried out to cause fear.

General warning signs of domestic violence:

- Seems unhappy, withdrawn, or fearful
- Appears alert, anxious and has trouble concentrating
- Frequently reports to their partner about her whereabouts/activities
- Feels isolated and engages in fewer social activities than usual
- Covers up bruises/scratches or has repeated and/or unexplained injuries
- Nervous talking when their partner is around
- Uses drugs or alcohol to cope

Risk factors of domestic violence in migrant workers:

It is important to acknowledge that migrant workers are not more susceptible to domestic violence because of their cultural backgrounds (i.e. home country) but rather may experience more prevalence of domestic violence because of the unique challenges related to migration, including lack of knowledge or availability of services, and supports.

STRATEGIES FOR RESPONDING TO DOMESTIC VIOLENCE

Addressing disclosure:

Disclosing domestic violence is a difficult task and it is critical the communication is without judgment. To help ensure that victims of domestic violence feel safe in their disclosure the following guidelines may be helpful:

- Ensure it's a safe environment to talk
- Assure the person that confidentiality will be respected to the extent possible (limits to confidentiality)
- Communicate without judgment, listen actively, and validate what you hear
- Offer options instead of advice: for example, "do you want to brainstorm about how to stay safe tonight?"

- Respect their disclosure: Don't question their accounts of what happened or suggest that they could have done more to protect themselves. Believe survivors. Let the survivor share what they want to, when they want to, at their own pace
- Differentiate between reporting vs disclosure – do they understand what that entails for you and your duty to report

Creating an action plan:

- Evaluate risks and develop a practical plan to keep her safe. This may include creating an “in case of emergency” plan. Include children/youth early in the safety planning.
- Plan for each scenario: living with vs leaving vs after having left the abusive partner
- Set goals with the victim of domestic violence as the decision maker. Goal setting can be achieved through exploring areas of concern and brainstorming their possible solutions.
- Document the assault, this may be done by the victim of domestic violence or by the support person. Note that not all abused individuals acknowledge or define their experiences with their partners as abusive and therefore more information sharing, and education may be needed.
- Refer to appropriate and timely resources

DOMESTIC VIOLENCE AND EMPLOYER RESPONSIBILITY

Individuals experiencing domestic violence may be reluctant to ask for help due to fear or shame. This is intensified when spouses work together in the same workplace. Employers can create opportunities for migrant workers to feel more comfortable talking about domestic violence by demonstrating that domestic violence in the workplace is taken seriously and by assisting employees in seeking supports and appropriate services.

Employer's Responsibilities to Keep Workers Safe

- Employers have a legal obligation to address violence in the workplace that puts employees at risk
- For example, a worker's partner makes a threat of violence or comes to harm an employee at work- the employer has a legal duty to address this risk
- This legal obligation is found in the Workers Compensation Act (s 21) and the Occupational Health and Safety Regulation (s 4.22.1-4.31) (Source WorkSafeBC)

The following are resources specifically for employers in addressing domestic violence at the workplace:

Addressing Domestic Violence in the Workplace: A Handbook for Employers

The purpose of this handbook is to raise awareness about domestic violence in the workplace. It describes the signs and effects, your potential legal obligations as an employer, and provides recommendations and tools to address domestic violence in the workplace

<https://www.worksafebc.com/en/resources/health-safety/videos/how-to-talk-to-an-employee-who-might-be-experiencing-domestic-violence?lang=en>

How to Talk to an Employee Who Might Be Experiencing Domestic Violence

This video provides an example of how to start a conversation with an employee who you think might be experiencing domestic violence.

<https://www.worksafebc.com/en/resources/health-safety/videos/how-to-talk-to-an-employee-who-might-be-experiencing-domestic-violence?lang=en>

Domestic Violence Wallet Card

Information on what to do when domestic violence touches an employees workplace.

<https://www.worksafebc.com/en/resources/health-safety/videos/how-to-talk-to-an-employee-who-might-be-experiencing-domestic-violence?lang=en>

WorkSafe BC Prevention Information Line

This information line can answer your questions about worker and employer responsibilities and reporting violence in the workplace. **The information line accepts anonymous calls.**

Phone: (604)- 276-3100 in the Lower Mainland or 1-888-621-7233 toll free within Canada

After hours emergencies: 1-866-922-4357 (WCB-HELP)

RESOURCES

The Color of Violence: Gender, Race and Anti- Violence Services

<https://www.bwss.org/colour-of-violence/>

Supporting Women with Precarious Immigration Status, Refugees and Refugee Claimants Facing Domestic Violence – Safety Assessment and Safety Planning Tool

<http://bcrefugeehub.ca/webinar-domestic-violence-toolkit/>

Battered Women's Support Services

www.bwss.org

Provides one-to-one multilingual support, legal information, crisis intervention, community-based victim services, counselling, information, and referral. Has a variety of support groups for self-identified women and girls who have experienced relationship violence, childhood sexual abuse, and/or sexual assault.

VictimLINK

<https://www.victiminfo.ca/en/services/victimlink>

Multilingual services operating 24-hours a day, seven days a week providing confidential and anonymous support and help for victims of crime and abuse.

Atira Women's Resource Society

www.atira.bc.ca

Provides housing, advocacy, and support to women and children affected by violence

Family Services of Greater Vancouver

<https://fsgv.ca>

Community-Based Victim Services, including the Family Violence Program

North Shore Crisis Services Society

www.nscss.net

Provides safe and secure shelter to abused women and their children, as well as psychoeducational counselling for children and support services for women. Includes multicultural outreach programs and Stopping the Violence Program

Qmunity Resource Centre

www.qmunity.ca

Qmunity Resource Centre provides counselling, resources, programs, and peer support to the lesbian, gay, transgender, bisexual communities. Qmunity also operates Prideline, a peer support, information, and referral helpline.

Legal Aid Society BC

www.lss.bc.ca

Provides legal information, advice and representation services to people with low incomes.

Vancouver Association for Survivors of Torture (VAST)

www.vast-vancouver.ca

Provides individual and group counselling, referrals and supports to victims of trauma

Ending Violence Association in BC

www.endingviolence.org

Works to coordinate and support the work of victim-serving and other anti-violence programs in BC through the provision of issue-based consultation resource development, training, research and education.

The Lawyer Referral Service

1-800-663-1919

Enables the public to access lawyers practicing in the field of law required for a specific situation and provides the opportunity to have a 30 minute consultation with a lawyer for free.

MOSAIC Legal Advocacy Program

604-254-9626 / www.mosaicbc.org/services/settlement/legal-advocacy-program/

Provides information, referrals and legal representation to low-income immigrants and refugees. We help newcomers navigate the Canadian legal system, ensuring that they are informed of their legal rights and responsibilities.

Immigration and Refugee Legal Clinic (IRLC)

<https://www.irlc.ca/about/>

The Immigration and Refugee Legal Clinic provides free legal advice and representation, with interpretation services, for low-income people across BC. The clinic acts as a safety net for individuals and families, whose cases are not covered or easy to serve in the traditional legal aid system.

The **Migrant Worker Hub** is a digital centre of resources and tools to enhance the knowledge and capacity of individuals, employers, unions, professional associations and other organizations supporting migrant workers in British Columbia.

To access all the resources available visit: <https://migrantworkerhub.ca/>

Questions? Send us an email to migrantworkerhub@amssa.org