

**Submission Title: Addressing Violence Against Women in the Workplace**

This paper argues that feminist legal theory's response to the workplace demands enforcement and expansion of existing employment laws and policies to prevent and respond to violence against women. Violence against women is a primary barrier to women's access to employment opportunities and attainment of economic security. Violence against women contributes to the pay gap and the fact that the majority of low wage workers are women. Globally, approximately 35% of women report experiencing violence at work. The International Labor Organization, with support from international labor unions and workers' rights organizations, is considering placing a standard on violence against women at work on their agenda. Domestically, a national study conducted in 2005 found that 21% of workers self-identified as victims of intimate partner violence. Studies estimate that victims of intimate partner violence in the U.S. lose eight million days of paid work each year, the equivalent of 32,000 full-time jobs. On average domestic violence reduces a woman's annual work hours by 137 hours. Studies have found that 24% to 52% of victims have lost their jobs due, at least in part to the violence. Costs to employers in the U.S. have been reported as high as \$31 billion annually. In addition, interviews with perpetrators of domestic violence in the U.S. found that 81% of them are employed at the time that they are committing the abuse, that their productivity is negatively impacted by their abusive tactics, and that they are using workplace resources to stalk, check up on, threaten and harass the victim either in the same workplace or elsewhere.

A comprehensive policy and legislative approach for American workplaces addressing violence against women is necessary to ensure women full, equal participation in the workplace and the economy. Recent increased enforcement of Title IX of the Education Amendments Act by the Department of Education provides a powerful example for how the Equal Employment Opportunity Commission and the Department of Labor could interpret and enforce Title VII of the Civil Rights Act in employment contexts and Title IX in the job training and workforce development system. In the same way holding colleges and universities accountable for violence against women committed by students on their campuses will improve educational opportunity for women, holding employers accountable for violence against women committed in their workplaces would effectively increase women's ability to access and maintain employment.

For example, although occupational health and safety laws are intended to keep workplaces safe, they are limitedly enforced and fail to recognize sexual violence against women at work as a health and safety issue. Similarly, national advocacy efforts in support of paid sick days and paid family leave from work fail to consistently include use of this leave to address the impact of violence in women's lives. California recently adopted legislation prohibiting employers from discriminating against individuals because they are victims of violence against women in hiring, firing and promotion and providing necessary accommodations at work for victims. This legislation needs to be implemented and expanded to the national level. Finally, as the recent events with the National Football League highlight, effective policies must also address employees as perpetrators as well as victims of abuse. A feminist legal theory response to the workplace must prevent and address the impact of violence against women.

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