

Clarification: When it's safe for a DV survivor to participate in JOBS – December 11, 2007

References: ORS 411.117; CFR45:260.52-54-55-58-59; Family Services Manual TANF-Section K

TANF Section K: All clients have the right to apply for aid from DHS and participate in self-sufficiency activities without fear of actual or threatened violence from a domestic partner.

Participation Requirements:

Survivors of domestic violence are not exempt from the Federal work participation rate, however, both State (ORS 411.117) and Federal law allows us to waive JOBS participation (for as long as necessary) when such participation would put a client at risk of further domestic violence. If the State fails to meet the federal work participation requirements and the State can show that it was as a result of the number of domestic violence waivers granted...the State will be given good cause for not meeting those participation requirements.

Timing of and level of participation:

When someone is in crisis they may not be able to fully participate. Domestic violence is good cause for ending Pre-TANF early and for not meeting full participation. As with other clients we need to be looking at stabilization issues as well as self-sufficiency issues. Things like locating childcare, attending orientations, following through with planned activities may be more than the survivor can handle in the beginning. Using resources such as your local DV provider, MH provider or FS&C provider may be appropriate, especially in the early stage of participation.

Once immediate safety and stabilization needs are met and if the survivor is no longer in crisis, then we want to support the client in moving towards long term self-sufficiency. When will depend on the individual client and the current situation.

So, how do you know when the client is ready (and safe) to participate?

- How soon after the crisis is it?
- Are there still issues she's dealing with? (Court appointments, children acting out, post traumatic stress, counseling, support groups, etc.)
- What resources or supports does she have available to her?
- Most importantly: Does she think she's ready?

It is often more difficult for our workers when the client thinks she is ready but the worker doesn't. This is where case management plays a key role in helping inform the client. Though you can't tell the client what to do, you can tell her you are concerned and help her identify potential problems with her plan.

- I'm afraid for your safety if you....
- You have a lot going on in your life right now, do you feel you can....
- Let me know if things don't work out and we can change your plan.

Case Planning Guidance:

Being able to waive JOBS participation requirements for survivors of domestic violence is about safety. How could the planned activities put the client at current/further/future risk of domestic violence? The reality is that no one can say what is "safe" for another person. We don't have all the information. The client, on the other hand, has the most information. The client knows their abuser. The client is better able to judge what an abuser is likely to do. So, as in other aspects of the work we do with survivors of domestic violence we need to go to the client to identify what is safe and what isn't.

For survivors of domestic violence the path to self-sufficiency may not be linear. Issues may come-up when least expected and the plan may need to change several times. Frequent contact with the client is recommended. This will increase the likelihood of success for the client.

Encouraging participation:

Studies show that most women on welfare want to work and have work experience...they would rather go to school or work than stay home full-time. (Welfare and DV Against Women: Lessons from Research). Studies also show that survivors are just as likely to obtain employment as other clients but many lose the job because of interference from the abuser.

Appropriate activities and steps will vary depending on the survivor's circumstance. We want to help the survivor identify the options available. This will help them make informed decisions. We should not "mandate" specific courses of action.

Getting started:

As with other JOBS participants we would build on the survivor's knowledge, skills and experience.

- What does the client envision for the future?

- What steps has she taken or does she think will help her meet her goals.
- Does she have any concerns that these steps will put her at further risk? If so, what can we do to reduce the risk?
- What other options can she think of to meet her goals?

Your role is to:

- Encourage the client
- Talk about strengths
- Foster resilience...
 - Build on small successes
 - Offer the client support in developing goals and problem solving rather than avoiding problems
- Inquire about her fears
 - What does she fear will happen if...?
 - Has this happened before?
 - What does she think will help her succeed at this point?
- Help her identify...
 - The benefits of each action
 - What resources she has
 - What support she needs

Problems may arise:

Domestic violence victims are not responsible for the abusive situation or the behavior of the abuser. Unfortunately the abuser may not stop the abuse just because the client is participating in our activities.

Abuser tactics often include:

- Offering to provide child care and then not showing up
- Sabotage of the car or transportation
- Keeping the client up all night
- Telling her she's not capable of moving ahead (she needs him)
- Over or under medicating her
- Etc.

Once she finds a job the tactics may escalate:

- Moving so she can't keep her job
- Making her feel guilty about leaving the kids
- Telling her if she didn't work thing would be better at home
- Damaging work clothes or equipment

- Continuous put-downs (you're going to be fired; you're really bad at your job)
- Sabotaging birth control so she becomes pregnant
- Makes her life so chaotic she quits or gets fired
- Calling her and harassing her at work; showing up at work; stalking her
- Physically abusing her so she can't work or is embarrassed to go to work
- Threatening to tell her boss info that will get her fired
- Threatening to kill her or her co-workers

In addition to the abuser, survivors of domestic violence may face additional challenges:

- Low self esteem (a result of continued emotional & verbal abuse)
- Limited work history or gaps in employment
- Depression, post traumatic stress, anxiety, other effects of trauma
- Children acting out or afraid to be without mom
- Unhelpful coping mechanisms such as drug or substance use, minimization or denial

Problem Solving:

- Use the experts - many of the challenges survivors face take special knowledge that in general we don't have. Refer clients to domestic violence service providers, legal aid, Family Support & Connection, housing, mental health providers, victim's services, A&D services or other specialized services when issues arise.

Resources:

- Your local domestic violence service provider is the expert on resources for survivors of domestic and sexual violence. They provide detailed safety planning with victims and can work with them on a plan for safety in the workplace or safety during participation in activities. They can also offer referrals to programs and individuals that specifically work with survivors of trauma. (Remember, to speak about a specific client, you need a release of information.)
- You can also staff cases with your local domestic violence point person or the DV Intervention Program Analyst in Central office.

If you have questions about this clarification, contact Carol Krager at 503-945-5931 or through e-mail: carol.krager@state.or.us .