

An Overview of the Cost of Divorce To Employers

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The professionals who work with divorcing couples see firsthand the emotional and physical exhaustion divorcing couples experience. There are countless articles on the cost of divorce for the individual people who divorce, but very little research on the cost of divorce to employers. The obvious cost is human capital when workers are absent for court or meetings with their lawyers. The less obvious costs are using working hours to discuss their divorce details with coworkers; leaving work due to anxiety attacks; not completing tasks because they cannot focus; and the cost of additional safety guards in a domestic violence case. This article compiles information from other articles that may help illustrate the cost of divorce to employers.

Individuals, both men and women, who go through a divorce or marital separation often experience depression and depression symptoms.ⁱ Depression symptoms include: headaches, digestive disorders, fatigue, insomnia, and chronic pain.ⁱⁱ Depression costs the U. S. \$36.6 - \$51.5 billion in lost productivity every year.ⁱⁱⁱ

Effects of Depression

Individuals suffering from depression and depression symptoms are at an increased risk of myocardial infarctions, hypertension, ischemic stroke, kidney and liver disease, and anemia. In addition, recovery is more difficult and lengthy for these individuals.^{iv}

Parents suffering from depression become more irritable and hostile, unable to parent adequately.^v This in turn affects the children, leaving them at risk for clinical depression and anxiety.^{vi}

Absenteeism v. Presenteeism

Employers bear the indirect costs of divorce and the onset of depression in the form of absenteeism and presenteeism. Presenteeism is the decreased productivity resulting from employees going to work sick, which leads to underestimating the cost of depression on employers.^{vii} One study found that of 2,873,364 employees, 60,955 divorced in 2002-2005. The absentee rate for this group increased during the year prior to the divorce. The rate peaked during the divorce.^{viii}

“Depression increases absenteeism from work, reduces the ability to function, impairs judgment and overall job performance, and can lead to injuries, mistakes and accidents.”^{ix} Depressed workers perform while both physically and mentally deficient.^x

“Family members who are employed may also have increased absenteeism and lower productivity due to the depressed patient’s illness.”^{xi}

“Individuals with depression had a higher per capita annual cost of disease and took more annual sick days than individuals with other chronic conditions.”^{xii}

Depression symptoms in employees make them more at risk for long-term sickness absence.^{xiii}

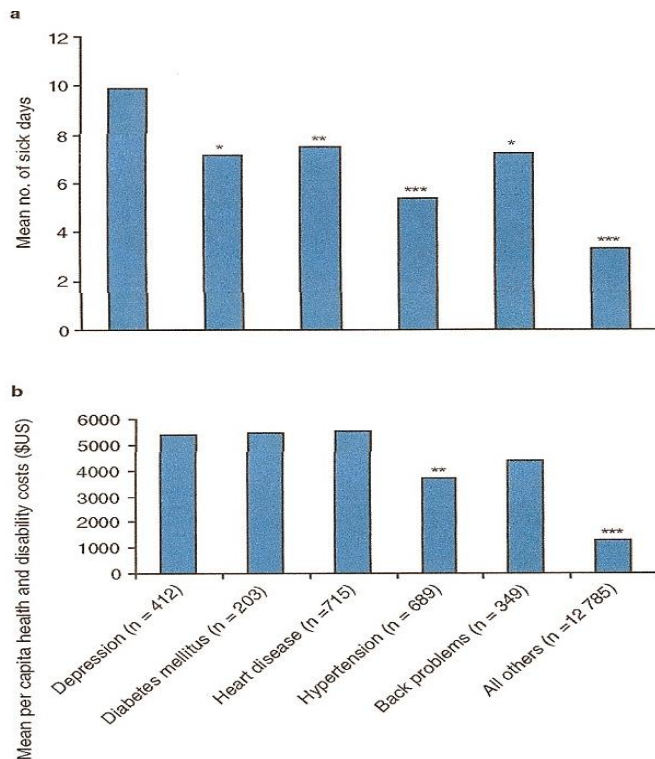


Fig. 1. Health and disability costs and number of sick days associated with chronic conditions. Mean (a) number of sick days and (b) total per capita health and disability costs incurred by employees of a major US corporation in 1995.^[9] Values were adjusted for differences in demographic and work-related variables. * $p < 0.05$, ** $p \leq 0.01$, *** $p < 0.001$ vs depression.

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Effects of Divorce on Children that in turn affect Employers

Parental depressions, caused by a divorce as well as the divorce itself, both affect the children.^{xv}

The children of divorcing parents are at risk of depression.^{xvi} Aside from depression, they are more likely to become anti-social and have delinquency problems, including drug abuse.^{xvii}

Children of divorcing parents have greater rates of unintentional injuries and other physical health problems.^{xviii}

Both parents and children, under the stress caused by divorce, are more susceptible to cold viruses.^{xix}

The costs of absenteeism further increase when these children's parents must miss work to care for their child.

Women are still the primary caretakers.^{xx} When faced with an urgently sick child, 78% of women took time off where as only 28.5% of men did so.^{xxi}

Predictors of Continued Conflict after Divorce

Following divorce, couples often experience additional conflicts, some of which may or may not require court intervention.

One out of four divorces result in high levels of conflict.^{xxii} Post-divorce conflicts over co-parenting were less likely where the couples were satisfied with their financial agreements.^{xxiii} Additionally, parental access to children predicts co-parenting conflicts.^{xxiv} A couple's ability to agree with each other best predicted the number of times they had to return to court, despite their beliefs about the child's welfare.^{xxv}

Domestic Violence

"Violence that occurs at home often spills over into the working environment."^{xxvi}

"74% of women reported being harassed at work, either in person or over the phone."^{xxvii}

There are tangible costs to employers associated with domestic abuse. Many victims must obtain restraining orders or attend court dates, causing them to be excessively late or absent.^{xxviii}

Higher divorce rates leads to higher incidences of spousal domestic violence. In addition, these rates are even higher in states that have longer mandatory legal separation periods.^{xxix}

Employers must take appropriate measures to provide a safe environment for employees who are victims of domestic violence.

("In one such case, where a woman was murdered by her partner while at work, her family received \$850,000 after filing a wrongful death claim. In another case, an employer had been warned of an abusive and potentially dangerous husband of an employee but took no action to augment security. The husband appeared at the workplace with a shotgun and opened fire. He killed two employees and injured nine others. The jury, likely sympathetic to the affected employees and outraged that the employer had taken no protective action, gave an award of five million dollars to the plaintiffs.")^{xxx}

"Training also extends to security personnel so that they can take proper steps when a restraining order is in place."^{xxxi}

Conclusion:

In Cuyahoga County in 2009, 5,224 Divorces were filed and through August of 2010, 3,717 divorces were filed in the same county. This is just one county in our

region that would affect local employers. Antidotal evidence shows filed divorces have no less than four court appearances on the average and often take over a year to complete. If the couple actually goes to trial, they will have many more court appearances. In comparison, most mediation and collaborative divorces are completed within four to nine months of being started. Additionally, the court houses are only open from 8:00 am to 4:30 pm, which are prime working hours. In collaborative divorce and mediation, couples only go to court one time. This is a huge savings for employers.

Employers should give their employees a bonus for completing their divorce within an alternative dispute methodology like collaborative divorce because it will save the employer money. Saving money is more important than ever for employers due to the economic downturn our county is currently experiencing. Couples who choose a non-litigated divorce will spend less time in court, have more opportunity to be referred to mental health professionals and other supportive professionals, have more control over when and where they meet to work with their professionals, and have less stress. This is not only better for the employers, it is better for our community as a whole.

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ⁱⁱⁱ Lerner, D., Adler, D., Rogers, W., Chang, H., Lapitsky, L., McLaughlin, T., Reed, J., (2010). Work Performance of Employees with Depression: The Impact of Work Stressors. *American Journal of Health Promotion*, 24(3), 201-213.

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^v Taylor, Raymond and Andrews, Beth (2009). Parental Depression in the Context of Divorce and the Impact on Children. *Journal of Divorce & Remarriage*, 50: 7, 472-480.

^{vi} Id.

^{vii} Druss, B.G., Schlesinger, M., Allen, H.M. (2001). Depressive Symptoms, Satisfaction with Health Care, and 2-Year Work Outcomes in an Employed Population. *American Journal of Psychiatry*, 158: 731-734.

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^{ix} Depression in Workplace is Associated with High Indirect Costs related to Absenteeism and Impaired Performance (2008). *Drugs and Therapy Perspective* 24: 6, 23-26.

^x Id.

^{xi} Id.

^{xii} Id.

^{xiii} Bultmann, U., Rugulies, R., Lund, T., Christensen, K. B., Labriola, M., Burr, H. (2006). Depressive Symptoms and the Risk of Long-term Sickness Absence. *Social Psychiatry and Psychiatric Epidemiology*, 41:875-880.

^{xiv} Depression in Workplace is Associated with High Indirect Costs related to Absenteeism and Impaired Performance (2008). *Drugs and Therapy Perspective* 24: 6, 23-26.

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^{xvi} Kalter, N. (1977). Children of Divorce in an Outpatient Psychiatric Population. *American Journal of Orthopsychiatry*, 47(1), January 1977.

^{xvii} Id.

^{xviii} Troxel, W.M., Mathews, K.A. (2004). What are the Costs of Marital Conflict and Dissolution to Children's Physical Health? *Clinical Child and Family Psychology, Review*, 7:1

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^{xx} Women More Likely to Stay Home with Sick Children (2008). Retrieved from <http://www.sciencedaily.com/releases/2007/08/070813162452.htm>.

^{xxi} Id.

^{xxii} Malcore, S.A., Windell, J., Seyun, M., Hill, E. (2010). Predictors of Continued Conflict After Divorce or Separation: Evidence From a High-Conflict Group Treatment Program. *Journal of Divorce & Remarriage*, 51:1, 50-64.

^{xxiii} Id.

xxiv Id.

xxv Id.

xxvi Brown, J.B. (2008). The Costs of Domestic Violence in the Employment Arena: A Call for Legal Reform and Community Based Education Initiatives. *Virginia Journal of Social Policy & the Law*, Vol. 16:1.

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xxviii Id.

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