

# The Impact of Divorce on the Workplace

*David Penney  
Divorce Solution*

*Supporting employees  
through challenging times*



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# Dealing with Non-Work-Related Personal Conflict and Poor Mental Health in the Workplace



# Understanding Non-Work-Related Personal Conflict and Poor Mental Health

Mental illness, also called mental health disorders, refers to a wide range of mental health conditions or disorders that affect your mood, thinking and behavior. Examples of mental illness include depression, anxiety disorders, schizophrenia, eating disorders and addictive behaviors



# Understanding Non-Work-Related Personal Conflict and Poor Mental Health



Identifying  
Symptoms

Raising  
Awareness.

Early  
Intervention

# Why it is important for managers to recognize poor mental health in the workplace

*Recognizing* mental health issues in the workplace can reduce disability costs and improve the lives of your employees. Training about mental health for managers is an affordable and effective first step to making this happen.

Recognition also reduces the stigma and discrimination associated with mental illness, and those people seeking treatment. Without treatment, mental health disorders can reach a crisis point.

As the World Health Organization states, “there is no health without mental health.”



# Cause & Effects of Poor Mental Health and Conflict in the Workplace



## *Stating the Obvious*

Poor Mental health issues can cause employees to become easily agitated or overwhelmed, leading to conflicts with co-workers.

**WORKPLACE STRESS** resulting from poor mental health issues can amplify conflicts and make them more difficult to resolve.



# The Body Mind Connection

The body and mind are interconnected and can affect each other in both positive and negative ways. Stress can have a negative impact on both physical and psychological well-being not only for the person affected, but for those people around them.

# The Body Mind Connection



# Divorce





# The Effects of Divorce on Body and Mind

## Physical Impacts of Divorce

Divorce can have significant physical impacts on individuals, including increased alcohol or drug consumption, excessive weight gain or loss, lack of sleep, thoughts or acts of self abuse, headaches, high blood pressure, and a weakened immune system.

## Emotional Impacts of Divorce

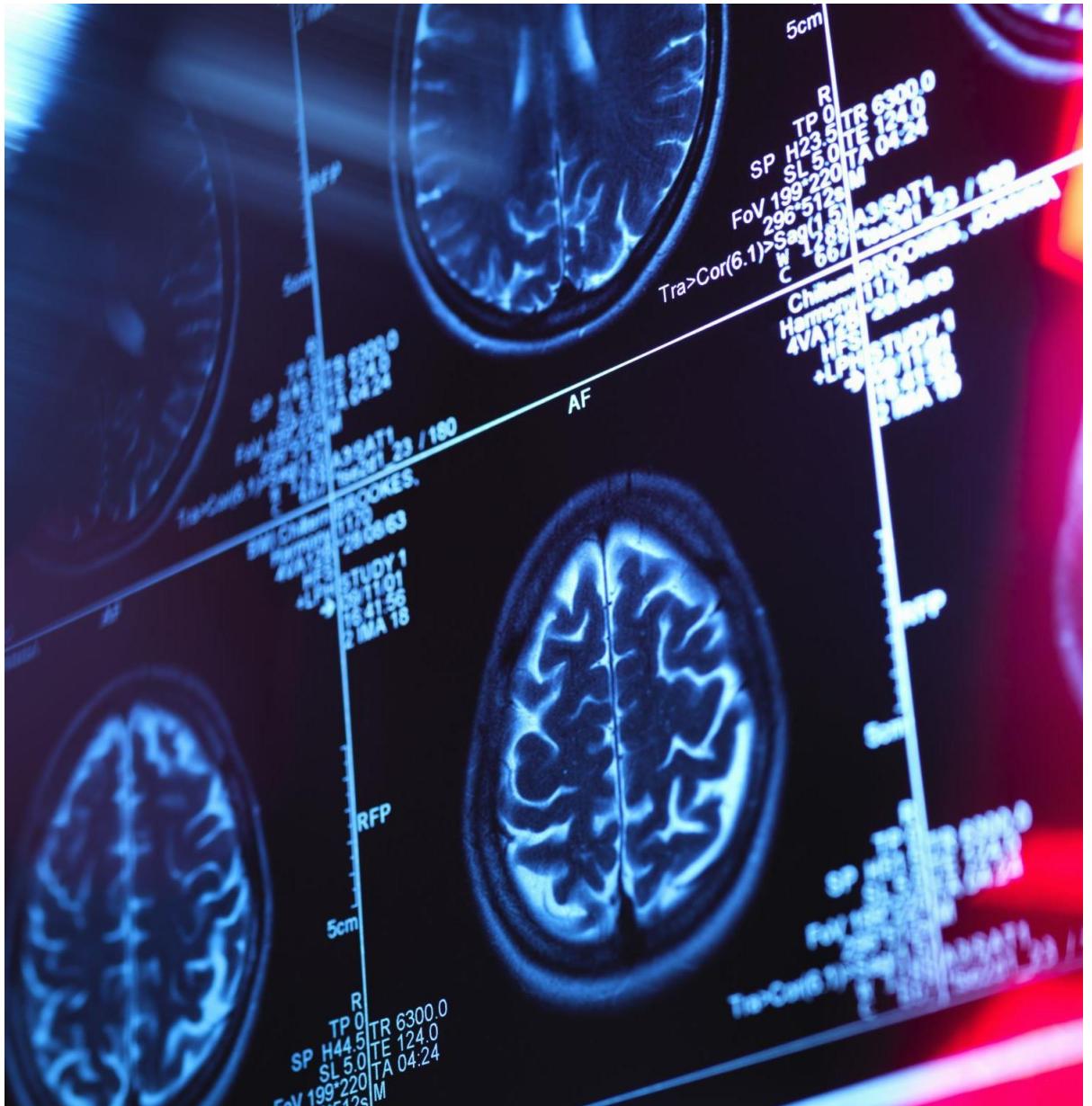
Divorce can have significant emotional impacts on individuals, including \*reactive depression, anxiety, and negative attitudes towards relationships in general .

# Depression as a Biological Problem

Depression is a complex condition that involves both biological and psychological factors.

Research suggests that biological factors like genetics and brain chemistry play an ongoing, sometimes debilitating role in clinical depression throughout a person's life.

Although Reactive-Depression can also be caused by hormonal imbalances, chronic stress, and physical health problems it is, for the most part, episodic.





# Reactive Depression

Reactive depression is a type of depression that is triggered by a specific event or situation.

Common triggers for reactive depression include loss of a loved one, relationship problems, and financial difficulties.

Symptoms of reactive depression may include feelings of sadness, hopelessness, and worthlessness, as well as changes in appetite and sleep patterns.

Treatment for reactive depression may include therapy, medication, and self-care practices such as exercise and stress reduction techniques.

# Mental Health Conditions

## Chronic vs Episodic



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Chronic mental health conditions are long-lasting and persistent, while episodic mental health conditions have periods of remission and exacerbation.

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Examples of difficult chronic mental health conditions include schizophrenia, bipolar disorder, depression and obsessive-compulsive disorder, to name a few.

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Episodic mental health issues include such conditions as stress disorder, reactive depression, anxiety, and post-traumatic situations

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Treatment for chronic and episodic mental health conditions can differ based on the type of condition in either case, and its severity.

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# The Five Stages of Divorce

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Denial

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Anger

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Bargaining

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Reactive Depression

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Acceptance

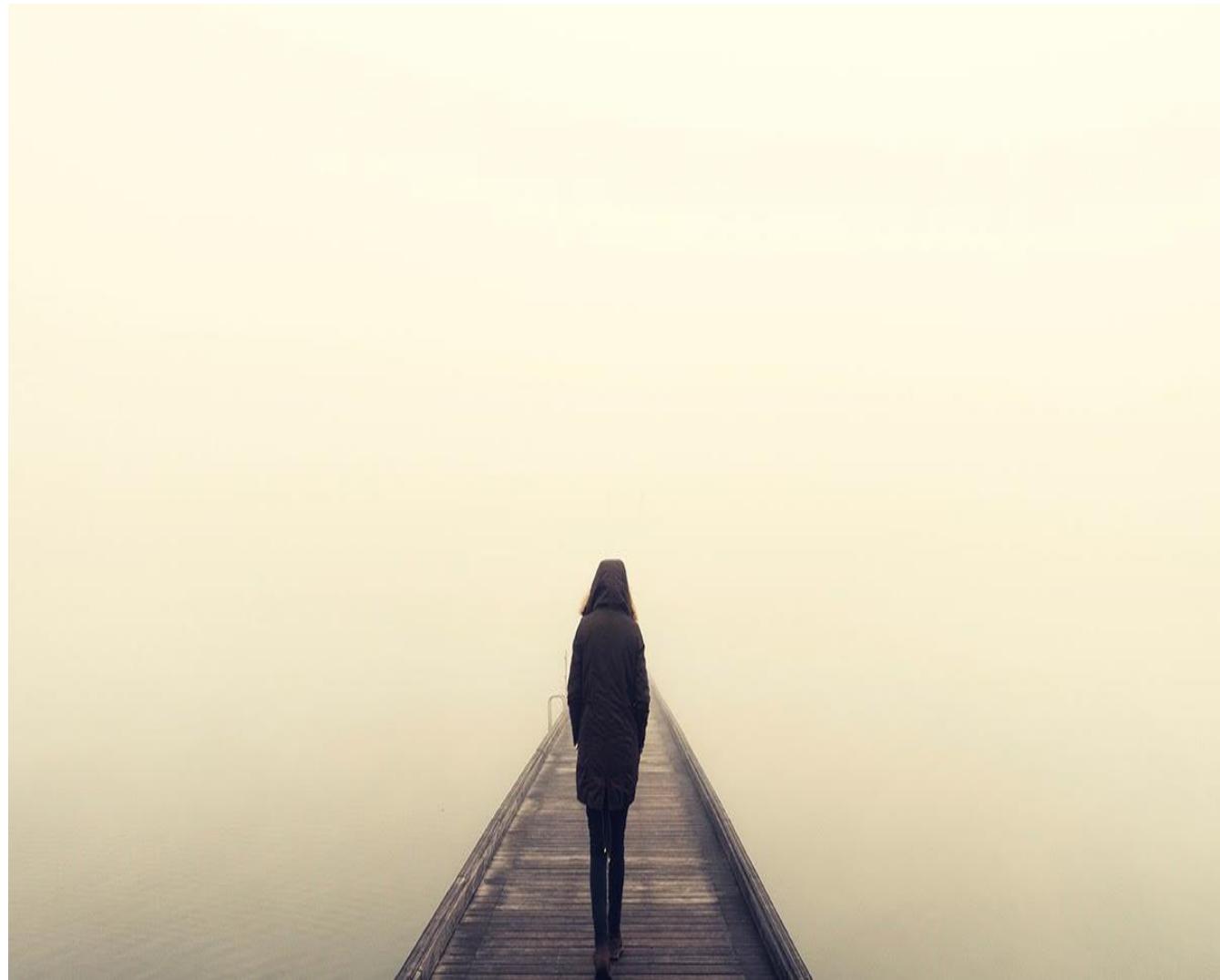


# The Five Stages of Death

The five stages of death were first identified by psychiatrist Elisabeth Kubler-Ross in her book, *On Death and Dying*.

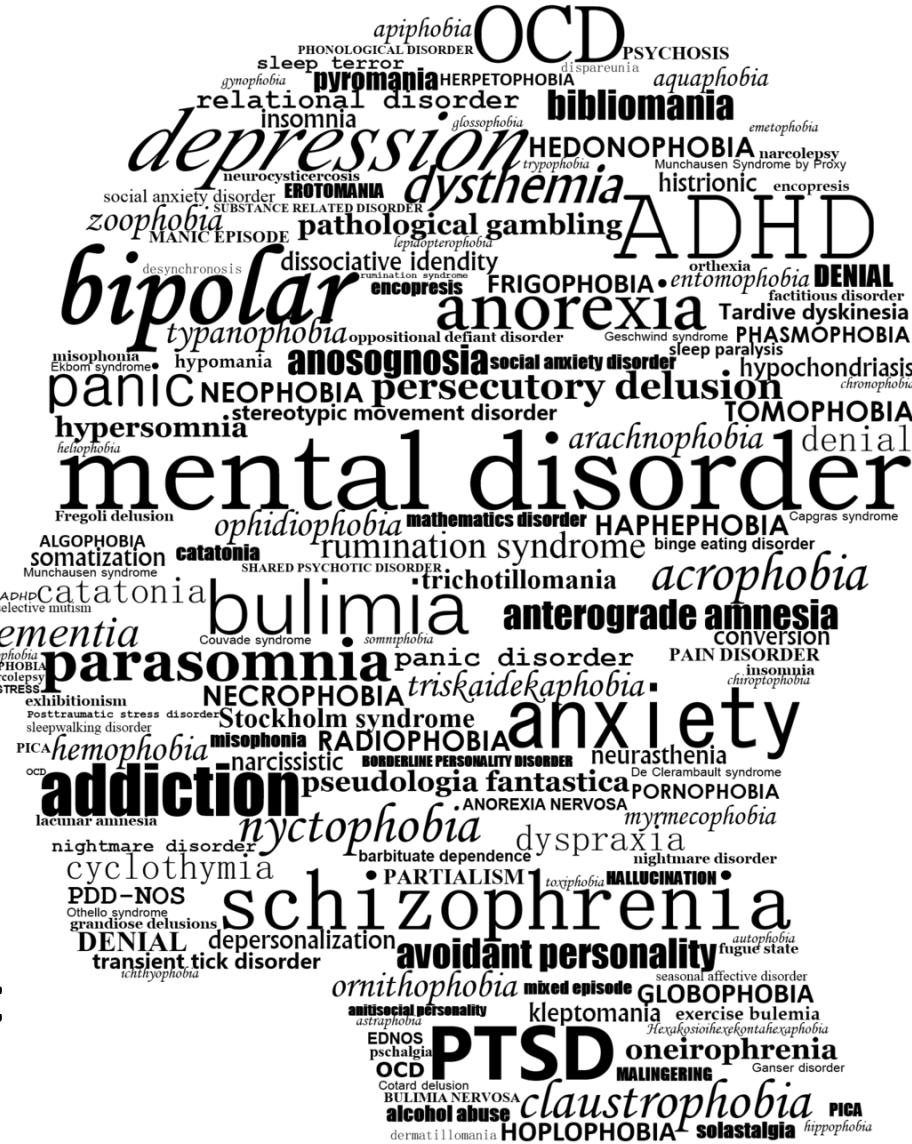
The five stages are denial, anger, bargaining, depression, and acceptance.

These stages are not linear and may not be experienced in the same order or intensity for everyone.



# What are some causes of poor mental health problems?

- childhood abuse, trauma, or neglect
- social isolation or loneliness
- discrimination and stigma
- social disadvantage, poverty or debt



A photograph showing a group of diverse individuals from various ethnicities and ages holding hands in a circle. They are dressed in a mix of professional and casual attire, including a suit jacket, a white shirt, a grey sweater, and a dark blazer. The background is a plain, light-colored wall.

# What Are The Prevalent Impacts of Divorce on the Workplace



# Decreased Productivity

## Effects of Divorce

Divorce can be a highly stressful experience for employees, which can result in decreased productivity and safety issues in the workplace.

It may lead to difficulty in concentrating on work, meeting deadlines or completing tasks efficiently.



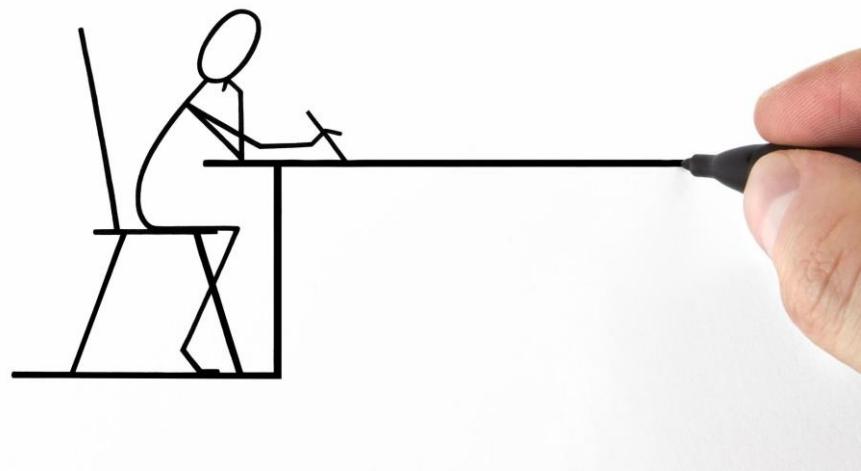
# Increased Problems of Presenteeism

*'the lost productivity or safety risks that occurs when employees are not fully functioning in the workplace because of an illness, injury, or distractions by other personal situations'*

## Personal Life Management

Divorce can consume an employee's thoughts to manage their personal lives as well as several exacerbating problems such as legal and financial issues, childcare, living arrangements and more. All of which can lead to increased presenteeism and affect their work performance.

# Negative Attitude



Going through a divorce can cause negative emotions that can spill over into the workplace, leading to conflicts or decreased morale on several fronts.

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# Divorce Mediation vs Litigation

*Dealing with Divorce through Mediation*

# Divorce Mediation vs Litigation

## *Need for Managing Divorce through Mediation*

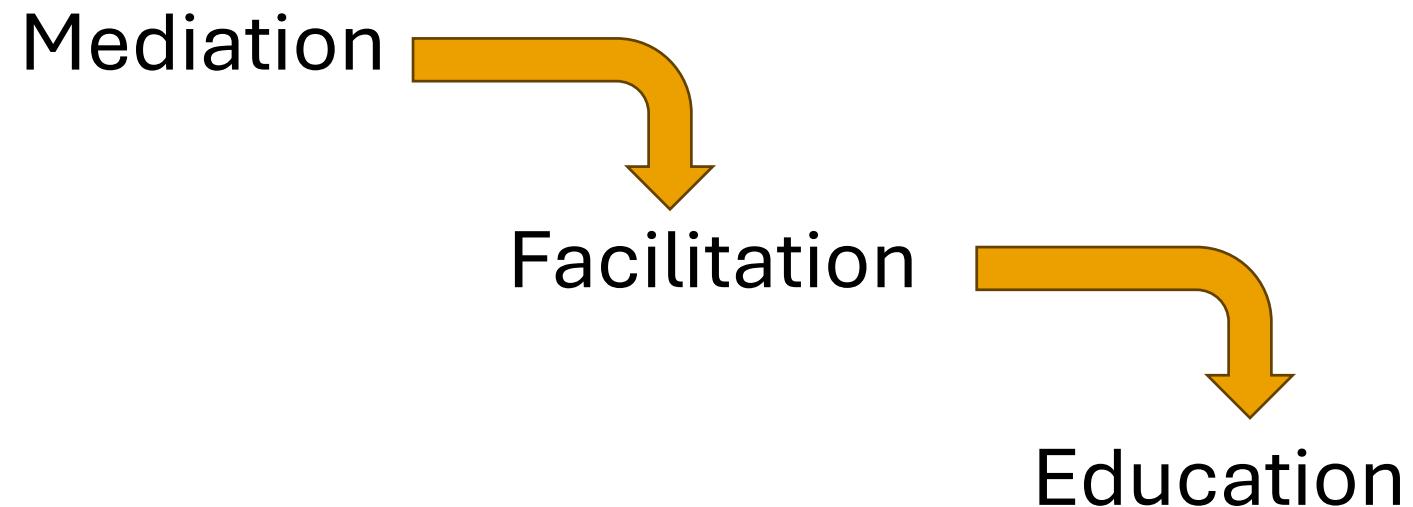
**Family dispute resolution process   Canadian Divorce Act. March 1, 2021**

7.3 To the extent that it is appropriate to do so, the parties to a proceeding shall try to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process.

It is generally faster and less expensive to resolve issues through negotiation or other dispute resolution processes than through court proceedings. In cases involving children, there are particular advantages to developing agreements through family dispute resolution processes. For example, children often benefit from seeing their parents work together. And dispute resolution processes, such as mediation, usually aim to keep parents focused on the best interests of their children. These processes also tend to improve the communication skills divorcing spouses will need for years to come to resolve issues related to their children.

# *Dealing with Divorce through Mediation*

## **The 3 Key Elements of the Process**



# Divorce Mediation vs Litigation

## *Dealing with Divorce through Mediation*

### **Benefits of Mediation ... *Role of the Mediator:***

*Acts as a neutral third party to help the disputing parties communicate and negotiate.*

- 1. Focus:** Primarily on resolving specific disputes or conflicts between the parties.
- 2. Process:** Structured and often involves multiple sessions where the mediator assists in identifying issues, exploring options, and finding mutually acceptable solutions.
- 3. Outcome:** A formal agreement that can be legally binding if both parties consent.

# Divorce Mediation vs Litigation

## *Dealing with Divorce through Mediation*

### **Benefits of Facilitation .. *Role of the Facilitator:***

***Guides and manages the process of discussion and decision-making within a group..***

1. **Neutral Guidance:** A facilitator helps keep discussions focused and productive, ensuring all parties' needs are addressed without escalating conflicts
2. **Less Adversarial:** the facilitator emphasizes cooperation and minimizes confrontation, making the process less stressful for everyone involved
3. **Child-Focused Solutions:** facilitators help parents create amicable parenting plans that prioritize the well-being of the children    '***Parenting Coordination***'
4. **Better Communication:** Facilitation fosters better communication skills, which can lead to a more stable post-divorce relationship, especially when children are involved

# Divorce Mediation vs Litigation

## *Dealing with Divorce through Mediation*

### **Benefit of Education**

**Understanding the Process:** Education about the divorce process helps both parties understand their rights and responsibilities, reducing confusion and anxiety.

**Informed Decision-Making:** Being educated about the legal and financial aspects of divorce through independent subject matter experts other than the mediator, enables both parties to make informed decisions that are in their best interests.

**Emotional Support:** Educational programs often include resources for emotional support, helping individuals cope with the stress and emotional challenges of divorce.

**Preparation for the Future:** Education can provide tools and strategies for rebuilding life post-divorce, including financial planning and co-parenting tips.

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# Divorce Mediation vs Litigation

*Dealing with Divorce through Mediation*

*By considering mediation, facilitation, and education,  
you can navigate the divorce process more smoothly and  
with less conflict.*

*Why is this so important ?*

# Divorce Mediation vs Litigation

*Dealing with Divorce through Mediation*

***Why is this so important ?***

*A lack of knowledge, education, and understanding can lead to harmful consequences, including violence. Education and awareness are crucial in preventing such negative outcomes.*

Intimate Partner Violence (IPV) is a significant concern in Canada, especially during and around the time of divorce. Here are some key statistics:

- 1. Prevalence:** In 2023, police-reported IPV incidents increased by 1% from the previous year, with 123,319 victims aged 12 years and older.
- 2. Gender Disparity:** Women are disproportionately affected by IPV. In 2018, women comprised the majority of victims in reported cases.
- 3. Severity:** Women are more likely to experience severe forms of IPV, such as being choked, assaulted with a weapon, or sexually assaulted.
- 4. Homicide:** Women are more likely to be killed by an intimate partner than by any other type of perpetrator. In 2019, 47% of women homicide victims were killed by an intimate partner.

# Bad Information Vs. Qualified Information

Getting advice from friends during a divorce can be comforting, but it also carries potential risks. Here's why bad advice from friends can be dangerous:



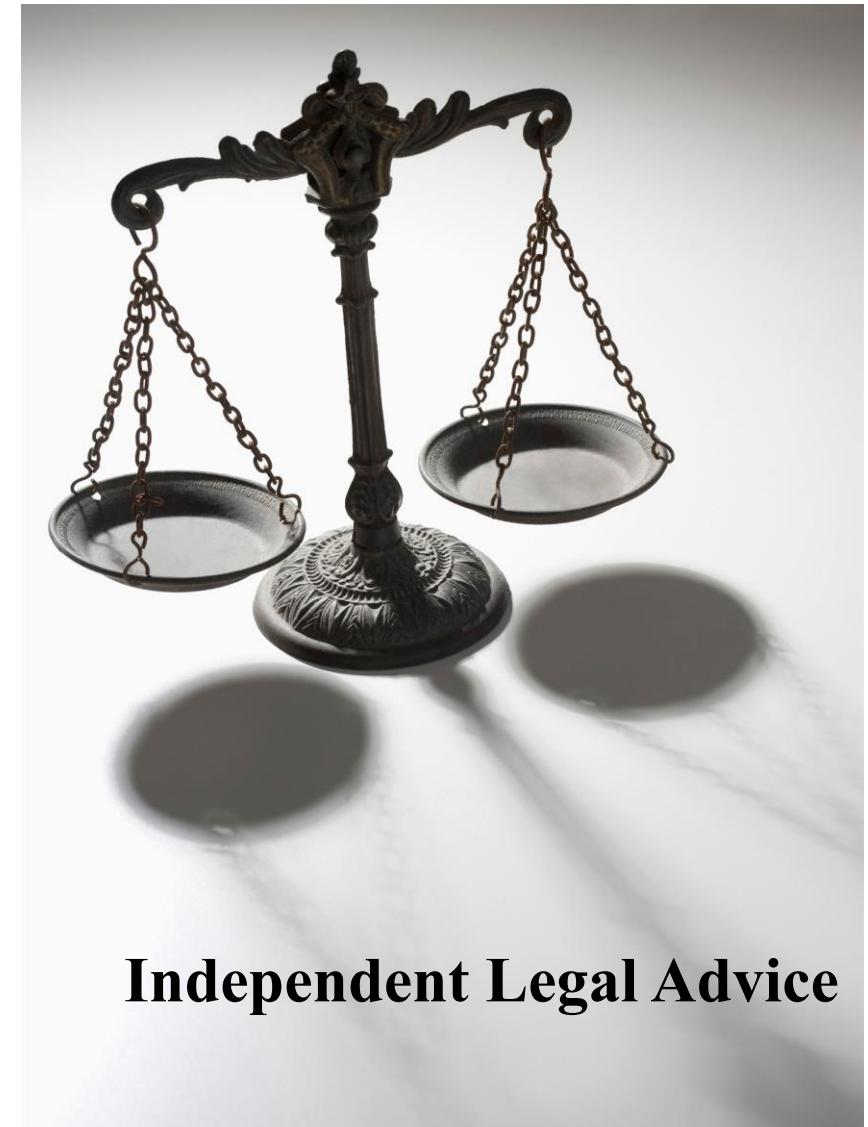
- 1. Lack of Expertise:** Friends are unlikely to have legal or financial expertise, leading to misguided advice.
- 2. Bias and Emotion:** Friends may offer advice based on their emotional biases or personal experiences, which might not be relevant to your unique situation.
- 3. Escalation of Conflict:** Misguided advice can lead to unnecessary conflicts, making the divorce process more contentious and stressful.
- 4. Miscommunication:** Friends' advice might be based on misunderstandings or incomplete information, leading to poor decisions.
- 5. False Hope or Fear:** Friends might unintentionally give you false hope or unnecessary fear, complicating your decision-making process.

It's essential to seek professional advice from lawyers, financial advisors, and therapists who can provide objective and informed guidance. If you ever feel unsure about advice from friends, consider consulting a professional before making any decisions.

# Divorce Mediation and Legal Representation

While mediation can help couples negotiate a divorce agreement, it does not replace legal assistance in situations where you would require independent legal representation:

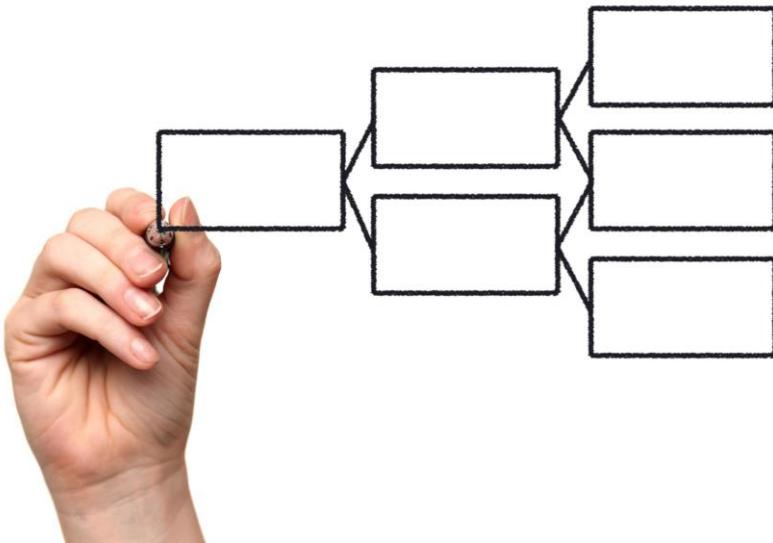
- **Complex Legal Issues:** If your divorce involves complex legal matters, having a lawyer can help ensure that your rights are protected and that you receive a fair settlement.
- **Court Proceedings:** If your divorce case goes to court, you will most likely need a lawyer to represent you. A lawyer can help you navigate the legal system, present your case effectively, and advocate on your behalf.
- **Legal Advice:** While going through mediation, a lawyer can help you understand your rights and obligations and give you legal advice.



**Independent Legal Advice**

# *Recap...*

## Legal Requirement to Attempt Dispute Resolution in Divorce Cases



The Canadian Divorce Act requires couples to attempt dispute resolution before bringing their divorce case to court unless it is clearly inappropriate to do so.

Divorce Mediation can help couples come to an agreement about issues such as property division, parenting plans, child and spousal support, and much more.

Under the **Canadian Divorce Act**, lawyers are required to encourage clients to attempt to resolve matters through family dispute resolution processes, such as mediation before proceeding with litigation. This requirement is outlined in **Section 7.7** of the Divorce Act



## The Cost of Conflict and Logistics in a Contested Divorce

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The cost of a contested divorce varies depending on factors such as the complexity of legal issues, assets, and family issues.

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The average cost of a contested divorce can be around \$15,000 per person, including legal fees, court costs, and other expenses.

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# The emotional cost of a Contested Divorce on Children



Divorce can have a profound impact on children's emotional and mental well-being.

Children may experience feelings of guilt, anger, and sadness during and after their parents' divorce.

Divorce can affect children's relationships with their parents overall and can lead to behavioral problems.

# The Difficult Paperwork of Divorce

Filing for divorce involves complex procedures and paperwork that can be difficult to navigate alone.

The types of paperwork required vary in complexity depending on your personal and family situation, and the issues at hand

Common divorce procedures include an application for divorce, Settlement Agreement, financial statements and affidavits, property division, parenting plan, and much more.

A Mediator can help guide you through the process of navigating the confusing paperwork and ensure that your process is completed properly.





# How Employers Can Support Employees Going Through Divorce

Offer

Offer flexible work arrangements, such as telecommuting or adjusted schedules, to accommodate personal appointments related to the divorce.

Provide

Provide emotional support through counseling or employee assistance programs, and information about the resources available to them when going through divorce., such as mediation.

Create

Create a supportive and non-judgmental work environment in which employees feel comfortable discussing their personal issues.

# Conclusion

It's generally best for employers to avoid becoming deeply involved in employees' personal lives. Instead, they should focus on performance management, provide resources, and address performance issues with respect and empathy. The most appropriate approach involves listening, providing support within defined boundaries, and directing employees to appropriate resources. Open communication and respect for privacy are crucial for a healthy and productive work environment..



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# Conclusion The ‘3-H’ question approach

Do you need **Help** ?

Do you just want to be **Heard** ?

Do you need a **Hug** ?

*Validation*

*Understanding*

*Compassion*



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