

**POLICY AND PROCEDURE MANUAL**

**POLICY: DOMESTIC VIOLENCE LEAVE**

---

Domestic violence leave can be taken by an employee who is experiencing domestic violence or whose child (under 18) is experiencing domestic violence. The employee may take up to ten intermittent or consecutive days per calendar year. The employee may also take up to 16 consecutive (continuous) weeks per calendar year. Up to three days of the leave will be paid by L'Arche Antigonish. To qualify for domestic violence leave, the employee must have worked with L'Arche Antigonish for at least three months.

Under the Labour Standards Code, domestic violence is defined broadly. It is an act of abuse that can be physical, sexual, emotional, or psychological. It can include coercion, stalking, harassment or financial control. Or, it can be a threat of such abuse.

The leave applies to situations of abuse involving the following relationships:

An employee who is abused by:

- their current or former intimate partner
- their child
- a person under 18 years who lives with them
- an adult who lives with them and is related to them by blood, marriage, adoption or foster care

An employee whose child (under 18) who is abused by:

- the child's current or former intimate partner
- a person who lives with the child

Domestic violence leave can be used by an employee to seek medical attention for themselves or their child; obtain services for themselves or their child from a victim services organization, psychological or other professional counselling (or certain culturally-specific services); relocate temporarily or permanently; or seek legal or law enforcement assistance.

To take Domestic Violence Leave, an employee must advise L'Arche Antigonish in writing as soon as possible of their intention to take domestic violence leave, and the anticipated start and end date of the leave. L'Arche Antigonish may ask the employee to provide a form developed by the NS Labour Standards Division to support the employee's entitlement to domestic violence leave.

The longer part of domestic violence leave is up to 16 consecutive weeks. To end the longer leave early, the employee must give the employer written notice of at least 14 days before the employee wishes to end the leave, or as much notice as possible. The shorter part of the leave is ten days, which can be taken at different times or all at once. An employee may end this leave early by giving as much notice as is reasonably possible.

Up to three days of domestic violence leave, per calendar year will be paid by L'Arche Antigonish. The employee can choose which of the days are the three paid days by notifying the employer in writing of this. Otherwise, L'Arche Antigonish will treat the first three days taken of the leave as paid days.

APPROVAL REF: BOARD OF DIRECTORS

DATE: 9 MARCH 2019

**POLICY AND PROCEDURE MANUAL**

**POLICY: DOMESTIC VIOLENCE LEAVE**

---

Any part of a day taken for domestic violence leave counts as a full day of leave. If an employee works a portion of a day, they must be paid for the time they worked on that day. Also, paid leave for any portion of a work day counts as one of the three paid days that an employee is entitled to under the Labour Standards Code. For example, if an employee takes domestic violence leave for three hours of a 7-hour shift, and works the remainder of the shift, that would count as one of their ten days of leave. Further, if the employee receives pay for the three hours of leave on that day, it will count as one of the three days of paid leave.

The law also requires that employees attempt to schedule appointments during non-working hours, if possible.