



Procedure Statement:

Domestic violence leave can be taken by an employee who is experiencing domestic violence or whose child (under 18) is experiencing domestic violence.

Definitions:

Child – dependant under the age of 18

Domestic violence – an act of abuse that can be physical, sexual, emotional, or psychological, including coercion, stalking, harassment, financial control, or threat of such abuse.

Procedure:

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 their employer in writing as soon as possible of their intention to take domestic violence leave, and the anticipated start and end date of the leave. The employer may ask the employee to provide a form developed by the Labour Standards Division to support the employee’s entitlement to domestic violence leave (Contact Labour Standards for the form). It is an employer’s choice whether to require the employee to provide this form to the employer.

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, must be paid by the employer. For the three paid days, each day must be paid at the employee’s regular wage for all hours the employee would have worked that day if the leave had not been taken. The employee can choose which of the days are the three paid days by notifying the employer in writing of this. Otherwise, the employer must treat the first three days taken of the leave as paid days.

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.

Related Information:

Nova Scotia Labour Standards

Contact:

Human Resources Department

Roles and Responsibilities:

Employee

- understand the leave
- to notify the employer in writing in the prescribed period of time

Employer

- to support the employee in the confines of the prescribed timeline as set out by Labour Standards

Human Resources

- ensure that the leave is used appropriately

Revision History:

Notification to Employer – Domestic Violence Leave



This form only needs to be completed **if requested** by the Employer.

This form has been approved by the Director of Labour Standards, Department of Labour and Advanced Education.

CONFIDENTIALITY: The information contained in this form must be kept confidential by the Employer and may not be disclosed by the Employer except to employees or agents of the Employer who require the information to carry out their duties OR as required by law OR with the employee's written consent.

PART 1: This section is to be completed by the Employee Seeking Domestic Violence Leave

Name (please print): _____

Position/Title: _____

How do you prefer to be contacted: by phone by text by email by mail

Contact information: _____

For more information on domestic violence, please visit:

https://women.gov.ns.ca/sites/default/files/documents/Making%20Changes_FULL_Dec2018.pdf

PART 2A: This section is to be completed by the Employee ONLY when they are Seeking Domestic Violence Leave to Relocate

Relocating: I am relocating (temporarily or permanently) because of domestic violence to me or my child (under 18 years old).

Expected start date of the leave: _____
month/day/year

Expected end date of the leave (if known): _____
month/day/year

Name (print): _____

Signature

Date

Please note, employees who are relocating must advise their employer of their new permanent address and the date on and after which they may be reached at the new address. If you are, or will be, staying in a transition house or at a temporary address, you do **not** need to provide that address.

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PART 2B: This section is to be completed by an Individual Authorized to Confirm the Reason for the Employee’s Notification of Domestic Violence Leave.

Please indicate the reason for the leave:

- Medical Attention:** The employee named in Part 1 is seeking medical attention from me for the employee or their child (under 18 years old) due to a physical or psychological injury caused by domestic violence. *Individual confirming this leave must be a legally qualified medical practitioner.*

- Support Services for Victims:** The employee named in Part 1 is seeking services from our organization in relation to domestic violence to the employee or the employee’s child (under 18 years old). *Individual confirming this leave must be an official with a victim services organization, transition house, the Department of Justice, a law enforcement agency, or an individual who is responsible to an elected board of directors, a licensing body, or regulated profession.*

- Psychological / Counselling Services:** The employee named in Part 1 is seeking counselling services from me in relation to domestic violence to the employee or the employee’s child (under 18 years old). *Individual confirming this leave must be an individual qualified to provide psychological or counselling services, including an Elder, Minister, or official of a community organization.*

- Legal or Law Enforcement Services:** The employee named in Part 1 is seeking legal or law enforcement services from our organization in relation to domestic violence to the employee or their child (under 18 years of age). Note: There is no requirement to provide or have filed a police report. *Individual confirming this leave must be with a law firm or law enforcement agency.*

Expected start date of the leave: _____
month/day/year

Expected end date of the leave (if known): _____
month/day/year

The following information is required in relation to the authorized individual who is completing Part 2B.

Name (print): _____ Organization: _____

Position/Title: _____ Phone: _____

Signature

Date