

Domestic Violence Leave Policy

Original Implementation Date: June 10, 2025 Approved by: Cathie O'Toole, CAO

Date of Last Revision: June 10, 2025 Approved by: Cathie O'Toole, CAO

Effective Date of Last Revision: June 10, 2025 Approved by: Cathie O'Toole, CAO

1 – Policy Name

Domestic Violence Leave Policy

2 – Purpose

Halifax Regional Municipality supports employees who are experiencing domestic/intimate partner violence or whose child (under age 18) is experiencing domestic/intimate partner violence by providing approved paid and unpaid leave as per the *Nova Scotia Labour Standards Code*. The Municipality fosters a supportive workplace culture that recognizes the impact of domestic violence and encourages employees to seek help without fear of judgment or stigma.

3 – Objectives

The objectives of this Policy are:

- To support employees who are experiencing domestic/intimate partner violence or whose child is experiencing domestic/intimate partner violence with approved paid and unpaid leave from work.
- To provide workplace flexibility, job protection and some salary continuance so employees can take time off from their job.
- To meet legislated requirements under the *Nova Scotia Labour Standards Code*.

4 – Scope

This Policy applies to all employees. For unionized employees, in the event a provision of the applicable Collective Agreement provides a greater entitlement than is outlined in this Policy, the Collective Agreement applies.

Note - This Policy speaks only to Leave provisions available to employees. If an employee or leader has a workplace safety concern related to domestic violence, please refer to the [Workplace Violence Corporate Procedure](#) or contact your Human Resources Business Partner.

5 – Definitions

In the context of this document:

Child, means, in relation to an employee, an individual who

- (i) is under eighteen years of age, and
- (ii) is a child, step-child, foster child or child under the legal guardianship, of the employee.

Domestic violence, means

- (i) an act of abuse between
 - (a) an employee and
 - (I) the employee's current or former intimate partner,
 - (II) a child of the employee or an individual under eighteen years of age who resides with the employee, or
 - (III) an adult who resides with the employee and is related to the employee by blood, marriage, foster care or adoption, or
 - (b) a child of the employee and
 - (I) the child's current or former intimate partner, or
 - (II) an individual who resides with the child of the employee, whether the abuse is physical, sexual, emotional or psychological and may include an act of coercion, stalking, harassment or financial control, or
- (ii) a threat or attempt to do an act described in subclause (i).

Intimate Partner means a spouse, boyfriend or girlfriend, dating partner, sexual partner or other individual in a similar relationship.

For the most current definitions related to this Policy, please see the *Nova Scotia Labour Standards Code*. <https://novascotia.ca/lae/employmentrights/>

6 – Roles and Responsibilities

Chiefs/Executive Directors

Chiefs/Executive Directors are responsible for:

- Ensuring proper administration of this Policy and delegating approval authority to managers/supervisors as appropriate.

Directors/Managers/Supervisors

Directors/Managers/Supervisors, with delegated authority from the Chief/Executive Director, are responsible for:

- Considering leave requests in accordance with the requirements of the Policy.
- Administering the Policy in a fair and equitable manner.
- Adhering to legislated requirements and ensuring leaves are accurately recorded.

Employees

Employees are responsible for:

- Submitting leave requests to their immediate manager/supervisor or Human Resources, with as much advance notice as possible.
- Accurately reporting all leaves on a regular basis.

Human Resources

Human Resources is responsible for:

- Providing support to business units regarding the fair and equitable administration of this Policy and any relevant legislation.

7 – Policy Regulations

- A. An employee who has been employed at the Municipality for at least three months is entitled to Domestic Violence Leave under the Labour Standards Code if the employee, or their child (under 18), experiences domestic violence. Domestic Violence Leave can be used by an employee for a variety of reasons, such as, but not limited to the following:
- 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
 - seek legal or law enforcement assistance
- B. In each calendar year, an employee is entitled to Domestic Violence Leave for:
- up to 10 days, which an employee can take in one continuous period or intermittently (the days broken up); and
 - up to 16 weeks, which an employee must take in one continuous period (unbroken time off).

An employee can take both, the 10 intermittent days plus up to 16 continuous weeks in a calendar year.

- C. Five days of domestic violence leave will be paid by the Municipality each calendar year (pay code- Other Leave With Pay). Each day will 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. Unless the employee specifies which five days they wish to have paid, the Municipality will treat the first five days of the taken leave as the paid days. The remaining domestic violence leave will be unpaid (pay code- Approved Leave- No Pay).

- D. An employee who has been employed by the Municipality for less than three months shall still be entitled to the provisions of 7(B), except that the leave shall be unpaid and shall be classified as a leave of absence.
- E. 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.
- For example, if an employee has a one-hour appointment for which they request domestic violence leave, and also works six hours that day, they would be paid for seven hours total.

Paid leave for any portion of a work day counts as one of the five paid days that an employee is entitled to under the *Nova Scotia Labour Standards Code*.

- F. Employees should make reasonable efforts to schedule appointments during non-working hours, if possible. Employees may need to schedule appointments with support services, law enforcement, etc. during working hours in order to access such services and to ensure their safety.
- G. An employee must advise their employer as soon as possible of their intention to take Domestic Violence Leave, and the anticipated start and end date of the leave. The Municipality understands there may be situations where advance notice of the intent to take leave may not be possible. To the extent that notice is possible, employees will endeavour to provide as much notice as is reasonably possible. Employees can notify their immediate supervisor or Human Resources of their intent to take this leave or their intent to return to work. It is important that the employee advises the Municipality how they wish to be contacted during the leave.
- H. The Municipality may require the employee to provide a Notification to Employer form developed by the Nova Scotia Labour Standards Division to support the employee's entitlement to domestic violence leave (See Section – 13 Attachments).
- I. To end the longer leave (up to 16 consecutive weeks) early, the employee must give the employer notice of at least 14 days before the employee wishes to end the leave, or as much notice as possible.
- J. The shorter part of the leave (up to 10 days) as listed in 7B, can be taken at different times or all at once. An employee may end this leave early by giving as much notice as reasonably possible.
- K. The Municipality is required to keep confidential any information received in relation to a domestic leave of absence an employee takes. Information will not be shared, except in situations where: 1) the employee has consented to the information being

shared; 2) an agent or employee of the Municipality, such as a manager, needs the information to do their job, or 3) the law requires that the information be disclosed.

- L. For the unpaid portion of the leave, if the employee opts to continue paying their share of group benefits and pension contributions, the Municipality will cost share.
- M. There is no accrual of vacation or sick leave entitlements while an employee is on this leave.
- N. The Municipality must accept the employee back to the same position held by the employee immediately before the leave began, or, where that position is not available, in a comparable position with no loss of seniority or benefits when the employee returns from the leave.

8 – Repeal

NA

9 – Effective Date

June 10, 2025

10 – Related Policies and Practices

Internal:

- Employee & Family Assistance Program (EFAP)
- Workplace Violence Corporate Procedure

External:

- *Nova Scotia Labour Standards Code*
<https://novascotia.ca/lae/employmentrights/docs/labourstandardscodeguide.pdf>

11 – Policy Review

Review every year.

12 – Contact

MyHR@halifax.ca or 902-490-6145.

13 – Attachments

Notification to Employer – Domestic Violence Leave

<https://novascotia.ca/lae/employmentrights/docs/Domestic-Violence-Leave-Notification-Form.pdf>

Risk Assessment and Prevention Plan Template

https://halifaxns.sharepoint.com/sites/hr/_layouts/15/Doc.aspx?sourcedoc=%7B3D7A2B87-B170-4594-A5BA-5076C21720B5%7D&file=Violence-Risk-Assessment-and-Prevention-Plan-Template.xlsx&action=default&mobileredirect=true&DefaultItemOpen=1

Leave Application Form

<https://halifaxns.sharepoint.com/:b:/r/sites/hr/Shared%20Documents/LOA-Application-Form.pdf?csf=1&web=1&e=1Csk66>