



HEALTH SCIENCES ASSOCIATION
The union delivering modern health care hsabc.org

**Submission on Paid Leave for Workers Facing
Domestic and Sexual Violence**

Submitted to Minister Harry Bains and Parliamentary Secretary Mitzi Dean

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Introduction:

The Health Sciences Association of BC (HSA) is a union that represents more than 18,000 health science and social service professionals who deliver specialized services at over 250 hospitals, residential care homes, child development centres, community health and social service agencies. HSA was established in 1971 with nine health science professional disciplines at two Lower Mainland hospitals. Today, HSA members, working in over 60 disciplines, provide critical health care and social services that support the health and well-being of British Columbians. Our members are dedicated to better access, better outcomes and better health in an integrated public system that benefits all British Columbians.

Working in public health and community services, we understand first hand the importance of providing resources to those experiencing domestic or sexual violence. This must include a period of paid leave, to ensure those acting to keep themselves and their family safe are not at risk of economic insecurity.

Background:

When we talk about health and safety in the workplace, domestic and sexual violence rarely enter the discussion.

Yet, according to a 2014 national study, 8.5 per cent of domestic violence survivors reported losing a job due to domestic violence; 82 per cent said domestic violence negatively impacted their work performance; and 38 per cent said it affected their ability to get to work. Workers in precarious jobs, such as those in the service industry, are particularly vulnerable when violence affects their ability to perform their job duties.

Job-protected leave is critical for workers experiencing domestic or sexual violence who may need to relocate or seek community services such as medical attention, legal services, or counselling. Ensuring that a worker can access paid leave is necessary to protect that person's economic security during such a profoundly challenging time.

Further, we know that for women fleeing violence, their place of work is the second most dangerous place to be. A 2014 Western University study found that one third of workers across Canada had experienced domestic violence at some point in their life, and in over half of these cases, violence followed the person to work.

We applaud the government's recent changes to the *Employment Standards Act* to ensure job-protected leave for survivors of domestic and sexual violence, but BC still falls behind other provinces in providing necessary protections. We strongly encourage the BC government to implement the following recommendations to strengthen protections and limit the risk of economic insecurity facing survivors acting to keep themselves and their family safe.

Recommendations

HSA fully supports the following recommendations of the BC Federation of Labour:

1. A minimum of ten days of paid leave under the Employment Standards Act for workers who are experiencing domestic or sexual violence. This duration of leave is critical to enable those who have experienced violence to seek the supports they need, for example to access the justice system, health and mental health services, or to be able to find alternative shelter if needed.
2. This paid leave must stand alone, and not be combined with other types of leave. This leave needs to be a resource for people who are facing violence, not must not put them in the position to give up other rights they may have under the Employment Standards Act.
3. There must be no burden of proof on workers who need to access leave for domestic and sexual violence. Instances of violence and sexual assault are grossly under-reported, and significant barriers already exist for survivors to come forward. Having to provide proof to an employer can put a worker in a difficult, and even dangerous, situation with respect to their privacy and safety.
4. A trauma-informed approach to supporting workers experiencing violence should become compulsory for employers. In the Canadian Labour Congress report, *Can Work Be Safe When Home Isn't*, survey respondents found workplace culture and lack of employer understanding added stress for survivors.
5. There must be no threshold of length of service for workers before being able to claim leave.