



## ARCHDIOCESE OF REGINA

<b>Policy Name:</b>	Violence: Domestic Violence Leave	<b>Number:</b>	S4-35
<b>Policy Type:</b>	Employment Benefits and Protection of Employees	<b>Date Approved:</b>	February 2017
<b>References:</b>		<b>Date Revised:</b>	February 2019

***Policy***

***Statement:***

The Archdiocese of Regina believes that all people should live in an environment without fear of violence. The Archdiocese acknowledges that domestic violence can and does occur in our society and as such, an employee may be a victim of domestic violence.

***Purpose:***

The purpose of this policy is to allow the employee who is a victim of domestic violence to take unpaid leave to attend to matters associated with the violence.

***Definitions:***

“**Domestic violence**” means that any of the following acts and omissions constitute domestic violence:

- i. An intentional, reckless or threatened act or omission that causes bodily harm or property damage;
- ii. An intentional, reckless or threatened act or omission that causes a reasonable fear of bodily harm or property damage;
- iii. Conduct that reasonably, in all the circumstances, constitutes psychological or emotional abuse;
- iv. Forced confinement; or
- v. Sexual abuse;

When perpetrated against an employee or an employee’s child by another person who:

- a. Is cohabiting or has cohabited with the employee i.e. a spouse, conjugal or intimate relationship;
- b. Has or had a family relationship with the employee, in which they have lived together;
- c. Has or had a family relationship with the employee, in which they have not lived together;
- d. Has or had a dating relationship with the employee, whether or not they have ever lived together; or
- e. Is the other biological or adoptive parent of the employee’s child, regardless of their marital status or whether they have ever lived together.

For the purpose of the definition an employee's child includes, stepchild, foster child or ward under the age of eighteen (18).

***Purpose:***

Domestic violence leave may be taken for any of the following reasons:

- i. To seek medical attention for the employee or the employee's child in respect of a physical or psychological injury or disability caused by the domestic violence;
- ii. To obtain services from a victim services organization;
- iii. To obtain psychological or other professional counselling;
- iv. To relocate temporarily or permanently;
- v. To seek legal or law enforcement assistance, including preparing for or participating in any civil or criminal legal proceedings related to or resulting from the domestic violence;
- vi. Any other purpose which may be prescribed by the regulation.

***Responsibility:***

1. When requesting a leave under this policy, employees are responsible for;
  - a. Giving as much written notice as possible to the employee's supervisor or to the Human Resources personnel (the employee's choice).
  - b. Presenting reasonable verification of the necessity for the leave prior to the beginning of the leave or as soon as possible thereafter;
  - c. Setting out the days or weeks expected to be taken as leave and providing a date upon which the employee expects to return to work; and
  - d. Subject to section "c" under procedures in this policy statement.
2. Upon receipt of such notice or request of the employee's need for this leave, supervisors and Human Resources personnel are responsible for maintaining the confidentiality of all matters in relation to a leave taken by the employee and ensuring the written records regarding any such leave are securely stored.
3. The Archdiocese of Regina shall:
  - a. Maintain confidentiality in respect of all matters that come to management's knowledge in relation to a leave taken by an employee under this policy; and
  - b. Not disclose information relating to the leave to any person except; to employees or agents who require the information to carry out their duties; as required by law; or with the consent of the employee to whom the leave relates.

***Procedure:***

1. Subject to the presentation of reasonable verification of the necessity of the leave and subject to the procedures found in within this policy, an employee with at least 90 days of continuous employment with the Archdiocese of Regina who is a victim of domestic violence is entitled to both the following periods of unpaid leave in each fifty-two (52) week period:
  - i. Leave up to ten (10) days, which the employee may choose to take intermittently or in one continuous period; and
  - ii. Leave of up to seventeen (17) weeks taken in one (1) continuous period.
2.
  - a. Requests must be in writing and submitted to either the employee's immediate supervisor or Human Resources Department (the employee's choice) as soon as reasonably practical, in the circumstances, together with reasonable verification of the necessity of the leave. See Appendix P – General Leave and Response Form. The employee shall be granted unpaid leave in accordance with section 1 in the procedures section of this policy.
  - b. If an employee wishes to end the domestic violence leave prior to the expiry of the leave period stated in the employee's notice, he or she must provide the Archdiocese of Regina with at least two (2) weeks of written notice before the day the employee wishes the leave to end, unless agreed otherwise with the employee's supervisor.
3. Leave for part of a work day shall be counted as a full day of leave.
4. Leave periods for leaves taken under this policy are included in any calculation of an employee's length of employment. The period of the leave is not included when determining whether the employee has completed any probationary period.
5. On expiry of a leave under this policy, an employee who returns to work shall be reinstated in the position occupied by that employee at the commencement of the leave or if that position is not available, in a comparable position. The employee shall receive a pay rate that is equal to the greater of the rate the employee most recently earned and the rate the employee would be earning had he or she worked throughout the leave.

