



LEVEL

YOUTH POLICY PROGRAM

Breaking the Cycle of Domestic
Violence: A Case for Paid
Domestic Leave Policies and
Legislation in British Columbia

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The LEVEL Youth Policy Program takes place on the traditional and unceded territories of the xʷməθkʷəy̓ əm (Musqueam), Skwxwú7mesh (Squamish), & səliilwətaʔ (Tseil-Waututh) Coast Salish peoples.

ABOUT THE LEVEL INITIATIVE

LEVEL is a youth-engagement initiative of Vancouver Foundation that aims to address racial inequity. We do this by investing in the leadership capacity of Indigenous, racialized, immigrant, and refugee youth to create more opportunities throughout the non-profit and charitable sector.

Despite being the fastest-growing youth population in British Columbia, Indigenous, immigrant, and refugee youth don't have the same opportunities as other young people. Race continues to be a factor that hinders their ability to have a say in decisions that impact their lives.

LEVEL empowers these youth by building their capacity to challenge and change those systems that hinder their ability to build a more just world.

LEVEL CONSISTS OF
THREE PILLARS OF
WORK TO ADVANCE
RACIAL EQUITY:



ABOUT THE LEVEL YOUTH POLICY PROGRAM

The LEVEL Youth Policy Program (LEVEL YPP) brings together young people between the ages of 19 and 29 from across British Columbia who identify as being Indigenous or racialized immigrants or refugees. Indigenous and racialized Newcomer youth are disproportionately impacted by certain public policies and are rarely included in the development and implementation of public policy process. The LEVEL YPP aims to provide these youth with equitable training and leadership opportunities to better navigate the public policy landscape, and to develop new tools and skills to influence, shape, and advocate for policy changes that are relevant in their own communities. Having young people directly involved in shaping policies that impact their lives is essential to creating systemic, meaningful change. The LEVEL YPP's training is grounded from and within Indigenous peoples' worldviews, which the program acknowledges, could vary from person-to-person or nation-to-nation. Indigenous worldviews place a large emphasis on connections to the land. This perspective views the land as sacred; where everything and everyone is related and connected; where the quality of the relationships formed are key in life; where what matters is the success and well-being of the community, and where there can be many truths as they are based on individual lived experiences.¹ As such, an important premise of this training is to centre and place a particular focus on the fact that the work that has gone into developing this training, as well as the training itself, has taken and will take place on unceded (never given away/stolen) territories of the hərlqəminəml-speaking Musqueam peoples, of the Halkomelem-speaking Tseil-Waututh peoples, and of the sníchim-speaking Skwx_wú7mesh (Squamish) peoples.

1 <https://www.ictinc.ca/blog/indigenous-peoples-worldviews-vs-western-worldviews>



SARA
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Sara Eftekhar is passionate about gender equality as it relates to women's health. She is currently a Labour and Delivery Nurse at BC Women's Hospital, and a research nurse at Canada's first ever study testing a Health Promotion Intervention for women who are survivors of domestic violence. She has also worked on women's health programs in Tanzania, Egypt, and Kenya. Through her patients' stories of injustice, she is inspired to make policy and systems change and has represented Canada at the United Nations, has worked on creating Canada's first ever youth policies, and has acted as a consult to local and international development programs. She holds a Masters of Arts degree in Peace and Development as a Rotary Peace Scholar, where she examined the impact of conflict on women's reproductive health. She has been awarded the YWCA Young Woman of Distinction Award, and RBC's Top 25 Immigrants of Canada Award.

EXECUTIVE SUMMARY

According to the Canadian Women's Foundation, every six days a Canadian woman dies after facing violence by an intimate partner⁶. Domestic violence is a socially complex issue that impacts individuals, families, and communities. Domestic violence is a violation of human rights and a significant problem in British Columbia (BC). According to Statistics Canada, over half of women in BC have experienced physical or sexual violence since the age of 16, and make up more than two-thirds of domestic violence victims in Canada⁴. Therefore, domestic violence is a public-health issue since it impacts a shockingly large portion of the population and has profound influence on the health and well-being of victims and their families⁵.

As a registered nurse working with survivors of domestic violence on a daily basis, I am aware that anyone can be a victim of domestic violence. Domestic violence exists within all age ranges, ethnic backgrounds, and economic levels. While domestic violence can occur to anyone, Indigenous women and immigrant/refugee women are at increased risk for domestic violence⁶. This is important, as the intersectionality of domestic violence receives very little attention.

My clients' experiences demonstrate that domestic violence is more than a personal issue; it extends beyond the home and into the workplace. In fact, a Canadian analysis estimates that every year, employers lose \$77.9 million as a direct result of domestic violence⁷. Women's career development is also impacted as domestic violence influences work attendance and performance¹.

One of the main barriers for women attempting to leave an abusive relationship is taking the time out of their current jobs to access resources¹. In fact, half of these victims end up losing a job because of the impact of domestic violence on their work and personal life⁸. Too often, I meet women who want to find alternative housing, access health care, make a police report, or make an appointment with an organization but these support systems are not available after business hours. These women also fear accessing resources after work hours due to the ongoing abuse and threats⁸. Moreover, women fear losing their jobs when disclosing violence, or they may face financial barriers when taking the necessary time off work and it has been well documented in studies that financial barriers can trap victims in abusive situations³. Therefore, new research is beginning to shed light on the importance of the workplace in empowering women to support themselves and become survivors instead of victims.

Addressing domestic violence as an employment issue provides a more holistic response to supporting victims and eradicating the cycle of violence for families¹. Domestic violence legislation and policies in the workplace are important parts of promoting equality for women. Research indicates that one of the most effective interventions by employers is paid domestic leave³, where victims of domestic violence are entitled to some paid leave time by their employers to leave their domestic situation. Currently in Canada, BC is one of the only provinces where paid domestic leave is non-existent. In fact, Manitoba, Ontario, New Brunswick, Saskatchewan, Prince Edward Island, Quebec, Nova Scotia, Newfoundland, and Labrador all have legislative policies that allow victims of domestic violence paid time off.



Ontario, for example, provides five days of paid leave and five days of unpaid leave to survivors. This paid time off is meant to support victims to leave their abusive partner by accessing community resources, making appointments, seeking safety, dealing with the police, seeking legal advice, and getting medical attention.

Momentum for paid leave for survivors is continuing to build across Canada and some progress has already been made. In 2017, Bill M 235 - 2017, which would propose providing leave for BC victims of domestic or sexual violence passed its first reading, however, it needs to be reintroduced to push it forward³. Simultaneously, private employers and institutions can adapt policies to offer paid domestic leave to their employers.

This is way overdue in BC, as paid domestic leave can save lives. It is time for our provincial government to enact policies that provide support for victims of domestic violence by ensuring victims have paid leave.

PROBLEM DEFINITION AND BACKGROUND

According to Statistics Canada, domestic violence is defined as an act of abuse between an individual and a current or former intimate partner⁴. Abuse can be physical, sexual, emotional, or psychological, and may include an act of coercion, stalking, harassment, or financial control⁴.

Domestic violence is a major problem across Canada. In a national population-based survey of 24,000 Canadian participants, more than one-third reported experiencing violence from their intimate partner at some point in their lives⁷. According to Statistics Canada, intimate-partner violence accounted for 30% of all police reported violence, and 80% of victims in these reports were women⁴. This is quite high as most intimate-partner violence is not reported².

It is important to consider how intersectionality plays a role in how racialized women experience domestic violence. For example, racialized women, including Indigenous and migrant women, are more likely to have lower-wage jobs where their employee rights are often non-existent, and they experience chronic unemployment³. In fact, racialized women earn 88 cents for every dollar that non-racialized women earn³. However, it is difficult to identify how migrant women are impacted by domestic violence in BC since most surveys and studies are based on individuals who fluently speak English or French⁴. Nonetheless, research does indicate that social exclusion, immigration and sponsorship issues, lack of awareness/information about rights and available services, limited English-language skills and lack of services available in their own language, poverty, and lack of support from their cultural community, can enhance the vulnerability of migrant women³. These are illustrated in the government's spousal sponsorship programs and the recent murders and serious assaults of South Asian women in BC. Aboriginal women in BC also continue to be vulnerable⁴. A study in 2010 indicated that BC had the highest recording of missing or murdered Aboriginal women in Canada⁴. A survey in 2004 demonstrated that 25% of Aboriginal women reported being victims of domestic violence, and they are three and a half times more likely to experience violence than non-Aboriginal women⁴. Therefore, overall policies and services for victims must cater and reflect the diversity of women.

Evidently, domestic violence is a critical issue for women across Canada requiring a holistic societal response and intervention. This is why employment and workplace policies/laws should be an integral part of community and government strategy, to break the cycle of domestic violence and empower women to keep themselves and their children safe.

The interconnections between violence and workplace are multifold. The first Canadian survey on domestic violence in the workplace, conducted by Western University and the Canadian Labour Congress, indicated that 75% of victims of domestic violence felt they had a difficult time concentrating on their work and 53% felt that their job performance was negatively impacted⁷. This is because women who are experiencing violence often face threatening behaviour, including physical violence and abuse such as stalking, threatening, and intimidation by their

perpetrators at their workplace also causing absences and tardiness⁵. For example, some of the women who I work with have disclosed to me that their partners have attempted to prevent them from attending work or caused them to be late by refusing to care for children, inflicted physical injuries, prevented them from sleeping, and hidden car keys. Similar reasons have also been well-documented in literature. For example, one in five women reported that their abusers explicitly affected their ability to get to work⁵. Often, employers respond to domestic violence by firing the victim; alternatively, victims, not realizing that they could ask for support at work, feel forced to quit². This cycle continues, negatively impacting both the workplace and the women.

Furthermore, victims of domestic violence frequently suffer from mental-health conditions including post-traumatic stress disorder, depression, and anxiety disorders which may cause them to miss work or use sick time⁶. As well, surveys have reported that women often miss work due to physical injuries such as visible bruising inflicted by their perpetrators⁸. These reasons collectively contribute to research demonstrating that women impacted by domestic violence have lower personal incomes and an increase in disrupted work history as they are more often in casual or part-time roles⁷. This ultimately burdens a woman's work performance and leads to sick leaves and changing of jobs, also impeding a woman's career development⁵.

However, ensuring that women who are victims of domestic violence have steady employment is important for several reasons. Firstly, employment is important for reducing isolation, developing self-esteem, confidence, and self-worth in victims³. As well, women with disrupted work history are more likely to go on income assistance, and women on income assistance are more likely to experience domestic violence and stay in an abusive relationship². Therefore, preventing this cycle will not only help women but also help reduce public costs. In addition, financial independence is key for women attempting to leave an abusive relationship as financial control and dependence are two of the main reasons women fall back to the hands of their abusers and become trapped in a cycle of violence⁷.

This is Why a Supportive Work Environment and Paid Leave Would Help Women

Employers can minimize the negative consequences of domestic violence by adapting policies such as paid leave, training employees/supervisors about domestic violence as a workplace issue, holding a woman's job for them when she leaves, providing flexible working hours, and offering a list of resources for victims⁵. However, for the purpose of this policy ask, I will be focusing on paid domestic leave as I believe paid domestic leave will inevitably lead employers and employees to learn about the effects of domestic violence, and provide complementary support systems and interventions to victims.

POLICY AND LEGISLATION RECOMMENDATION

In 2004, the Philippines was the first country to pay for domestic-violence leave followed by Australia, where paid leave for domestic violence victims began as a policy with unions, and eventually became legislation in 2019⁷. These countries successfully illustrate a systemic response to a public crisis. In Canada, certain provinces also have progressive policies that challenge the status quo of domestic violence as a personal issue, or a women's issue, under traditional employment law models. For instance, in 2016, with unanimous support, Ontario passed legislation allowing employees to take a job-protected leave of absence if they have experienced domestic or sexual violence⁷. Employees may also take a job-protected leave of absence if their child has experienced domestic or sexual violence. The leave may last for a "reasonable time," and employees will be entitled to receive their regular pay in each calendar year⁷. More specifically, their legislation allows 10 days, and 15 weeks in a calendar year of time off to be taken for specific purposes when an employee or an employee's child has experienced or been threatened with domestic or sexual violence. The first five days of leave taken in a calendar year are paid, and the rest are unpaid. The employee must also be employed for at least 13 consecutive weeks. There are also policies that require employers to maintain confidentiality with respect to all matters related to accessing domestic-violence leave.

While exact eligibility for paid leave varies province to province, most provisions allow time off to seek medical attention, to move, or to seek legal advice or file a police report in connection with domestic violence.

The legislation in Ontario allows women to take domestic or sexual violence leave for the following reasons:

- to get medical care because of an injury or disability caused by the violence
- to get help from what's called a victim-services organization
- to get psychological or other professional counselling
- to move, permanently or for a short time
- to deal with the police or the legal system because of the violence.

In February 2014, the government of BC released the Provincial Domestic Violence Plan addressing violence against women in BC, but since then, despite the momentum for gender equality in BC especially after Women Deliver, the issue has been mainly ignored. In 2017, Bill M 235 – 2017, which proposes amendments to the British Columbia Employment Standards Act providing leave for BC victims of domestic or sexual violence, passed its first reading. However, this bill will not progress unless it is reintroduced into the legislative assembly.

While BC waits for amendments in its labour code, companies and institutions can begin to adapt progressive policies that address domestic violence by providing paid domestic leave. A recent survey indicated that 66% of executives and 75% of human resource directors ranked domestic violence as a high-security concern and believed the workplace should help address it⁸. These beliefs can turn into action by establishing policies such as paid domestic leave to address the impact of domestic violence at work. For example, the Yukon Teachers' Association has successfully negotiated special leave for victims of domestic violence and The Canadian Union of Postal Workers (CUPW) has created stewards specialized in domestic violence to help support victims⁷. Most recently, the federal government passed legislation allowing federally regulated workers who are survivors of domestic violence to take 10 days off – five of those days paid and five unpaid. These examples illustrate that even though legislation has not currently passed, paid domestic leave can be a reality in major educational institutions, corporations, unions, and other employers.



CONCLUSION

In Canada, domestic violence continues to be a significant barrier to women's full participation in society. BC is one of the only provinces that does not provide paid leave for victims of domestic violence. Women should not be penalized at work when they are victimized at home. A few paid days off from work can change, or even save, lives. My clients' stories are illustrative of how paid domestic leave would benefit their lives and their families. One woman explained to me that if she just had a few days off to find a new home, she would have left her extremely abusive partner sooner—not while she was pregnant and desperate. Paid domestic leave allows victims take the time in order to take steps they need to keep themselves and their children safe.

BC must step up in legislation that assists survivors of domestic violence **to make paid leave for domestic violence survivors a reality for all workers.**

The next step to make paid domestic leave a reality in BC is to encourage a member of the legislative assembly to reintroduce Bill M 235 – 2017. This can be done in conjunction with releasing a provincial-wide campaign to end violence against women. This campaign can increase funds and supports for women fleeing violence, raise awareness about the issue of domestic violence through training programs and media campaigns and monitor, as well as evaluate, the use of paid domestic leave by victims. Through these coordinated efforts, the province of BC can help end the most-common killer of women around the world: domestic violence.

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ABOUT VANCOUVER FOUNDATION

Vancouver Foundation is Community Inspired. We are a community foundation that connects the generosity of donors with the energy, ideas, and time of people in the community. Together, we've been making meaningful and lasting impacts in neighborhoods and communities since 1943. We work with individuals, corporations, and charitable agencies to create permanent endowment funds and then use the income to support thousands of charities. We recognize that communities are complex and that collaboration between multiple stakeholders is needed to help everyone thrive and evolve. Vancouver Foundation brings together donors, non-profits and charities, government, media and academic institutions, local leaders, and passionate individuals to build meaningful and lasting change in the province of British Columbia. We see young people, their voices and experiences as part of that vision to building meaningful change.



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