

Service Provides for victims of domestic violence, intimate partner violence or sexual violence

Effective November 1, 2019, the *Employment Standards Act* provides up to three days of paid leave and up to an additional seven days of unpaid leave to employees for domestic violence, intimate partner violence or sexual violence leave.

What is my role as a service-provider?

If you provide services to victims of domestic violence, intimate partner violence or sexual violence, you may be asked to provide written evidence for an employee who requires time off work to address the consequences of the violence.

Employees can use the leave for themselves for certain specified purposes. Employees can also use the leave if they need to accompany a minor child, or an individual for whom the employee is a primary caregiver, for one of more of the specified purposes.

Who can provide written evidence of the need for the leave?

The following individuals are able to provide written evidence to employees, to give to their employers, verifying the employee's need for the leave:

- a social worker
- a psychologist or psychological associate
- a medical practitioner
- a registered nurse or nurse practitioner
- a member of a police service
- a person who provides victim services pursuant to the *Victims of Crime Act*
- community elder, spiritual counsellor or counsellor who is providing culturally specific services to the victim

However, an employer may also accept written evidence from any other person they deem acceptable.

What can an employee use the leave for?

Employees can use the leave for themselves, or to accompany a minor child or individual for whom they are a primary caregiver, for one or more of the following purposes:

- to seek medical attention for a victim with respect to a physical or psychological injury or disability caused by domestic violence, intimate partner violence or sexual violence
- to obtain services from a victim services organization
- to obtain psychological or other professional counselling for a matter related to or arising from domestic violence, intimate partner violence or sexual violence
- to relocate temporarily or permanently for a reason related to or arising from domestic violence, intimate partner violence or sexual violence
- to seek legal or law enforcement assistance, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from the domestic violence, intimate partner violence or sexual violence

- to comply with child protection interventions and participate in child protection case planning or related activities
- for any other purpose related to or resulting from the domestic violence, intimate partner violence or sexual violence, that requires the attendance of the employee during the employee's regularly scheduled workday.

What do I do if I'm asked to provide written evidence to verify an employee's need to use the leave?

The written evidence should:

- identify who you are and your profession
- be addressed to the employer
- identify the employee
- indicate that the employee requires time off work under the domestic violence, intimate partner violence and sexual violence leave

What are the rules around confidentiality?

Employers must maintain the confidentiality respecting all matters related to the leave used by the employee. Employers are permitted to disclose information related to the leave as required under the *Child Protection Act* or *Adult Protection Act*. Employers may also disclose information if they have the consent of the employee to whom the leave relates.

If necessary, an employer can also disclose information related to the leave to another employee or agent of the employer *only* if that employee or agent requires the information to carry out their duties. The other employee or agent to whom information is disclosed is similarly required to maintain confidentiality.