

# Domestic Violence Policy

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## 1. POLICY STATEMENT

Domestic violence is a public concern that affects employees in the community and the workplace. In addition to its multiple negative consequences for victims, domestic violence can spill over into the workplace, compromising the safety of both victims and co-workers. ABC is committed to working with its employees to foster a safe and supportive workplace for all staff.

The purpose of this policy is to identify and prescribe practices that will promote safety in the workplace and respond effectively to the needs of victims of domestic violence, thus helping to secure the fundamental human right to be free from domestic violence.

## 2. DEFINITIONS AND APPLICABILITY

**Domestic Violence:** Domestic violence is sometimes also called family violence or abuse, and can be generally defined as the attempt, act, or intent of someone within a relationship – where the relationship is characterized by intimacy, dependency or trust – to intimidate either by threat or by the use of physical force on another person or property. The purpose of domestic violence is to control and/or exploit through neglect, intimidation, inducement of fear or by inflicting pain. Abusive behaviour can take many forms, including verbal, physical, sexual, psychological, emotional, spiritual, and economical, and the violation of rights. All forms of abusive behaviour are ways in which one human being is trying to have control and/or exploit or have power over another.

**Perpetrator:** An individual who uses a pattern of coercive tactics, which can include physical, psychological, sexual, economic, and emotional abuse, including threats of abuse, against an intimate partner, with the goal of establishing and maintaining power or control over the intimate partner.

**Intimate Partner:** Persons of all gender identities and sexual orientations who are or were legally married to one another or who have a child together, or who are or were in an intimate relationship, including but not limited to couples who have dated, who live together or have lived together.

Persons covered by this policy include ABC full and part-time employees, interns, contractors, volunteers, or temporary workers in any workplace location.

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### 3. VICTIMIZED EMPLOYEE ENTITLEMENTS

ABC employees who experience the effects of domestic violence are encouraged to utilize any or all of the following entitlements:

#### 3.1 Job Protected Leave

**3.1.1** In accordance with the Alberta Employment Standards, ABC employees who experience the effects of domestic violence and who have been employed with ABC for at least 90 days may be granted up to 10 days unpaid, job-protected leave for every calendar year. This leave is granted for the purpose:

- To seek or obtain medical care for physical or psychological injury caused by domestic violence
- To seek counseling or legal support related to the experience of domestic violence
- To secure housing or to relocate (temporarily or permanently) as required due to the experience of domestic violence
- To attend court proceedings, including for purposes of obtaining a protective order or for child custody proceedings, as required due to the experience of domestic violence
- To address other issues directly related to the employee's experience of domestic violence

**3.1.2** Reinstatement: Upon return from leave under this policy, the employee will be returned to the position he or she held when the leave began or to an equivalent position. Use of leave under this policy will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

**3.1.2** Notice: Except in cases of imminent danger to the health or safety of the employee or family member, employees must give the employer notice as soon as is reasonable before taking a leave.

#### 3.2 Use of Paid Leave

Domestic violence leave stated in this policy is unpaid. However, employees who are entitled to paid leave may choose to use accrued sick leave, vacation days, personal days, and compensatory time off while taking domestic violence leave.

#### 3.3 Use of Employee Benefits Programs

Employees who experience the effects of domestic violence are encouraged to use Employee and Family Assistance Program (EAP) or other employee health benefits programs for counselling or treatment purposes, if eligible.

When accessing EAP or other counselling programs, employees are encouraged to request

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counsellors who have specialized training in domestic violence.

## **4. ABC RESPONSIVE ACTIONS FOR VICTIMIZED EMPLOYEES**

### **4.1 Protective Actions**

It is recognized that domestic violence victims often remain silent out of shame and fear. ABC encourages employees who experience domestic violence to report it to their supervisors or to HR staff to seek protection and ensure safety for themselves and their co-workers.

As part of protective actions for victimized employees and others in the workplace, ABC will work with the employee to develop a personal as well as workplace safety plan. This plan will be individualized to the circumstances reported but may include elements such as:

- 4.1.1** Call screening, new phone number, e-mail blocking, removal of employee contact information from public directories.
- 4.1.2** Additional security measures may include:
  - Never assigning a cleaning service where victims would work alone. Victimized employees should always be accompanied by others.
  - Relocating the victim employee to work in more secure locations, such as those with a secured entrance facility, a lockbox and/or alarm system, or preferably facilities with 24-hour security guards.
- 4.1.3** May provide alternative work arrangements (such as adjusting start and finish time to a less predictable work pattern).
- 4.1.4** Properly document any report of domestic violence.

### **4.2 Supervisors, Managers and/or Human Resources Responsibilities**

ABC recognizes that people in positions of authority, such as supervisors, manager, and HR staff, have unique responsibilities associated with this policy. They include the following:

- 4.2.1** Understand and uphold the principles of this policy.
- 4.2.2** Ensure this policy is distributed and explained clearly to all employees and new hires, and if necessary, translate into other languages to be easily understood by newcomer employees whose English is their second language. Regularly communicate reminders of the policy to employees.
- 4.2.3** Domestic violence affects people regardless of race, ethnicity, class, sexual and gender identity, religious affiliation, age, immigration status, and ability. It is recognized that some victims of domestic violence may experience the abuse in culturally specific ways. Supervisors and HR staff should be knowledgeable of and consider the cultural background and unique issues the victim and their families

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face, respect their values and avoid making assumptions to tailor their support to the employee's needs.

- 4.2.4 Be aware of observable signs or behaviours that may suggest that domestic violence is affecting an employee. (Please refer to the following websites for warning signs of domestic violence <https://ciwaresources.com/ciwaesaviw/> and <http://www.humanservices.alberta.ca/documents/PFVB1102-family-violence-and-the-workplace.pdf>).
- 4.2.5 Provide informed and supportive responses to employees experiencing or witnessing domestic violence in the workplace. Make these employees aware of resources that are available to assist them. A list of resources can be found at <https://ciwaresources.com/ciwaesaviw/>.
- 4.2.6 Be aware of observable signs of abusive behaviours that may suggest that an employee is abusive at home. A list of resources can be found at <https://ciwaresources.com/ciwaesaviw/>.
- 4.2.7 Take appropriate corrective and/or disciplinary actions to address instances in which an employee uses workplace resources to perpetrate domestic violence.

#### **4.3 Employee Education, Training, and Resources on Domestic Violence**

- 4.3.1 ABC shall post digital information about domestic violence in different languages on ABC intranet or shared drive, and/or disseminate this information in hard copies, in places where employees can obtain it without having to request it or be seen removing it, such as in private areas of restrooms, lounge areas, and lunch sites. This information shall include available sources of assistance and the names and contact information of the appropriate human resources personnel who are trained and available to serve as confidential sources of information, support, and referral.
- 4.3.2 ABC shall conduct domestic violence awareness activities such as “lunch and learn” and other health and wellness programs on an annual basis.
- 4.3.3 All managers and human resource employees shall participate in trainings on domestic violence and will make training on domestic violence available to all staff and encourage staff members to attend these trainings.
- 4.3.4 Training materials shall be integrated into the existing training programs of ABC.

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## 5. CONFIDENTIALITY

Managers, Supervisors and/or the HR staff will respect the confidentiality of the employee who reports domestic violence, informing other employees on a need-to-know basis only, and only to the extent necessary to protect safety and comply with legislative requirements. ABC will keep confidential all information disclosed by the victim employee, including leave requests under this policy and, will not disclose such information unless disclosure is:

- Requested or consented to, in writing, by the employee
- Ordered by a Provincial or Federal Court Judge
- Otherwise required by Provincial or Federal law
- Required in the course of a law enforcement investigation
- Necessary to protect the safety of the employee or other members of ABC

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