



living wage for families campaign

Work should lift you out of poverty, not keep you there

Living Wage for Families Campaign Submission on Domestic and Sexual Violence Leave in BC

Submitted by Halena Seiferling, Campaign Organizer
info@livingwageforfamilies.ca
604 975 3347

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322 - 312 Main St, Vancouver, BC V6A 2T2 604.475.3347 info@livingwageforfamilies.ca livingwageforfamilies.ca

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Situated on the ancestral, traditional and unceded territories of the x̣ʷməθḳwəỵ'əm (Musqueam), Skwxwú7mesh (Squamish), and sel'íl'wítulh (Tseil-waututh) Nations.

The Living Wage for Families Campaign aims to end working poverty in BC. The Campaign certifies Living Wage Employers that pay their staff and contractors a living wage, and advocates for complementary government policies that would help families make ends meet.

The Living Wage for Families Campaign was established in 2008. Since then, in partnership with the Canadian Centre for Policy Alternatives we calculate annually the living wage in Metro Vancouver, and we also support over 15 communities across BC in calculating their local living wages. To date, we have certified more than 150 Living Wage Employers, impacting over 20,000 direct staff, countless contracted workers, and their families. Certified employers include local governments like the City of Vancouver and large companies like Vancity Credit Union.

As an organization concerned with fair opportunities and employment standards for workers, we advocate for comprehensive and protected workplace supports. This includes paid leave in cases of domestic and sexual violence such that workers can prioritize the health and safety of themselves and their families.

Background

Domestic and sexual violence is not an individual problem – it is a societal issue that affects us all. According to recent data from Statistics Canada, Intimate Partner Violence (IPV) represented 30% of violent crimes reported to police across the country in 2017.¹ The data further shows that IPV significantly affects working-age Canadians, as nine out of ten IPV cases reported to police in 2017 were done so by survivors aged 15 to 54.²

Domestic and sexual violence is a gendered and racialized issue, disproportionately affecting the most vulnerable among us. For example, 80% of police-reported IPV survivors in 2017 were female, and Indigenous women are more likely to experience spousal violence.³ Women in rural areas are at the highest risk of IPV as of 2017, with rural IPV rates 1.7 times higher than in urban areas⁴; accessing services, housing, and other needs in cases of IPV are likely more difficult in rural areas.

Having paid leave is about more than taking time off in a difficult period. As noted by the Canadian Labour Congress, “[w]hen victims of violence know their job and income are secure, they may feel more confident about seeking help. Paid leave means that people have access to time off to do things like go to court, talk with legal advisors, meet with domestic violence counsellors, find childcare or do other tasks

¹ Burczycka, M.& Conroy, S. (2018). "Family violence in Canada: A statistical profile, 2016." Juristat, Canadian Centre for Justice Statistics, Statistics Canada, Catalogue no. 85-002-X. Retrieved from <https://www150.statcan.gc.ca/n1/en/pub/85-002-x/2018001/article/54978-eng.pdf?st=cJZs0Vj4>

² Ibid.

³ Government of Canada. (2018). *Family violence: How big is the problem in Canada?* Retrieved from <https://www.canada.ca/en/public-health/services/health-promotion/stop-family-violence/problem-canada.html>

⁴ Burczycka, M.& Conroy, S. (2018). "Family violence in Canada: A statistical profile, 2016." Juristat, Canadian Centre for Justice Statistics, Statistics Canada, Catalogue no. 85-002-X. Retrieved from <https://www150.statcan.gc.ca/n1/en/pub/85-002-x/2018001/article/54978-eng.pdf?st=cJZs0Vj4>

that may need to take place during working hours.”⁵ These issues are likely exacerbated for those in low-wage jobs who may struggle to find services that suit their works schedules, to have discretionary income available for emergencies, or to be able to take unpaid time away from a job.

In responding to this issue, BC is behind the curve. Some jurisdictions like New Zealand and the Philippines provide ten days of paid leave in cases of domestic and sexual violence⁶, and other provinces in Canada including Saskatchewan, Manitoba, Ontario, and New Brunswick offer five days of paid leave along with varying amount of additional unpaid leave, up to ten days in Manitoba.⁷ British Columbia currently provides zero days of paid leave and ten days of unpaid leave.⁸

We therefore strongly urge the provincial government to implement the following recommendations for British Columbia. Our recommendations align with those of other organizations including the BC Employment Standards Coalition, of which we are a member, and the BC Federation of Labour.

Recommendations

1. Protect at least ten days of paid leave under the *Employment Standards Act* for workers who are experiencing domestic or sexual violence, to be taken consecutively or intermittently, in order to give survivors sufficient time to seek the supports they need. Retain the existing provision of up to 15 weeks additional unpaid leave.
2. Ensure that this leave is standalone, not combined with other types of leave (e.g. folded into an existing type of leave such as personal or sick time).
3. Remove the burden of proof that survivors must provide to their employer. The existing language around proof is too ambiguous and leaves too much discretion to employers, and workers' privacy and safety may be put at risk if they must divulge personal details to their employer. This is a serious and deeply personal matter, and requiring proof not only assumes that workers are dishonest but also adds an additional, unnecessary barrier before these survivors can seek supports.
4. Ensure there is no minimum length of service requirement before a worker can claim domestic and sexual violence leave, recognizing that the ability to access services and supports should not be dependent upon time spent with a given employer.

⁵ Canadian Labour Congress. (2019). *Model language for collective agreements*. Retrieved from <https://canadianlabour.ca/issues-research/domestic-violence-work/model-language/>.

⁶ Roy, Eleanor Ange. "A huge win: New Zealand brings in paid domestic violence leave." *The Guardian*, July 26, 2018.

⁷ Canadian Labour Congress. (2019). "Domestic Violence Legislation Comparison." Retrieved from https://canadianlabour.ca/wp-content/uploads/2019/07/Web_Map_EN.pdf

⁸ Ibid.