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Míchumais, Lánpháirtíochta agus Óige
Department of Children, Equality,
Disability, Integration and Youth

Domestic Violence Leave Report and recommendations

Table of Contents

1	Introduction	3
2	Background	4
	2.1 Domestic Violence - the Shadow Pandemic	4
3	Targeted Consultation Process	5
	3.1 Overview	5
	3.2 List of Stakeholder Groups Consulted	6
	3.3 List of Submissions Received	6
	3.4 Questions provided to guide consultations and submissions.....	8
	3.5 Summary of Key Issues Raised.....	9
4	Comparative Analysis of International Research on Domestic Violence Leave.....	12
5	Recommendations	14
	5.1 Workplace policies and supports.....	14
	5.2 Statutory domestic violence leave.....	15
6	Appendix 1	18
	6.1 Comparative Table of Domestic Violence Leave in 12 Jurisdictions.....	18

1 Introduction

The *Programme for Government: Our Shared Future*, published on 29 October 2020, recognises the pervasive nature of domestic, sexual and gender-based violence (DSGBV) and its profound impact on the safety and wellbeing of those affected. It contains a number of commitments aimed at addressing these issues, often described as an epidemic, including the commitment to ‘investigate the provision of paid leave and social protection provision to victims of domestic violence’.¹

On 8 December 2020, the Private Members Bill on the Organisation of Working Time (Domestic Violence Leave) Bill 2020, put forward by Deputy Louise O’Reilly and Deputy Mary Lou McDonald, progressed through Second Stage in Dáil Éireann. The Bill sought to create a statutory entitlement to 10 days paid leave for employees affected by domestic violence through amendments to the Organisation of Working Time Act 1997, while also extending ‘as a consequence the protection against unfair dismissals conferred by the Unfair Dismissals Acts 1977 to 2017 and to provide for the consequential amendment of certain other enactments, and to provide for related matters’.²

Under Section 23B (3) of the Private Member’s Bill, the leave provision would enable employees affected by domestic violence time ‘to seek medical attention, to obtain services from an organisation providing support services for victims of domestic violence, to obtain psychological or other professional counselling, to relocate his or her place of residence, or to seek or receive legal or law enforcement assistance’.

In response to the Bill, the Government agreed to examine the feasibility of establishing a statutory entitlement to paid domestic violence leave and to provide a report within six months, with legislative proposals to follow within 4 months.

¹ [Programme for Government: Our Shared Future \(2020\)](#), p. 87

² [Organisation of Working Time \(Domestic Violence Leave\) Bill 2020](#)

2 Background

2.1 Domestic Violence - the Shadow Pandemic

The Council of Europe *Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)* defines domestic violence as 'all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim'.³

Research published by the World Health Organisation (WHO) highlights the alarming prevalence of DSGBV globally, with 1 in 3 women worldwide likely to experience physical and/or sexual violence at the hands of an intimate partner or another perpetrator within their lifetime.⁴

Domestic abuse has intensified in Ireland amidst the COVID-19 public health crisis highlighting the need for robust support measures for those affected.⁵ Many factors are thought to be at play, including isolation from established support networks, increased financial hardship due to the pandemic, stress and prolonged close proximity to the perpetrator due to COVID restrictions.

An Garda Síochána reported a 16% increase in calls for assistance due to incidents of domestic violence in 2020, with approximately 43,000 calls for assistance received. 2020 also saw a significant increase (25%) in the number of criminal charges for breaches of court orders.⁶

2.3 Economic Cost

The financial impact of domestic violence can be a contributing factor to women experiencing homelessness, poverty and social exclusion. Financial dependence on the perpetrator can also be a major factor in preventing victims from leaving an abusive situation.

An EU wide survey conducted by the European Union Agency for Fundamental Rights in 2012 found that 31% of employed women in Ireland had experienced psychological violence by a partner since age 15, while 26% of employed women reported experiencing physical and / or sexual violence by a partner or a non-partner since the age of 15.⁷ Support for employees affected by domestic violence, in the form of paid leave, could be crucial in ensuring that they retain their employment and have the economic capacity to escape an abusive relationship.

Research conducted by Safe Ireland and NUI Galway estimates that the economic cost of domestic violence to a survivor in Ireland is €115,790, from the onset of the abuse to their initial recovery.⁸ Furthermore, frequently referenced studies undertaken by the Council of Europe (COE) in 2008 have estimated that the annual cost of domestic violence to Member States is €555 per citizen. In 2008, this figure was projected to the population of Ireland with costs estimated to be in the region of €2.2bn annually⁹. This cost is much higher in 2021.

³ [Council of Europe Convention on preventing and combating violence against women and domestic violence \(Istanbul Convention\), Article 3](#)

⁴ [World Health Organisation \(WHO\), COVID-19 and Violence Against Women \(7 April, 2020\)](#)

⁵ [L&RS Note, Domestic violence and COVID-19 in Ireland \(November 2020\)](#)

⁶ [Breakingnews.ie, Domestic abuse criminal charges up 25% to 7,600 \(26 January, 2021\)](#)

⁷ [European Union Agency for Fundamental Rights, Survey on Violence against Women in EU \(2012\)](#)

⁸ [Safe Ireland, Budget 2020: Investing in our National Ambition for a Safe Ireland \(September, 2019\), p. 5](#)

⁹ [Irish Examiner, Domestic violence costs the country €2.2bn \(30 May, 2008\)](#)

3 Targeted Consultation Process

3.1 Overview

The Department of Children, Equality, Disability, Integration and Youth engaged in a targeted consultation process with relevant stakeholders and social partners on the subject of domestic violence leave and social welfare payment over the period February 2021 to May 2021.

During the consultation process, consideration was given to the scope, purpose and intention of the proposed legislation. Practical considerations were also explored including the terms of the proposed leave, eligibility and evidence requirements.

A consultation took place with service providers and victims' representative groups through the Monitoring Committee of the Second National Strategy on Domestic, Sexual and Gender Based Violence (which falls under the remit of the Department of Justice) in order to ascertain how a scheme of paid leave should operate to address the needs of victims most effectively.

This Department also consulted with social partners, including employer representative groups and trade unions, to get a better understanding of the needs of employees and employers in terms of introducing such leave. These consultations explored the current approach taken by businesses to support employees experiencing domestic violence, ways in which that approach could be strengthened in tandem with the introduction of a statutory entitlement to domestic violence leave, and opportunities to mitigate any potentially negative impacts on business and the workplace.

3.2 List of Stakeholder Groups Consulted

Date	Stakeholder Consultation
16/02/2021	Monitoring Committee of the Second National Strategy on Domestic, Sexual and Gender Based Violence
25/02/2021	Irish Congress of Trade Unions (ICTU)
25/02/2021	The Irish Small & Medium Enterprises Association (ISME)
01/03/2021	Chambers Ireland
04/03/2021	Ibec
18/03/2021	Communication Workers Union (CWU), Financial Services Union (FSU) and Irish Congress of Trade Unions (ICTU)

Further follow-up consultations were conducted in 2022 on the recommendations in this report.

3.3 List of Submissions Received

Written submissions were also invited from interested parties, with a diverse range of submissions received from advocacy groups, social partners and Government Departments and Agencies.

Submissions were also invited through the Government's equality strategy committees which fall under the remit of the Department of Children, Equality, Disability, Integration and Youth in order to gather the unique perspectives and experiences of equality groups, such as migrants, LGBTI+ persons and Travellers and Roma. Views were also sought from the independent Anti-Racism Committee.

Written submissions were received from:

- Health Service Executive
- Department of Agriculture, Food and the Marine
- Department of Social Protection
- Chambers Ireland
- Cairde, Acts of Compassion and Balbriggan Women's Development Group (joint submission)
- Gay Health Network

- Ibec
- ICTU and letter of support for this submission from SIPTU
- Nasc
- Safe Ireland
- Women's Aid

3.4 Questions provided to guide consultations and submissions

Scope

1. How should this paid leave operate to best address the needs of victims?
2. What would be your concerns around implementing a paid leave for domestic violence?
3. What benefits would the introduction of paid leave pose for survivors of domestic violence?
4. How could the leave be utilised to best support victims and what economic activities should be covered by the leave?

Terms of Leave

1. What do you feel would be an appropriate number of paid days' leave?
2. Should provisions be made to allow for additional unpaid leave?
3. How could proof/evidence requirements to an employer be satisfied? What would be considered appropriate and accessible 'proof'?
4. Should the evidence requirement for paid leave be the same as for unpaid leave for domestic violence?
5. What other arrangements could employers implement to support employees (e.g. short-term flexible working arrangements, workplace safety policy)?
6. What other elements should be considered when examining domestic violence leave (e.g. safeguards, workplace safety)?

3.5 Summary of Key Issues Raised

- *Defining Domestic Violence and Domestic Violence Leave*

The importance of defining what falls within the ambit of domestic violence was highlighted, including the nature of the abuse, the relationship of the victim to the perpetrator, whether 'thresholds' would need to be met and clarity on the circumstances under which domestic violence leave could be taken.

- *Terms of Leave*

The proposed 10 days paid leave set out in the Sinn Féin Private Member's Bill was welcomed in many submissions and aligns with legislation in force in New Zealand. However, employer representative groups voiced concerns regarding the economic and wider business implications, such as staff resourcing, for employers in terms of introducing domestic violence leave. Employers also emphasised that allowing year-on-year accrual of domestic violence leave would place a significant burden on the employer with additional challenges posed by the accrual of annual leave during that same timeframe.

A number of submissions stated that notice should be given to the employer in writing as soon as practicable (which may be after the leave has started); and the employee must advise the employer of the period, or expected period, of the leave.

While many of the stakeholders consulted supported an employee's right to request additional unpaid leave, concerns were raised regarding the impact unpaid leave may have on an employee's service and pension and the hidden costs to the employer due to the accrual of other forms of leave.

- *Eligibility*

Employer representative groups called for domestic violence leave entitlements to be drafted in tandem with statutory sick leave entitlements. Suggested options for the qualifying length of service when applying for domestic violence leave included the end of probation or completion of one year of service. It was also suggested that the entitlement should be granted on a pro rata basis to part-time employees.

Many advocacy groups called for the entitlement to domestic leave to commence from the time the employee's contract commences.

- *Flexibility of leave*

Advocacy groups called for flexibility in the way the leave can be taken to include options to take the leave in blocks or intermittently (hours, partial or full days).

- *Proof / Certification*

Victim representative groups called for legislative proposals to be silent on the issue of proof, highlighting the difficulties victims may face in satisfying a proof requirement.

Likewise, employers raised significant concerns regarding the risk and burden to the employer if they are called upon to adjudicate on whether the proof provided is sufficient to warrant leave. Employers suggested an independent certification process.

- *Privacy and GDPR*

Many employers underscored the importance of ensuring the employee's privacy is protected, and that the separation of home and work-life is maintained.

GDPR and privacy related issues were also highlighted in the context of smaller businesses and rural communities where both the victim and alleged perpetrator may be known to the employer.

- *Cost*

Many employer representative groups expressed concerns for the financial and administrative burdens the introduction of paid domestic violence leave may place on the employer. These concerns are heightened by the dearth of available data on the numbers likely to avail of these supports making it difficult for employers to estimate the potential costs.

- *Suggested additional workplace supports*

Advocacy and employee representative groups called for holistic supports for those experiencing domestic violence. Other arrangements suggested to support employees included:

- Bespoke flexible working arrangements, such as short-term, flexible working hours and the possibility of changing hours and shift patterns;
- Remote working or transfer of working location;
- Workplace safety procedures to increase safety in the work place;
- Financial support (e.g. advanced payment of salary);
- Employment protection from dismissal or adverse action if availing of domestic violence leave;
- Clearly defined referral pathways to specialist organisations;
- Targeted training and communications programmes for employers and employees, particularly for those in management and in HR.

- *Additional Considerations*

- Timelines for the introduction of proposals;
- Rights of alleged perpetrator to refute allegations;
- The need for an agreed workplace policy on domestic violence for all employers;

- Reporting obligations and implications for employers who are made aware of domestic violence, particularly where an employee continues to work from home;
- Liability on employers when issues concerning children are involved;
- Whether a positive obligation would be placed on the employer to take steps to prevent domestic violence from occurring in the workplace;
- Grounds for refusal of leave by employers.

4 Comparative Analysis of International Research on Domestic Violence Leave

Countries researched

Italy; France; New Zealand; Australia; Canada (British Columbia, Manitoba, Ontario); USA (California, Massachusetts, Minnesota, District of Colombia); Philippines.

Overview of leave offered

A number of countries have introduced protections and leave options for employees experiencing domestic violence including Italy, New Zealand, Australia, Philippines and a number of states in Canada and the United States.

New Zealand, Australia, Italy, Philippines and several states in Canada offer paid leave options for eligible employees ranging from 5 days (Canada) to 10 days (New Zealand and the Philippines) within a 12-month period. Italy also allows up to 3 months leave for 'those engaged with protection paths related to gender-based violence, duly certified by the services social centres of the municipality of residence or by anti-violence centres or by shelters', which can be taken on a daily or hourly basis.

Australia and several states in the US allow for unpaid leave only. It should be noted that the introduction of statutory entitlements to domestic violence leave is quite a recent development and that the policy is still being settled in some countries. For example, a Private Member's Bill was brought forward in December 2020 in Australia to increase the current entitlement of 5 days unpaid leave to 10 days paid domestic and family violence leave.

In addition to leave options provided, New Zealand, Australia and British Columbia also provide a 'right to request flexible working arrangements'.

Additional supports and protections

All but two of the countries surveyed (Italy and France) have provided for legal employment protection. New Zealand has the most comprehensive protection for employees in their Domestic Violence legislation under Section 108A 'Adverse treatment in employment of people affected by domestic violence'.

Eligibility

In Australia, all employees (private and public sector, self-employed, part-time employees, employees hired on fixed-term contracts and those in precarious employment) hold an entitlement to domestic violence leave if they meet the qualifying criteria. In New Zealand employees need to have worked for an employer for six months. The state legislation differs in Canada with a requirement ranging from an automatic entitlement to a specific length of employment. The US

requirements also differ from state to state ranging from a tiered system of eligibility based on company size to a minimum duration of employment.

Proof Requirement

Italy, France, British Columbia Canada, Ontario Canada and Minnesota USA, do not specify what proof is required. Legislation in New Zealand states that an employer may request proof that a person is affected by domestic violence, however, the law is silent on the evidence an employer should accept. In Australia, an employer can ask for evidence that shows the employee took the leave to deal with family and domestic violence. If the employee is unable to produce the requested evidence, they may not qualify for domestic violence leave.

5 Recommendations

5.1 Workplace policies and supports

Recommendation 1

The consultation process identified the need for domestic violence leave to be integrated into a wider Domestic Violence Employer Policy (DVEP). The DVEP would complement the leave and provide context and support for managers where an employee is experiencing domestic violence.

The Government should support employers in developing DVEPs by developing:

- (i) National templates, guidelines and policies to support the implementation of domestic violence leave.*
- (ii) Resources for employers regarding the treatment of employees affected by domestic violence informed by best practice in workplace policies.*
- (iii) Specialist training to assist employers in responding to employees who have been affected by domestic violence.*

During the course of the consultation process, many stakeholders expressed the view that the introduction of domestic violence leave as a standalone measure could not adequately support the needs of employees experiencing domestic violence.

Employer and employee representative groups called for robust DVEPs to be developed to enable employers to better support employees experiencing domestic violence leave, including workplace safety procedures. In order to ensure uniformity, it is recommended that a national template would be designed by an expert in the field of workplace policies for roll out nationally, accompanied by a multi-lingual awareness campaign.

5.2 Statutory domestic violence leave

Recommendation 2

The Government should legislate for employees affected by domestic violence to avail of a statutory entitlement to 5 days' leave in any period of 12 consecutive months to attend to ongoing matters arising due to domestic violence. The statutory leave will be a form of paid leave and will be distinct from other leave entitlements.

No notice period should apply for availing of domestic violence leave in emergency circumstances, but employees should be encouraged to provide notice where possible.

The leave should be available to be taken as a block of days or as individual days. Employers should retain the right to increase this leave or to offer additional flexibility.

The legislation should be reviewed within two years of its introduction to examine its effectiveness. As part of the review consideration may also be given to increasing the entitlement to 10 days' leave in any period of 12 consecutive months.

Employer representative groups have raised concerns regarding the cost and wider business implications for employers in terms of introducing domestic violence leave.

Accordingly, the Department recommends the introduction of 5 days domestic violence leave in the first instance, which should be reviewed within two years of its introduction. Evidence to inform the review, including uptake on data, will be gathered through a survey of employers and will be linked to the supports for employers on the development of DVEPs.

Domestic violence leave should also be made available to part-time employees on a pro-rata basis.

Employers should retain the right to increase the period of paid leave or provide additional unpaid leave if they so wish.

A key consideration in the introduction of a form of leave for victims of domestic violence is around the financial implications of availing of the leave. A payment of some form would act as an incentive to uptake of any leave as it would ensure that a person availing of the leave would not be financially disadvantaged. As a key component to the leave is to prevent a victim of domestic violence from falling into poverty, and to support them in making alternative arrangements for accommodation, a payment would support this aim. Many of the submissions received highlighted the need for employees to have flexibility to take domestic violence leave in periods of days or hours.

Other jurisdictions have taken different positions on payment for the leave – in Australia, the leave is unpaid (although employers can and do provide payment individually) and in New Zealand there is a payment by the employer, although the employee must have been in employment for six months.

The Programme for Government commitment included consideration of the introduction of a social protection provision to accompany the leave and consultations with the Department of Social

Protection were undertaken. One of the issues to arise during those consultations was that social protection benefits are generally paid on a weekly basis and it was considered that to operate in that way would lessen the flexibility of the leave provision. It was considered that the scheme should be person focused and operate on the principle that the person should not face a loss of income to avail of the leave and that the scheme design should avoid stigmatising use of the leave. To be of most assistance, the leave would need to be available at short notice and without an excessive administrative burden on the person.

It is recommended that the payment should be made by the employer, on a similar basis to *force majeure* leave which will protect the incomes of those using the leave. The burden the introduction of a new form of leave places on employers is recognised and a cap on the level of pay will be provided for to limit the overall cost to employers. Under the proposals, the daily payment from the employer would be 70% of daily salary rate, capped at €110 per day. A minimum rate entitlement will also be set to ensure all workers will receive a reasonable level of compensation. This proposal is modelled on the Sick Leave Act 2022, which is based on 2019 mean weekly earnings of €786.33 which equates to an annual salary of €40,889.16, (weekly salary of €786.33 divided by 5 days multiplied by 70% = €110.08).

Recommendation 3

Employees should qualify for domestic violence leave if they have been subject to an act of domestic violence and require leave to attend to ongoing matters arising due to domestic violence.

It is recommended that the provision of domestic violence leave should enable employees affected by domestic violence to avail of leave to deal with ongoing issues that are not covered by alternative forms of leave, including time to relocate to another residence, or to seek or receive legal or law enforcement assistance.

Recommendation 4

Employers should retain the right to request reasonable proof.

In line with many of the International examples, such as New Zealand, it is recommended that employers should retain the right to request reasonable proof, for example, a letter from a GP or counselling service, or proof of court proceedings. This will also support employers to refuse leave in cases where an employer may have reasonable grounds to believe that an employee is not using the leave for the purpose specified.

Recommendation 5

Employment protections will be provided for under any legislation and employees will have recourse to the Workplace Relations Commission.

It is recommended that management of disputes arising in relation to domestic violence leave should reflect the arrangements in place for *force majeure* and should, therefore, be referred to the Workplace Relations Commission which is best placed to adjudicate on workplace issues. Consultations will be required with the Workplace Relations Commission.

Recommendation 6

The provision of the leave should be reviewed after 2 years to assess issues of uptake.

6 Appendix 1

6.1 Comparative Table of Domestic Violence Leave in 12 Jurisdictions

Country	Leave Type Granted	Legislation / Policy Governing DV Leave	Purpose	Accepted Evidence
Italy	<ul style="list-style-type: none"> • Up to 3 months paid leave based on the same principles established for maternity leave. It can be taken flexibly over a three year period; • Flexibility for leave to be taken on daily/hourly basis; • Right to request part-time working hours if full-time. 	Legislative Decree no. 80, 2015 Article 24; INPS Circular no.65, 2016 (national legislation)	The Act states that women have the right to take leave if they have a 'duly certified gender based protection path' (protection order).	Not specified.
France	Not specified. Employee may abstain from work if they have been a victim of gender-based violence until safety issues have been resolved. Domestic violence is not considered 'workplace issue'	Article L 4141-1 of the French Labour Code	Not specified.	Not specified.
Philippines	<ul style="list-style-type: none"> • Up to 10 days paid leave 	Republic Act No. 9262, also known as the Anti-Violence Against Women and Their Children Law	To tend to medical and legal concerns.	The employee must present to her employer documentation confirming that a court action is pending from the court of relevant jurisdiction, prosecutor or the Clerk of Court .

<p>New Zealand</p>	<ul style="list-style-type: none"> • Up to 10 days paid domestic violence leave - separate from annual leave, sick leave and bereavement leave. Employers can give more than the 10 days required by law. • Statutory right to request short-term flexible working arrangements for up to 2 months. • Entitlement exists even if the domestic violence occurred before the person became an employee. 	<p>Domestic Violence—Victims’ Protection Act 2018</p> <p>(national legislation)</p>	<p>Unspecified (‘for the purpose of assisting the employees to deal with the effects on the employees of being people affected by domestic violence’).</p>	<p>Employers can accept any type of proof that an employee is affected by domestic violence, such as:</p> <ul style="list-style-type: none"> • Documents issued by family violence support service / support organisation or person; • Report from hospital, doctor or nurse; • Report from a school/education provider; • A declaration witnessed by an authorised person like a justice of the peace; • Court/police service issued document.
<p>Australia</p>	<ul style="list-style-type: none"> • Up to 5 days unpaid leave in 12 month period • Statutory right to request short-term flexible working arrangements for up to 2 months. 	<p>Fair Work Amendment (Family and Domestic Violence Leave) Act 2018</p> <p>(national legislation)</p>	<p>Examples include, but are not limited to, "arranging for the safety of the employee or a close relative (including relocation), attending urgent court hearings or accessing police services".</p>	<ul style="list-style-type: none"> • Court/police service issued document; • Documents issued by family violence support service / support organisation or person; • A declaration witnessed by an authorised person like a justice of the peace.
<p>British Columbia, Canada</p>	<ul style="list-style-type: none"> • Up to 5 days paid leave in 12 month period; • Additional 5 days unpaid leave; • Up to 15 weeks of additional unpaid leave which can be taken intermittently (hours, partial or full days). Flexible working arrangements 	<p>Employment Standards Act - Leave Respecting Domestic or Sexual Violence - Act Part 6, Section 52.5</p> <p>(State legislation)</p>	<p>(a) to seek medical attention for the employee or eligible person in respect of a physical or psychological injury or disability caused by the domestic or sexual violence;</p> <p>(b) to obtain for the employee or eligible person victim services or other social services</p>	<p>Evidence not clearly defined. All employees are entitled to up to 5 days of paid leave and 5 days of additional unpaid leave to seek medical attention, counselling or other social or psychological services, or legal advice, or to seek</p>

			<p>relating to domestic or sexual violence;</p> <p>(c) to obtain for the employee or eligible person psychological or other professional counselling services in respect of a psychological or emotional condition caused by the domestic or sexual violence;</p> <p>(d) to temporarily or permanently relocate the employee or eligible person or both the employee and eligible person;</p> <p>(e) to seek legal or law enforcement assistance for the employee or eligible person, including preparing for or participating in any civil or criminal legal proceeding related to the domestic or sexual violence;</p> <p>(f) any prescribed purpose.</p>	<p>new housing if they or an eligible person has experienced domestic violence.</p>
<p>Manitoba, Canada</p>	<ul style="list-style-type: none"> • Up to 5 days paid leave (consecutive or intermittent) in a 52 week period; • An additional 5 days unpaid leave (consecutive or intermittent) in a 52 week period; • Up to 17 weeks in a 52 week period in one continuous period. 	<p>The Employment Standards Code</p> <p>(State legislation)</p>	<p>Employees can use domestic violence leave to:</p> <ul style="list-style-type: none"> • seek medical attention for themselves or their minor child for a physical or psychological injury or disability caused by the domestic violence, • to obtain services from a victim services' organization, to obtain psychological or other professional counselling • to temporarily or 	<p>Not specified.</p>

			<p>permanently relocate to a safe place,</p> <ul style="list-style-type: none"> • to seek legal help or law enforcement assistance, including participating in any civil or legal proceeding related to the domestic violence. 	
<p>Ontario, Canada</p>	<ul style="list-style-type: none"> • Up to 5 days paid leave (consecutive or intermittent) for domestic or sexual violence in a 52 week period; • An additional 5 days unpaid leave (consecutive or intermittent) in a 52 week period; • Up to 15 weeks in a 52 week period in one continuous period. 	<p>Bill 177, Domestic and Sexual Violence Workplace Leave, Accommodation and Training Act, 2016</p> <p>(State legislation)</p>	<ul style="list-style-type: none"> • To seek medical attention for the employee or the child of the employee because of a physical or psychological injury or disability caused by the domestic or sexual violence • To access services from a victim services organization for the employee or the child of the employee • To have psychological or other professional counselling for the employee or the child of the employee • To move temporarily or permanently • To seek legal or law enforcement assistance, including making a police report or getting ready for or participating in a family court, civil or criminal trial related to or resulting from the domestic or sexual violence 	<p>Not specified.</p>

<p>California, United States</p>	<ul style="list-style-type: none"> • Unpaid leave available for unspecified duration. Employer must give the employee sufficient time to obtain the relief. • Right to request changes in the workplace for safety reasons (including a transfer, reassignment, modified schedule, changed work telephone, changed work station, installed lock, assistance in documenting domestic violence, sexual assault, stalking, or other crime that occurs in the workplace, an implemented safety procedure, or another adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, stalking, or other crime) 	<p>Domestic violence, sexual assault and stalking victim leave;</p> <p>California Labor Code Section 230</p> <p>(State legislation)</p>	<ul style="list-style-type: none"> • To seek medical attention for injuries caused by crime or abuse. • To obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of the crime or abuse. • To obtain psychological counseling or mental health services related to an experience of crime or abuse. • To participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation. 	<ul style="list-style-type: none"> • A police report indicating that the employee was a victim. • A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court. • Documentation from a licensed medical professional. • Any other form of documentation that reasonably verifies that the crime or abuse occurred.
<p>Massachusetts, United States</p>	<ul style="list-style-type: none"> • 15 days of unpaid leave during a 12 month period. An employee must exhaust all available leave before the employee may take advantage of this leave. • Employer has discretion to determine whether 	<p>Section 52E: Leave from work when employee or family member of employee has been victim of abusive behavior</p> <p>(State legislation)</p>	<ul style="list-style-type: none"> • To seek or obtain medical attention, counselling, victim services or legal assistance; • To secure housing; obtain a protective order from a court; appear in court or before a grand jury; • To meet with a district attorney or other law 	<ul style="list-style-type: none"> • A protective order, order of equitable relief or other documentation issued by a court; • A document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance

	leave is paid or unpaid		<p>enforcement official;</p> <ul style="list-style-type: none"> • To attend child custody proceedings or address other issues directly related to the abusive behaviour against the employee or family member of the employee 	<p>as it relates to the abusive behaviour against the employee or the employee's family member;</p> <ul style="list-style-type: none"> • A police report or statement of a victim or witness provided to police, including a police incident report, documenting the abusive behaviour complained of by the employee or the employee's family member; • Documentation that the perpetrator of the abusive behaviour against the employee or family member of the employee has: admitted to sufficient facts to support a finding of guilt of abusive behaviour; or has been convicted of, or has been adjudicated a juvenile delinquent by reason of, any offense constituting abusive behaviour and which is related to the abusive behaviour that necessitated the leave under this section • Medical documentation of treatment as a result of the abusive behaviour complained of by the employee or employee's family member.

				<ul style="list-style-type: none"> • A sworn statement provided by a counsellor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee or the employee's family member in addressing the effects of the abusive behaviour. • A sworn statement from the employee attesting that the employee has been the victim of abusive behaviour or is the family member of a victim of abusive behaviour.'
Minnesota, United States	<ul style="list-style-type: none"> • Leave is unpaid and the period unspecified. Can be taken as holidays, sick leave or as other PTO (paid time off) options available. 	Sec. 181.9413 MN Statutes	<p>Employees who have been (or whose family member has been) the victim of domestic violence may take leave to obtain or attempt to obtain a harassment restraining order or an order for protection relating to a domestic abuse situation.</p>	<ul style="list-style-type: none"> • A signed document from a health care provider affirming the illness of the employee; • A police report indicating that the employee was a victim of stalking, domestic violence, or sexual abuse; • A court order; or • A signed statement from a victim and witness advocate, or domestic violence counsellor, affirming that the employee is involved in legal action related to stalking, domestic violence, or sexual abuse.

<p>District of Columbia, United States</p>	<ul style="list-style-type: none"> • Entitlement to paid leave based on time worked and company size. • Up to 3, 5 or 7 days based on the number of employees within the company. 	<p>Accrued and Sick Safe Leave Act of 2008</p> <p>(State legislation)</p>	<p>(A) Seek medical attention for the employee or the employee's family member to recover from physical or psychological injury or disability caused by domestic violence or sexual abuse; (B) Obtain services from a victim services organization; (C) Obtain psychological or other counseling; (D) Temporarily or permanently relocate; (E) Take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from the domestic violence or sexual abuse; or (F) Take other actions to enhance the physical, psychological, or economic health or safety of the employee or the employee's family member or to enhance the safety of those who associate or work with the employee.</p>	<ul style="list-style-type: none"> • A signed document from a health care provider affirming the illness of the employee; • A police report indicating that the employee was a victim of stalking, domestic violence, or sexual abuse; • A court order; or • A signed statement from a victim and witness advocate, or domestic violence counsellor, affirming that the employee is involved in legal action related to stalking, domestic violence, or sexual abuse.
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