

FOR A HEALTHY WORK ENVIRONMENT  
FREE FROM VIOLENCE AND HARASSMENT

INFORMATION GUIDE

# Domestic Violence



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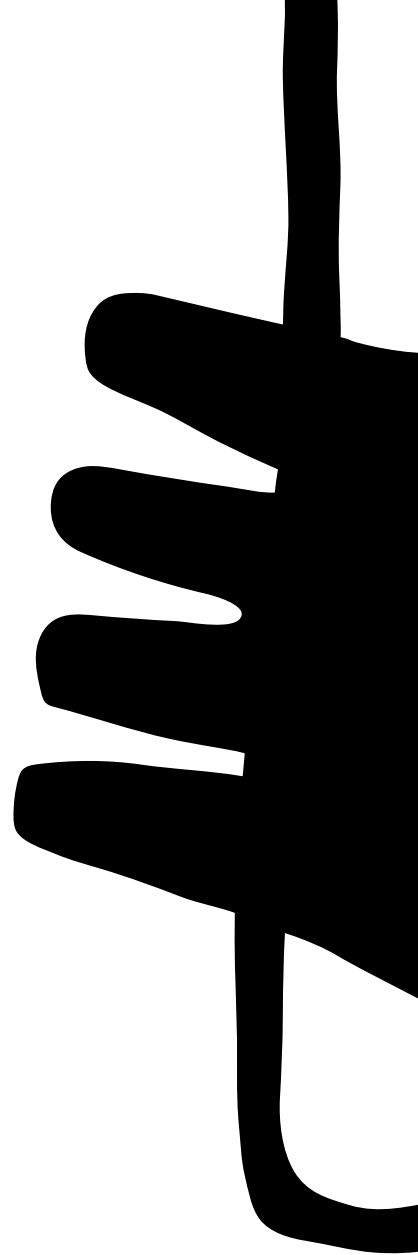
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## INTRODUCTION

For decades, the CSN has been working to equip its affiliated unions to help them handle issues related to violence and harassment at work. This ongoing concern has led us to produce several documents to help support unions in their union action on these issues. This guide focuses on domestic violence. Its main objectives are raising collective awareness about the impacts this form of violence has in workplace contexts and ensuring this kind of violence is addressed.<sup>1</sup>

### The personal is political

The famous slogan of the 1970s women's movement "*the personal is political*" is particularly meaningful in our union approach. We cannot invoke privacy to avoid interfering in matters of domestic violence in the work environment. This kind of violence cannot get a free pass for its private nature; we cannot ignore its effects, which reach into the workplace. We need to collectively recognize the different types of violence against women and act to finally put an end to them.

As a union, we must commit to supporting individuals, the overwhelming majority of whom are women, who experience domestic violence. Our colleagues who are facing these kinds of difficulties need to feel supported by the entire community, including their union. By developing collective actions that focus on opposing violence in the workplace in all its forms, we are acting to make workplaces safer for everyone.

The CSN is adding its voice to the call from the Regroupement des maisons pour femmes victimes de violence conjugale, which is involved in an extensive awareness-raising campaign entitled *Milieux de travail alliés contre la violence conjugale*. This campaign invites both employers and unions to mobilize and implement measures in the workplace that protect victims of domestic violence and raise awareness about this issue among members.



# **An Issue Involving Everyone**

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The reflections and struggles of the feminist activists of the 1970s allowed Quebec society to evolve. Previously considered a strictly private matter, domestic violence gradually became seen as a social and public issue with a devastating impact on Quebec as a whole. After adopting a series of government policies on this matter, the Quebec government adopted its *Politique d'intervention en matière de violence conjugale* [Domestic violence intervention policy] in 1995, following a broad consultation involving various government, community, academic, and association-based stakeholders. This policy's goal was to propose an approach that would be “global, consistent, complementary, and coordinated on the part of all stakeholders called on to take action against domestic violence.”<sup>2</sup>

If we are going to act to tackle this issue, it is important that we define domestic violence and understand the way it occurs and the various impacts it has on those who experience it.



## Definition

In its policy, the Quebec government defines domestic violence as follows:

Domestic violence is characterized by a series of repetitive acts, usually of increasing frequency and intensity. Specialists refer to this progression as the “cycle of violence” (or sometimes “spiral of violence”). In the person committing the abuse, it proceeds according to a defined cycle, through successive phases marked by mounting tension, abuse, rationalization, reconciliation and a calm period. For the victim, these phases correspond to fear, anger, a feeling of responsibility for the violence and, lastly, the hope that the situation will improve. [...] [N]ot all of these phases are always present and they do not necessarily follow that order. Domestic violence includes psychological, verbal, physical and sexual abuse as well as acts of financial domination. It is not the result of a loss of control, but is rather a means chosen to dominate another person and assert one's power over that person.<sup>3</sup>

The actions of those perpetrating the abuse are characterized by coercive control; their behaviour denies their victims freedom and autonomy, takes away their sense of self, leads to fear, and prevents them from doing what they wish or forces them to take actions they do not wish to take.<sup>4</sup> Perpetrators adopt various types of behaviour to control their partners or ex-partners and may engage in physical, psychological, emotional, verbal, financial, or sexual abuse towards them. With the development of digital technology, geolocation systems and social networks have become new ways for perpetrators to continue to stalk and control their victims from afar.



In Quebec, we mostly use the term “domestic violence” to describe violence that occurs in intimate relationships. However, other expressions are also used to refer to this type of violence: family violence, conjugal violence, and intimate partner violence. Please note that in this guide, “domestic violence” refers to violence that an individual commits against a partner in a conjugal or common-law relationship, whether the partners live together or not, and includes relationships between adolescent partners. Domestic violence can occur at any stage of life.



## Prevalence

While men can be victims of domestic violence, the most severe forms of violence are twice as likely to be committed against women. According to Quebec police data, women represent 80% of domestic violence victims.<sup>5</sup> Domestic violence exists in all cultures and segments of the community and is a universal social problem. Although there have been few studies that have focused on the prevalence of domestic violence in populations that are considered to be more vulnerable, the research shows that some groups are more affected by this issue than others, including Indigenous women, bisexual individuals, immigrant women from developing countries, individuals with severe disabilities, and individuals who are 50 to 65 years old.<sup>6</sup> It is important, however, to reiterate that domestic violence is committed in all settings and within all social classes. Men who are violent against women can be people we meet every day, like neighbours, co-workers, parents, and friends.



## Stigma

“Why does she stay with him?” is a question that comes up often. Victims of domestic violence face many serious and complex challenges, and domestic violence can be committed whether a relationship is ongoing or has ended. The data shows that during a breakup, a victim of domestic violence is at greater risk of being seriously injured or even killed. They may fear that a violent partner will go after them or their children if they leave and may therefore feel trapped and stay in a toxic relationship. Violent partners often use threats like threatening to commit suicide or to endanger the lives of the children. Victims are often isolated and have few resources; friends and family members often write them off, either because they do not understand or because they have been gradually pushed away by the person committing the abuse. Victims may also isolate themselves to avoid confrontations with an abusive partner. In the long term, domestic violence causes the victim to experience intense feelings of distress, hopelessness, stigma, and a diminished sense of self-worth. It may be difficult for the victim’s friends and family to recognize the coercive control to which she is subject, since the abuser’s behaviour is essentially psychological and emotional in nature, and almost invisible. But for the victim, a look, a word, or a gesture is enough to signal trouble ahead.



In reaction to the abuse, some women may fight back, show their anger, try to return the balance of power in the relationship, and resist in order to protect themselves. In these kinds of contexts, domestic violence may be seen as a family conflict—a “lover’s quarrel” in which the woman is also considered a violent individual. In these cases, it is important to understand that these actions are usually just a way for victims to resist in order to protect themselves and ensure their own survival.

## Risk factors and protective factors

Even today, violence perpetrated by intimate partners is the most common form of violence against women. Despite greater collective awareness when it comes to related issues, 70% of acts of domestic violence still go unreported to the police.<sup>7</sup> A variety of combined factors increase the risk of violence in a conjugal setting. Some of these factors are related to socioeconomic conditions, such as inequality between women and men, poverty and unemployment, and stereotypical views of gender roles. Some social norms also lead to a certain tolerance of violence and make it so there are almost no consequences for perpetrators.<sup>8</sup>

There is no question that domestic violence negatively impacts the financial situations of those who experience it. In this sense, policies and social programs that focus on reducing or eliminating poverty, promoting women’s access to the labour market, and addressing gender inequality can reduce these kinds of negative impacts. The various prevention programs in schools for children and adolescents can also make an impact. These school programs focus on developing social skills among children and youth, particularly when it comes to conflict resolution and being active bystanders, and promote healthy romantic relationships that are free from violence. Other strategies can also reduce domestic violence, like the use of media campaigns to raise awareness and influence social norms.

As we will see, unions can also take on a leadership role by taking action in workplaces.

## Special situations

Some groups, such as Indigenous women, LGBT+ people, women with disabilities and immigrant women, experience domestic violence situations that are specific to them. Unfortunately, there are few studies on violence against these populations, even though they face complex challenges because of constraints and barriers that are closely linked to their situations, added to the difficulty of reporting the abuse they experience.



## **INDIGENOUS WOMEN**

Indigenous women in Canada are overrepresented among those who experience violence. In addition to the systemic violence that they are subjected to, which has recently been laid bare,<sup>9</sup> they may also experience violence in their intimate relationships, in their immediate or extended families, at the hands of friends or acquaintances, and in their communities. For Quebec Native Women, the colonization of Indigenous peoples, through the residential school system and the social services system that placed Indigenous youth in non-Indigenous families, has had devastating impacts that have contributed to creating the problems with violence present in Indigenous communities today.<sup>10</sup> Although women and children continue to be the main victims of domestic violence, men are also at risk due to this history of colonialism, which has had the effect of destroying families.

Reporting a family violence situation remains exceedingly difficult for Indigenous victims, who struggle with shame and loss of self-esteem. The trivialization of certain acts of violence, which are seen as “less serious,” also leads many individuals to feel hesitant to report their situations. Victims fear being stigmatized and marginalized within their communities, as well as fearing retaliation from perpetrators, who may be their partners, acquaintances, friends, or neighbours. These fears are barriers that keep them from reporting the abuse, along with the fear of losing their children or causing a partner to go to prison or to be expelled from the community. Additional obstacles include a lack of access to adequate and affordable housing and the insufficiency of services adapted to the realities of Indigenous women.<sup>11</sup>

## **LGBT+ PERSONS**

Same-sex couples may face particular difficulties when it comes time to seek help. The constraints they face may involve, for example, isolation, a lack of services adapted to their realities, and social pressures that require that they maintain a positive image of their communities. The fear of disclosing sexual orientation or gender identity and the fact that other people wrongly believe that violence within same-sex relationships is mutual are also obstacles when it comes to disclosing the violence being experienced.<sup>12</sup> As members of a minority or marginalized group who have experienced various forms of discrimination and harassment, LGBT+ persons may be hesitant to disclose their situations and ask for help if they are experiencing domestic violence. According to police data for Quebec, men in same-sex relationships experience more domestic violence than women in same-sex relationships.<sup>13</sup>

## WOMEN WITH DISABILITIES

Domestic violence also affects women with disabilities in a specific way. Specialized organizations have found that they are at greater risk of domestic violence, that the violence they experience is more severe, and that they have more difficulty disclosing this violence. The violence may be perpetrated by a partner or another care provider. Because these women are more dependent on their partners due to their disabilities, when they want to leave, try to leave, or report the violence they are experiencing, they face major challenges. The biggest obstacles they face are access to adapted, appropriate services and adequate, accessible housing, as well as the ability to ensure their financial security. Relocating them must be done in a way that ensures their physical safety. They may also fear being institutionalized, losing custody of their children, or not being able to find another partner (there is a long-held myth that women with disabilities do not have intimate partners).<sup>14</sup>

## IMMIGRANT WOMEN

Immigrant women who experience domestic violence also face significant challenges. While there is very little quantitative statistical data available on the prevalence of domestic violence against immigrant women, victims face additional obstacles such as immigration constraints, language difficulties, barriers related to the recognition of foreign qualifications, and isolation.<sup>15</sup> Women being sponsored by a partner or in the process of becoming sponsored are at higher risk of experiencing domestic violence. In fact, among immigrant women, those being sponsored use women's shelter services the most in the Montréal area.<sup>16</sup> Their social networks are more limited, so they often find themselves more isolated. Also, women who have been victims of political persecution are afraid of the authorities and do not trust government institutions.



## A tailored approach

As a union representative, you will need to take these various situations into account when intervening with Indigenous women, members of the LGBT+ community, women with disabilities, and immigrant women. Their lives are marked by various forms of discrimination, and the mistrust they may feel toward institutions is a challenge they will have to overcome when it comes time to confide in someone. The barriers they face are real and require sensitivity and a comprehensive approach free from judgment. This kind of approach will allow you to build a trust relationship with them, show empathy, and be sensitive to their distress and suffering. For more specialized interventions, it may be wise to reach out to organizations that focus on these matters. There are domestic violence organizations that address these issues. See the [list of resources](#) on page 23.



# **From Home to Work**



The impacts of intimate partner violence can show up in the workplace. As stated by the Regroupement des maisons pour femmes victimes de violence conjugale, which brings together 43 women's shelters across Quebec, domestic violence reaches beyond the home.<sup>17</sup> According to a Canada-wide study, about one third of women in the workplace have been victims of domestic violence at some point in their lives, and over half of these women have said that the abuse continued in the workplace in some manner.<sup>18</sup>



## Instances of domestic violence at work

The major challenge is knowing how to spot the instances of domestic violence that can occur in the workplace. Perpetrators can insert themselves into the workplace by sending multiple emails and texts, calling incessantly, engaging in harassment in the vicinity of the workplace, coming to the workplace, and communicating with the victim's co-workers or employer. The other challenge, which is even more important, is to provide the victim with support.



## Impacts on job performance

For the vast majority of individuals who experience domestic violence, there are negative impacts on their job performance. They may lack concentration and feel incredibly stressed, anxious, sad, fearful, and tired. The difficulties meeting the requirements of the job can include impacts on their ability to carry the workload, keep to a work schedule and meet deadlines, and on their relationships with co-workers. Some individuals may have difficulty getting to work, staying at work, and doing their work properly, while others may frequently arrive late, be absent, or isolate themselves from the rest of the team. Some people may want to do overtime so that they do not have to return home. Many have difficulty completing all their duties and meeting their assigned deadlines. They may also make frequent errors. The fear of losing their jobs and of not having enough money is also often mentioned by individuals experiencing domestic violence.

In addition to these work-related consequences, there are other indicators that a person is experiencing domestic violence. Examples include noticeable bruises or swollen areas on an individual's face (often hidden by heavy makeup), cuts, broken bones, or hearing loss. The victim will often attribute the injuries to falls or accidents. Wearing clothes that are inappropriate for the season (a turtleneck and long sleeves in summer, sunglasses, and so on) can also be a sign.

Domestic violence also has consequences on the workplaces of perpetrators. Nearly half of participants in a study on violent partners stated that their issues impacted their work performance because, among other things, they spent work time planning acts of violence or harassing their targets.<sup>19</sup>

These are all possible repercussions, not to mention the collateral damage on co-workers and on the work environments of both victims and perpetrators. The scourge of domestic violence leads to, among other things, work overload issues, health and safety issues, and an increase in group insurance costs within organizations. In addition to significant human costs, domestic violence has also been shown to incur substantial economic losses, which are valued at nearly \$78 million a year in Canada.<sup>20</sup> Ultimately, all of a workplace's conditions can be negatively affected by instances of domestic violence in the work environment.

The International Labour Organization recognizes the repercussions of domestic violence on health and safety, work, and productivity. The ILO adopted the *Violence and Harassment Convention, 2019 (No. 190)* in June 2019.<sup>21</sup> It recommends that ILO members (governments, employers, and unions) adopt various measures focused on mitigating the impact of domestic violence in the world of work, launching campaigns to raise awareness and provide information, and implementing paid leave, flexible work arrangements, clauses to protect employees against dismissal, and more.<sup>22</sup>

## Acting to put an end to violence

Research on domestic violence has found that strategies to prevent it must be diversified and increased. This means it is essential that we mobilize people in the workplace to prevent and put an end to this social problem. Maintaining employment relationships and income for those experiencing domestic violence can increase their ability to escape it. It has also been shown that there is a link between instances of violence at work and the escalation of violence. Co-workers are often the first people to guess that a fellow worker is experiencing domestic violence.

## Acting as a union

The first thing to do is acknowledge that domestic violence can be present in the workplace and that those targeted are being affected. They should not be held responsible or be subjected to judgment, stigma, or prejudice. Unions must send a clear message that they are not ambivalent when it comes to their commitment to fighting against domestic violence in the workplace. Unions must also take the following actions:

- Remind employers of their obligation and responsibility to ensure safe and healthy workplaces; work with them on their efforts to this end.
- Negotiate new clauses in collective agreements with employers. The following are some examples:
  - Include domestic violence in the clause on violence and harassment at work to ensure that this type of violence is recognized as violence that can occur at work.<sup>23</sup> See the [sample clauses](#) on page 27.
  - Specify the leave provided for in the *Act respecting labour standards* or, for workplaces under federal jurisdiction, in the *Canada Labour Code*, in the collective agreement, even though all collective agreements are deemed to include it. This ensures that the members of the union are aware of this leave.
    - The reform of the *Act respecting labour standards* adopted in 2018 introduced new provisions that provide leave for victims of domestic violence. The Act provides for two days of paid leave per year owing to sickness, domestic violence, sexual violence, or a criminal offence.<sup>24</sup> To be able to benefit from these days of paid leave, employees must have completed at least three months of uninterrupted service. The *Act respecting labour standards* also provides that an employee who is a victim of domestic violence or sexual violence may be absent from work without pay for up to 26 weeks over a period of 12 months and up to 104 weeks if the person suffers a serious bodily injury related to a criminal act. The employee must notify the employer of the absence as soon as possible. The employer may, only if the circumstances justify it due to the duration and repetitive nature of the absences, request that the employee provide supporting documentation. For example, the employee can provide a medical certificate, police report, or proof from a shelter or organization that helps victims of domestic violence. Upon returning to work, the employee will resume the position that was held with all the conditions to which the employee would have been entitled without the leave. The same applies to the employee's group insurance and pension plan participation, subject to regular payment of premiums payable for said plans; this ensures that the employee's rights are protected.

This leave provided for under the *Act respecting labour standards* may provide real relief for women wishing to take steps to ensure their own and their children's safety (leaving a violent partner, relocating to a women's shelter or elsewhere, starting legal proceedings, filing a complaint with the police, obtaining psychosocial assistance, etc.). These provisions also protect their employment relationship.

Establishments or businesses under federal jurisdiction must provide employees who are victims of family violence or who are the parents of children who are victims of this kind of violence with leave of up to 10 days per calendar year, which they may take over one or more periods

of at least one day, as provided for under the *Canada Labour Code* as of September 1, 2019. If employees have completed at least three consecutive months of employment with the same employer, the first five days of leave will be with pay. This type of leave must be used to receive medical or psychological care, obtain services from organizations specializing in domestic violence, receive legal assistance, or relocate.<sup>25</sup> As is the case with the *Act respecting labour standards*, the *Canada Labour Code* provides that the employer may request supporting documentation. Employees are not required to submit this type of documentation unless they are able to obtain it.

- Obtain additional paid leave to supplement the leave for victims of domestic violence already provided for in the *Act respecting labour standards* and the *Canada Labour Code*.
- Add a section on domestic violence in the local policy to combat violence and harassment. As of January 1, 2019, the *Act respecting labour standards* now requires that employers implement and make available a policy for the prevention of psychological harassment and the handling of complaints, including a section on behaviour of a sexual nature. It would therefore be relevant for these local policies to also address domestic violence in the work context. Many parts of this guide can be used in local policies, particularly the sections related to definition, stigma, and instances of domestic violence at work. It would also be useful to add sections on privacy, victim consent (which you must obtain before intervening) and the support that can be provided, as well as a protocol to follow when a worker discloses being a victim of domestic violence.

This protocol must include procedures for when the partner and the victim are both members of the union. Besides the employer's interventions, the union must also open an investigation like the one used for cases of violence and harassment between two members of the certified unit. Victim safety must be ensured, and the union must play its part in this, particularly by reminding the employer of its responsibility to ensure a safe and healthy workplace. This can mean taking measures so that the victim and perpetrator do not work during the same shifts, on the same team, or in the same area, for example.

The legal duty of representation requires that the union conduct a careful, full, and serious investigation that must be based on facts and law. This means it is important that you promptly call upon the services of your union's assigned CSN union adviser. It is important to note that while the union is legitimate in investigating acts of violence and harassment that have occurred in the work context, occurrences outside of the work context cannot be included in the investigation. The fact remains that if the investigation reveals domestic

violence, measures must quickly be taken to ensure the victim's safety at work and the safety of co-workers, as mentioned above. If the victim consents, you can provide support including referring them to a women's shelter or support centre for victims of domestic violence (see the "[Domestic Violence Resources](#)" box on page 23) or to their colleagues in the support network, if the workplace has one. To learn more about the duty of representation, you may consult the *Intervention Guide on Conflict, Incivility, Violence, and Harassment at Work*<sup>26</sup> or the chapter on union investigation into a complaint or disciplinary measure in the CSN's *Guide for the Prevention of Violence and Harassment at Work*, which is part of a kit with the same name.<sup>27</sup> Finally, although both members are entitled to fair representation, the safety of everyone in the workplace must be ensured. This means we cannot tolerate the intolerable, which goes for all violent behaviour, whether or not the perpetrator is a member of the union.

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- Organize union activities to raise awareness among your members and inform them about this issue. This could be done, for example, at times when the status of women is on the agenda, such as the 12 days of activism against gender-based violence from November 25 to December 6, or March 8. You can raise awareness and inform members by including a point of information on the agenda at your general assembly, by using social networks (a post on your union's Facebook group, a message in the union newspaper, an informational leaflet, etc.), or by posting material prepared by the CSN for the "[Make it stop!](#)" campaign. We have a number of videos you can use during these activities (see the "[Domestic Violence Links](#)" box on page 25).
- Partner with a women's shelter or support centre for victims of domestic violence. These organizations are best equipped to intervene and provide services for women who are victims of domestic violence. Keep in mind that women's shelters and support centres from the Regroupement des maisons pour femmes victimes de violence conjugale can also support unions when it comes to organizing awareness-raising activities. These groups can provide any necessary information, give talks, answer questions from your members, advise the union's Executive Committee, help to implement support measures, and more. The Regroupement has prepared awareness-raising tools adapted to employers and to unions ([posters and leaflets](#)) that can be used and disseminated in our workplaces. The CSN has also produced a leaflet containing the contact information for shelters that are members of the Regroupement. To download these tools, please see the "[Domestic Violence Links](#)" box on page 25.





## What should you do if someone tells you they are a victim of domestic violence?

What is a union representative's role in dealing with domestic violence in the workplace?

- Provide immediate support using active listening:
  - When speaking to individuals who disclose having experienced domestic violence, you must be compassionate, patient, and calm; you may be the first person they are telling. You may have difficulty finding the right words. Here is a list of simple actions that may be helpful to these individuals.

### **ACTIONS AND WORDS OF COMFORT**

- Listen without judging the victim or the perpetrator.
- Respect the pace of the victim as they tell the story.
- Believe the victim and do not minimize what they have experienced.
- State that the victim is not responsible for the situation being experienced.
- Verbally state the instances of violence that you identify in the victim's remarks.
- Take a clear stand against violence.
- Respect the victim's ambivalence toward the violent partner.
- Refer the victim to the services offered by shelters.
- Tell the victim you will be there for support, no matter what they decide.
- Allow the victim to tell the story of the different phases of the relationship.
- Ask whether the victim is scared or if other people are scared for the victim or their children.
- Remember that women may be at different points in the cycle of violence, which consists of phases of mounting tension, abuse, rationalization, reconciliation, and calm. During these phases, those experiencing violence may alternate between feeling like they can control the situation and feeling anger, shame, fear, guilt, and hope that the romantic relationship will finally become healthy.<sup>28</sup>



- If you feel that the safety of a woman or her children is compromised, do not hesitate to act. When there is an imminent danger of serious injury or death, do not hesitate to contact the police. Aside from this, you must let victims of domestic violence make their own decisions and remind them that shelters for victims of domestic violence offer many services including listening services, support, and safe housing. You can advise them to take certain precautions, such as storing important legal documents like their birth certificates and passports and those of their children, in a safe place outside the home. It is essential they keep their cellphone, credit cards, social insurance card, health insurance and hospital cards, as well as those of their children, in their purse, along with cash, their driver's licence, house keys, and important phone numbers, such as those of people they trust (friends, family members, etc.) and the one for the closest women's shelter.
- Although it is important to take every possible measure to respect the privacy of these individuals, you may need to report the incident to another person if there is a risk of imminent danger. This means you cannot promise to maintain confidentiality under all circumstances.
  - Make sure to apply the clauses provided in the collective agreement that relate to this matter. As indicated above, leave is provided for in the Act *respecting labour standards* and the *Canada Labour Code* for those who experience domestic violence.
  - Together with the individual experiencing the violence and the employer, who has a responsibility to provide a safe and healthy workplace, arrange for a safety plan to be implemented in the workplace.
  - Direct the individual to the appropriate specialized organizations (see the "[Domestic Violence Resources](#)" box on page 23).
  - Encourage the individual to contact the support network if there is one in the workplace.



## Involving the police

When there are imminent risks for a victim, such as, for example, if a perpetrator shows up at the workplace with the intention of hurting or killing the victim, threatens to do so, or is carrying a weapon or item that can be used as a weapon (tool, knife, etc.), you must call 911. It is important, however, to keep in mind that calling the police does not automatically ensure the safety of an individual who experiences violence, since victims of this kind of violence can still face danger if the perpetrator is not arrested or is eventually freed. You must prepare a safety plan developed in collaboration with the employer to ensure the safety of these individuals (through shelters or other organizations, for example).

Before calling the police, it is important to consider the potential impacts on the people involved:<sup>29</sup>

- Citizenship issues: for individuals who have temporary resident permits (work permits, study permits, asylum seekers who have not yet been granted refugee status), expired permits, or who have not been granted refugee status, calling the police can mean a risk of deportation.<sup>30</sup>
- LGBT+ community: contacting the police may have the effect of outing members of the LGBT+ community against their will.
- Indigenous women: the history of Indigenous peoples and women in particular is fraught with instances of police brutality. Their concerns are legitimate.



# Legal Provisions Related to Domestic Violence



The regulations relating to workplace violence can be used as instruments of prevention because of the prevention and redress provisions they contain. The CSN has been calling for the creation of explicit employer obligations related to domestic violence in the workplace. In October 2020, the government introduced a bill amending the occupational health and safety regime that would require the employer to take the necessary steps to protect people who are at risk of domestic violence in the workplace. At the time of writing, we are waiting for the final wording to emerge from the National Assembly committee studying the bill. However, section 51 of the *Act respecting occupational health and safety* does provide that the employer must take the necessary measures to protect the health and ensure the safety and physical well-being of its employees.<sup>31</sup> The *Criminal Code*, the *Civil Code of Québec* and the *Charter of Human Rights and Freedoms* also contain provisions that could be interpreted to mean that the employer has an obligation to provide a safe work environment, extending to incidents of domestic violence in the workplace.

Article 2087 of the *Civil Code* also provides that “[t]he employer is bound not only to allow the performance of the work agreed upon and to pay the remuneration fixed, but also to take any measures consistent with the nature of the work to protect the health, safety and dignity of the employee.” This article stipulates that the employer must protect employees from “all violence at work, including domestic violence, when the employer is aware (or should be aware) of the threat to these employees. In the event of a breach of this obligation (contractual liability) or fault (extracontractual liability), the employer may have to pay damages.”<sup>32</sup>

Section 46 of Quebec’s *Charter of Human Rights and Freedoms* also gives all workers the right to have their health, safety, and physical well-being respected in the workplace: “[e]very person who works has a right, in accordance with the law, to fair and reasonable conditions of employment which have proper regard for [the worker’s] health, safety and physical well-being.”<sup>33</sup>

The *Criminal Code*, of course, regulates acts of violence, wherever they occur, allowing victims to file a complaint with the police. If a person has experienced personal loss, they may also bring proceedings under the *Civil Code of Québec*. Any person who is a victim of violence can apply for compensation under the *Crime Victims Compensation Act*, which is administered by the Commission des normes, de l’équité, de la santé et de la sécurité du travail (CNESST).

Recent reforms to the *Canada Labour Code* have also introduced significant amendments to the provisions on harassment and violence at work as a result of Bill C-65.<sup>34</sup> Some of these amendments are intended to increase the obligations of federal employers when it comes to harassment and violence at work. Essentially, their purpose is to prevent incidents, to intervene effectively when incidents do occur, and to establish various protocols (workplace assessments, mandatory prevention policies, complaint investigation processes, employee training, and so on). The *Work Place Harassment*



*and Violence Prevention Regulations*, which contain multiple provisions applicable to federal workplaces covered by the *Canada Labour Code*, include provisions relating to domestic violence. Employers must identify risk factors that contribute to harassment and violence in the workplace while specifically taking into account “circumstances external to the work place, such as family violence, that could give rise to harassment and violence in the work place.” The Regulations also stipulate that employers must develop and implement prevention measures that mitigate risks.<sup>35</sup>



## Domestic violence resources

PRINTABLE  
VERSION

- In case of emergency or danger, call **911**.
- **SOS violence conjugale** ([www.sosviolenceconjugale.ca/](http://www.sosviolenceconjugale.ca/)) provides intake, assessment, information, outreach, support, and referral services that are bilingual, free, anonymous, and confidential, 24 hours a day, 7 days a week, for those who are experiencing domestic violence or who are affected by this issue. For members of the Deaf community: 1-800-363-9010 (TDD) or [sos@sosviolenceconjugale.ca](mailto:sos@sosviolenceconjugale.ca).
- Women's shelters and support centres for victims of domestic violence provide services with or without shelter and are free and confidential. They provide telephone and in-person support, information and referral services, safe shelter, and individual and group support, as well as engaging in prevention efforts and raising awareness in the community. They also provide consultation services for loved ones and professionals, as well as assistance with administrative processes, legal proceedings, immigration, and more. Please see the list of shelters that are members of the **Regroupement des maisons pour femmes victimes de violence conjugale** (<https://maisons-femmes.qc.ca/>) or the list of shelters that are members of the **Fédération des maisons d'hébergement pour femmes** (<http://fede.qc.ca/maisons>).
- In addition to offering legal services, **Juripop** (<https://juripop.org/>) has set up a family law hotline for victims of domestic violence to inform them of their rights and obligations with respect to their spouse, children and loved ones: 1 855 587-4767, [reception@juripop.org](mailto:reception@juripop.org).
- **Shield of Athena Family Services** (<http://shieldofathena.com/en>) provides professional support, intervention, and prevention services that are culturally and linguistically adapted to the needs of women who are victims of family violence and their children, as well as being adapted to members of ethnocultural communities: 514-274-8117 or 1-877-274-8117 (Montréal) or 450-688-6584 (Laval).
- The **Maison pour femmes immigrantes** (Immigrant Women's Shelter: <http://en.maisonpourfemmesimmigrantes.com/>) meets the needs of immigrant women and their children who are victims of domestic violence. Located in Québec City, the Immigrant Women's Shelter provides a number of services, including shelter, wide-ranging support services, a crisis hotline (24 hours a day, 7 days a week), interpreter services, and more: 418-652-9761 or on WhatsApp at 418-208-4967.

- The **Maison des femmes sourdes de Montréal** (<http://mfsm.info/>) provides various services, including a hotline and support services, for Deaf women experiencing domestic violence: 514-255-6376 (TDD) or [femmessousdes@mfsm.ca](mailto:femmessousdes@mfsm.ca).
- The **Native Women's Shelter of Montreal** ([www.nwsm.info/what-we-offer](http://www.nwsm.info/what-we-offer)) provides shelter and front-line services exclusively to Indigenous women and their children in an environment where they can focus on their various challenges and rebuild their lives: 514-933-4688, 1-866-403-4688, or [nakuset@gmail.com](mailto:nakuset@gmail.com).
- The **Maison communautaire Missinak** is a shelter in Québec City for Indigenous women in difficulty and their children: 418-627-7346.
- The **Centre de solidarité lesbienne** ([www.solidaritelesbienne.qc.ca/csl/violenceconjugale/](http://www.solidaritelesbienne.qc.ca/csl/violenceconjugale/)) works with members of the lesbian community who experience domestic violence and offers services for both victims and perpetrators: 514-526-2452 or [info@solidaritelesbienne.qc.ca](mailto:info@solidaritelesbienne.qc.ca).
- **À cœur d'homme** ([www.aceurdhomme.com](http://www.aceurdhomme.com)), the men's support network for a non-violent society, is an association of 31 independent community organizations across Québec that help men struggling with violent behaviour in a domestic or family context. For more information or to find the nearest organization: 418-660-7799 or 1-877-660-7799, [aceurdhomme@videotron.ca](mailto:aceurdhomme@videotron.ca).
- **RÉZO** (<http://www.rezosante.org>) works with gay, bisexual, and trans men, particularly on issues of domestic violence: 514-521-7778 ext. 226 or [info@rezosante.org](mailto:info@rezosante.org) or click on the chat icon at the bottom right-hand corner of the homepage.
- A number of other specialized resources can be found on the **Institut national de santé publique du Québec** website ([www.inspq.qc.ca/violence-conjugale/victimes](http://www.inspq.qc.ca/violence-conjugale/victimes); in French).

**Please note** that some regions like Mauricie and Laval have their own structures to facilitate assessing safety risks, sharing information, and the work that is done in collaboration with various partners (shelters, law enforcement, integrated health and social services centres (CISSSs), integrated university health and social services centres (CIUSSSs), community resources for victims, community resources for perpetrators, and so on).





## Domestic violence links

**To develop a partnership with a women's shelter or support centre for victims of domestic violence in your area, go to the following links:**

- Regroupement des maisons pour femmes victimes de violence conjugale: <https://maisons-femmes.qc.ca/campagnes-de-sensibilisation/milieux-de-travail-allies-contre-la-violence-conjugale/>
- Fédération des maisons d'hébergement pour femmes: <http://fede.qc.ca/maisons>

**The following videos can be used for domestic violence awareness activities:**

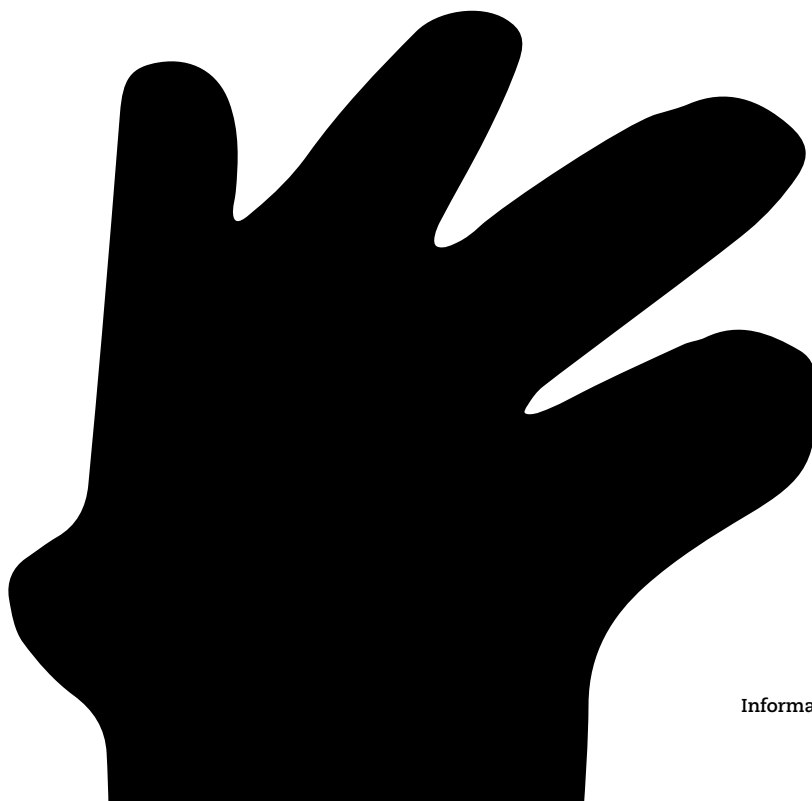
- *Violences faites aux femmes en milieu de travail: quelles interventions pour les hommes alliés?* [Violence against women and the workplace: What can men who are allies do to help? (In French)]: [www.webtv.coop/media/view?key=67c2786d625c746b0db9979a6e07c7b1&type=video&title=quotDejeuner-des-hom](http://www.webtv.coop/media/view?key=67c2786d625c746b0db9979a6e07c7b1&type=video&title=quotDejeuner-des-hom)
- *Domestic Violence at Work*: <https://canadianlabour.ca/issues-research/domestic-violence-work/>
- *Violence conjugale et travail* [Domestic violence and work]. Series of videos [in French]: [www.youtube.com/channel/UCiQWWaMRP4yIlkG1zh\\_rliQ](http://www.youtube.com/channel/UCiQWWaMRP4yIlkG1zh_rliQ)
- Videos about domestic violence experienced by members of the lesbian community, women who are members of the Deaf community, and men, produced by the Table de concertation en violence conjugale de Montréal [in French]: [www.tcvcm.ca/page/capsules-de-sensibilisation](http://www.tcvcm.ca/page/capsules-de-sensibilisation)
- The CSN offers an online training session on section 810 of the *Criminal Code*, under which individuals can lay an information if they fear on reasonable grounds that another person will cause personal injury to them or to their loved ones or that this person will damage their property. When this undertaking has been signed before a justice, charges made pursuant to the *Criminal Code* can be dropped if the defendant enters into a recognizance to keep the peace: [makeitstop.ca](http://makeitstop.ca)



- The *Facilitation Guide on Sexual and Gender Diversity—No More, No Less: Just Like Everyone Else*, prepared by the CSN focuses on, among other things, defending the rights of LGBT+ people in the workplace: [https://www.csn.qc.ca/wp-content/uploads/2019/01/csn\\_no\\_more\\_no\\_less\\_anglais\\_final.pdf](https://www.csn.qc.ca/wp-content/uploads/2019/01/csn_no_more_no_less_anglais_final.pdf)
- To access the various tools produced by the CSN related to the prevention of violence and harassment, go to the [makeitstop.com](http://makeitstop.com) website or to the CSN's occupational health and safety website training portal [in French]: [https://formationsst.csn.info/wp-content/uploads/2013/09/CSN\\_thematique\\_LSST.pdf](https://formationsst.csn.info/wp-content/uploads/2013/09/CSN_thematique_LSST.pdf)



## **Sample clauses for a collective agreement**





## Sample chapter dealing with violence and harassment in the workplace<sup>36</sup>

*We suggest basing yourself on this sample chapter about violence and harassment in the workplace to negotiate the inclusion of provisions about domestic violence at work in the collective agreement.*

### **PRINCIPLE**

The parties acknowledge that every person who works has a right to fair and reasonable conditions of employment which have proper regard for their health, safety, and physical and psychological well-being. Employees shall be informed of the available conflict-management alternatives for resolving problematic situations. Employees may discuss these options with the union and the employer.

### **DEFINITIONS**

#### **Psychological harassment**

Psychological harassment consists of any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions, or gestures, that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee. For greater certainty, psychological harassment includes such behaviour in the form of such verbal comments, actions, or gestures of a sexual nature. A single serious incident of such behaviour can be considered psychological harassment if it has a lasting negative impact on the person.<sup>37</sup>

#### **Violence**

Violence at work is when the behaviour (attitudes, actions, or words) of an individual or group of individuals intentionally or unintentionally has an adverse effect on the physical or psychological safety or well-being of another individual or group of individuals.

#### **Domestic violence**

Domestic violence or intimate partner violence includes psychological, verbal, physical and sexual abuse as well as acts of financial domination. It does not result from loss of control but is, on the contrary, a chosen means of dominating another person and asserting power over them. It can happen at any stage of life and in a relationship that is ongoing or has ended. The impacts of domestic violence can extend to the workplace.



## **COMMITMENT OF THE PARTIES**

- The parties shall collaborate to prevent situations of violence and harassment at work.
- The parties shall meet to propose conflict-management alternatives for those involved in problematic situations of violence or harassment.
- The parties acknowledge that workers can be victims of domestic violence, which can affect their overall performance at work. They agree that no disciplinary or administrative measures will be taken against employees experiencing violence if their work performance and absences can be linked to the violence they experience.

## **EMPLOYER'S RESPONSIBILITY**

The employer must take the necessary measures to ensure the physical and psychological well-being of employees. In cases of domestic violence, it acknowledges that employees may sometimes experience situations of violence or abuse in their personal lives that may affect their attendance or performance at work.

## **COMMITTEE TO PREVENT VIOLENCE AND HARASSMENT AT WORK**

The committee to prevent violence and harassment at work shall be composed of representatives from the parties. In cases of sexual harassment or domestic violence, the parties must ensure that women are present as their representatives. Union leave for members of the committee is granted without loss of pay.

*An existing committee such as the labour relations committee, the occupational health and safety committee, or the status of women committee can also perform this role.*

## **THE COMMITTEE'S MANDATE<sup>38</sup>**

The committee to prevent violence and harassment at work has the following mandate:

- to ensure the prevention of violence and harassment and recommend any means necessary to establish and sustain healthy work environments free from violence and harassment. Accordingly, the committee shall approach its work in a spirit of peaceful collaboration.
- to assess the organizational, social, and cultural risk factors that may lead to situations involving violence and harassment. It shall also be responsible for recommending preventative measures.
- to involve any resource persons it deems necessary.
- in cases of domestic violence, the committee members may make recommendations on how to support workers, protect their confidentiality, and ensure their safety. They may specifically negotiate

- that upon each renewal of the collective agreement, the publication of an updated list of organizations specialized in domestic violence in the area be included;
- the organization of the work schedules of those concerned;
- the organization of their work equipment and the confidentiality of their professional contact information;
- that procedures be put in place in the event that a worker's partner comes to the workplace or succeeds in reaching the worker concerned via the employer's communications devices; and
- any other measures that will allow for protecting and reassuring those concerned.

In all cases, negotiated protection measures must be implemented with the consent of the employee concerned.



## Sample domestic violence leave clause in a collective agreement

*If the workplace is under provincial jurisdiction and subject to the Act respecting labour standards*

An employee with three months of continuous service can benefit from a maximum of two days of paid sick leave in the same calendar year, owing to sickness, an accident, domestic violence, or sexual violence. Also, an employee may be absent from work for a period of not more than 26 weeks over a period of 12 months owing to sickness, an organ or tissue donation for transplant, an accident, domestic violence, or sexual violence of which the employee has been a victim. However, an employee may be absent from work for a period of not more than 104 weeks if the employee suffers serious bodily injury caused by or resulting from a criminal offence that renders the employee unable to hold the employee's regular position.

*If the workplace is under federal jurisdiction and subject to the Canada Labour Code*

Every employee who is a victim of family violence or who is the parent of a child who is a victim of family violence is entitled to and shall be granted a leave of absence from employment of up to 10 days. If the employee has completed at least three consecutive months of continuous employment with the employer, the employee is entitled to the first five days of the leave with pay.

*If leave is provided in addition to that required under the Act respecting labour standards or the Canada Labour Code, it is important to indicate clearly in the collective agreement that this leave is over and above the legal requirement.*

The leave provided for in this clause applies in addition to leave provided for in the Act respecting labour standards (or the Canada Labour Code).



## NOTES ET REFERENCES

- 1 Although the CSN has previously published documents on this matter, including the union guides prepared by the CSN's National Status of Women Committee, *Mettre fin à la violence conjugale contre les femmes* [Ending domestic violence against women], published in 1994, and *La violence, c'est frappant* [Violence—it's striking], prepared by the Fédération des affaires sociales (now the Fédération de la santé et des services sociaux—CSN), and also published in 1994, we are providing an update on this matter with this new guide, part of our “Act to put an end to it!” campaign. This guide also includes new legal provisions related to this issue.
- 2 [Our translation]. Leclerc, Joanie, Geneviève Malboeuf, Yanicka Poirier, and France Gagnon. 2017. “L'action gouvernementale en matière de violence conjugale, entre équité et égalité” [Government action related to domestic violence]. *Banque PolÉthicas: Groupes d'étude sur les politiques publiques et la santé des populations (GÉPPS+)*. Case No. 07\_24-09-2017. <https://gepps.ca/wp-content/uploads/action-gouvernementale-en-matiere-de-violence-conjugale.pdf>.
- 3 Gouvernement du Québec. 1995. *Politique d'intervention en matière de violence conjugale: Prévenir, dépister, contrer la violence conjugale* [Domestic violence intervention policy: Preventing, detecting, and ending domestic violence]. 23. <https://publications.msss.gouv.qc.ca/msss/fichiers/2000/00-807/95-842.pdf>. Our translation.
- 4 Cruz, Michelle S. 2019. “Coercive Control: A Practitioner's Prospective [sic].” Presentation given at Engagé.e.s ensemble contre la violence conjugale [Standing together against domestic violence]. Conference organized by the Regroupement des maisons pour femmes victimes de violence conjugale, Montréal, QC, November 13, 2019. <https://maisons-femmes.qc.ca/colloque-engage-e-s-ensemble-contre-la-violence-conjugale/>.
- 5 Institut national de santé publique du Québec (INSPQ). 2020. *Trousse média sur la violence conjugale* [Domestic violence media kit]. [www.inspq.qc.ca/violence-conjugale/faits-saillants](http://www.inspq.qc.ca/violence-conjugale/faits-saillants).
- 6 Laforest, Julie, Pierre Maurice, and Louise Marie Bouchard, eds. 2018. *Rapport québécois sur la violence et la santé* [Quebec report on violence and health]. Montréal: Institut national de santé publique du Québec (INSPQ). 153. [www.inspq.qc.ca/sites/default/files/publications/2380\\_rapport\\_quebecois\\_violence\\_sante.pdf](http://www.inspq.qc.ca/sites/default/files/publications/2380_rapport_quebecois_violence_sante.pdf).
- 7 Cox, Rachel. 2019. *La reconnaissance d'une obligation explicite de l'employeur en matière de violence conjugale au Québec: Rapport de recherche* [Recognition of an explicit obligation for employers to prevent domestic violence at work in Quebec: Research report]. In collaboration with Marie-Eve Desmarais and Shanie Roy. Montréal: Service aux collectivités de l'Université du Québec à Montréal. 4. [https://rcentres.qc.ca/wp-content/uploads/2020/02/Violence\\_conjugale\\_reconnaissance\\_explicite\\_obligation\\_employeur.pdf](https://rcentres.qc.ca/wp-content/uploads/2020/02/Violence_conjugale_reconnaissance_explicite_obligation_employeur.pdf).
- 8 To learn more about the risk factors for domestic violence, see Chapter 5 on domestic violence in the *Rapport québécois sur la violence et la santé* [Quebec report on violence and health] published by the Institut national de santé publique du Québec (INSPQ) in 2018: [www.inspq.qc.ca/sites/default/files/publications/2380\\_rapport\\_quebecois\\_violence\\_sante.pdf](http://www.inspq.qc.ca/sites/default/files/publications/2380_rapport_quebecois_violence_sante.pdf).
- 9 National Inquiry into Missing and Murdered Indigenous Women and Girls. 2019. *Reclaiming Power and Place*. <https://www.mmiwg-ffada.ca/>.
- 10 Quebec Native Women. (QNW). 2015. *āniawig Māmawe Ninawind. Stand With Us. Missing and Murdered Indigenous Women in Quebec*. Kahnawake: QNW. <https://www.faq-qnw.org/wp-content/uploads/2016/11/Naniawig-Mamawe-Ninawind-Stand-with-us-Oct-2016-engl-FINAL.pdf>.
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- 13 Duval, Alexandre. 2016. “Violence conjugale chez les gais: aucune ressource pour les victimes” [Domestic violence in the gay community: No resources for victims]. *Radio-Canada*, November 2, 2016. <https://ici.radio-canada.ca/nouvelle/811541/violence-conjugale-couples-meme-sexe>.





- 14 Sasseville, Nathalie. 2018. "Le cumul de contextes de vulnérabilités à la VC chez les personnes handicapées âgées et immigrantes" [The accumulation of contexts of vulnerability to domestic violence in individuals with disabilities, seniors, and immigrants]. Forum provincial: agressions sexuelles—violence conjugale [Quebec forum on sexual assault and domestic violence]. Drummondville, QC, May 31, 2018. <https://ciussmccq.ca/telechargement/748/le-cumul-de-contextes-de-vulnerabilites-a-la-vc-chez-les-personnes-handicapees-a>.
- 15 Simich, Griselda. 2015. "L'expérience de la violence conjugale chez des femmes immigrantes de Gatineau" [The experience of domestic violence among immigrant women in Gatineau]. Master's thesis, UQAM. <https://crises.uqam.ca/cahiers/tm1601-lexperience-de-la-violence-conjugale-chez-des-femmes-immigrantes-de-gatineau/>.
- 16 Chouakri, Yasmina. 2019. *Analyse qualitative de parcours d'insertion de femmes immigrantes au marché du travail et conditions de réussite observée: Rapport de la recherche-action* [Qualitative analysis of the workplace integration process for immigrant women and observed conditions for success: Action research report]. Montréal: Comité consultatif femmes and Commission des partenaires du marché du travail, May 2019. [https://ccfemme.files.wordpress.com/2019/09/ccf\\_femmes-immigrantes\\_rapportrechercheaction\\_mai-2019.pdf](https://ccfemme.files.wordpress.com/2019/09/ccf_femmes-immigrantes_rapportrechercheaction_mai-2019.pdf).
- 17 Regroupement des maisons pour femmes victimes de violence conjugale. 2019. "Milieux de travail alliés contre la violence conjugale" [Workplaces united against domestic violence]. November 2019. <https://maisons-femmes.qc.ca/campagnes-de-sensibilisation/milieux-de-travail-allies-contre-la-violence-conjugale/>.
- 18 Wathen, C. Nadine., Jennifer C. D. MacGregor, and Barbara J. MacQuarrie. 2014. "Can Work Be Safe, When Home Isn't? Initial Findings of a Pan-Canadian Survey on Domestic Violence and the Workplace." With the Canada Labour Congress. London, ON: Centre for Research & Education on Violence Against Women and Children. [http://makeitourbusiness.ca/sites/makeitourbusiness.ca/files/DVWork\\_Survey\\_Report\\_2014\\_EN.pdf](http://makeitourbusiness.ca/sites/makeitourbusiness.ca/files/DVWork_Survey_Report_2014_EN.pdf).
- 19 Scott, Katreena L., Danielle B. Lim, Tim Kelly, Megan Holmes, Barbara. J. Macquarrie, C. Nadine Wathen, and Jennifer C. D. Macgregor. 2017. "Domestic Violence at the Workplace: Investigating the Impact of Domestic Violence Perpetration on Workers and Workplaces." Toronto, ON: University of Toronto. [http://makeitourbusiness.ca/sites/makeitourbusiness.ca/files/PAR\\_Partner\\_report-final.pdf](http://makeitourbusiness.ca/sites/makeitourbusiness.ca/files/PAR_Partner_report-final.pdf).
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- 21 International Labour Organization (ILO). 2019. *Violence and Harassment Convention, 2019 (No. 190)*. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C190](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190).
- 22 International Labour Organization (ILO). 2019. *Violence and Harassment Recommendation, 2019 (No. 206)*. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:R206](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R206).
- 23 The CSN has been calling for explicit employer obligations with respect to domestic violence in the workplace. In October 2020 the government tabled amendments to the occupational health and safety regime which would require employers to take the necessary measures to protect people who are exposed to domestic violence in the workplace. At the time of writing, the CSN is waiting for the final texts to emerge from consideration of the bill by the National Assembly.
- 24 Other reasons also qualify for the two paid days of leave, such as caring for a parent or other person for whom the employee acts as a caregiver, an accident, or an organ or tissue donation for transplant. Note that some workers are excluded in whole or in part from the Act respecting labour standards. For more information go to [www.cnesst.gouv.qc.ca/en/working-conditions](http://www.cnesst.gouv.qc.ca/en/working-conditions).
- 25 The *Canada Labour Code* specifies the following reasons for which employees may take such leave: "[...] to seek medical attention for themselves or their child in respect of a physical or psychological injury or disability; [...] to obtain services from an organization which provides services to victims of family violence; [...] to obtain psychological or other professional counselling; [...] to relocate temporarily or permanently; [...] to seek legal or law enforcement assistance[,] [...] to prepare for or participate in any civil or criminal legal proceeding; or [...] to take any measures prescribed by regulation." (<https://www.canada.ca/en/services/jobs/workplace/federal-labour-standards/leaves.html>).



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- 27 Confédération des syndicats nationaux (CSN). 2019. *Kit for the Prevention of Violence and Harassment at Work*. Montréal: CSN. [https://www.csn.qc.ca/2019-03\\_kit-vht-en\\_csn/](https://www.csn.qc.ca/2019-03_kit-vht-en_csn/).
- 28 Prenovost, Roxane. 2019. "Des victimes de violence conjugale qui ne reconnaissent pas les indices de la violence" [Victims of domestic violence who do not recognize indicators of violence]. Presentation given at Engagé.e.s ensemble contre la violence conjugale [Standing together against domestic violence], a conference organized by the Regroupement des maisons pour femmes victimes de violence conjugale, Montréal, QC, November 12, 2019. <https://maisons-femmes.qc.ca/colloque-engage-e-s-ensemble-contre-la-violence-conjugale/>.
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- 30 To learn more about immigration issues: Fédération des maisons d'hébergement pour femmes (FMHM). 2014. *Violence conjugale et familiale: les statuts d'immigration—Mieux comprendre la législation canadienne en matière d'immigration pour mieux intervenir auprès des femmes violentées ayant un statut d'immigration précaire* [Domestic and family violence: Immigration statuses—Better understanding Canadian legislation related to immigration to better intervene with abused women with precarious immigration status]. Montréal: FMHM. [http://fedec.qc.ca/sites/default/files/upload/documents/publications/2014-03-fmhf-violence\\_conjugale\\_et\\_familiale\\_les\\_statuts\\_d\\_immigration.pdf](http://fedec.qc.ca/sites/default/files/upload/documents/publications/2014-03-fmhf-violence_conjugale_et_familiale_les_statuts_d_immigration.pdf).
- 31 Confédération des syndicats nationaux (CSN). 2013. Portail de formation en santé et sécurité au travail. [https://formationsst.csn.info/wp-content/uploads/2013/09/CSN\\_thematique\\_LSST.pdf](https://formationsst.csn.info/wp-content/uploads/2013/09/CSN_thematique_LSST.pdf).
- 32 Cox, Rachel. 2019. *La reconnaissance*, p. 11. Our translation.
- 33 Government of Québec. 2019 *Charter of Human Rights and Freedoms*, CQLR c C-12. <http://legisquebec.gouv.qc.ca/en/showdoc/cs/c-12>.
- 34 Government of Canada. 2018. *An Act to amend the Canada Labour Code (harassment and violence), the Parliamentary Employment and Staff Relations Act and the Budget Implementation Act, 2017, No. 1*. (S.C. 2018, c. 22). [https://laws.justice.gc.ca/eng/AnnualStatutes/2018\\_22/FullText.html](https://laws.justice.gc.ca/eng/AnnualStatutes/2018_22/FullText.html).
- 35 Government of Canada. 2020. *Work Place Harassment and Violence Prevention Regulations: SOR/2020-130*. Canada Gazette Part II, 154 (13). June 17, 2020. The Regulations will come into effect on January 1, 2021. <http://www.gazette.gc.ca/rp-pr/p2/2020/2020-06-24/html/sor-dors130-eng.html>.
- 36 These standard clauses are based on the chapter on violence and harassment at work in the collective agreement of the Rimouski-based union Syndicat des travailleuses et travailleurs non-assujettis-CSN. Some elements related to domestic violence have been added, and other passages were modified. Note that you can view Québec collective agreements via the Corail online service provided by the Ministère du Travail, de l'Emploi et de la Solidarité sociale: <https://www.corail.gouv.qc.ca/abonnement/acceder.do>.
- 37 Government of Québec. 2020. *Act respecting labour standards*, CQLR c N-1.1. <http://legisquebec.gouv.qc.ca/en/showdoc/cs/N-1.1>.
- 38 For more information on the committee's role, see the CSN's Kit for the Prevention of Violence and Harassment at Work (Montréal: CSN, 2019). [https://www.csn.qc.ca/2019-03\\_kit-vht-en\\_csn/](https://www.csn.qc.ca/2019-03_kit-vht-en_csn/).

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