



LEGAL INFORMATION SHEET: Domestic or Sexual Violence Leave Pay in Ontario

Ontario's Employment Standards Act (ESA) provides job-protected leave for employees experiencing domestic or sexual violence, or the threat thereof. This leave is designed to support employees in addressing the immediate and long-term impacts of such violence.

Eligibility

Employees are entitled to this leave if:

- They have been employed for at least 13 consecutive weeks.
- They, or their child (under 18), have experienced or been threatened with domestic or sexual violence.

Entitlement and Duration

Employees are entitled to:

- Up to **10 individual days** of leave per calendar year.
- Up to **15 weeks** of leave within the same calendar year.

The first **5 days** of leave in a calendar year are **paid**, and the remaining days are **unpaid**. The leave can be taken intermittently or consecutively, depending on the employee's needs.

Permitted Purposes for Leave

The leave can be taken for the following purposes:

1. To seek medical attention for the employee or their child due to physical or psychological injury caused by the violence.
2. To obtain services from a victim services organization.
3. To receive psychological or other professional counseling.
4. To relocate temporarily or permanently.
5. To seek legal or law enforcement assistance, including preparing for or participating in legal proceedings related to the violence.

An employee is not entitled to this leave if they are the perpetrator of the domestic or sexual violence.



Evidence Requirements

You must give your employer notice as soon as is reasonable before taking the leave. Employers may request evidence that is “reasonable in the circumstances” to verify the employee's entitlement to the leave. What constitutes reasonable evidence depends on factors such as the duration of the leave, any patterns of absences, and the availability of evidence.

Employment Protections

Employees taking this leave are entitled to the same protections as those taking pregnancy or parental leave. Employers cannot threaten, fire, or penalize employees for taking, planning to take, or being eligible to take this leave.



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