

Domestic Violence Leave Accommodation Policy

○ Leave for Victims of Domestic Violence, Sexual Assault or Stalking

▪ What is it?

Employees who are victims of domestic violence, sexual assault or stalking are entitled to unpaid, job-protected leave to seek services that protect themselves and their children or to attend court proceedings.

Services may include:

- Medical attention for injuries;
- Referrals to a domestic violence shelter, program or rape crisis center
- Psychological counseling;
- Safety planning and other actions to increase safety from future domestic violence or sexual assault, including temporary or permanent relocation; or
- Temporary restraining orders, permanent restraining orders or other injunctive relief.

You cannot be fired or retaliated against because you are a victim of domestic violence, sexual assault or stalking.

▪ Who is eligible?

- Employees who are victims of domestic violence, sexual assault and/or stalking are eligible.

▪ How long is the leave?

- The law does not require a specific duration for such leaves and the reasonableness of the length of a leave will be determined on a case by case basis by each department.

▪ Is it paid?

- The leave is unpaid. However, an employee may elect to use accrued paid leave such as sick leave or vacation.

▪ How do I request the leave?

- Talk to your supervisor, manager or Human Resources. Employees must provide reasonable advance notice of the need for leave unless advance notice is not feasible.
- An employee may be required to provide certification of the need for leave. Certification may include a police report, court documents or a note from a healthcare provider who provided treatment for physical or mental injuries incurred as a result of the domestic violence, sexual assault or stalking.

▪ Accommodations for victims of domestic violence, sexual assault or stalking

- You also have the right to reasonable accommodations that may keep you safe at work. Safety needs may include a new work phone number, a transfer, or a different schedule.

▪ How do I request an accommodation?

- You can talk to your supervisor, manager or you can contact the County Disability Unit Manager.
- An employee may be required to provide certification of the need for accommodation. Certification may include a police report, court documents or a note from a healthcare provider who provided treatment for physical or mental injuries incurred as a result of the domestic violence, sexual assault or stalking.
- Additional resources
 - <https://hr.smcgov.org/documents/labor-commissioner%E2%80%99s-office-victims-domestic-violence-sexual-assault-and-stalking-notice>
 - <https://hr.smcgov.org/violence-workplace>