

HB 1717 -- UNPAID LEAVE FOR VICTIMS OF DOMESTIC VIOLENCE

SPONSOR: Schupp

This bill creates a right to unpaid leave for an employee who is affected by domestic violence. A person employed by a public or private employer with at least 15 employees is entitled to unpaid leave if the employee, or a family or household member, is a victim of domestic violence. "Domestic violence" is defined as assault, battery, coercion, harassment, sexual assault, unlawful imprisonment, and stalking. The employee is entitled to 2 weeks of leave per year if his or her employer employs at least 50 employees and one week per year if his or her employer employs at least 15 but no more than 49 employees.

An employee is required to give 48-hours notice of the intent to take the leave, when practicable, and may be required to provide certification to the employer that it is necessary. An employee is allowed to take leave to seek medical attention, recover from injury, obtain victim services, obtain counseling, participate in safety planning, and seek legal assistance.

Upon returning from leave, the employee must be restored to the same or equivalent employment position and must not lose accrued benefits. The employer is required to maintain health coverage for the employee on leave, but the premium may be recovered if the employee does not return.

Employers and public agencies delivering public assistance are barred from discriminating against an employee covered under the bill, and the entities are required to make reasonable accommodations regarding the employee unless the accommodation would constitute an undue hardship. "Reasonable accommodations" is defined as an adjustment to a job structure, workplace facility, or work requirement, including a transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, implementation of a safety procedure, or assistance in documenting domestic violence that occurs at the workplace or in work-related settings.

The Attorney General is given the authority to enforce the provisions of the bill.