

Domestic Violence Leave - Federal & State Law Reference Chart

Domestic Violence Leave

- Does your state require some sort of domestic violence leave?

State	Main provisions of law	Covered employers
US	There is no provision for this topic in this state.	
AL	No state law provides leave for this purpose.	There is no provision for this topic in this state.
AK	No state law provides leave for this purpose.	There is no provision for this topic in this state.
AZ	Covered employers (employers with 50 or more employees) must allow employees who have been victims of crimes or juvenile offenses or are the family members, or lawful representative, of a victim who is killed or incapacitated, to exercise the his or her right to be present at a justice proceeding scheduled in his or her case, or in the case of an immediate family member when the family member is killed or incapacitated. Under the Fair Wages and Healthy Families Act, also known as Proposition 206, most employers must provide employees with paid time off. Employees will earn one hour of sick leave for every 30 hours worked. The total amount of required sick leave is capped, depending on the size of the employer. Employers with fewer than 15 employees must allow workers to earn 24 hours of sick leave per year, while employers with 15 or more employees must grant 40 hours of earned paid sick leave annually. In addition to the employee's own sickness, the leave can be used for preventive care, physical or mental illness, and services related to domestic or sexual violence for the employee or an employee's family member. "Family member" is broadly defined to include the employee's spouse or domestic partner as well as parents, children, grandparents, grandchildren, and any individuals regardless of age who acted, or for whom the employee or employee's spouse or domestic partner acted, in a parental role during childhood. Employers will be able to require advance notice of a foreseeable need to use paid sick leave, but only if they put the requirement in a written policy that has been provided to employees. <i>Citation: A.R.S. § 5-23-371 et seq.</i>	There is no provision for this topic in this state.
AR	No state law provides leave for this purpose.	There is no provision for this topic in this state.

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CA	All employers must provide leaves of absence for victims of domestic violence, sexual assault, or stalking to obtain relief to help ensure the health, safety, or welfare of the victim or his or her child. In addition, an employer with 25 or more employees must not discriminate against an employee who is a victim of domestic violence, sexual assault, or stalking for taking time off from work to: (1) seek medical attention for injuries caused by domestic violence or sexual assault or stalking; (2) obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence or sexual assault or stalking; (3) obtain psychological counseling related to an experience of domestic violence or sexual assault or stalking; or (4) participate in safety planning and take other actions to increase safety from future domestic violence, or sexual assault or stalking, including temporary or permanent relocation. (Cal. Lab. Code § 230.1). Additionally, SB 579 amends Labor Code Section 233 and requires an employer that provides paid sick leave for employees to permit employees to use their accrued and available sick leave entitlement for an employee who is a victim of domestic violence, sexual assault, or stalking—in an amount not less than the sick leave that would be accrued during six months at their then-current rate of entitlement. AB 2337 requires employers with 25 or more employees to provide employees with written notice about the rights of victims of domestic violence, sexual assault, and stalking to take protected time off. <i>Citations:</i> Cal. Lab. Code §§ 230 et seq.; AB 2337 (2016).	Cal. Lab. Code § 230: all employers. Cal. Lab. Code § 230.1; employers with 25 or more employees. Cal. Lab. Code § 245: all employers.

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CO	The Colorado Healthy Families and Workplaces Act (HFWA), requires all Colorado employers to provide three types of paid sick leave: 1) COVID-19 emergency paid sick leave (CO-EPST); 2) paid sick and safe time (PSST); and 3) public health emergency paid sick leave (PHEL). The provisions of the HFWA take effect immediately. The HFWA requires that nearly all employees working for public and private employers in Colorado begin accruing at least 1 hour of paid sick leave for every 30 hours worked, up to 48 hours total, with the balance carrying over from year to year, subject to the limit. The HFWA permits the use of paid sick leave hours, as soon as they accrue, for numerous reasons, including leave associated with certain domestic abuse or sexual assault issues. Employers must permit employees to take up to three working days of leave in any 12-month period, with or without pay, if the employee is the victim of domestic abuse, stalking, sexual assault or any other crime, based on a court finding that includes an act of domestic violence. Employees must use the leave to protect himself or herself by (a) seeking a protection order to prevent domestic abuse, (b) seeking medical care or mental health counseling for him/herself or affected children, (c) making his/her home secure or seeking new housing to escape a perpetrator of domestic violence, or (4) seeking legal assistance and/or attend court proceedings to address issues arising from the act of domestic abuse or violence. Eligible employees must have been employed with the employer for twelve months or more. <i>Citations:</i> SB20-205; C.R.S. § 24-34-402.7.	Employers with 16 or more employees on January 1, 2021 and for all other employers on January 1, 2022. <i>Citation:</i> SB20-205. Employers with 50 or more employees. <i>Citation:</i> C.R.S. § 24-34-402.7.

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CT	Employers are required to grant up to 12 days of unpaid leave per calendar year to an employee who is a victim of family violence because such leave is reasonably necessary to: (a) seek medical care or psychological or other counseling for physical or psychological injury or disability for the victim; (b) obtain services from a victim services organization on behalf of the victim; (c) relocate due to such family violence; or (d) participate in any civil or criminal proceeding related to or resulting from such family violence. See CT Gen. Stat. § 31-51ss. The leave only has to be paid if the employee is eligible for paid leave and if the leave will not exceed the maximum amount of leave due to the employee during any calendar year. Additionally, CT Gen. Stat. § 54-85b provides that "(a) An employer shall not deprive an employee of employment, penalize or threaten or otherwise coerce an employee with respect to employment, because (1) the employee obeys a legal subpoena to appear before any court of this state as a witness in any criminal proceeding, (2) the employee attends a court proceeding or participates in a police investigation related to a criminal case in which the employee is a crime victim, or attends or participates in a court proceeding related to a civil case in which the employee is a victim of family violence, as defined in § 46b-38a, (3) a restraining order has been issued on the employee's behalf pursuant to § 46b-15, (4) a protective order has been issued on the employee's behalf by a court of this state or by a court of another state, provided if issued by a court of another state, the protective order shall be registered in this state pursuant to § 46b-15a, or (5) the employee is a victim of family violence, as defined in § 46b-38a." Leave taken for reasons covered by the law cannot affect any other leave provided under state or federal law. This means that an employee may not be required to take family violence leave concurrently with other types of state and federally authorized leave. Employees may be required to provide 7 days' notice for foreseeable absences and sign a written statement certifying that the leave is being taken for a purpose authorized under the statute. If the need for leave is not foreseeable, notice may be required as soon as practicable. Employers may request a police or court record or a signed written statement from a licensed professional or victim services organization certifying that the employee is a victim of family violence. Records and statements must be kept confidential, unless the employee is told of the disclosure in advance, and the disclosure is required by state or federal law or necessary to protect the employee's safety in the workplace. A more narrow law, applicable to service employers with 50 or more employees, also requires that those employers grant	Employers with three or more employees, including employers of the state and/or any political subdivision of the state.

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	accrued sick leave to service employees who are victims of family violence or sexual assault. <i>Citations:</i> CT Gen. Stat. §§ 31-51ss; 54-85b; 46b-15a; 46b-38a; 31-57t.	
DC	Under the District of Columbia's Accrued Sick and Safe Leave Act of 2008, an employee's accrued paid sick leave may be used where the employee or a family member of the employee has been the victim of stalking, domestic violence, or sexual abuse, and the leave will be used to: (1) seek medical attention for a resulting physical or psychological injury; (2) obtain services from a victim services organization; (3) obtain psychological or other counseling; (4) temporarily or permanently relocate; (5) take legal action (including preparing for or participating in any civil or criminal legal proceeding); or (6) take other actions to enhance physical, psychological, or economic health or safety. <i>Citation:</i> DC Code § 32-131.02.	All employers.
DE	Delaware law requires covered employers to make reasonable accommodation for employees' needs related to domestic violence, a sexual offense, or stalking unless the employer can demonstrate that the accommodation would impose an undue hardship on the operation of the business. It is an unlawful employment practice for an employer to discriminate against any individual because he or she is the victim of domestic violence, a sexual offense, or stalking. "Reasonable accommodation" includes, but is not limited to, reasonable changes in the schedules or duties of the job that would enable the person to satisfactorily perform the essential duties of the job. Reasonable accommodation also includes allowing the individual to use accrued leave to address the domestic abuse, sexual offense, or stalking. Domestic violence, sexual offenses, and stalking may be verified by an official document such as a court order or by a reliable third-party professional, including a law-enforcement agency or officer, a domestic violence or domestic abuse service provider, or a healthcare provider. Exclusions: Not protected by the law are individuals employed in agriculture or in the domestic service of any person; any individual who, as a part of his or her employment, resides in the personal residence of the employer; any individual employed by his or her parents, spouse, or child; and certain elected individuals, their staff, and their appointees. Employees subject to the merit service rules or civil service rules of the state government or political subdivision are not excluded from coverage. <i>Citations:</i> 19 Del. C. §§ 710 and 711.	Private employers with 4 or more employees within the state at the time of the alleged violation, and the state or any political subdivision or board, department, commission, or school district.

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FL	Employers shall permit an employee to request and take up to 3 working days of leave from work in any 12-month period if the employee or a family or household member of an employee is the victim of domestic violence or sexual violence. This leave may be with or without pay, at the discretion of the employer. Employees can also be required to exhaust all other available leave, unless the employer waives this requirement. Employees must give their employer "appropriate advance notice" of the need for leave (as determined by the employer's policy), except in cases of imminent danger to health or safety of the employee or the employee's family or household member. Employers must keep all information relating to leave for domestic violence or sexual violence confidential. Employers may not discriminate or retaliate against an employee for exercising his or her rights. The statute applies to all employers, including state/agency employers, who employ 50 or more employees and to an employee who has been employed by the employer for 3 or more months. <i>Citation: FSA § 741.313(2)(a).</i>	There is no provision for this topic in this state.
GA	No state law provides leave for this purpose.	There is no provision for this topic in this state.

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HI	The Hawaii Victims Leave Act provides leaves of absence to victims of domestic violence, sexual assault, and stalking. Employers must allow leave for victims of domestic violence to seek medical attention, to obtain services from a victim services organization, to obtain psychological counseling, to relocate, or to take legal action (civil or criminal). Employers employing not more than 49 employees must allow a victim of domestic violence to take up to 5 days of unpaid leave per calendar year. Employers with 50 or more employees must allow victims of domestic violence up to 30 days of unpaid leave from work per calendar year. When an employee takes this leave to seek medical attention, the employer can require a doctor's certificate estimating the number of days necessary for leave. Before the employee's return, the employer can also request a medical certificate approving the employee's return to work. If an employee takes this leave for nonmedical reasons, the employer may require, after 5 days' total leave in a 12-month period, that the employee provide certification to the employer stating that the leave is for one of the purposes stated above. All information provided to the employer under this law must be kept in the strictest confidence by the employer and cannot be disclosed unless requested or consented to by the employee, ordered by a court or administrative agency, or otherwise required by law. <i>Citations: HRS §§ 378-71 through 378-74.</i>	Employers employing not more than 49 employees must allow a victim of domestic violence to take up to 5 days of unpaid leave per calendar year. Employers with 50 or more employees must allow victims of domestic violence up to 30 days of unpaid leave from work per calendar year. <i>Citations: HRS §§ 378-71 through 378-74.</i>
ID	No state law provides leave for this purpose.	There is no provision for this topic in this state.

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IL	The Illinois Victims' Economic Security and Safety Act covers employees who are victims of or have a family or household member victimized by domestic violence, sexual assault, or stalking. Employers with no more than 14 employees must provide up to four weeks of leave in any 12-month period for absences related to domestic or sexual violence. Covered employers with 15-49 employees must allow eligible employees to take up to 8 weeks of applicable unpaid leave during any 12 month period, and employers with 50 or more employees must allow 12 weeks applicable unpaid leave. The employee must provide 48 hours advance notice when practicable. Employers may require employees to provide certification of the need for leave. The leave isn't in excess of unpaid leave allowed under the federal FMLA. Employees eligible for other paid or unpaid leaves may substitute any period of such leave for an equivalent period of unpaid leave under the law, but employers may not require the employee to do so. Employees are entitled to be restored to the same or an equivalent position, and employers are prohibited from discharging, constructively discharging, harassing, or otherwise discriminating against anyone exercising a right under the leave law or for opposing unlawful practices under the law. Discrimination includes failing to make timely reasonable accommodations to known limitations caused by being a victim of or having a family or household member victimized by domestic or sexual violence. <i>Citation:</i> 820 ILCS 180/1 et seq.	The state or any state agency; any unit of local government or school district; or any private employer that employs at least 15 employees.
IN	There is no state law that provides leave for this purpose, but an employer may not terminate an employee based on (1) his/her filing of a petition for a protective order (whether or not it has been issued) and (2) the actions of an individual against whom the employee has filed a protective order.	There is no provision for this topic in this state.
IA	Employers may not discharge, fail to promote, or reduce an employee's wages or benefits for actual time worked because the employee was a witness in a criminal proceeding or was a plaintiff, defendant, or witness in a domestic abuse civil proceeding. An employer that violates the law commits a simple misdemeanor. An employee whose employer violates this section is entitled to recover damages including but are not limited to, actual damages, court costs, and reasonable attorneys' fees. The employee may also petition the court for a cease and desist order against the employer and for reinstatement. <i>Citation:</i> Iowa Code § 915.23.	There is no provision for this topic in this state.

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KS	An employer may not discharge or in any manner discriminate against or retaliate against an employee who is a victim of domestic violence or sexual assault and who takes time off from work to: (a) obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or the victim's child or children; (b) seek medical attention for injuries caused by domestic violence or sexual assault; (c) obtain services from a domestic violence shelter, domestic violence program, or rape crisis center as a result of domestic violence or sexual assault; or (d) make court appearances in the aftermath of domestic violence or sexual assault. An employee must give reasonable advance notice of the intention to take time off where feasible. The employee must also provide certain documentation, such as a copy of the police report or restraining order, to the employer within 48 hours of returning from the requested time off. The employee may use any accrued paid leave or, if paid leave is unavailable to the employee, up to 8 days per calendar year of unpaid leave for these purposes, unless a longer period is provided by the employer's policies by a collective bargaining agreement. The entitlement of any employee to leave for domestic violence or sexual assault may not be diminished by the provisions of a collective bargaining agreement. <i>Citation: KS Stat. § 44-1132.</i>	All employers.
KY	No state law provides leave for this purpose.	There is no provision for this topic in this state.
LA	No state law provides leave for this purpose.	There is no provision for this topic in this state.

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ME	Employers must grant reasonable and necessary leave from work, with or without pay, for an employee to prepare and attend court proceedings, receive medical treatment or attend to medical treatment for a victim who is the employee's parent, child, or spouse, or obtain necessary services to remedy a crisis caused by domestic violence, sexual assault, or stalking. The leave must be needed because the employee or the employee's covered relative is a victim of violence, assault, sexual assault, stalking, or any act that would support an order for protection. An employer cannot sanction an employee or deprive him or her of pay or benefits for exercising rights. An employer may require an employee to provide reasonable documentation of the family relationship between the employee and the covered relative, which may include a statement from the employee, a birth certificate, a court document, or a similar document. Exceptions: The absence of the employee would cause the employer undue hardship, the need for leave is not communicated within a reasonable period, or the requested leave is unnecessary based on the facts known by the employer. <i>Citation:</i> ME Rev. Stat. Tit. 26 Sec. 850.	All employers.
MD	State law prohibits employers from terminating employee who exercises statutory right as a crime victim to attend any court proceeding where the right to appear has been granted to a defendant.	All employers. Whether leave must be provided on a paid basis depends on the size of the employer. Employers with 15 or more employees must provide leave on a paid basis. Employers with 14 or fewer employees may provide leave on an unpaid basis.

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MA	Private sector: Under the state's Domestic Violence Leave Act, employers must permit an employee to take up to 15 days of leave from work in any 12-month period if: (a) the employee, or a family member of the employee, is a victim of abusive behavior; (b) the employee is using the leave to seek or obtain medical attention, counseling, victim services, or legal assistance; secure housing; obtain a protective order from a court; appear in court or before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee; and (c) the employee is not the perpetrator of the abusive behavior against such employee's family member. A covered "family member" can be any one of the following relationships: the spouse or fiancée of a victim of domestic violence; an individual with whom the victim of domestic violence has a substantive dating relationship (for a fiancée or substantive dating relationship to qualify, the couple must also live together); someone with whom the victim of domestic violence has a child in common; or the parent, step-parent, child, step-child, sibling grandparent, grandchild, or guardian to a victim of domestic violence (see Mass. Gen. Laws ch. 149, § 52E(a)). Leave is available to the employee on the first date of employment. The employer has sole discretion to determine whether leave is paid or unpaid. Employees must exhaust all annual or vacation leave, personal leave, and sick leave available to them before requesting or taking victims' leave, unless the employer waives this requirement. Notice, nondiscrimination, and reinstatement rights are also required by the law. Employers are prohibited from retaliating against or discriminating against in any manner an employee who exercises his or her rights under the law. <i>Citations:</i> Mass. Gen. Laws ch. 149, §§ 52D-E and 52E(a). Public sector: By Executive Order, all employees of the state or the governor's office who are victims of sexual assault, domestic violence, or stalking are entitled to be absent from work for up to 15 days per year for purposes of victim counseling, obtaining medical treatment, attending legal proceedings, or carrying out other necessary activities. State employers are authorized and encouraged to grant up to 6 months of unpaid leave to an employee who is a victim, or whose children are victims, when the employee is not the abuser or when the employee requests such leave as a result of sexual assault, domestic violence, or stalking. Covered activities must be the result of domestic violence or stalking when the employee is not the abuser or when such activities result from sexual assault inflicted on the employee or on the employee's children in cases in which the	Private sector: Employers with 50 or more employees. Public sector: All employers.

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	employee is not the abuser. Any such absence is paid and granted in addition to any other vacation time, personal time, or other paid leave time to which the employee is entitled. <i>Citation:</i> Executive Order 491 (October 1, 2007)	
MN	Under the state's Pregnancy and Parental Leave Act, employees may use sick leave for safety leave, whether or not the employer allows use of sick leave for that purpose, for such reasonable periods of time as may be necessary (see Minn. Stat. § 181.9413 et seq.). Such leave may be used for assistance to the employee or assistance to the employee's child, adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent. "Safety leave" is defined as leave for the purpose of providing or receiving assistance because of sexual assault, domestic abuse, or stalking. An employer may limit the use of safety leave to no less than 160 hours in any 12-month period. Employers may not take an adverse employment action against employee because the employee took reasonable time off from work to obtain or attempt to obtain an order for protection. Except in cases of imminent danger to self/child or if impracticable, an employee who is absent from the workplace must give 48 hours' advance notice to the employer (see Minn. Stat. § 518B.01, subd. 23). Employers must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony, reasonable time off from work to attend criminal proceedings related to the victim's case. Employers must allow a victim of a violent crime, as well as the victim's spouse or immediate family members, reasonable time off from work to attend criminal proceedings related to the victim's case. Employees may use employer-granted sick leave for safety leave for such reasonable periods of time as may be necessary (see MN Stat. §§ 609.748, 611A.01, 611A.036). Exceptions: An employer may limit the use of safety leave or personal sick leave benefits provided by the employer for absences due to an illness of or injury to the employee's adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent to no less than 160 hours in any 12-month period. <i>Citations:</i> Minn. Stat. §§ 181.9413(b); 518B.01, subd. 23; 609.748; 611A.01; 611A.036.	All employers.
MS	No state law provides leave for this purpose.	There is no provision for this topic in this state.

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MI	No state law provides leave for this purpose.	There is no provision for this topic in this state.
MO	Effective August 28, 2021, Missouri's Victims Economic Safety and Security Act (VESSA) requires employers with at least 20 employees to provide leave and reasonable safety accommodations to those who experience domestic or sexual violence. The amount of VESSA leave available to eligible employees will depend on the employer's size, and all required leave can be unpaid. VESSA leave, however, isn't available if it would result in an employee taking more time off than the amount of unpaid leave allowed under the Family and Medical Leave Act (FMLA). Much like FMLA leave, VESSA leave can be taken intermittently or on a reduced-work schedule. Employers must maintain health coverage for any employee taking leave under VESSA. Employees working for an employer covered by VESSA are eligible to take leave under the statute if they (1) are domestic or sexual violence victims or (2) have a family or household member who is a victim. The statute broadly defines the term "family or household member" to include spouses, parents, children, and "other blood relatives and relatives through a present or prior marriage."	There is no provision for this topic in this state.
MT	No state law provides leave for this purpose.	There is no provision for this topic in this state.
NE	No state law provides leave for this purpose. Note: LB 493, which was introduced in the Nebraska Legislature in early 2015, included a provision for paid leave for absences due to domestic assault, sexual assault, or stalking, as part of a bill to provide for paid sick leave for employees, but it did not get out of committee.	There is no provision for this topic in this state.

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NV	All Nevada employers must provide employees with leave for needs related to domestic violence. Eligible employees may take leave for the following reasons: (a) for the diagnosis, care, or treatment of a health condition related to an act of domestic violence committed against the employee or the employee's family or household member; (b) to obtain counseling or assistance related to an act of domestic violence committed against the employee or the employee's family or household member; (c) to participate in court proceedings related to an act of domestic violence committed against the employee or the employee's family or household member; or (d) to establish a safety plan, including any action to increase the safety of the employee or the employee's family or household member from a future act of domestic violence. Employers are also required to make reasonable accommodations for an employee who is a victim of domestic violence (or whose family or household is such a victim) unless such accommodation would create an undue hardship. "Covered employees" are eligible for leave if they have been employed for at least 90 days and they, or a family or household member, are a victim of domestic violence. "Family or household member" means a spouse, domestic partner, minor child, or parent or another adult who is related within the first degree of consanguinity or affinity to the employee or another adult person who is or was actually residing with the employee at the time the act of domestic violence occurred. Eligible employees are entitled to up to 160 hours of leave in one 12-month period. Leave may be paid or unpaid and may be used intermittently or in a single block of time. Leave must be used within 12 months of the date the act of domestic violence occurred. Employers may require employees to present documentation, such as police reports or similar documents, substantiating the need for leave or reasonable accommodation. This documentation must be treated confidentially. Employers must post notice of employees' rights under the law and employers are required to keep a record of the hours taken for domestic violence leave for a 2-year period following the entry of the information in the record. <i>Citations:</i> 2017 NV SB 361; NRS § 608.	There is no provision for this topic in this state.

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NH	Under the New Hampshire Crime Victim Employment Leave Act, employers with 25 or more employees to provide unpaid leave to employees who are victims of certain crimes to attend court or other legal or investigative proceedings associated with the prosecution of the crime. Before an employee may leave work, he or she must provide the employer with a copy of the notice of each scheduled hearing, conference, or meeting that is provided to the employee by the court or agency. Employers must maintain the confidentiality of any written documents or records submitted by an employee. Employers may not discharge or otherwise discriminate against an employee who is a victim of a crime because the employee exercises his or her right to leave work under the law. "Victim" means any person who suffers direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or the attempted commission of a crime. "Victim" also includes the immediate family of any victim who is a minor or who is incompetent or the immediate family of a homicide victim. "Immediate family" means the father, mother, stepparent, child, stepchild, sibling, spouse, grandparent, or legal guardian of the victim, or any person involved in an intimate relationship and residing in the same household with the victim. An employee who takes leave to attend court or other legal or investigative proceedings associated with the prosecution of a crime may elect to use his or her accrued paid vacation time, personal leave time, or sick leave time. An employer may require the employee to use this accrued time. The employee may not lose seniority while absent from his or her employment. An employer may limit the leave given if the employee's leave creates an undue hardship to the employer's business. "Undue hardship" means a significant difficulty and expense to a business. Factors to consider when making this determination are the size of the employer's business, the employee's position and role within the business, and the employer's need for the employee. <i>Citations:</i> N.H. Rev. Stat. Ann. §§ 275:61-65. It is unlawful for an employer to discharge, threaten to discharge, demote, suspend, or in any manner discriminate or retaliate against an individual with regard to promotion, compensation or other terms, conditions, or privileges of employment because the individual is a victim of domestic violence, harassment, sexual assault, or stalking. Any employer who violates N.H. Rev. Stat. Ann. § 275:71 is subject to a civil penalty to be imposed by the labor commissioner. An employer aggrieved by the commissioner's assessment of a civil penalty may appeal in that penalty. <i>Citations:</i> N.H. Rev. Stat. Ann. §§ 275:71 and 275:72.	There is no provision for this topic in this state.

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NJ	The New Jersey Security and Financial Empowerment Act (NJ SAFE Act) provides 20 days of unpaid leave time for an employee who is the victim of domestic violence or sexual assault or whose family member was a victim. Leave is provided for needs occurring within one year of the incident of domestic violence or sexual assault. Leave may be taken on a reduced schedule or intermittent leave basis in intervals of no less than one day. Eligible employees must have been employed for at least 12 months and at least 1,000 base hours during the 12-month period immediately preceding the leave. If leave is foreseeable, the employee must provide the employer with written notice of the need for the leave. The notice must be provided to the employer as far in advance as is reasonable and practical under the circumstances. An employer may require that an employee requesting leave provide documentation of the domestic violence or sexually violent offense which is the basis for the leave. Employers must display conspicuous notice of its employees' rights and obligations under the Act. <i>Citation:</i> P.L. 2013, c. 82 (S2177 3R). The state's existing Temporary Disability Benefits (TDB) program provides eligible employees with up to 6 weeks of temporary disability benefits (up to 12 weeks for leave taken after July 1, 2020) while taking safe leave under the under the NJ SAFE Act, whether for oneself or a family member, for reasons related to incidents of domestic or sexual violence. This law does not entitle an employee to leave time, but it does entitle a covered employee to receive TDB while taking leave under the NJ SAFE Act.	Public and private employers with 25 or more employees.

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NM	The Promoting Financial Independence for Victims of Domestic Abuse Act requires employers to grant employees intermittent paid or unpaid leave time of up to 14 days in any calendar year and up to 8 hours in 1 day to obtain or attempt to obtain an order of protection or other judicial relief from domestic abuse or to meet with law enforcement officials, to consult with attorneys or victim advocates, or to attend court proceedings related to the domestic abuse of an employee or an employee's family. "Family member" means a minor child of the employee or a person for whom the employee is a legal guardian. Employers are prohibited from interfering with, restraining, or denying domestic abuse leave, or attempting to do so. Retaliation against an employee for using domestic abuse leave is also prohibited. An employer may require verification of the need for domestic abuse leave, and if so, the employee must provide the verification (which types are outlined in the Act) in a timely fashion. When domestic abuse leave is taken in an emergency, the employee or the employee's designee must give notice to the employer within 24 hours of commencing leave. An employer may not disclose verification information provided by the employee. The employer must maintain confidentiality. An employee may use accrued sick leave or other available paid time off (PTO), compensatory time, or unpaid leave time or domestic abuse leave, consistent with the employer's policies. To the extent permitted by law, an employer cannot withhold pay, health coverage insurance, or another benefit that has accrued to the employee when an employee takes domestic abuse leave. An employer need not include time taken for domestic abuse leave in calculating eligibility for benefits. <i>Citation:</i> NM Stat. Ann. 1978, §§ 50-4A-150-4A-8.	All employers.

Domestic Violence Leave - Federal & State Law Reference Chart

Domestic Violence Leave

- Does your state require some sort of domestic violence leave?

State	Main provisions of law	Covered employers
NY	New York's State's Human Rights Law (NYSHRL) protects domestic violence victims from employment discrimination for taking time off from work to go to court, consult with a district attorney, counselor, and/or doctor, and recuperate from injuries. It is a violation of the law for any employer to treat an employee who is a domestic violence victim differently than any other employee because of that employee's status as a domestic violence victim. For example, if an employer provides personal time off (PTO) or sick leave for its employees, it may not deny a domestic violence victim use of those policies to attend to issues pertaining to domestic violence, such as court appearances, or going to doctors. Employers must provide reasonable accommodations to domestic violence victims who must be absent from work for certain specified reasons unless the employee's absence would constitute an undue hardship to the employer. When possible, victims of domestic violence must provide with advance notice of absences if possible. If advance notice is not possible, the employee must provide a certification, such as a police report, court order, or documentation from a medical professional, advocate, or counselor. Under the NYSHRL, a "victim of domestic violence" is anyone over the age of 16, any married person, or any parent accompanied by his or her minor child in a situation where the person or their minor child is the victim of an act committed by a family or household member that violates the penal law (such as acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted assault, attempted murder, criminal obstruction of breathing or blood circulation, or strangulation). The act must result in, or create a substantial risk of, physical or emotional injury to the person or the person's minor child. In order to properly address this legal protection by the NYSHRL, employers should include domestic violence victims as a protected category in handbooks and antidiscrimination/ antiharassment policies encompass domestic. <i>Citation:</i> N.Y. Exec. Law § 296-A.	There is no provision for this topic in this state.

Domestic Violence Leave - Federal & State Law Reference Chart

Domestic Violence Leave

- Does your state require some sort of domestic violence leave?

State	Main provisions of law	Covered employers
NC	State law prohibits employers from discriminating against or taking retaliatory action against an employee who exercises rights under the state's domestic violence law. Specifically, no employer shall discharge, demote, deny a promotion, or discipline an employee because the employee took reasonable time off from work to obtain or attempt to obtain relief under the law. An employee who is absent from work must follow the employer's usual time-off policy or procedure, including advance notice to the employer, unless an emergency prevents the employee from doing so. An employer may require documentation of any emergency that prevented the employee from complying in advance with the employer's usual time-off policy or procedure or any other information available to the employee that supports the employee's reason for being absent from work. <i>Citations:</i> NC Gen. Stat. § 50B-5.5 and NC Gen Stat. § 95-241.	All employers.
ND	No state law provides leave for this purpose.	There is no provision for this topic in this state.
OH	Private sector: No employer of a victim shall discharge, discipline, or otherwise retaliate against the victim, a member of the victim's family, or a victim's representative for participating, at the prosecutor's request, in preparation for a criminal or delinquency proceeding or for attendance, pursuant to a subpoena, at a criminal or delinquency proceeding if the attendance is reasonably necessary to protect the interests of the victim. However, the law generally does not require an employer to pay an employee for time lost as a result of attendance at a criminal, delinquency, or other enumerated proceeding. No employer shall discharge or terminate from employment, threaten to discharge or terminate from employment, or otherwise punish or penalize any employee because of time lost from regular employment as a result of the employee's attendance at any proceeding pursuant to a subpoena under the law (Ohio Rev. Code § 2152). However, if an employee is subpoenaed to appear at a proceeding and the proceeding pertains to an offense against the employer or an offense involving the employee during the course of the employee's employment, the employer shall not decrease or withhold the employee's pay for any time lost as a result of compliance with the subpoena. Any employer who knowingly violates these provisions of the law is in contempt of court. <i>Citations:</i> Ohio Rev. Code §§ 2930.18 and 2151.211. Public sector: Executive Order 2011-04K implements the Barbara Warner Workplace Domestic Violence Policy which provides, among other rights of domestic violence victims, that state agencies must grant leave requests if an employee needs to be absent from work due to current or past domestic violence.	There is no provision for this topic in this state.

Domestic Violence Leave

- Does your state require some sort of domestic violence leave?

State	Main provisions of law	Covered employers
OK	No state law provides leave for this purpose.	There is no provision for this topic in this state.

Domestic Violence Leave - Federal & State Law Reference Chart

Domestic Violence Leave

- Does your state require some sort of domestic violence leave?

State	Main provisions of law	Covered employers
OR	Covered employers must provide eligible employees with reasonable leave from work to address matters related to domestic violence, harassment, sexual assault, or stalking. An employer may limit the amount of leave taken if leave creates an undue hardship to the employer's business. An eligible employee is any employee who is a victim of domestic violence, harassment, sexual assault, or stalking or who is the parent or guardian of a minor child or dependent who is a victim of domestic violence, harassment, sexual assault, or stalking (see OR Rev. Stat. § 659A.270). An employer must grant leave to a covered employee so that he or she may seek: (a) legal or law enforcement assistance or remedies to ensure the employee's health and safety or that of the employee's minor child or dependent. This includes preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to domestic violence, harassment, sexual assault, or stalking; (b) medical treatment for or to recover from injuries caused by domestic violence or sexual assault to, or harassment or stalking of, the eligible employee or the employee's minor child or dependent; (c) counseling from a licensed mental health professional related to an experience of domestic violence, harassment, sexual assault, or stalking, or to assist a minor child or dependent in obtaining counseling; (d) services from a victim services provider for the eligible employee or the employee's minor child or dependent; or (e) relocation or take steps to secure an existing home to ensure the health and safety of the eligible employee or the employee's minor child or dependent. Eligible employees must give the employers reasonable advance notice of the employee's intention to take leave, unless giving the advance notice is not feasible. Employers may require the eligible employee to provide certification and the employee must provide the certification within a reasonable time after the employer's request. Covered employers may also be required to make a "reasonable safety accommodation" if requested by an individual who is a victim of domestic violence, harassment, sexual assault, or stalking. Leave, whether paid or unpaid, may be one example of a reasonable safety accommodation (see OR Rev. Stat. § 659A.121). Private sector: Private employers are not required to grant additional paid leave for the purposes stated above. However, an eligible employee who takes this leave may use any accrued paid leave—including vacation leave, sick leave, personal business leave, or any other paid leave that is offered by the employer in lieu of vacation leave—during the period of leave. Subject to the	Private and public sector employers who employ 6 or more employees in the state for each working day during each of 20 or more calendar workweeks of the year or the preceding year.

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Domestic Violence Leave

- Does your state require some sort of domestic violence leave?

State	Main provisions of law	Covered employers
	terms of any agreement between the employee and the employer, or the terms of a collective bargaining agreement or an employer policy, the employer may determine the order in which paid accrued leave is to be used when more than one type of paid accrued leave is available to the employee. Public sector: Public employees are entitled to additional paid leave for the purposes stated above (see OR Rev. Stat. § 659A.283). <i>Citations:</i> OR Rev. Stat. §§ 659A.121; 659A.270; 659A.272; 659A.283.	
PA	No state law provides leave for this purpose.	There is no provision for this topic in this state.
RI	Covered employers are required to give domestic violence leave so that an injured party may attend criminal proceedings. Before the employee takes such leave, the employee may be required to provide the employer with a copy of notification of the court proceeding. Employers may not dismiss an employee who is a victim of a crime because the employee exercises the right to leave work to leave work to attend court proceedings related to the crime. Employers are not required to compensate an employee for the time taken to attend court proceedings as outlined above. However, the employee may elect to use or an employer may require the employee to use any accrued paid vacation, personal leave, or sick leave. An An employee who is a victim of a crime shall not lose seniority or precedence while absent from employment. An employer may limit the amount of leave taken if the employee's leave creates an undue hardship to the employer's business. <i>Citation:</i> R.I. Gen. Laws § 12-28-13.	Employers with 50 or more employees.
SC	Employers of victims and witnesses must not retaliate against or suspend or reduce the wages and benefits of a victim or witness who lawfully responds to a subpoena. <i>Citation:</i> S.C. Code Ann. § 16-3-1550.	There is no provision for this topic in this state.
SD	No state law provides leave for this purpose.	There is no provision for this topic in this state.
TN	No state law provides leave for this purpose.	There is no provision for this topic in this state.

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Domestic Violence Leave

- Does your state require some sort of domestic violence leave?

State	Main provisions of law	Covered employers
TX	Texas has not explicitly enacted a law that provides domestic violence victims' time off from work to address the violence in their lives and/or that protect victims from employment discrimination relate to the violence. Under the Texas Code of Criminal Procedure, however, victims have the right to testify in a criminal proceeding, which may require leave from work for good cause. <i>Citation:</i> Tex. Code Crim. Prc. Ann 56.02(a)(1).	There is no provision for this topic in this state.
UT	No state law provides leave for this purpose.	There is no provision for this topic in this state.
VT	Covered employers are required to provide sick leave as paid time off (PTO). Paid sick leave accumulates at no less than one hour for every 52 hours worked. Sick time may be used to arrange for social, legal, or medical support or assistance with relocating for the employee or a family member who is a victim of domestic violence, sexual assault, or stalking; and to care for a family member whose school or business is closed for health or safety reasons. Vermont also has a “domestic and sexual violence survivors’ transitional employment program” the purpose of which “is to provide temporary, partial wage replacement to individuals who must leave employment, without good cause attributable to the employer, because of circumstances directly resulting from domestic violence, sexual assault, or stalking.” In addition to these provisions, Vermont employers are also required to provide unpaid, job protected leave to crime victims (not limited to domestic violence) to allow attendance at depositions and court proceedings related to the crime or requests for relief from abuse, stalking, or sexual assault. <i>Citations:</i> VT Stat. Tit. 21 § 472(c); H.187 (2016); 21 V.S.A. §§ 472(c) and 1251 et seq.	There is no provision for this topic in this state.
VA	No state law provides leave for this purpose.	There is no provision for this topic in this state.

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- Does your state require some sort of domestic violence leave?

State	Main provisions of law	Covered employers
WA	Washington's Domestic Violence Leave Law provides reasonable leave for employees who are victims of domestic violence, sexual assault, or stalking. Leave is also provided to employees whose family members are victims. Covered "family members" include an employee's child, spouse, domestic partner, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship. Leave may be used for numerous purposes including, but not limited to, participating in legal proceedings; receiving medical or mental health treatment; obtaining services from social services programs; and obtaining or conducting other safety-related services. There is no limit on the amount of leave other than it be "reasonable." Employees who take leave may also any accrued sick leave, other paid time off, compensatory time, or unpaid leave for the same purpose. An employee must give the employer advance notice of his or her intention to take leave. Notice must be given in a manner consistent with the employer's stated policy for requesting leave, if the employer has such a policy. When advance notice cannot be given because of an emergency or unforeseen circumstances, the employee or his or her designee must give notice to the employer no later than the end of the first day that the employee takes such leave. The employer may also require that the employee's request for leave be supported by reasonable verification. An employee's use of leave may not result in the loss of any pay or benefits to the employee. Employers must either restore the employee to the position of employment held when the leave commenced or restore the employee to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. In addition to these provisions, Washington employers are also required to provide "reasonable safety accommodations" to victims of domestic violence, sexual assault, or stalking. Accommodations may include, but are not limited to, transfers, reassignments, modified schedules, changed contact information, and any other adjustments. <i>Citation: Wash. Rev. Code § 49.76.</i>	All employers.
WV	No state law provides leave for this purpose.	There is no provision for this topic in this state.

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Domestic Violence Leave

- Does your state require some sort of domestic violence leave?

State	Main provisions of law	Covered employers
WI	Under Wisconsin law, employees are entitled to the certain lengths of family and medical leave. The specified justifications for taking leave do not include domestic violence. In fact, the statute prohibits the enactment of an ordinance by a city, village, town, or county that provides employees with leave from employment, paid or unpaid, where the employees must miss work in order to receive medical care for domestic abuse. The statute goes on to prohibit required leave for obtain services for domestic abuse, relocate a residence due to domestic abuse, or even participate in a civil or criminal action or proceeding relating to domestic abuse. In total, Wisconsin does not guarantee domestic violence leave, and in fact prohibits municipalities from granting domestic violence leave. Exceptions: There are two exceptions to the nonexistence of domestic violence leave under Wisconsin law. First, Wis. Stat. § 103.10 provides that it does not prevent an employer from granting medical or family leave to its employees that is more generous than the rights provided within the statute. Thus, an employer could include domestic violence leave within its policy for employees' medical and family leave. Second, the prohibition on municipalities granting domestic violence leave does not apply to ordinances controlling leave from employment for employees of cities, villages, towns, or counties. Accordingly, a municipality could grant domestic violence leave to its own employees even though it may not require domestic violence leave for all citizens. <i>Citation:</i> Wis. Stat. § 103.10.	Any person engaging in any activity, enterprise, or business in this state employing at least 50 individuals on a permanent basis. The scope of the statute is not limited to private businesses, as "employer" also includes the state and any office, department, independent agency, authority, institution, association, society or other body in state government created or authorized to be created by the constitution or any law, including the legislature and the courts. Nonetheless, because the statute does not provide domestic violence leave and prohibits municipalities from requiring domestic violence leave, all employers in Wisconsin (both private and public) are only required to provide domestic violence leave if said requirement is self-imposed. <i>Citation:</i> Wis. Stat. § 103.10.
WY	Wyoming law provides that a victim of or witness to a crime who responds to a subpoena in a criminal case during working hours may not "suffer any change in terms of employment solely because of the act of responding to a subpoena." A "victim" is an individual who has suffered direct or threatened physical, emotional, or financial harm as the result of a criminal act. A victim for purposes of this law also includes a family member of a victim who is a minor or an incompetent and a surviving family member of a homicide victim. This law applies to all employers, regardless of size. There is no notice requirement for leave; however, law enforcement agencies, the prosecuting attorney, or defense attorney are required by law to assist a victim or witness in informing an employer that he or she must be absent from work for covered purposes. <i>Citation:</i> Wyo. Stat. § 1-40-202 et seq.	There is no provision for this topic in this state.