



Workplace Engagement When an Employee Faces Crime or Violence

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Agenda

- Leaves of Absences
- Accommodations
- Safety Planning
- Other



Big Picture

Domestic Violence / Intimate Partner Violence (IPV) and Work

Prevalence (lifetime):

About **41% of women** and **26% of men** in the U.S. have experienced **physical violence, sexual violence, or stalking by an intimate partner**, with documented impacts (including missed work and job disruption).

Work disruption:

83% of survivors report that an abusive partner **disrupted their ability to work** (e.g., lateness, absenteeism, harassment at work).

Disclosure at work:

In a recent survey, **79%** said domestic violence made it harder to work, and **53% did not disclose** to their employer due to fear of discrimination or job loss.

Harassment at work:

Studies of employed survivors found **~74%** experienced **harassment by their abusive partner at the workplace** (calls, visits, threats).

Economic impact:

IPV costs the U.S. **over \$8.3 billion annually**, including lost productivity and healthcare; survivors lose **millions of paid workdays** each year and **many survivors report job losses**.

Almost 1/3 of the nation's sexual assault service providers have a waiting list for services, with most of the requests being for counseling services.

64% of employers do not have a domestic violence response plan



Impact

- Emotional and Psychological Impact
- Increased Absenteeism and Workload
- Workplace Safety Concerns
- Need for Flexible Work Support



Legal Compliance

Many states and cities require **leave, accommodations, non-retaliation, and safety planning** for employees facing certain crimes, including domestic violence, sexual assault, stalking, and hate crimes.

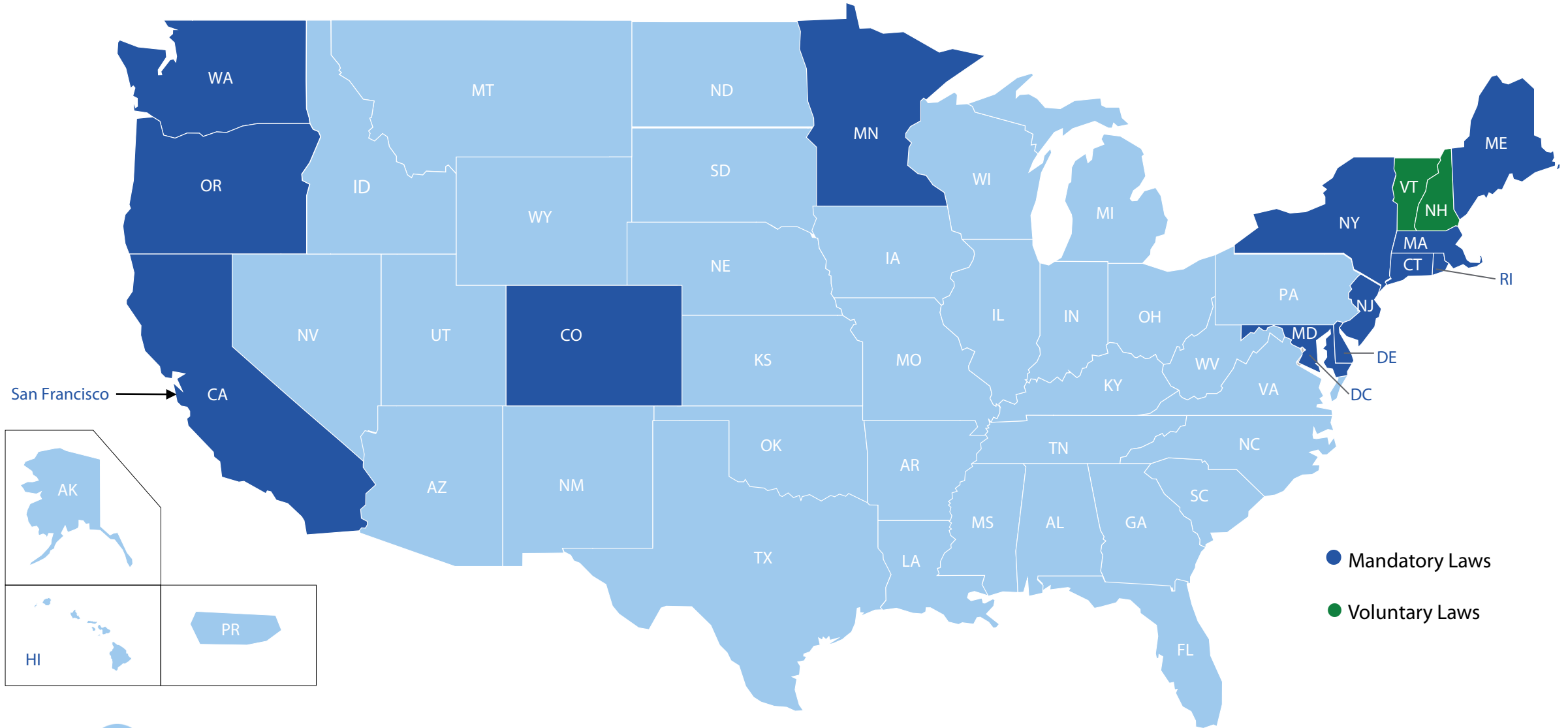


Leaves of Absence

- Paid Family and Medical Leave (PFML)
- Unpaid Family and Medical Leave (FMLA, CFRA, etc.)
- Paid Sick and Safe Time (PSST)
- Unpaid leave for crime victims, to attend court proceedings, witness duty



Paid Family Medical Leave Laws



State PFML

Wage Replacement Benefit Only

- California State Disability Insurance & Paid Family Leave
- Connecticut Paid Family and Medical Leave
- District of Columbia Paid Family Leave
- Hawaii Temporary Disability Benefits
- New York Temporary Disability Benefits
- Rhode Island Temporary Disability Insurance

Job-Protected Leave*

- Colorado Paid Family and Medical Leave
- Delaware Paid Leave (effective 1/1/2026)
- New Jersey Temporary Disability Insurance & Family Leave Insurance (upcoming changes July 2026 will impact job protection)
- Maine Paid Family and Medical Leave (effective 5/1/2026)
- Maryland Paid Family and Medical Leave (effective by 1/3/2028)
- Massachusetts Paid Family and Medical Leave
- Minnesota Paid Leave (effective 1/1/2026)
- New York Paid Family Leave
- Paid Leave Oregon
- Rhode Island Temporary Caregiver Insurance
- Washington Paid Family and Medical Leave

* In certain circumstances, employees may not qualify for the job protection under the PFML program (e.g., Colorado employees with fewer than 180 days of service).



State PFML: Reasons for Use for Employees*

	Paid Leave Oregon	MN PFML	CO FAMILI	CT PFML	ME PFML (5/1/26)	NJ FLI
Domestic Violence or Family Violence	✓	✓	✓	✓	✓ (safety leave)	✓
Sexual Assault / Abuse	✓	✓	✓	✓	✓	✗
Harassment	✓	✗	✗	✓	✗	✗
Bias Crimes	✓	✗	✗	✗	✗	✗
Stalking	✓	✓	✓	✓	✓	✗



State PFML

- * A serious health condition that was the result of a crime or violence, that would be covered under all of the programs as employee medical or care of a family member leave.
- * Explicit reasons called out in statute or guidance – a lot of these overlap so you have to be careful when denying time

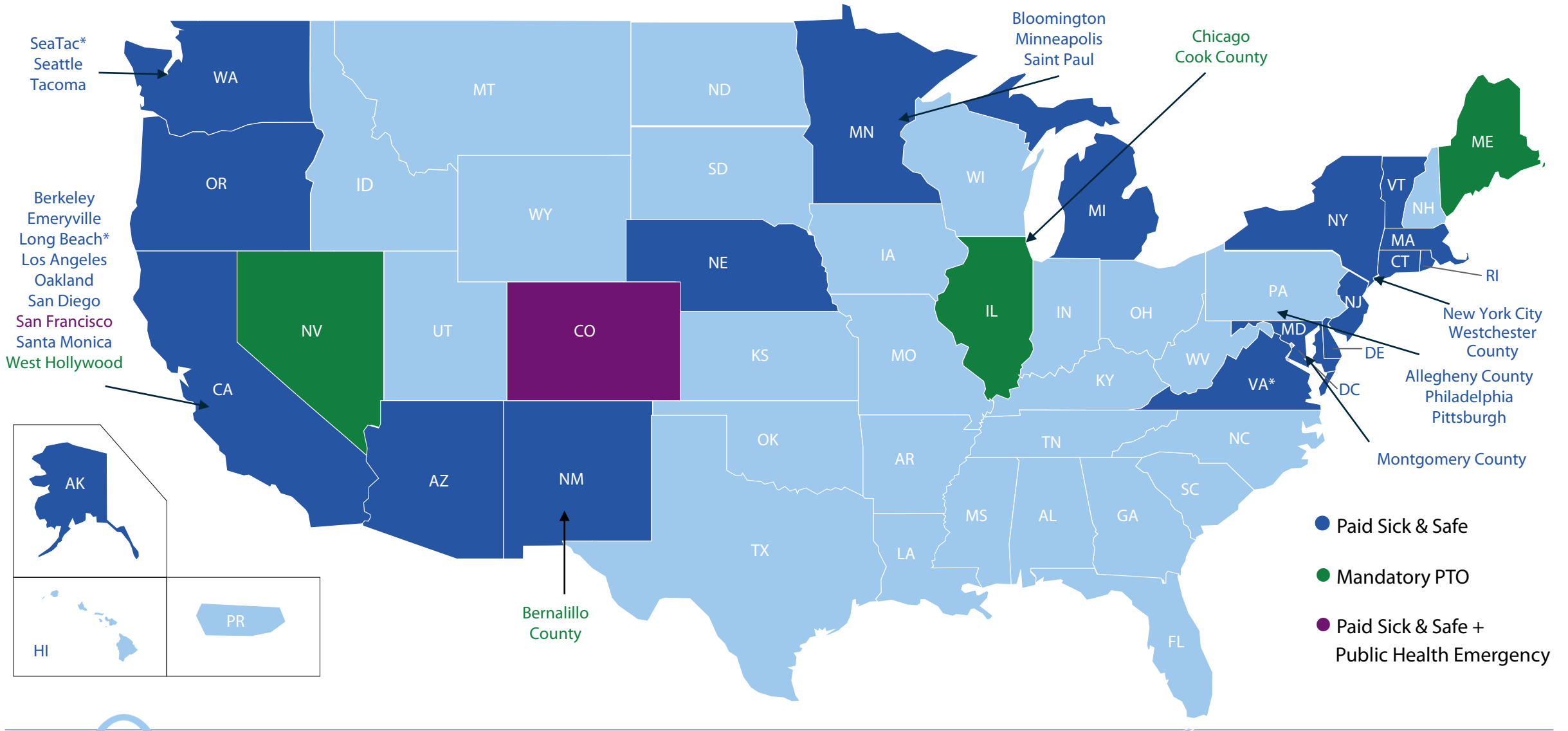


Unpaid Family and Medical Leave: Reasons for Use

- Federal Family and Medical Leave Act
- State Equivalents (CA, CT, DC, ME, NJ, VT, etc.)
- Most states don't include DV/IPV in unpaid FML laws for states that have such laws
- *However*, employees with serious health conditions or caring for family members with serious health conditions may qualify



Paid Sick & Safe, Mandatory PTO, and Public Health Emergency Leave Laws



Paid Sick and Safe Time Coverages

- Paid safe reasons vary by jurisdiction
- Covered employees and relations vary by jurisdiction (some limit to employee use only, varying definitions of covered relation)
- Note witness duty covered in CA as of 1/1/26)
- Westchester County, NY – Paid Safe time only (covers DV and human trafficking)



Unpaid Leave – Domestic Violence, Crime Victims

- Approximately half of states provide job-protected, unpaid leave for crime or domestic violence victims (or both)
- Covered offenses, situations vary by jurisdiction
- Miami Dade County, FL and Philadelphia, PA have local laws
- Witness duty or court proceedings leave may cover an employee also



Other Accommodations

Employers in some states must offer accommodations other than LOAs

Missouri: Victims Economic Safety and Security Act (VESSA)

- Employers with at least 20 Missouri employees must provide reasonable safety accommodations for employees affected by domestic or sexual violence to the employee (or their family or household members) so long as it is not an undue burden on the employer's operations
- Examples: transfer, reassignment, modified schedule, changed telephone number or seating assignment, installation of a lock or other safety measure, assistance in documenting actual or threatened domestic violence

Nevada: Senate Bill 361

- Reasonable accommodations for employees who are victims of domestic violence or whose family or householder member is a victim
- Anything that does not create an undue hardship and are necessary to ensure the safety of the employee and the workplace

New York: Retail Worker Safety Act

- Starting January 1, 2027, employers with more than 500 retail employees must provide access to panic buttons



TROs, Injunctions, and Protective Orders

In some states, employers have the right to obtain injunctions, TROs, and/or protective orders on behalf of itself or its employees:

- Arizona
- Arkansas
- California
- Colorado
- Georgia
- Illinois
- Indiana
- Maine
- Maryland
- Nevada
- North Carolina
- Ohio
- Oklahoma
- Rhode Island
- Utah



Some Nuances with Protections Obtained by Employers

- Arizona, California, Colorado, Illinois, Maine, Maryland, Nevada, Oklahoma, and Rhode Island are states that broaden the behavior to be enjoined by the employer on behalf of the employee, to include harassment.
- Some states provide protections for employers from seeking workplace violence protective orders, such as Arizona, Arkansas, Colorado, Oklahoma, and Utah.
- Arkansas, Colorado, Georgia, Maine, Nevada, Rhode Island require a security deposit along with the seeking the protection.



Questions?

