

University Enterprises, Inc. Policies and Procedures	Policy No. 522
Section:	Human Resources
Policy:	Victims of Domestic Violence, Sexual Assault, or Stalking Leave
Effective Date:	March 19, 2015

Victims of Domestic Violence, Sexual Assault, or Stalking Leave

I. PURPOSE

To provide unpaid leave to employees who are a victim of domestic violence, sexual assault, or stalking for the following reasons:

- To obtain, or attempt to obtain any relief, including but not limited to, a temporary restraining order, restraining order, or other court assistance to help ensure the employee's own health, safety, or welfare, or that of the employee's child.
- To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
- To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking.
- To obtain psychological counseling related to domestic violence, sexual assault, or stalking.
- To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

II. SCOPE

This policy applies to all University Enterprises, Inc. (UEI) employees.

III. POLICY

It is the policy of UEI to provide unpaid leave for victims of domestic violence, sexual assault, or stalking as required by law. UEI, to the extent allowed by law, will maintain the confidentiality of an employee requesting leave under this policy.

IV. DEFINITION

- A. "Domestic violence" means any of the types of abuse as identified and defined in Labor Code section 230.1(g)(1).
- B. "Sexual assault" and "Stalking" means any of the crimes as identified and defined in Labor Code section 230.1(g)(2) and Labor Code section 230.1(g)(3).

V. PROCEDURE AND RESPONSIBILITIES

- A. Request for Leave: Employees must give reasonable advance notice of the intent to take time off under domestic violence, sexual assault, or stalking victims leave unless notice is not feasible. Employees are encouraged to give reasonable advance notice to their supervisor in writing or email.
- B. Amount of Leave: Domestic Violence, Sexual Assault, or Stalking Victims Leave for medical treatment does not exceed or add to the unpaid leave time under Policy No. 520 – Family Care and Medical Leave.
- C. Certification Requirements: Employees must provide certification of the need for domestic violence, sexual assault, or stalking victims leave within a reasonable timeframe. UEI may request

recertification every six months from the date of the previous certification. Certification may be any of the following:

- a. A police report indicating that the employee was a victim of domestic violence, sexual assault, or stalking.
 - b. A court order protecting or separating the employee from the perpetrator of the act of domestic violence, sexual assault, or stalking or other evidence from the court or prosecuting attorney that the employee has appeared in court.
 - c. Documentation from a medical professional, domestic violence counselor, sexual assault counselor, licensed health care provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse due to domestic violence, sexual assault, or stalking.
- D. Use of Paid Leave Benefits: Employees may elect to use accrued sick leave, vacation, or other applicable time off for domestic violence, sexual assault, or stalking victims leave.
- E. Reasonable Accommodation: Employees who are a victim of domestic violence, sexual assault, or stalking may request a reasonable accommodation for their safety while working. Reasonable accommodations may include the implementation of safety measures, including a transfer, reassignment, modified schedule, changed work telephone, changed work station, installed lock, assistance in documenting domestic violence, sexual assault, or stalking that occurs in the workplace, an implemented safety procedure, or another adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, or stalking, or referral to a victim assistance organization.
- F. Return to Work: Under most circumstances, employees returning from domestic violence, sexual assault, or stalking victims leave are entitled to reinstatement to the same or comparable position consistent with applicable law. However, an employee has no greater right to reinstatement than if he or she had been continuously employed rather than on leave.

VI. RELATED POLICIES

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| Policy No. 410 | Timekeeping |
| Policy No. 505 | Vacation |
| Policy No. 515 | Sick Leave |
| Policy No. 520 | Family Care and Medical Leave |
| Policy No. 615 | Attendance |