Washington State Department of
Labor & Industries

April 2009

Domestic Violence Leave for Victims and Family Members

The new law allows:

- **Victims of domestic violence, sexual assault or stalking to take reasonable leave from work for legal or law-enforcement assistance, medical treatment or counseling.**
- **Family members may also take reasonable leave to help a victim obtain needed treatment or services.**
- **Leave is with or without pay.**
- **Family member includes child, spouse, parent, parent-in-law, grandparent, or person the employee is dating.**
- **All employers, public and private, are covered, regardless of size.**
- **An employee must give advance notice, when possible.**
- **Effective April 1, 2008**

What is the new law?

A new law that went into effect on April 1, 2008, allows victims of domestic violence, sexual assault or stalking to take reasonable or intermittent leave from work – paid or unpaid – to take care of legal or law enforcement needs or get medical treatment, social-services assistance or mental-health counseling.

Family members of a victim may also take reasonable leave to help the victim obtain treatment or seek help.

An employee may choose to use sick leave and other paid-time off, compensatory time or unpaid leave time. The leave under this law is in addition to other rights to take leave available to employees under other regulations.

Is verification required?

An employer may require verification from an employee who is requesting leave. If so, an employee may provide one or more of the following:

- A police report indicating the employee or employee's family member was a victim.
- A court order providing protection to the victim.
- Documentation from a healthcare provider, advocate, clergy, or attorney.
- An employee's written statement that the employee or employee's family member is a victim and needs assistance. Family relationship may be determined by birth certificate, court document or other similar record or a statement from the employee.

What is L&I's role?

L&I's role is to inform employers and workers about the new law through outreach and education. Complaints filed by employees will be investigated and L&I will enforce job protection for employees who need this leave.

Additional information may be obtained by calling David Johnson at 360-902-4930 or e-mail to jodc235@Lni.wa.gov, or by calling L&I's Employment Standards Program toll free at 1-866-219-7321.

Updates regarding this new law will be posted on www.Lni.wa.gov/WorkplaceRights/LeaveBenefits/FamilyCare