

## VICTIMS OF DOMESTIC VIOLENCE

A “victim of domestic violence” is an employee who is:

1. (1) over the age of 16, or (2) married, or (3) accompanied by a minor child, and
2. the employee, or employee’s minor child, was the victim of an act which would constitute a violation of the Penal Law. The act must have resulted in physical or emotional injury (or must have created a substantial risk of physical or emotional harm) to the employee or his/her minor child, and
3. The harmful act must have been committed by a family or household member.

The District will provide a reasonable accommodation to an employee who is known by the District to be a victim of domestic violence, limited to those accommodations set forth below, when such employee must be absent from work for a reasonable time unless such absence would cause an undue hardship to the District; provided, however, that the District may require an employee to charge any time off pursuant to this policy against any leave with pay ordinarily granted, where available, unless otherwise provided for in a collective bargaining agreement and any such absence that cannot be charged may be treated as leave without pay.

An employee who must be absent from work in accordance with this policy shall be entitled to the continuation of any health insurance coverage provided by the District, to which the employee is otherwise entitled during any such absence.

The District will provide a reasonable accommodation to an employee who is a victim of domestic violence who must be absent from work for a reasonable time, limited to the following:

1. Seeking medical attention for injuries caused by domestic violence including for a child who is a victim of domestic violence, provided that the employee is not the perpetrator of the domestic violence against the child; or
2. Obtaining services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence; or
3. Obtaining psychological counseling related to an incident or incidents of domestic violence, including for a child who is a victim of domestic violence, provided that the employee is not the perpetrator of the domestic violence against the child; or
4. Participating in safety planning and taking other actions to increase safety from future incidents of domestic violence, including temporary or permanent relocation; or
5. Obtaining legal services, assisting in the prosecution of the offense, or appearing in court in relation to the incident or incidents of domestic violence.

An employee who must be absent from work in accordance with the provisions of this policy shall provide the District with reasonable advance notice of the employee's absence, unless such advance notice is not feasible.

**Victims of Domestic Violence (Continued)**

An employee who must be absent from work in accordance with this policy and who cannot feasibly give reasonable advance notice of the absence must, within a reasonable time after the absence, provide a certification to the District when requested. Such certification shall be in the form of:

1. A police report indicating that the employee or his or her child was a victim of domestic violence;
2. A court order protecting or separating the employee or his or her child from the perpetrator of an act of domestic violence;
3. Other evidence from the court or prosecuting attorney that the employee appeared in court;  
or
4. Documentation from a medical professional, domestic violence advocate, health care provider, or counselor that the employee or his or her child was undergoing counseling or treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence.

Where an employee has a physical or mental disability resulting from an incident or series of incidents of domestic violence, such employee shall be treated in the same manner as an employee with any other disability with regard to their right to a reasonable accommodation of such disability.

To the extent allowed by law, the District will maintain the confidentiality of any information regarding an employee's status as a victim of domestic violence.

Adopted:

November 25, 2019