



Policy HR 12.4

Domestic Violence Leave

Adopted by the Library Board of Trustees: 01/24/2013
Revised: 02/23/2017

The Library recognizes that a victim of domestic violence, sexual assault, or stalking may need to take personal time to meet with law enforcement personnel, a legal advisor, or to arrange for a safe place to live. In accordance with Washington's Domestic Violence Leave law, a Library employee may take leave of absence for a reasonable time to attend to personal and legal needs relating to domestic violence as identified below.

I. Definitions

- a. Domestic violence in this policy has the same meaning as in RCW 26.50.010:
 - Physical harm, bodily harm, assault, or the infliction of fear of household members;
 - Sexual assault of one family or household member by another; or
 - Stalking of one family or household member by another family or household member.
- b. Stalking in this policy has the same meaning as stated in RCW 9A.46.110, and is defined as occurring without lawful authority
 - A person intentionally and repeatedly harasses or repeatedly follows another person; and
 - The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person; and
 - The feeling of fear is one that a reasonable person in the same situation would experience under all the circumstances; and the stalker either:
 - 1) Intends to intimidate, harass or frighten the person, or
 - 2) Knows or reasonably should know that the person is intimidated, harassed or afraid.

2. Criteria for taking leave in cases of domestic violence

An employee may take a reasonable amount of paid leave to attend to activities relating to themselves or a family member who is a victim of domestic violence, sexual assault or stalking. For the purpose of this policy, the term "family members" has the same meaning as in RCW 49.90.010 and means any individual whose relationship to the employee can be classified as a child, spouse, parent, parent-in-law, grandparent, grandchild or a person the employee is dating or with whom the employee is a domestic partner.

- a. The employee may choose to use accrued paid vacation or sick leave, or leave without pay in order to:
 - Seek legal or law enforcement assistance or remedies to ensure health and safety of the employee or the employee's family members;
 - Seek treatment by a health care provider for physical or mental injuries, or to attend to health care treatment for a victim who is a member of the employee's family;

- Obtain, or assist a family member in obtaining services from social services programs;
 - Obtain, or assist a family member in obtaining counseling; or
 - Take steps to increase the safety of the employee or the employee's family members, specifically including relocation and participation in safety planning.
- b. Employees are responsible for giving as much advance notice as possible for the need to take leave. Leave requests must be supported with one or more of the following:
 - A police report indicating the employee or employee's family member was a victim of domestic violence, sexual assault, or stalking;
 - A court order providing protection to the victim;
 - Documentation from a healthcare provider, clergy, or attorney;
 - An employee's written statement that the employee or the employee's family member is a victim and needs assistance.

3. Benefits

The Library will continue to pay the employer's portion of the employee's health and other insurances for up to ninety (90) days regardless of whether the employee is paid or unpaid leave.

While on leave without pay, a Library employee will not be entitled to accrue additional paid sick or vacation leave.

4. Confidentiality

The Library will make every effort to maintain the confidentiality of an employee who takes Domestic Violence Leave, and will not disclose information regarding the leave unless necessary for operational or safety reasons, or in accordance with the applicable law.

5. Administration

The Library Director is designee is responsible for administering this policy.