

Domestic Violence Leave

Eligibility

All full-time, part-time, and casual employees of the College, upon hire, are entitled to Domestic Violence leave if they or a qualified family member have been the victim of domestic violence or sexual abuse. This leave must be used to address issues directly related to the abusive behavior, such as seeking medical attention, counseling, or victim services. The Domestic Violence leave may also be taken to obtain legal assistance, to attend or appear in court proceedings, or to meet with a district attorney or law-enforcement personnel.

Terms and Conditions

An employee may take up to 15 days off in a rolling 12-month period if either the employee or a family member is:

- The victim of abusive behavior such as domestic violence, stalking, sexual assault, or kidnapping
- Seeking medical attention, counseling, legal and/or other victim services directly related to the abusive behavior against the employee or a family member

The time off available under this law *does not apply* to an employee who is the perpetrator of the abusive behavior against their family member.

In this regard, "family" is defined as:

- Legally married spouse
- People in a substantive dating or engagement relationship who live together
- People who have a child in common regardless of whether they have ever married or lived together
- A parent, stepparent, child, stepchild, sibling, grandparent, or grandchild
- People in a guardianship relationship

Employees are expected to apply sick, vacation or personal time for this leave, if available. If no paid time is available, the employee may take the time as unpaid. Faculty should consult with the Dean of Faculty office to make time off arrangements.

Notice

The employee is required to provide reasonable advance notice before taking the time whenever possible, and as soon as possible for unforeseeable events. However, if there is a threat of imminent danger to the employee or a covered family member, notice is not required. The employee must then inform Human Resources within three (3) work days that the time taken was due to domestic violence or sexual abuse. Notice can be provided by the employee, a family member, or a professional assisting the employee or their family member with addressing the

effect of the abusive behavior, including a social worker, health care worker, shelter worker, counselor or clergy.

Any employee taking time under this policy is protected provided the employee produces supporting documentation within 30 days of the last day of an absence if such absence was due to domestic violence or other reasons covered by the law. The “Statement in Support of Need for Domestic Violence Leave” form is available on the Human Resources website at <https://www.hampshire.edu/hr/human-resources-forms-and-procedures>. Any documentation provided to the College will be returned or destroyed once the College has determined whether the employee is eligible for leave under this policy.

Confidentiality

All information related to an employee’s leave under this policy will be kept confidential by the College, except to the extent that disclosure is required or permitted by law or necessary to protect the safety of the employee or other College employees, students or visitors.