



Helping working families make it work.

Know Your Rights: Domestic Violence and the Workplace Maryland and Washington, D.C.

1. Can I take time off from work deal with issues arising out of domestic violence, stalking or sexual assault?

You can take 3-7 days of paid leave per year (*DC Safe and Sick Leave Act*) or 40 hours paid/unpaid leave per year (*Maryland Healthy Working Families Act*) to obtain care or social services related to domestic violence, sexual abuse, or stalking of you or a family member.

Examples include:

- To seek medical attention for physical or psychological injury caused by the abuse, including psychological counseling;
- To get services from a victim services organization;
- To relocate, temporarily or permanently; and
- To prepare for, participate in, or take legal action.

You may also take up to 12 weeks of unpaid leave per year to recover from a serious health condition related to domestic violence, sexual assault or to care for a child who is healing from a serious health condition. (*Family and Medical Leave Act*)

2. How much do I have to disclose to my employer about my situation?

If requesting leave, you need to tell your employer your reason for leave. If foreseeable, you should give 10 days' notice. In the case of an emergency, you should give notice before the work shift you need off or within 24 hours of the emergency's onset.

If you need more than 3 days off, your employer may ask for certification. This may include a court order, police report or signed statement from an advocate or counselor.

3. If I quit my job because of reasons related to domestic violence, can I still get unemployment benefits?

Yes, you may be eligible to receive unemployment benefits if you can prove the domestic violence caused you to quit. You may need to provide documentation of police reports/records, a government agency or court letter or a written statement that you sought assistance for domestic violence as proof.

You may be eligible for workers' compensation if you suffered domestic or sexual violence while at work.

4. What if I experience domestic or sexual violence at work?

If you are experiencing domestic or sexual violence at work and your employer fails to take reasonable corrective action, this may violate federal, local, or state antidiscrimination laws. If domestic or sexual violence is creating a hostile environment in your workplace, you should keep a record of the time and date it occurs; who the harasser is; what happens; where it happens; how you respond; and who witnesses it.

You should report what's happening to a manager, supervisor, union representative, human resources person, or EEO counselor to give your employer an opportunity to investigate and resolve the matter. It is illegal for your employer to retaliate against you for reporting sexual harassment or violence that occurs at work.

5. How else can I protect myself from domestic or sexual violence?

If you live or work in DC and at least one incident occurred in DC, you can get a Civil Protection Order (CPO) if you are physically hurt, threatened, sexually assaulted, stalked, or had property destroyed from someone who you are related to, have a child in common, share or have shared the same home or previously had a dating relationship.

You can also obtain a CPO against someone you are not related to - like a coworker - in the case of sexual assault and stalking. CPOs last for one year. While a petition for a CPO is pending, you may get a temporary protection order for up to 14 days in both cases if your safety or welfare is immediately endangered. Note: First Shift does not provide assistance regarding the legal process for obtaining a CPO, but we can provide referrals.

*Your employer is not legally obligated to enforce a CPO against a co-worker, but the co-worker must legally comply.

Consider making a safety plan and sharing it with someone you trust. A safety plan lists steps you can take to protect yourself in the event of an unsafe situation arising.

6. Can my employer discriminate against me because I or one of my family members am/is a victim of domestic or sexual violence?

No. Employers cannot discriminate against victims of domestic violence, sexual assault, and/or stalking, or their family members (*D.C. Human Rights Act*). Your employer cannot require you to take time off, nor can it discriminate against you if you request time off to participate in legal proceedings related to domestic violence, if your abuser threatens the workplace, or if you request reasonable accommodations including but not limited to reassignment, a modified schedule, or the implementation of safety procedures. Victims of domestic violence, sexual assault, or stalking cannot be denied access to government benefits, services, or programs because of their status as victims.

Need Legal Assistance?

First Shift Justice Project can advise you on these issues for free. Please contact us at 240-241-0897 or intake@firstshift.org