

Is the time off from work paid?

- ◆ Your employer does **not** have to give you leave with pay.
- ◆ You may use vacation leave or leave that is like vacation leave if you have it available.

What can I do if my employer will not let me take time off?

- ◆ You can ask an attorney for help.
- ◆ You can file a complaint with the Bureau of Labor and Industries (BOLI); you should do this as soon as possible, but must do so within one year of being denied leave. You may contact BOLI at 971-673-0761 or www.oregon.gov/boli.
- ◆ You can file a court case; you must do this within one year of being denied leave.
- ◆ If you are a public employee, you must send a legal notice (called a tort claims notice) within 6 months of the denial of leave (an attorney should help you with this).

Can I take time off to attend criminal proceedings?

- ◆ Oregon law also lets certain crime victims take time off from work to go to criminal proceedings.
- ◆ For more information about this and other crime victims' rights, go to: www.oregoncrimevictimsrights.org/
- ◆ If you would like to speak with someone at a victims' assistance programs, go to: www.doj.state.or.us/crimev/doccva16983.doc for a list of programs by county.

For more information:

Call your local legal aid office for possible advice or representation.

For a directory of legal aid programs, go to: www.oregonlawhelp.org

TIME OFF FROM WORK FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING



PREPARED BY

**LEGAL AID SERVICES OF OREGON
AND
OREGON LAW CENTER**

JUNE 2007

This pamphlet is for general educational use only and is up-to-date as of June 2007. It is not a substitute for the advice of an attorney. Please consult an attorney for more information or for advice.

A new Oregon law allows employees who are victims of domestic violence, sexual assault, or stalking to take reasonable time off from work to take steps to protect themselves, their children or their dependents.

You may be eligible for reasonable time off from work if:

- ◆ You or your child (or your dependent if you are a guardian) has been a victim of domestic violence, sexual assault or stalking, **and**
- ◆ You have worked for more than 25 hours per week at your job for at least the last 6 months, **and**
- ◆ Your employer has 6 or more employees.



Time off must be used for one of these reasons:

- ◆ To get law enforcement or legal help (such as talking with a police officer, applying for a restraining order, or meeting with an attorney) for you or your child.
- ◆ To get medical treatment for you or your child or to heal from injuries caused by domestic violence, sexual assault, or stalking.
- ◆ To get counseling for you or your child because of domestic violence, sexual assault, or stalking.
- ◆ To get services from a victim services program for you or your child.
- ◆ To move or to take steps to make your home safer.

How do you ask for time off?

You must give written notice to your employer before you need to take time off, unless it is not possible to do so. If you cannot give notice ahead of time, you must give written notice as soon as you can.

- ◆ Your employer can require that you provide proof that you or your child is a victim and that you are taking time off for one of the allowed reasons.
- ◆ Some examples of proof include the following:
 - ◇ copy of a police report,
 - ◇ copy of a restraining order, or
 - ◇ a letter from an attorney or counselor stating that you or your child were getting help or services or were relocating.
- ◆ Your employer must keep the fact that you have requested leave and any information you provide **confidential**.