

Fact Sheet:

Paid Safe Leave

Jurisdictions across the country are increasingly passing laws giving workers a right to paid leave. Many of those laws contain “safe leave” provisions to protect workers when they or their family members are victims of domestic violence, stalking, and sexual assault. While all workers covered by paid leave laws can use that time to address qualifying medical needs resulting from domestic violence, safe leave laws provide additional protection to address other needs related to a worker’s or family member’s abuse, such as obtaining a protective order, accessing social services, or relocating.

Domestic Violence Affects Millions of Workers and Their Families: 21% of adults employed full-time are victims of domestic violence.¹ Workers experiencing domestic violence suffer doubly when they must miss work and forego wages in order to protect themselves and their families. Americans lose a total of nearly 8 million days of work, or \$727.8 million in lost wages, each year due to domestic violence.² Without legal protections, victims also risk job loss: a study of female workers experiencing domestic violence found that 60% had lost a job due to abuse.³

Paid Safe Leave Protects the Physical, Mental, and Economic Well-Being of Families: Paid safe leave laws mean that workers can take the time they need without losing their paycheck or their job, preventing impossible choices between physical safety and economic security. Financial dependence on their partners is one of the major reasons victims stay in abusive relationships.⁴ Paid safe leave helps ensure victims can afford to leave an abusive situation.

Paid Safe Leave Improves Productivity and Reduces Costs to Businesses: 57% of domestic violence victims report being distracted at work; 40% say they have been harassed by their partner while on the job.⁵ Providing safe leave helps victims escape abuse so that they can be more productive workers, and creates a safer work environment for everyone. Employers often bear the brunt of medical costs resulting from abuse—costs which add up to about \$4.1 billion each year.⁶ Providing paid safe leave may reduce insurance costs to businesses in the long run.

Paid Safe Leave Reinforces Existing Workplace Protections: Advocates have fought successfully in many jurisdictions for protections against job loss and discrimination: 13 states, 2 counties, and 2 cities give victims of domestic violence the right to take unpaid leave without the risk of retaliation or job loss to, for example, obtain restraining orders or address other court-related needs, access medical care or counseling, or locate safe housing. Many states also have general laws granting victims of crimes job-protected leave in connection with criminal proceedings that may offer additional protection.⁷ Safe leave laws add economic protections to these existing laws.

A Growing Number of States and Cities Recognize the Need for Paid Safe Leave: 11 states, 16 cities, and 3 counties have passed paid sick time laws—providing short-term time off—that include paid safe leave.⁸ These laws vary on whether the time can be used to care for a family member experiencing domestic violence and which, if any, family members are covered.⁹ All safe leave laws cover domestic violence victims; most cover victims of stalking and sexual assault. In addition to these paid sick and safe time laws, New Jersey, Connecticut, and Oregon currently provide or will provide paid benefits for workers taking safe leave under their paid family and medical leave programs, which provide benefits during more extended time off than paid sick time laws; these paid family and medical leave laws vary in terms of employment protections available to workers receiving these safe leave benefits. Many other states have considered paid safe leave legislation and advocates continue to push for sick time and safe leave laws at the state and local level.

¹ Corporate Alliance to End Partner Violence, *National Benchmark Telephone Survey on Domestic Violence in the Workplace* (2005), pg. 1, available at <http://www.ncdsv.org/images/CAEPVSurvey.WorkPlace.pdf>.

² Ctrs. for Disease Control & Prevention, *Costs of Intimate Partner Violence Against Women* (2003), pgs. 19, 31, available at <http://www.cdc.gov/violenceprevention/pdf/ipvbook-a.pdf>.

³ Me. Dep’t of Labor & Family Crisis Servs., *Domestic Violence Survivors at Work: How Perpetrators Impact Employment* (2005), pg. 17, available at http://mainegov-images.informe.org/labor/labor_stats/publications/dvreports/survivorstudy.pdf.

⁴ U.S. Dep’t of Health & Human Servs., *Asset Building for Domestic Violence Survivors: Why is it Important?*, Assets for Independence Resource Center Assets Building (last visited Jun. 21, 2015), http://idaresources.acf.hhs.gov/page?pageid=a047000000Bo2RbAAJ#_ftn7.

⁵ Corporate Alliance to End Partner Violence, *supra* note 1, at 3.

⁶ Ctrs. for Disease Control & Prevention, *supra* note 2, at 30.

⁷ See Legal Momentum, *State Law Guide Employment Rights for Victims of Domestic or Sexual Violence* (Sept. 2015), <http://www.legalmomentum.org/resources/state-law-guide-employment-rights-victims-domestic-or-sexual-violence>.

⁸ Specifically, California, Connecticut, Massachusetts, Oregon, Vermont, Arizona, Washington, Rhode Island, Maryland, Michigan, and New Jersey; Philadelphia, PA; Seattle, WA; Tacoma, WA; Santa Monica, CA; Minneapolis, MN; Los Angeles, CA; San Diego, CA; Washington, D.C.; San Francisco, CA; Chicago, IL; Saint Paul, MN; New York City, NY; Duluth, MN; Austin, TX; San Antonio, TX; and Dallas, TX; Montgomery County, MD; Cook County, IL; and Westchester County, NY.

⁹ See A Better Balance, *Overview of Paid Sick Time Laws in the U.S.* (2017), available at <https://www.abetterbalance.org/resources/paid-sick-time-legislative-successes/>.