

Domestic Violence/Victims Leave

Washington State Law (WAC 296-135)

An employee who is a victim of domestic violence, sexual assault, or stalking, or an employee whose family member is a victim, must often take leave from work due to injuries, court proceedings, or safety concerns requiring legal protection.

Covered Family Members:

Child, spouse, registered domestic partner, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship.

Reason for leave (49.76.030):

An employee may take reasonable leave from work, intermittent leave, or leave on a reduced leave schedule, with or without pay, to:

- Seek legal or law enforcement assistance to ensure your personal safety or the safety of your family members.
- Seek treatment by a health-care provider for your physical or mental injuries or to attend the health-care treatment of a family member
- Obtain, or assist a family member to obtain, mental health counseling
- Obtain, or assist a family member to obtain, services from a domestic violence shelter, rape crisis center, or other social service program
- Participate in safety planning, temporarily or permanently relocate, or take other actions to increase your or your family members' safety from future domestic violence, sexual assault, or stalking.

Procedures:

- You must give advance notice that you intend to take leave. Follow your department's usual leave request procedures.
- If you can't provide advance notice because of an emergency or unforeseen circumstances caused by domestic violence, sexual assault, or stalking, then you or your designee must give notice no later than the end of the first day of leave.
- Provide the following information with your leave notice:
 - How much time you expect to be off work (be as specific as you can about dates).
 - What type of paid leave (sick, annual, etc.) you wish to use, if any.
 - What type of schedule you need and for how long, if you are requesting a reduced schedule.
 - How your supervisor can communicate with you while you are on leave.

Accruals/Benefits:

While in a paid status, your accruals and benefits will continue without interruption. If you go into a leave without pay status, you will no longer accrue leave. Continuation of health benefits are not covered in an unpaid status, unless you are eligible for medical (not dental & basic life insurance) coverage under the Affordable Care Act.

Pay: Employee may choose between unpaid or accrued paid leave.

Additional Resources: [Domestic Violence Leave Rules \(WAC 296-135\)](#)

[Washington State Department of Labor & Industries - Domestic Violence Leave](#)