



Oregon Alliance to End Violence Against Women

Close the Gap in Workplace Protections for Victims of Violence

HB 2903 - the Safe Leave Act

MEASURE: HB 2903
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Background:

Oregon law protects victims of domestic violence and sexual violence from discrimination in the workplace, and provides the right to take reasonable time off if necessary to seek court or law enforcement protection, medical care, or other safety measures. These protections provide safety for victims as well as for the workplace as a whole.

Problem:

- 1) Under current law, part-time and new employees do not qualify for protection. This leaves employees who are victims vulnerable to safety threats, and poses a risk to the workplace as a whole.
- 2) Information about these laws is not included in the notices that employers must post in break rooms and other locations. Consequently, many victims do not know they have access to this important protection.

Solution: HB 2903

- 1) Remove the exemption from protection for part-time and new employees who are victims in need of reasonable time off to seek court or law enforcement protection, medical care, or other safety measures.
- 2) Add information about these leave laws to the notices posted by employers in break rooms and other locations.

Facts:

- Victims are sometimes unable to seek the protection they need for fear of being fired for leaving work.
- Domestic violence, sexual assault, and stalking are serious public health and safety issues in Oregon. Such violence can be fatal.
- Domestic and sexual violence have a significant impact on victims' economic security, thus making it more difficult for victims to achieve safety for themselves and their children.
- Economic independence is a primary indicator of whether a victim will be able to maintain safety from abuse.
- It is in the public interest to reduce domestic and sexual violence by enabling victims to seek safety and redress the effects of violence without jeopardizing their economic security.

HB 2903

Close the Gap in Safe Leave Protection for Victims of Violence

Background:

- Domestic and sexual violence are serious public health and safety issues in Oregon.
- When a victim of violence needs to seek court, medical, or safety protection, timing is critical.
- Victims are sometimes unable to seek the protection they need for fear of being fired for leaving work.
- Economic independence is a primary indicator of whether a victim will be able to maintain safety from abuse.
- It is in the public interest to reduce domestic and sexual violence by enabling victims to seek safety and redress the effects of violence without jeopardizing their economic security.

Current Oregon Law:

Current law protects victims of domestic and sexual violence from discrimination in the workplace, and provides the right to take reasonable, unpaid leave if necessary to seek court or law enforcement protection, medical care, or other safety measures.

- **These protections are good policy for employees and for employers:**
 - Protects employees who are victims by removing barriers to safety.
 - Helps employers by reducing absenteeism, health care and other costs.
 - Helps co-workers by reducing the likelihood of violence at work.
- **These protections are fair to employers:**
 - Employee must provide certification of eligibility for relief.
 - The amount of leave must be reasonable.
 - Employers may limit leave, if leave would create an undue hardship.
 - The smallest employers (5 employees or fewer) are exempt.

Problem:

- **Gap in coverage:**
Part-time and new employees do not qualify for protection. This leaves some victims vulnerable to safety threats, and poses a risk to the workplace as a whole.
- **Gap in information:**
Information is not included in the notices that employers must post in break rooms and other locations. Consequently, many victims do not know they have access to this important protection.

HB 2903 is the Solution:

- **Closes the gap in protection** so that part-time and new employees who are victims have reasonable unpaid time off to seek court or law enforcement protection, medical care, or other safety measures.
- **Adds information** about these leave laws to the notices posted by employers in break rooms and other locations.
- **Good policy for victims, employers, co-workers, and the state:**
 - When victims need safety, time is of the essence.
 - This bill will reduce barriers to safety for victims.
 - Will increase workplace safety for all employees.
- **Fair to employers:**
 - Does not change the employer size limit or the current exemption for undue hardship.
 - Leave must be reasonable, and is only allowed for specific health and safety purposes.
 - Employers may ask for documentation of eligibility.