

HUMAN RESOURCES

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Related Policies: Policy on Paid Time Off; Policy on Leaves of Absence

Responsible

Office/Department: Human Resources Management

Keywords: Domestic Violence, Leaves of Absence

Policy on Domestic Violence Leave

I. Purpose and Scope

Northeastern University provides employees authorized Domestic Violence Leave from work if they or their family members are victims of domestic violence. This policy applies to all employees upon hire, with no minimum hours or service requirements.

II. Definitions

For purposes of this policy,

Domestic violence means abuse against an employee or the employee's family member by:

- a current or former spouse;
- a person with whom the employee or family member shares a child;
- a person cohabitating with or who has cohabitated with the employee or family member;
- a person who is related by blood or marriage to the employee; or
- a person with whom the employee or family member has or had a dating relationship.

Abuse means:

- attempting to cause or causing physical harm;
- placing another in fear of imminent serious physical harm;
- causing another to engage involuntarily in sexual relations by force, threat or duress or engaging or threatening to engage in sexual activity with a dependent child;
- engaging in mental abuse, which includes threats, intimidation or acts designed to induce terror;
- depriving another of medical care, housing, food or other necessities of life; or
- restraining the liberty of another.

Abusive Behavior includes any behavior constituting domestic violence, stalking, sexual assault, or kidnapping.

Family member refers to:

- Persons who are married to one another;
- Persons in a substantive dating or engagement relationship and who reside together;
- Persons having a child in common regardless of whether they have ever married or resided together;
- A parent, step-parent, child, step-child, sibling, grandparent or grandchild; or
- Persons in a guardianship relationship.

III. Policy

Employees are allowed to take to up to fifteen (15) days of leave per twelve (12) month period to address issues directly related to domestic violence against the employee or the employee's family member. In the case of violence against a family member, the employee is not entitled to domestic violence leave if he/she is the alleged perpetrator.

Eligibility For Leave

To qualify for domestic violence leave, either the employee or a covered family member must be the victim of abusive behavior. The leave must be used to seek or obtain medical attention, counseling, victim services or legal assistance, secure housing, obtain a protective order from a court, appear in court or before a grand jury, meet with a district attorney or other law enforcement official, attend child custody proceedings, or address other issues directly related to the abusive behavior against the employee or family member of the employee.

Requesting Leave

Employees must give thirty (30) days advance notice of a requested domestic violence leave, when foreseeable, or as soon as possible. However, in emergency situations, where there is a threat of imminent danger to the health and safety of the employee or the covered family member, advance notice is not required, but the employee must notify Human Resources Management within three (3) workdays that domestic violence leave was taken or is being taken. Notification may be provided by the employee, a family member, or a professional assisting the employee with addressing the abusive behavior.

Supporting Documentation

An employee requesting domestic violence leave must provide documentation showing that the employee or the employee's family member has been a victim of abusive behavior and that the leave taken is consistent with the domestic violence leave policy. The documentation must be submitted within fifteen (15) days after

the university requests documentation relative to the employee's absences. These requirements may be satisfied by producing a protective order or other documentation issued by a court, a police report or witness statement provided to the police, documents showing the perpetrator was convicted or admitted to facts sufficient to establish guilt of abusive behavior, medical documentation, or a sworn statement from the employee or a counselor or other advocate. The university will not require the employee to produce evidence of an arrest or conviction. All information related to the employee's leave will be kept confidential by the university and shall not be disclosed except to the extent permitted or required by applicable law.

Leave Administration

Domestic violence leave time is unpaid time. However, benefits eligible employees may apply available accrued vacation days, personal days, and sick days in accordance with the use of vacation, personal and sick time policies that may be updated from time to time. When all such accrued time has run out, the balance of the domestic violence leave will be unpaid.

Returning from Domestic Violence Leave

An employee on an approved domestic violence leave for fifteen (15) days or less is entitled to return to the employee's original job or to an equivalent position without any loss of benefits for which he or she was eligible on the date that the leave started.

IV. Additional Information

Employees who have been impacted by sexual assault, stalking, or abusive relationships can seek support and assistance from the university's Employee Assistance Program. Please call (617) 373-2230 or visit:

<http://www.northeastern.edu/hrm/benefits/employee-assistance-program/index.html>

Northeastern's Public Safety Division is also a resource at 617-373-3333 (emergency) or 617-373-2121 (non-emergency).

For additional Massachusetts resources call Massachusetts Safelink hotline at 877-785-2020 or go to: <http://www.massresources.org/domestic-violence-agencies.html>

V. Contact Information

Human Resources Management, 617-373-2230.