

FAMILY VIOLENCE LEAVE

Connecticut state law requires the Board of Education to permit employees to take paid or unpaid leave for specific activities related to family violence.

Definitions

“Family violence” means an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault between family or household members. Verbal abuse or argument shall not constitute family violence unless there is present danger and the likelihood that physical violence will occur.

“Family or household member” means (A) spouses, former spouses; (B) parents and their children; (C) persons eighteen years of age or older related by blood or marriage; (D) persons sixteen years of age or older other than those persons in subparagraph (C) presently residing together or who have resided together; (E) persons who have a child in common regardless of whether they are or have been married or have lived together at any time; and (F) persons in, or have recently been in, a dating relationship.

Family Violence Leave

The Board of Education shall permit any employee who is the victim of family violence to take up to twelve (12) days of leave during any calendar year when such leave is reasonably necessary for the employee to:

- (1) Seek medical care or psychological or other counseling for physical or psychological injury or disability;
- (2) Obtain services from a victim services organization;
- (3) Relocate due to such family violence; or
- (4) Participate in any civil or criminal proceeding related to or resulting from such family violence.

Notice by Employee

If an employee's need to use family violence leave is foreseeable, the employee must provide at least seven (7) days' advance notice prior to the date such leave is to begin. If an employee's need for such leave is not foreseeable, the employee shall give notice of such intention as soon as practicable.

Required Documentation

Employees who take family violence leave shall provide a signed, written statement certifying that the leave is for one of the four purposes stated above.

The employee is also required to provide a police or court record related to the family violence or a signed written statement that the employee is a victim of family violence, provided such statement is from an employee or agent of a victim services organization, an attorney, an employee of the Judicial Branch's Office of Victim Services or the Office of the Victim Advocate, or a licensed medical professional or other licensed professional from whom the employee has sought assistance with respect to the family violence.

Confidentiality of Documentation Provided

Any written statement or police or court record provided by the employee to verify the request for leave shall be maintained as confidential and shall not be further disclosed except as required by federal or state law or as necessary to protect the employee's safety in the workplace, provided the employee is given notice prior to the disclosure.

Paid/Unpaid

Family violence leave shall be unpaid unless the employee is entitled to use paid leave for such purposes pursuant to the terms and conditions of employment.

Relationship to Other Rights or Benefits

Nothing in this policy shall be construed to diminish any rights provided to any employee under the terms of the employee's employment or a collective bargaining agreement or preempt or override the terms of any collective bargaining agreement effective prior to October 1, 2010.

Leave under this policy shall not affect any other leave provided under state or federal law.

Legal Reference: Connecticut General Statutes

46b-38a Family violence prevention and response: Definitions

54-85b Employment protection for witnesses and victims of crime. Penalty.
Action for damages and reinstatement.

Public Act 10-144: An Act Concerning the Recommendations of the Speaker of the House of Representatives' Task Force on Domestic Violence (Effective October 1, 2010)