

Policy Title: Domestic Violence/Crime Victim's Leave

Effective Date: May 1, 2007

Policy

It is the policy of Willamette University to provide for leave to assist employees who encounter acts of domestic violence, or are otherwise the victim of violent crime. This policy provides for leave pursuant to the Oregon Victims of Certain Crimes Leave Act (OVCCCLA) of 2007. OVCCCLA requires leave for victims of domestic violence, sexual assault or stalking and prohibits discrimination against employees using leave under OVCCCLA.

Eligibility

To be eligible, employees:

- have to have worked an average of 25 hours or more per week for at least 180 days immediately before taking leave, and
- must be demonstrable victims of domestic violence, sexual assault or stalking, or are parents of victims.

Willamette reserves the right to provide leave to employees who have not met these basic eligibility requirements of the law if the circumstances and severity of the situation dictates that provision of such leave is in the best interests of the employee and/or the University.

Provisions

Pursuant to the requirements under the law, Willamette will grant an eligible employee a "reasonable" leave of absence if the employee or the employee's minor child or dependent needs time off to deal with issues of domestic violence, sexual assault, or stalking. These arrangements might include such things as seeking medical treatment, obtaining counseling, relocating, getting legal advice or contacting law enforcement personnel.

Willamette may require the employee to give reasonable notice of the need for leave, unless that is not feasible, and may also require that the events leading to the need for leave be documented. This documentation could include police reports, medical and/or counseling documentation, attorney records, etc. Willamette University will maintain confidentiality of all submitted materials.

There is no fixed time period for this leave. Willamette may limit the length if the employee's absence creates an "undue hardship," causing significant difficulty or expense for the University.

Like the Oregon Family Leave Act (OFLA) and the Federal Family and Medical Leave Act (FMLA), crime victims' leave is unpaid. However, as with OFLA and FMLA protected leave, Willamette allows eligible employees to utilize vacation time or other paid leave for this purpose. As with FMLA and OFLA leave, and

due to the potential of medically-related hardship as a result of domestic violence, Willamette will permit the use of accrued sick leave for those that accrue such leave.

Performance Impact and Non-Retaliation

As with all other kinds of protected leave, Willamette is committed to provision of this leave without it counting against the employee relative to conditions of employment such as performance evaluation or disciplinary action. Further, Willamette prohibits retaliation against an employee for using leave under OVCLA, or any other type of protected leave.

Application Procedure

To apply, employees should put their request for leave in writing, and submit with any supporting documentation that may be appropriate, to the Director of Human Resources. The Director of Human Resources will coordinate with the supervisor and the Dean or Vice President with responsibility for the unit in which the employee works and provide a written response as quickly as possible, and in no less than two business days.

Adopted: May, 2007