DOMESTIC VIOLENCE LEAVE

PURPOSE

Pursuant to Massachusetts law, the university provides job-protected leave to employees who are victims, or who have family members who are victims, of abusive behavior, including domestic violence.

POLICY

If you or your family member is a victim of domestic violence, the university encourages you to communicate with the Office of Human Resources. You are eligible for leave under this policy immediately upon beginning your employment.

You may take up to a maximum of 15 days of protected time off in a 12 month period, if either you or your family member as described below is:

- the victim of abusive behavior (such as domestic violence, stalking, sexual assault, or kidnapping); and/or
- seeking medical attention, counseling, legal or other victim services directly related to the abusive behavior against the employee or family member of the employee.

More specifically, leave is available for the following purposes:

- obtaining medical attention or counseling;
- obtaining legal assistance;
- meeting with law enforcement or a district attorney;
- securing housing;
- securing an order of protection from a court;
- attending child custody proceedings;
- attending other court proceedings related to the abusive behavior; and/or
- obtaining other victim services.

Alleged perpetrators of domestic violence are not eligible for leave under this policy.

The university will require you to use any accrued vacation, sick, compensatory or personal time concurrently with any leave taken under this policy; if no accrued paid
time is available, leave under this policy will be unpaid. This policy does not supersede or replace any benefits or privileges that are provided to employees under their respective collective bargaining agreements. Leave granted pursuant to this policy will run concurrently with any domestic violence leave currently allowed under an employee’s collective bargaining agreement.

The university requests that you provide appropriate advance notice to Human Resources or your immediate supervisor of your need to take leave under this policy, unless there is an imminent danger to your immediate health and safety (in which case, you must submit notification within three workdays that the time you took or are taking is for reasons covered by this policy).

Similarly, unless there is a threat of imminent danger to you or your family member, the university also requires you to submit documentation of the need for leave prior to taking leave under this policy. Such documentation includes:

- a protective order issued by a court;
- a letter from the court or agency addressing the abusive behavior;
- a police report;
- documentation that the perpetrator of the abusive behavior has been found guilty or convicted of any offense constituting abusive behavior;
- medical documentation of treatment as a result of abusive behavior;
- a sworn statement signed under the pains and penalties of perjury provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or professional who has assisted the employee in addressing the abusive behavior; or
- a sworn statement signed under the penalties of perjury from the employee attesting that he or she had been the victim of abusive behavior, or that a family member has been a victim of abusive behavior.

If you take an unscheduled absence for purposes related to this policy, you must, within 30 days of the absence, produce documentation of the reason for the absence to Human Resources.

The university will not require you to produce evidence of an arrest, conviction, or other law enforcement documentation for such abusive behavior. Similarly, the university will not make any leave requested or taken contingent upon whether or not the victim maintains contact with the alleged abuser.

Provided you have submitted proper notice and documentation, your employment is protected during leave taken under this policy.
All documentation provided to Human Resources will be kept confidential and will not be disclosed unless: (1) you request or consent to the disclosure in writing; (2) a court orders the documentation to be disclosed; (3) the information is required in the course of an investigation by law enforcement; (4) the disclosure is otherwise required by applicable state or federal law; or (5) the disclosure is necessary to protect your safety or the safety of others employed by the University. Additionally, Human Resources will only retain this documentation for as long as it is required in order to determine your eligibility for leave under this policy.

For the purposes of this policy, the following definitions shall apply:

A Family Member is:

- the employee’s spouse, parent, step-parent, child, step-child, sibling, grandparent, or grandchild;
- a person in a substantive dating or engagement relationship and who resides with the employee; or
- a person in a guardianship relationship with the employee.

Domestic Violence is abuse against an employee or the employee’s family member by:

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

Abuse is:

- 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 is any behavior constituting domestic violence, stalking, sexual assault, or kidnapping under Massachusetts law.

If you have questions regarding this Domestic Violence Leave policy, please contact the Associate Director of Human Resources at ext. 5637, or the Assistant Vice President of Human Resources at ext. 8277.

RESOURCES

The university recognizes that victims of domestic violence may need access to other types of resources and services in addition to leave. University employees are encouraged to seek confidential counseling assistance through one of the following resources:

**LifeScope Employee Assistance Program**
(800) 828-6025 or www.LifeScopeEAP.com
Username: Westfield State University / Password: guest

**Domestic Violence Service Providers in Western Massachusetts**

**HOTLINES are 24 hour and confidential**

**New Beginnings**
Location: Westfield, Huntington
Huntington Office: 413-667-8784
Westfield Office: 413-562-5739
Westfield HOTLINE: 413-562-1920
HOTLINE: 800-479-6245
Website: [www.ywca.org](http://www.ywca.org)

**YWCA Western Massachusetts**
Location: Springfield
HOTLINE TTY/Voice: 800-796-8711
HOTLINE TTY/Voice: 413-733-7100
Spanish Language Assault HOTLINE: 800-223-5001
Website: [http://www.ywworks.org/services.php](http://www.ywworks.org/services.php)

**Services:** Domestic violence program, 24 hour confidential hotline, sexual assault/rape crisis program, emergency domestic violence shelter.
YWCA Community Domestic Violence Services
Location: Springfield
Address: 1 Clough Street, Springfield, MA 01118
Phone: 413-732-3121

Location: Westfield (see New Beginnings)
P.O. Box 1835, Westfield, MA 01086
Phone: 413-562-5739

Location: Huntington (see New Beginnings)
9 Russell Road, Huntington, MA 01050
Phone: 413-667-8784

Womanshelter/Compañeras
Location: Holyoke
Outreach focus: Holyoke, Chicopee, Ludlow, Springfield, West Springfield, Westfield, Southampton, Monson, Palmer, Ware, South Hadley, Belchertown and Granby.
HOTLINE: 877-536-1628
Website: http://www.womanshelter.org
Services: Domestic violence program, emergency domestic violence shelter.

Safe Passage
Location: Northampton
HOTLINE: 888-345-5282 (toll-free)
TTY/HOTLINE: 413-586-5066
Website: http://www.safepass.org
Services: Domestic violence program, emergency domestic violence shelter.

Women in Transition/NELCWIT
Location: Greenfield
HOTLINE: 413-772-0806
HOTLINE for Athol and Towns East: 888-249-0806
Location: Orange
Phone: 978-544-0270
Location: Athol
Phone: 978-249-2938
Website: http://www.nelcwit.org
Services: Domestic violence program, 24 hour confidential hotline, sexual assault/rape crisis program, emergency domestic violence shelter.
Center for Women and Community
Location: Amherst
HOTLINE: 413 Area Toll-Free Rape Crisis: 413-545-0800
Main number/TTY: 413-577-0940
Website: http://www.umass.edu/ewc
Services: Sexual assault/rape crisis program.

Elizabeth Freeman Center
Location: Pittsfield
HOTLINE/Information: 866-401-2425
Website: http://www.elizabethfreemancenter.org
Services: Domestic violence program, 24 hour confidential hotline, sexual assault/rape crisis program, emergency domestic violence shelter.

Other HOTLINES:

Multilingual HOTLINE in Massachusetts:
Domestic Violence SafeLink - Español, Portugues,
HOTLINE: 1-877-785-2020
TTY: 1-877-521-2601
Website: http://www.casamyrna.org

HOTLINE support outside of Massachusetts:
National Domestic Violence Hotline
HOTLINE: 800-799-SAFE
   800-799-7233
Website: www.thehotline.org

For U.S. Citizens outside the country:
Americans Overseas Domestic Violence Crisis Center (AODVC)
International toll free crisis line: 866-USWOMEN
HOTLINE: 866-979-6636
Website: www.866uswomen.org

REVIEW

This document will be reviewed annually by the Assistant Vice President of Human Resources.