

Safety Planning

A restraining order is only one of several measures that you can take to help you keep safe. **Safety planning is essential.** Leaving an abuser is often the most dangerous time for a victim. There are things you can do to better protect yourself and your children. Some examples are:

- Give a copy of your restraining order to your local police station, your children's school, and keep a copy with you at all times.
- Tell your neighbors and ask them to call the police if they see the abuser near your home.
- Tell your employer and co-workers. If you have security protecting your office, give a copy of your restraining order and a description of the abuser to building security and ask them to contact law enforcement if the abuser is seen near your building.
- Install an outside motion light for your home and a security system if possible.
- If you need to, change your locks. If you are renting, provide a copy of your restraining order to your landlord and request in writing that your landlord change your locks.
- Make an escape plan and go over it with your children and family members. Teach your children how to call 911.
- Pack a bag with essential items including important documents, ID, medications, & money in case you need to leave quickly.

For help or if you have questions about safety planning, contact SRFJC at (916) 875-4673.

Resources

Sacramento Regional Family Justice Center provides the following services to victims of domestic violence, elder abuse, sexual assault, child abuse, and sex trafficking:

- Domestic Violence restraining orders
- Elder Abuse restraining orders
- Risk Assessments and Safety Planning
- Counseling (group & individual)
- Transportation (limited)
- Case Management, Information & Referrals
- Dissolution, paternity, and child custody
- Camp Hope (for children)
- VOICES Group

VLSP Employment Law Clinic

501 12th Street
Sacramento, CA 95814
By appt. only (916) 551-2167

Legal Aid at Work

Davis/Sacramento Area Worker's Rights Clinic
United Methodist Church
620 North St.
Woodland, CA 95695
(916) 905-5857

Calif. Department of Fair Employment & Housing
(800) 884-1684

**Division of Labor Standards Enforcement
Retaliation Complaint Investigation Unit**
(Complaints of discrimination or retaliation)
2031 Howe Avenue, Suite 100
Sacramento, CA 95825
(916) 263-1811 or (844) 522-6734

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Know Your Rights: Domestic Violence & Employment

**Sacramento Regional
Family Justice Center**

Open Monday – Friday
8:30 AM – 5:00 PM

3701 Power Inn Rd.
Suite 3100
Sacramento, CA 95826
916-875-4673

www.HopeThrivesHere.org

California Workplace Protections for Victims of Domestic Violence

If you are a victim of domestic violence, you may have many questions about how it may affect your employment. This brochure is intended to help you understand your rights with regard to your employment under California law.

Please Note: This brochure is intended for educational purposes only. Nothing in this brochure is intended for nor should be considered legal advice.

➤ Protection from Termination of Employment, Discrimination and Retaliation (California Labor Code §§230, 230.1).

Under California law, your employer may not fire or in any other way retaliate or discriminate against you as a victim of domestic violence if you provide your employer with notice or your employer has actual notice that you are a victim. In addition, your employer must allow you to take time off from work to obtain or attempt to obtain any relief, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of yourself or that of your children. Your employer may not fire, discriminate, or retaliate against you for taking time off. Your employer must also allow you to use your accrued vacation, personal leave, or compensatory time off for matters related to domestic violence.

If your employer has 25 or more employees, your employer must also allow you to take time off for:

1. Seeking medical attention for injuries caused by domestic violence.
2. To obtain services from a domestic violence shelter or program.
3. To obtain psychological counseling related to domestic violence.
4. To participate in safety planning and take other actions to increase safety from future domestic violence, including relocation.

If possible, you must give your employer reasonable notice of your need to take time off for domestic violence related matters. Your employer may require certification of your need to take time off. Certification may include a police report, a court order or documentation from a licensed medical professional or domestic violence counselor.

Your employer must also make reasonable accommodations for a victim of domestic violence and must engage in an interactive process with you to determine what accommodations may be appropriate. Reasonable accommodations may include safety measures including transfer, reassignment, a modified schedule, changed work telephone or work station, and installed locks. If possible, we recommend that you consult with an attorney before making your request for accommodation.

If your employer discriminates or retaliates against you for exercising your rights, you may file a complaint with the Division of Labor Standards Enforcement. (See Resources).

➤ Unemployment Insurance

Workers who quit their jobs may be eligible for Unemployment Insurance benefits if they

can establish “good cause” for doing so. A claimant may be deemed to have quit for good cause to protect the claimant and/or the claimant’s children from domestic abuse. The claimant must establish:

1. An act or threat of domestic violence occurred.
2. The claimant and/or the claimant’s children are the intended victim(s) of the abuse.
3. The claimant has a restraining order, police report, or other documentation that verifies the abuse or threat of abuse.
4. A leave of absence or transfer was not available or would not have resolved the problem.

➤ Workplace Violence Restraining Orders.

An employer may (but is not required to) seek a **Workplace Violence Restraining Order** on behalf of an employee who experiences an act of violence or receives a credible threat of violence likely to be carried out in the workplace. This includes (but is not limited to) matters related to domestic violence.

➤ Domestic Violence Restraining Orders

A petition for **Domestic Violence Restraining Order** (DVRO) is something that you can file in family court asking a judge to tell the person abusing you to stop abusing you and to stay away from you, your children, your home, and your work. If you need assistance with filing a DVRO, the Sacramento Regional Family Justice Center can help you.