



1           **(b) "Family or household member" has the same meaning**  
2 **as in s. 741.28.**

3           **(c) "Victim" means an individual who has been**  
4 **subjected to domestic violence.**

5           **(2)(a) An employer shall permit an employee to request**  
6 **or take up to 3 working days of leave from work in any**  
7 **12-month period, with or without pay, if the employee or a**  
8 **family or household member of an employee is the victim of**  
9 **domestic violence.**

10           **(b) This section applies if an employee uses the leave**  
11 **from work to:**

12           **1. Seek an injunction for protection against domestic**  
13 **violence or an injunction for protection in cases of repeat**  
14 **violence, dating violence, or sexual violence;**

15           **2. Obtain medical care or mental health counseling, or**  
16 **both, for the employee or a family or household member to**  
17 **address physical or psychological injuries resulting from the**  
18 **act of domestic violence;**

19           **3. Obtain services from a victim-services**  
20 **organization, including, but not limited to, a domestic**  
21 **violence shelter, program, or a rape crisis center as a result**  
22 **of the act of domestic violence;**

23           **4. Make the employee's home secure from the**  
24 **perpetrator of the domestic violence or to seek new housing to**  
25 **escape the perpetrator; or**

26           **5. Seek legal assistance to address issues arising**  
27 **from the act of domestic violence and to attend and prepare**  
28 **for court-related proceedings arising from the act of domestic**  
29 **violence.**

30  
31

1       (3) This section applies to an employer who employs 50  
2 or more employees and to an employee who has been employed by  
3 the employer for 12 or more months.

4       (4)(a) Except in cases of imminent danger to the  
5 health or safety of the employee, or to the health or safety  
6 of a family or household member, an employee seeking leave  
7 from work under this section must provide his or her employer  
8 with appropriate advance notice of the leave as may be  
9 required by the employer's policy and with sufficient  
10 documentation of the act of domestic violence as may be  
11 required by the employer.

12       (b) An employee seeking leave under this section must,  
13 before receiving the leave, exhaust all annual or vacation  
14 leave, personal leave, and sick leave, if applicable, which is  
15 available to the employee, unless the employer waives this  
16 requirement.

17       (c) An employer must keep all information relating to  
18 the employee's leave under this section confidential.

19       (5)(a) An employer may not interfere with, restrain,  
20 or deny the exercise of or any attempt by an employee to  
21 exercise any right provided under this section.

22       (b) An employer may not discharge, demote, suspend,  
23 retaliate, or in any other manner discriminate against an  
24 employee for exercising his or her rights under this section.

25       (c) An employee has no greater rights to continued  
26 employment or to other benefits and conditions of employment  
27 than if the employee was not entitled to leave under this  
28 section. This section does not limit the employer's right to  
29 discipline or terminate any employee for any reason,  
30 including, but not limited to, reductions in work force or  
31

1 termination for cause or for no reason at all, other than  
2 exercising his or her rights under this section.

3 (6) Notwithstanding any other law to the contrary, the  
4 sole remedy for any person claiming to be aggrieved by a  
5 violation of this section is to bring a civil suit for damages  
6 or equitable relief, or both, in circuit court. The person may  
7 claim as damages all wages and benefits that would have been  
8 due the person up to and including the date of the judgment  
9 had the act violating this section not occurred. However,  
10 this section does not relieve the person from the obligation  
11 to mitigate his or her damages.

12 Section 2. This act shall take effect July 1, 2006.

14 \*\*\*\*\*

15 SENATE SUMMARY

16 Requires an employer to allow an employee to take leave  
17 from work to undertake activities resulting from an act  
18 of domestic violence. Specifies the activities for which  
19 the employee may take leave. Requires the employee to  
20 notify the employer of the leave. Requires an employer to  
21 keep information relating to the employee's leave  
22 confidential. Prohibits an employer from taking certain  
23 actions against the employee for exercising rights  
24 specified in the act. Provides a recourse for violating  
25 the act.  
26  
27  
28  
29  
30  
31