



1           (c) "Victim" means an individual who has been  
2 subjected to domestic violence.

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

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

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

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

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

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

25           5. Seek legal assistance in addressing issues arising  
26 from the act of domestic violence or to attend and prepare for  
27 court-related proceedings arising from the act of domestic  
28 violence.

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

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

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

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

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

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

21           (c) An employee has no greater rights to continued  
22 employment or to other benefits and conditions of employment  
23 than if the employee was not entitled to leave under this  
24 section. This section does not limit the employer's right to  
25 discipline or terminate any employee for any reason,  
26 including, but not limited to, reductions in work force or  
27 termination for cause or for no reason at all, other than  
28 exercising his or her rights under this section.

29           (6) Notwithstanding any other law to the contrary, the  
30 sole remedy for any person claiming to be aggrieved by a  
31 violation of this section is to bring a civil suit for damages

1 or equitable relief, or both, in circuit court. The person may  
2 claim as damages all wages and benefits that would have been  
3 due the person up to and including the date of the judgment  
4 had the act violating this section not occurred, but the  
5 person may not claim wages or benefits for a period of leave  
6 granted without pay as provided in paragraph (2)(a). However,  
7 this section does not relieve the person from the obligation  
8 to mitigate his or her damages.

9 Section 2. This act shall take effect July 1, 2007.

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12 SENATE SUMMARY

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