

DOMESTIC AND SEXUAL VIOLENCE LEAVE POLICY

A. Introduction

The Pinellas County Unified Personnel System has adopted this Domestic and Sexual Violence Leave Policy to comply with the requirements of State law. Pinellas County will grant Domestic or Sexual Violence Leave to eligible employees as provided herein or otherwise provided by law. Pinellas County will not interfere with, restrain or deny the exercise of any right provided under this policy or the state law on which it is based. The taking of Domestic or Sexual Violence Leave does not create any greater right to continued employment or other benefits and conditions of employment than the employee would otherwise have had if the leave were not taken. This policy shall be deemed amended, as the law may be from time to time, to remain consistent with State law.

B. Definitions

Words used in this policy shall have the meanings attributed to them in the law. In addition, the following definitions apply:

1. Eligible employee means an employee who has worked for the employer for at least 3 calendar months before the date of the requested leave and who can establish the need for leave as outlined under the law.
2. Domestic or Sexual Violence Leave means up to 3 work days of leave available for an eligible employee's use for the purposes outlined in Florida Statute §741.313 in any one 12-month period. Unless an employee has paid leave available, Domestic or Sexual Violence Leave shall be unpaid. An employee who has any type of paid leave available to him or her shall substitute all of that paid leave before unpaid leave is granted under this policy.
3. 12 month period shall mean a time period of twelve calendar months beginning the date of the first period of domestic or sexual violence leave and continuing for 12 calendar months from that date.

C. Purposes for the leave

An eligible employee may, upon presentation of appropriate documentation, be granted up to 3 work days of domestic or sexual violence leave for the purposes specified in Florida Statute §741.313 if the employee or a household member of the employee is a victim of domestic or sexual violence and the leave is used to:

1. Seek an injunction for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence or sexual violence;
2. Obtain medical care or mental health counseling or both for the employee or a family or household member to address physical or psychological injuries resulting from the act of domestic or sexual violence;
3. Obtain services from a victim-services organization including, but not limited to, a domestic violence shelter or program or a rape crisis center as result of the act of domestic or sexual violence;
4. Make the employee's home secure from the perpetrator of the domestic or sexual violence or to seek new housing to escape the perpetrator; or
5. Seek legal assistance in addressing issues arising from the act of domestic or sexual violence or to attend and prepare for court related proceedings arising from the act of domestic or sexual violence.

D. Notice, Request and Documentation

An employee seeking domestic or sexual violence leave shall request the same by using a Leave Request Form.

Except in cases of imminent danger to the health or safety of the employee or the employee's family or household member, advance notice of the need for leave as outlined in Pinellas County leave rules & policies is required.

Appropriate documentation establishing the reason for the leave under these provisions is required to be submitted with the request for leave. In cases of imminent danger to the safety of the employee or the employee's family or household member, such documentation may be submitted after the leave is taken, but shall be submitted within 3 work days from the employee's return to the workplace unless an extension is granted by the Appointing Authority. Failure to submit requested documentation will result in the denial of the leave and may result in discipline for unauthorized leave under UPS rules.

E. Granting & Documenting the need for and use of Domestic or Sexual Violence Leave

Unpaid leave shall not be required or granted under this policy until the employee has used all leave available to him or her, including annual leave, extended illness leave, personal days, floating holidays, and any administrative leave with pay to which an employee is entitled under UPS Rule V.

Leave approved under this policy shall be considered scheduled leave. The documentation of requests for domestic or sexual violence leave, and any other documents that contain personally identifying information regarding this leave (including leave slips), are exempt & confidential and not subject to disclosure under Florida Statutes Ch. 119 (aka the Florida Public Records Law).

F. Technical Assistance

Should you need further assistance in dealing with domestic or sexual violence leave, please contact Employee Relations at (727) 464-3506.

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