

AB2195
Leave for Victims of Sexual Assault
Effective 1/1/03

All Employers

Prior law permitted employees who were the victims of domestic violence to take a leave of absence under specified conditions. This bill expands that benefit to victims of sexual assault.

Employers are prohibited from discriminating against or retaliation against an employee who is the victim of a sexual assault for taking time off from work to obtain or attempt to obtain:

1. A temporary restraining order;
2. Restraining order;
3. Other injunctive relief;
4. Assistance for health, safety or welfare of the victim or his/her child

Employees must give reasonable advance notice unless such notice is not feasible.

Employers with 25+ Employees

As with the victims of domestic violence bill, employers with 25 or more employees must permit absences for circumstances in addition to those listed above, including:

1. Medical care for injuries caused by sexual assault
2. To obtain services from domestic violence shelters, program or rape centers
3. To obtain psychological counseling related to the experience of sexual assault
4. To participate in safety planning and other actions to increase safety from future sexual assault, including temporary or permanent relocation.

The bill does not create a right to an unpaid absence that exceeds unpaid leave time available under family leave law (i.e. 12 weeks in a 12-month period).