



# Your Rights to Unpaid Leave Due to Domestic or Sexual Violence

Effective January 5, 2009, the City of Philadelphia adopted a new ordinance called "Entitlement to Leave Due to Domestic or Sexual Violence." **If you, or a family or household member, have been the victim of domestic violence, sexual assault or stalking you may be entitled to take certain amounts of unpaid leave from work.**

## Reasons for Taking Leave

You may take leave to do *any* of the following for yourself or your household or family member:

- Seek medical attention for physical or psychological injuries;
- Obtain help from an organization that provides services to domestic or sexual violence victims;
- Obtain counseling or therapy;
- Make safety plans, including possibly relocating to increase safety;
- Seek legal assistance.

## Advance Notice and Certification

- You must provide your employer with at least 48-hours notice of the leave unless it is not practicable for you to do so.
- Your employer can require you to provide a certification of the domestic or sexual violence and the reason that you must take the leave.

## Job Benefits and Protection

- You may take up to 8 workweeks of leave in a 12-month period if you work for an employer who employs 50 or more employees.
- You may take up to 4 workweeks of leave in a 12-month period if you work for an employer who employs fewer than 50 employees.
- This leave, when added to any leave you have taken under the Family and Medical Leave Act (FMLA), cannot be more than the 12 weeks in a 12-month period provided under the FMLA.
- You may take this leave intermittently or on a reduced work schedule.
- You may use any paid leave available under your employer's policies during this leave, but it will not increase the amount of leave you can take.

- You are entitled to maintain all benefits accrued prior to taking the leave.
- For the duration of your leave, your employer must continue the health benefits for you and your family or household members on the same terms as if you were not on leave; you must continue to pay your share of the cost.
- Upon return from leave, you must be restored to your original position or an equivalent position with equivalent benefits, pay and other terms and conditions of employment.
- All information provided by you to your employer pursuant to the law must be kept confidential.

## Unlawful Acts by Employers

**You may file a complaint against your employer if your employer refuses to grant you leave or retaliates against you for taking or requesting to take leave.**

## Enforcement and Add'l Information

**To file a complaint or for more information, contact:**

Philadelphia Commission on Human Relations  
The Curtis Center, 601 Walnut St., Suite 300 South  
Philadelphia, PA 19106  
Phone: 215-686-4670  
E-mail: [faqpchr@phila.gov](mailto:faqpchr@phila.gov)  
[www.phila.gov/humanrelations](http://www.phila.gov/humanrelations)

**This ordinance, Bill 090660-A, amended Bill 080468-A (approved November 5, 2008) removing the one year provision and making the legislation permanent.**

**This official notice must be posted wherever employees are performing work.**