



The
Legal Aid Society—
Employment Law
Center



CALIFORNIA
**PARTNERSHIP TO END
DOMESTIC VIOLENCE**

Together, We're Stronger.



CALCASA
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AGAINST SEXUAL ASSAULT

NEWS RELEASE

FOR IMMEDIATE RELEASE

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LAS-ELC, Partnership, and CALCASA Co-Sponsor Bill to Protect Employment Rights of Survivors of Domestic Violence, Sexual Assault and Stalking

(Sacramento, CA, **February 20, 2013**) – Senator Hannah-Beth Jackson (D-Santa Barbara) has just introduced SB 400, a bill to protect the employment rights of survivors of domestic violence, sexual assault, and stalking. Co-sponsored by Legal Aid Society-Employment Law Center (LAS-ELC), California Partnership to End Domestic Violence (the Partnership), and California Coalition Against Sexual Assault (CALCASA), SB 400 would prohibit employers from firing or otherwise discriminating against employees based on their status as a victim of domestic violence, sexual assault, or stalking. It also would require employers to provide reasonable safety accommodations to victims while at work.

A 2011 study by LAS-ELC's Project SURVIVE found that nearly 40% of survivors in California reported either being fired or fearing termination due to domestic violence.

“Without a steady paycheck, domestic violence survivors can find themselves trapped in abusive relationships, without a way out,” Senator Jackson said. “This bill will ensure the stability of their jobs and their safety at work at the time they need it the most.”

Rachael Langston, Staff Attorney at LAS-ELC, stated: “This legislation is essential for ensuring the safety of all employees in the workplace and for protecting the economic security of survivors of abuse. Without the means to support themselves and their children, survivors often feel they have no choice but to remain in a violent relationship.”

While California law allows survivors to take job-protected time off work to obtain court relief or other assistance related to abuse, it does not expressly bar employers from firing employees just for being victims. Nor does it specifically require employers to provide safety accommodations to those experiencing abuse.

A recent client of LAS-ELC was fired after fourteen years of service when she disclosed to her boss that she was a victim of domestic violence. The client stated: "I was cooperative with the police investigation, talked with victim advocates, and testified in court to obtain a workplace restraining order to protect the clients, staff, and myself from harm. But I was treated like a criminal, never allowed to return to my office or have contact with many dear friends and colleagues, and never allowed to say goodbye to the clients that I worked with. My whole world turned upside down. I felt betrayed by my employer when I needed support, at the most vulnerable time in my life."

According to Partnership Executive Director Tara Shabazz, "Survivors often need modest changes at work to help them keep their jobs and remain safe, such as changing a phone line, moving a desk, or creating a workplace safety plan. SB 400 will encourage employers to be proactive in creating safer and more productive workplaces. At the same time, it will encourage employees to report threats of violence without having to fear that they will lose their jobs."

"There are an estimated 8.6 million survivors of sexual assault in California, and 2 million female survivors of rape in the state. Sexual assault is a traumatic experience, and the fear of losing a job is an added layer of trauma that a survivor shouldn't have to face," said Sandra Henriquez, CALCASA Executive Director.

Five states – Illinois, New York, Connecticut, Hawaii, and Oregon – already have laws that protect victims from discrimination and several of these laws also provide for safety-related accommodations.

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About the Legal Aid Society-Employment Law Center | www.las-elc.org

Founded in 1916, the Legal Aid Society-Employment Law Center protects the rights and economic self-sufficiency of working poor people by providing free legal services, education, and advocacy. LAS-ELC's Project SURVIVE works to ensure that people who experience domestic violence, sexual assault, or stalking can maintain their economic security while obtaining safety, medical, or legal help.

About the California Partnership to End Domestic Violence | www.cpedv.org

The California Partnership to End Domestic Violence is California's statewide domestic violence coalition, with organizational and individual members across the state. The Partnership believes that by sharing expertise, advocates and legislators can end domestic violence. Every day we inspire, inform and connect all those concerned with this issue, because together we're stronger.

About the California Coalition Against Sexual Assault | www.calcasa.org

CALCASA is the only statewide organization in California whose sole purpose is to promote public policy, advocacy, training and technical assistance on the issue of sexual assault. CALCASA convenes statewide and national training conferences and its primary membership is composed of the 84 rape crisis centers and rape prevention programs in CA.