



Job Rights: Victims Of Violence and Harassment

Can I take time off work because of violence or harassment?

If you or a family member has been abused or harassed, or if you or your immediate family member is a crime victim, you can take time off work:

- to get an Order for Protection (OFP) or Harassment Restraining Order (HRO)
- to attend court hearings
- to testify as a witness in a criminal matter, if you are asked to testify

Your employer has to let you take this time off, but doesn't have to pay you for the time off.

See our fact sheet [Orders for Protection and Harassment Orders](#).

An employer can't fire you, threaten you, or discriminate against you in any way because you took reasonable time off to get an OFP or HRO. An employer can't try to punish you by lowering your pay, or changing things about your job, because they don't like you taking the time off.



How do I let my employer know I will be gone?

If you can, you have to give your employer at least 48 hours' notice ahead of time when you won't be at work. If it is impossible because waiting might put you or your children in danger, then you don't have to give this notice. Your employer can ask you to prove where you are, and what you are doing, but they have to keep the information private.

Do I still get paid if I miss work?

If you work in Minneapolis or St. Paul and your employer has more than 6 employees, you can get paid sick leave under the Sick and Safe Leave rules. You can use this leave to look for help from law enforcement, get counseling, or other services you need for domestic abuse, sexual assault or stalking suffered by you or a covered family member.

If you don't work in Minneapolis or St. Paul, Minnesota law says that most employers have to let employees use their unused paid sick leave to look for help from law enforcement, get counseling, or other services you need for domestic abuse, sexual assault or stalking that involve you or a covered family member. You are covered by this law if you have been at your job at least 12 months and work at least half time.

Family members covered by the law include your child, spouse, sibling, parent, mother or father-in-law, grandchild and stepparent.

If your employer doesn't have paid sick leave, they don't have to pay you for the time off. But, if you are a crime victim, you may be able to get help from the Minnesota Crime Victims Reparations Board.

MN Crime Victims Reparations Board

You can apply for help if you lost at least \$50 because of the situation. This includes lost pay. To apply, you have to report the crime to the police within 30 days of it happening, you have to cooperate with investigation and prosecution, and you have to file a claim within 3 years.

For more information about reparations or application forms, contact:

Minnesota Crime Victims Reparations Board
Office of Justice Programs, Minnesota Department of Public Safety
445 Minnesota Street, Suite 2300
St. Paul, MN 55101-1515

1 (888) 622-8799 or (651) 201-7300

<https://dps.mn.gov/divisions/ojp/help-for-crime-victims/Pages/crime-victims-reparations.aspx>

What do I do if my employer fires me?

Contact a lawyer. Your employer could face criminal penalties if you were fired or punished because of your situation. You may be able to sue your employer to get back pay, damages, and reinstatement to your job. The employer may also have to pay your lawyer's fees.

Can I get unemployment if I quit my job because of domestic violence?

Yes. You can get unemployment if you need to quit because of domestic violence, sexual assault or stalking that involves you or an immediate family member. "Immediate family member" means your spouse, parent, stepparent, grandparent, son, daughter, stepson, stepdaughter, grandson or granddaughter.

You need proof of the domestic violence, sexual assault or stalking. Proof can be things like:

- a court order including an OFP or HRO
- a police report documenting abuse
- proof that the abuser has been convicted of abuse
- medical documentation of abuse
- a written statement provided by a social worker, member of the clergy, shelter worker, lawyer, or other professional who has helped you. The statement should explain that you or your family member is a victim of domestic violence, sexual assault or stalking.



Fact Sheets are legal information NOT legal advice. See a lawyer for advice.

Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.

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