



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). See our fact sheet [Orders for Protection and Harassment Orders](#).
- to go to court hearings
- to testify as a witness in a criminal matter if you are asked to testify

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.

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

But, if you have Minnesota Earned Sick and Safe Time, you can use it.

Minnesota Earned Sick and Safe Time

Earned Sick and Safe Time is paid leave that your employer must give you. You must keep getting your regular rate of pay. This paid leave can happen if:

- you are sick
- you need to care for a sick family member
- you need to look for help for yourself or a family member who has dealt with domestic abuse, sexual assault, or stalking.



You earn 1 hour of sick and safe time for every 30 hours you work. You can earn up to 48 hours each year or more if your employer chooses. If the city you work in has a more protective law, the employer must follow it.

Am I eligible for Minnesota Earned Sick and Safe Leave?

You are eligible for sick and safe leave if you:

- Work at least 80 hours in a year for an employer in Minnesota and
- Are not an independent contractor.

You are eligible even if you are a temporary or part-time employee. This leave may be waived in a collective bargaining agreement for building and construction employees.

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.

MN Crime Victims Reimbursement Program

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 also have to cooperate with investigation and prosecution, and you have to file a claim within 3 years.

For more information about reimbursement or application forms, contact:

Minnesota Crime Victims Reimbursement Program
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-reimbursements.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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