

What if my employer already has a policy in place to address absences due to domestic violence or sexual assault?

If your employer allows for more absences than is provided by this law, you are entitled to take that time off.

Who is responsible for enforcing this law?

The Kansas Department of Labor is responsible for enforcing this law.

Kansas Department of Labor
401 SW Topeka Boulevard
Topeka, KS 66603-3182
(785) 296-5000
www.dol.ks.gov

Remember: You Are Not Alone

There are many people who have been assaulted or abused; many of them need to take time off work because of the assault or abuse. If you are concerned about your safety and want to talk confidentially with someone who knows about sexual and domestic violence, call your local program (see “Kansas Sexual & Domestic Violence Programs”) or the **Kansas Crisis Line: 1-888-END ABUSE (1-888-363-2287)**.

This brochure is intended to provide you with a summary of K.S.A. 44-1131 to -1133. If you have specific questions about the law, you should contact an attorney.

Kansas Sexual & Domestic Violence Program Numbers Kansas Crisis Hotline 1-888-END ABUSE

DV= domestic violence services only
SV= sexual violence services only

Dodge City	866-270-2270 or 620-225-6510
El Dorado	800-870-6967 or 316-321-7104
Emporia	800-825-1295 or 620-342-1870
Garden City	620-275-5911
Great Bend	866-792-1885 or 620-792-1885
Hays	800-794-4624 or 785-625-3055
Hutchinson	800-701-3630 or 620-663-2522
Iola	620-365-7566
KC Metro	
Wyandotte Cnty	Friends of Yates (dv) 913-321-0951
Johnson Cnty	Safehome (dv) 888-432-4300 or 913-262-2868
MOCSA	MOCSA (sv) 913-642-0233 or 816-531-0233
Mattie Rhodes	Mattie Rhodes ¡Si Se Puede! (dv) 816-241-3780
KCAVP	KCAVP (LGBT services) 816-561-0550
Lawrence	The Sexual Trauma and Abuse Care Center (sv) 785-843-8985 The Willow Domestic Violence Center (dv) 800-770-3030 or 785-843-3333
Leavenworth	800-644-1441 or 913-682-9131
Liberal	620-624-8818
Manhattan	800-727-2785 or 785-539-2785
Mayetta	866-966-0173
Newton	800-487-0510 or 316-283-0350
Pittsburg	800-794-9148 or 620-231-8251
Salina	800-874-1499 or 785-827-5862
Topeka	888-822-2983 or 785-354-7927
Wichita	Catholic Charities Harbor House (dv) 866-899-5522 or 316-263-6000 StepStone (dv) 316-265-1611 Wichita Area Sexual Assault Center (sv) 877-927-2248 or 316-263-3002 Wichita Family Crisis Center (dv) 316-267-7233

If you are in need of advocacy services and do not find your community listed, call the 24/7 Kansas Crisis Hotline at 1-888-363-2287.

Taking Time Off from Work to Address Domestic and Sexual Violence Issues

 **Kansas
Coalition**
against sexual &
domestic violence

kcsdv.org
facebook.com/kcsdv

Your employer is required to allow you to take up to eight days of leave per calendar year to address issues related to domestic violence or sexual assault. You can take this leave for any of the following reasons:

- Obtaining or trying to obtain a restraining order or a similar type of relief or order for yourself or your children;
- Seeking medical care for injuries resulting from domestic violence or sexual assault;
- Obtaining services from a domestic violence or rape crisis program; or
- Appearing in court proceedings related to domestic violence or sexual assault.

If you choose to take this time away from work, your employer is prohibited from discriminating against you. This means your employer can't fire you or retaliate against you in other ways if you are a victim of domestic violence or sexual assault and use this leave.

What does domestic violence mean under this law?

Domestic violence means any or all of the following:

- Causing or attempting to cause you physical harm;
- Placing you in fear of imminent physical harm;
- Engaging in sexual relations or lewd fondling or touching for sexual pleasure with a minor under the age of 16, when these acts are committed by a spouse, former spouse, a person with whom you have a child, a person you live with or lived with in the past, or a person with whom you have had a dating relationship.

What does sexual assault mean under this law?

Sexual assault includes any of the following crimes:

- Rape;
- Indecent liberties with a child;
- Aggravated indecent liberties with a child;
- Criminal sodomy;
- Aggravated criminal sodomy;
- Incest;
- Aggravated incest,

when these acts are committed by anyone. This would include someone with whom you have a present or past relationship as well as someone that you do not know.

Does this mean I must tell my employer that I am a victim of domestic violence or sexual assault?

Revealing to your employer that you are a victim of domestic violence or sexual assault is your decision. You may have a number of important reasons for choosing to keep this information private.

However, if your employer will not give you needed time away from work, you might decide to disclose this information to your employer. Your employer is then required to give you time off from work as provided by Kansas law.

Under this Kansas law, do I have to give my employer notice that I will be taking time off of work?

Yes. If you want to use this Kansas law, you should give your employer reasonable advance notice if you need to miss work because of domestic violence or sexual assault. Again, the decision about whether to tell your employer is up to you but you might want to if your employer will not give you time off to deal with the sexual or domestic violence.

What if I can't give my employer advance notice?

If you are not able to notify your employer in advance, your employer can't take any action against you, so long as ***within 48 hours after your absence begins*** you provide your employer with any of the following:

- Police report about the domestic violence or sexual assault
- Court order or other evidence of a court appearance
- Documentation that you are receiving treatment from a medical professional, health care provider, or counselor because of domestic violence or sexual assault
- Documentation from a domestic violence or sexual assault advocate stating that you are receiving services because of domestic violence or sexual assault

If I can give advance notice that I will be missing work, do I still have to provide my employer with documentation?

Yes. Even when you give reasonable advance notice, you must provide documentation to support your reason for missing work ***within 48 hours of your return to work.***

Will this information be confidential?

Yes. Under this Kansas law, your employer should keep any information about the reasons for your absences confidential. This includes the documents you must provide about these absences.

Will the leave be paid or unpaid?

You may use any paid leave you have available. If you do not have any paid leave available, you may use unpaid leave of up to eight days per calendar year.