

EMPLOYMENT LAW ALERT AUGUST 25, 2014

MASSACHUSETTS LAW REQUIRES EMPLOYERS TO PROVIDE LEAVE FOR VICTIMS OF DOMESTIC VIOLENCE

On August 8, 2014, the Governor of Massachusetts signed into law An Act Relative to Domestic Violence (the "ARDV"). The ARDV requires all employers with 50 or more employees to provide up to 15 days of unpaid leave in any 12-month period to employees impacted by domestic violence. Covered employers must notify employees of their rights.

An employee may be eligible for ARDV leave if the employee or a family member is a victim of abusive behavior, including domestic violence, stalking, sexual assault, and kidnapping. ARDV leave must be directly related to the abuse, such as for purposes of seeking medical attention, counselling, or legal assistance; obtaining a protective order from a court; or attending a child custody proceeding. The Act provides details as to notice and documentation requirements.

Employers may not discriminate or retaliate against employees who exercise their rights under the ARDV. Employees are entitled to the same or a substantially equivalent position upon their return from ARDV leave, and employers may not terminate or reduce employment benefits based on the use of ARDV leave. Further, employers may not interfere with an employee's rights under the ARDV based on whether the victim maintains contact with the alleged abuser.

Employers must notify employees of their rights and responsibilities under the new law by developing and circulating leave policies that include the ARDV provisions. All covered employers must review and revise their current policies to comply with the ARDV.

If you have questions about updating your leave policies and otherwise complying with the ARDV, please contact [Gary M. Feldman](#) or [Tamsin R. Kaplan](#) in our [Employment Law Practice Area](#).

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