

# New York University

## UNIVERSITY POLICIES

**Title:** Leave for Victims of Domestic Violence, Sexual Assault, Stalking, or Similar Crimes Policy – California  
**Effective Date:** January 1, 2021  
**Supersedes:** February 13, 2019  
**Issuing Authority:** Executive Vice President  
**Responsible Officer:** Human Resources

### **Statement of Policy**

This Policy addresses leave for employees of New York University in California (“NYU-CA” or “the University”) who are victims of domestic violence, sexual assault, stalking, or similar crimes.

### **To Whom the Policy Applies**

This Policy applies to all employees of NYU-CA.

### **Policy and Procedures**

#### ***Leave Entitlement***

In accordance with California law, employees who are victims (or whose immediate family members are victims) of domestic violence; sexual assault; stalking; or any other crime that causes physical injury or mental injury combined with a threat of physical injury, or any other crime which directly results in the death of an immediate family member of the employee (hereinafter, “similar crimes”) may take time off from work to attend to various matters associated with being a victim of such crimes, including for any of the following reasons:

- To seek judicial assistance/legal protection, such as obtaining restraining orders or appearing in court to obtain relief to ensure the employee’s or immediate family member’s health, safety, or welfare.
- To seek medical attention for injuries caused by the crime or abuse.
- To obtain services from a shelter, program, crisis center, or victim services organization or agency as a result of the crime or abuse.
- To obtain psychological counseling or mental health services relating to an experience of crime or abuse.
- To participate in safety planning or to take other actions to increase safety from future crime or abuse.

For purposes of this Policy, an “immediate family member” is defined as: (1) regardless of age, a biological, adopted, or foster child, stepchild, or legal ward, a child of a domestic partner, a child to whom the employee stands *in loco parentis*, or a person to whom the employee stood *in loco parentis* when the person was a minor; (2) a biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or an employee’s spouse or domestic partner, or a person who stood *in loco parentis* when the employee or the employee’s spouse or domestic partner was a minor child; (3) a person to whom the employee is legally married under the laws of any state, or a domestic partner of an employee as registered under the laws of any state or political subdivision; (4) a biological, foster, or adoptive sibling, a stepsibling, or a half-sibling; or (5) any other individual whose close association with the employee is the equivalent of a family relationship described above.

### ***Notice***

An employee wishing to take time off for any of these purposes must provide the University with reasonable advance notice, unless advance notice is not feasible.

### ***Other University leaves***

Employees may use accrued sick leave, vacation, or personal days for any such approved leave; otherwise, the time may be taken without pay.

### ***Accommodations***

In addition to providing time off as set forth in this policy, the University will provide reasonable accommodation to victims of domestic violence, sexual assault or stalking who request an accommodation for the safety of the victim while at work, provided that the accommodation does not constitute an undue hardship on the University’s business operations. Employees seeking such accommodation should contact the Office of Equal Opportunity to discuss their request. When such requests are received, the University shall engage in a timely, good faith, and interactive process with the employee to determine effective reasonable accommodations.

### ***Certification***

The University may require the employee to provide certification of the time off and/or requested accommodation, as permitted by applicable law.

### ***Confidentiality***

The University shall maintain the confidentiality of any employee requesting leave or accommodation under this policy, as provided by applicable law.

### ***Anti-Retaliation***

In addition, the University will not discharge or in any manner discriminate or retaliate against any employee for taking leave or otherwise making requests under this policy, and prohibits such retaliation by others.