LAKE COUNTY
BOARD OF COUNTY COMMISSIONERS
County Procedure

Title: Domestic Violence Leave

Number: ES.6.04.05

Approved: November 14, 2007

Originator: Employee Services

Review: November 14, 2012

Cancels: N/A

I. PURPOSE AND SCOPE

To establish procedures for granting leave to victims of domestic violence in accordance with Florida Statute 741.313.

II. REFERENCES

Florida Statute 741.313

III. APPLICABILITY

This procedure applies to all Lake County Board of County Commissioners (BCC) employees who meet the criteria for domestic violence leave as outlined herein.

IV. DEFINITIONS

A. Domestic violence: any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member or any crime the underlying factual basis of which has been found by a court to include an act of domestic violence

B. Victim: an individual who has been subjected to domestic violence

V. PROCEDURES

A. General Administration:

Employees who meet the eligibility requirements outlined herein shall be granted up to three (3) unpaid working days of domestic leave in a twelve (12) month rolling calendar period. The rolling calendar period is measured forward from the date the employee first uses Domestic Violence Leave.

B. Eligibility for Leave – To be eligible for leave, the employee:
1. Must have been employed by the BCC for a period of three (3) months and,

2. Must exhaust all annual and sick leave.

C. Purpose of Leave – To qualify for leave under this procedure, the eligible employee must be taking leave for one of the following reasons:

1. To seek an injunction for protection against domestic violence or an injunction for protection for one or more of the following requested purposes:
    *   repeated violence
    *   dating violence
    *   sexual violence

2. To obtain medical care or mental health counseling, or both, for the employee or family or household member to address physical or psychological injuries resulting from the act of domestic violence

3. To obtain services from a victim-services organization

4. To make the employee's home secure from the perpetrator of the domestic violence or to seek new housing or to escape the domestic violence perpetrator

5. To seek legal assistance for issues arising from the domestic violence situation or to attend and prepare for court-related proceedings arising from the act of domestic violence

D. Terms & Conditions of Leave

1. Except in cases of imminent danger to the health or safety of the employee, family or household member, employees seeking such leave must provide the County with twenty-four (24) hour advance notice of their request for leave.

2. Except in case of imminent danger to the health and safety of the employee, family or household member, acceptable documentation of the request for domestic violence leave must be presented to the Office of Employee Services at least twenty-four (24) hours in advance of the commencement of the leave. Acceptable documentation includes but is not limited to:

    *   Documentation or report by a law enforcement official
    *   Documentation or report by a domestic violence shelter
    *   Documentation or report by a medical care or mental health professional

3. The County will keep all information relating to the employee's domestic violence leave confidential and exempt from disclosure to the extent authorized by Florida Statute.

4. An employee may not work for any other employer while on domestic violence leave from the BCC without prior approval.

5. The County will not discharge, demote, suspend, retaliate or in any other manner discriminate against employees for exercising their rights provided by this law.

VI.   RESERVATION OF AUTHORITY

The authority to issue or revise this Procedure is reserved to the County Manager. The County Manager may authorize exceptions to this procedure when deemed appropriate.

Cindy Hall

County Manager

Lake County