

Unemployment Benefits

You may be eligible for unemployment benefits if:

- ◆ You had to quit an Oregon job because you or an immediate family member is or could be a victim of domestic violence, stalking or sexual assault, and
- ◆ You left work to protect yourself or an immediate family member from domestic violence, stalking or sexual assault that you reasonably believed would take place if you stayed in your job.

Be sure to explain in your application how leaving work protected you or an immediate family member from domestic violence, sexual assault or stalking.

Applying for Unemployment

1. Apply on-line at:
www.workinginoregon.org/ocs.

2. Apply via Phone:

Portland Metro: 877-877-1781
Southwest Oregon: 877-728-7970
East of the Cascades: 800-663-7914

Enforcing Your Rights

If your employer will not let you take time off, discriminates against you, fails to keep your information confidential, or refuses a reasonable safety accommodation:

- ◆ You can file a complaint with the Bureau of Labor and Industry (BOLI) within one year of the illegal act. BOLI is a state agency that helps to enforce discrimination and other employment laws. You may contact BOLI at 971-673-0761 or www.oregon.gov/boli.
- ◆ You can ask an attorney for help negotiating with your employer or filing a court case. You have one year from the illegal act to file a court case.
- ◆ If you are a public employee and you think you might file a lawsuit, a tort claim notice must be sent to your employer within 6 months of the illegal act. If you need to file a tort claim notice, you should have an attorney help you.

If you are denied unemployment benefits, you can request a hearing within 20 days of the administrative decision. Attorneys staffing the Legal Aid/Oregon Law Center Public Benefits Hotline (800) 520-5292 may be able to advise or assist you with this process.

WORKPLACE PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING



PREPARED BY

LEGAL AID SERVICES OF OREGON
AND
THE OREGON LAW CENTER

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This pamphlet is for general educational use only and is up-to-date as of April 2010. It is not a substitute for the advice of an attorney. Please consult an attorney for more information or for advice about whether and how the law applies to your situation.

Your job and your safety are important. Laws in Oregon protect workers who are victims of domestic violence, stalking and sexual assault.

Protection from Discrimination

It is against the law for any employer in Oregon to:

- ◆ Refuse to hire a person because they are a victim of domestic violence, stalking or sexual assault.
- ◆ Fire, threaten to fire, demote, suspend or retaliate against a worker because they are a victim of domestic violence, stalking or sexual assault.
- ◆ Refuse to make a reasonable safety accommodation, or retaliate against a person who asks for a reasonable safety accommodation.



Safety at Work

If you are the victim of domestic violence, sexual assault or stalking, you have the right to ask for reasonable changes to a workplace rule or job requirement to help make you safer. This is called a reasonable safety accommodation.

Examples of safety accommodations:

- ◆ A change in work schedule, work phone number, office placement, or job duties;
- ◆ A transfer to a different office or location;
- ◆ Someone to walk you to and from the parking lot;
- ◆ Time off to work with law enforcement, get a restraining order, move or attend counseling.
- ◆ Other changes that may help keep you safe.

An employer must allow a reasonable safety accommodation, unless it would be too much of a burden on the employer.

Time Off from Work

If you have worked for an employer more than 25 hours per week for the last 6 months, and your employer has at least 6 employees, you may be eligible for reasonable time off.

- ◆ You must give advance notice, if possible.
- ◆ The time can be used to attend to safety related matters if you or your child or dependant is a victim.
- ◆ Safety related matters are things like court hearings, counseling sessions, moving to a safe home, or visiting your doctor.
- ◆ You may use vacation or other paid leave. If you do not have any paid leave, you may still take time off without pay.
- ◆ An employer cannot discriminate against you for asking for reasonable time off.

An employer must allow time off from work unless the request is unreasonable or would be too much of a burden on the employer.

Note: An employer may ask for certification that you are a victim. If asked, you must provide a document from the police or courts, such as a restraining order or police report, or a letter or other document from an attorney, counselor, victim service provider, health care professional or clergy member. Any information given to the employer must be kept confidential.