

Americans Need Access to Paid Safe Leave

Gender-based Violence Causes Economic Instability

Millions of people are coming to work each day who are dealing with domestic violence, sexual assault, dating violence, trafficking, stalking and sexual harassment. In 2016, almost half of all women, and four out of 10 men said they had experienced domestic violence at some point in their lifetime.¹ About one out of every three women, and one out of six men, report being subjected to stalking.² The rates of rape are also high, especially for women.³

This violence and harassment result in economic instability for many survivors, who may struggle to obtain and maintain employment or education. Facing stalking, harassment, or physical, economic or other types of abuse can prevent survivors from successfully applying for work, keeping their job, or completing an education or training program.

Some barriers survivors face include:

- Needing to take a leave of absence because the abuse, harassment or assault impacts their ability to work⁴;
- Changing jobs or job locations so their stalker or abuser cannot find them⁵; or
- Having difficulty working because an abusive partner either doesn't allow a survivor to work or makes it difficult to get to work by taking their car keys or sabotaging child care arrangements.⁶

These barriers prevent survivors of domestic violence and abuse from seeking safety for themselves and their families. For example, the primary reason domestic violence survivors are unable to leave an abusive relationship is a lack of economic security to support themselves.⁷ In a 2018 survey of people who had experienced domestic violence, the vast majority of whom were women, 73 percent said they remained in an abusive relationship due to their financial insecurity.⁸ Domestic violence survivors are often caught in between these two barriers; they need work to be able to leave an abusive relationship but the abuse they're subjected to severely impacts their ability to work.⁹

Disproportionate Impacts of Violence

Some communities, such as American Indian or Alaska Native women, people with disabilities, and LGBTQIA+ people, experience disproportionate rates of violence, which can make it harder for these populations to obtain and maintain employment or education.

In a study of American Indian and Alaska Native women, about one out of every two women have experienced sexual violence,

Federal lawmakers should enact the Healthy Families Act and the FAMILY Act, which include paid safe leave for survivors in both a national paid sick days program and a national paid family and medical leave program.

Millions of American workers experience domestic violence, sexual assault, dating violence, trafficking, stalking and sexual harassment each year – and women, people of color, individuals with disabilities, and LGBTQIA+ workers are disproportionately affected. The scope of the problem means every workplace is affected.

Survivors need paid safe leave in order to maintain economic security, leave their abusive partners, and seek safety and healing for their families. A lack of paid safe leave also harms businesses and the economy through reduced productivity and the costs of increased turnover. In order to support all workers who are survivors, safe leave must be paid, support all types of workers including independent contractors, provide job protection, and bar employer retaliation.

physical violence from an intimate partner, and/or stalking; these rates are 1.2 times higher than for non-Hispanic, white women.¹⁰

The disproportionate rate of violence against Native women stems, in part, from the legal and jurisdictional barriers Native communities have faced in prosecuting non-Native perpetrators, who are more likely to commit violence against Native women.¹¹ Of the American Indian and Alaska Native women surveyed who experienced violence, over 40 percent missed days of school or work.¹²

Many survivors with disabilities face disproportionate rates of violence—often because their abusers, or other people close to them, weaponize their disabilities against them.¹³ For example, an abuser may destroy or deny access to a mobile device or tamper with medication, which can impact a survivor's ability to get to work.¹⁴

LGBTQIA+ survivors¹⁵ also experience disproportionately high rates of gender-based violence and harassment. In a study of victimization by sexual orientation and gender identity, domestic violence was eight times as high among bisexual persons and more than twice as likely among gay and lesbian individuals as compared to heterosexuals.¹⁶ In addition to higher rates of violence, LGBTQIA+ individuals also experience higher levels of economic insecurity compared to non-LGBTQIA+ individuals, making any job loss or job precarity especially damaging.¹⁷

Paid Safe Leave Advances Economic Security

Many workers, including survivors, lack access to paid sick days or paid family and medical leave, limiting their ability to take time off from work.¹⁸

One of the key supports survivors need in order to stay employed, receive medical or mental health care, obtain supportive services or seek safety for themselves and their children is paid safe leave, which would allow survivors and their families to take paid, job protected leave related to their victimization.

This would ensure that every survivor, as well as their family members and caregivers who need care and resources or want to provide support to the survivor, can heal from the violence they experience, feel safe and secure, maintain their employment and provide economic stability.

No survivor should be forced to choose between a paycheck and living free of violence and harassment. But nearly one in five workers does not have a single paid sick day at work, and three out of four do not have paid family leave through an employer for longer-term needs.¹⁹

Even workers who have some paid time off may not be able to use it for safe leave purposes.²⁰ Workers in low-wage jobs, people of color and women – often the same workers who face higher risks of experiencing gender-based violence – are less likely to have access to paid time away from work.²¹

It's critical that any safe leave law or policy provides paid time off, as opposed to unpaid time off. Survivors must have paid time off as their abuse impacts their ability to maintain financial security, leave an abusive partner,²² as well as their mental and physical health.²³

To support the most economically vulnerable survivors, paid safe leave policies must cover all workers, no matter what kind of job they hold, how long they've been at that job, or where they work.

Paid Safe Leave Helps Survivors Stay in the Workforce

A recent study estimated that workers miss 741 million days of work over their lifetimes because of domestic violence, sexual assault, and stalking.²⁴ Survivors of domestic violence missed 15 to 20 days work due to their abuse²⁵ and individuals who have experienced stalking missed anywhere from five to 25 days of paid work, even after seeking a protective order.²⁶

In addition to the abuse they face at home, facing harassment or abuse at work can cause additional economic (and other) harm for survivors.²⁷ In a survey of people who experienced workplace

Types of Leave: Sick Days, Paid Family Leave, Safe Leave

Paid sick days typically cover a few hours or days of leave at a time, sometimes at short notice, for short-term or emergency health needs, or preventive care.

Paid family and medical leave programs provide weeks or months of leave for ongoing or long-term needs, such as the birth of a child, caring for a family member who is ill, or seeking medical treatment for a major illness.

Safe leave is defined as leave taken by a survivor of violence or their family member to handle the consequences of the violence they've experienced, such as to attend court hearings.

For more, see the National Partnership for Women & Families' resource: [Understanding the Difference Between Paid Sick Days and Paid Medical and Family Leave \(2022\)](#).

harassment or abuse, about one out of five survivors reported losing their jobs and/or missing days of work due to these experiences.²⁸

Many survivors are demoted or fired for missing work due to the abuse or harassment they have experienced.²⁹ However, many of these job losses are preventable. Providing paid safe leave ensures survivors can not only remain in their jobs but also maintain financial autonomy and security to leave their abusive partners and keep their families safe.

Paid Safe Leave Is Good for Businesses and the Economy

A lack of paid safe leave also harms businesses and the economy because of reduced productivity and the costs of increased turnover:

- A 2017 study estimated that the American economy loses approximately \$137.8 billion (in 2017 USD) in short-term productivity due to gender-based violence and harassment.³⁰
- Sexual harassment affects immediate work outcomes such as reduced job satisfaction, increased absenteeism, and work withdrawal, and deteriorating relationships with coworkers.³¹
- Nearly one in 10 stalking victims are forced to change or quit their jobs, or leave school to keep themselves safe and stop the behavior.³²

In addition, perpetrators of abuse, who do not qualify for safe leave, negatively impact workplace productivity. In addition to their impact on the economic stability of survivors, they often miss work themselves to attend court dates or jail time, and some regularly use workplace resources to harass or threaten their partners.³³

Paid safe leave and other policies to support survivors in the workplace would mean more survivors would be better able to address their needs, and employers would be able to retain these employees and maximize productivity.

The Need for National Protections

Currently, the only federal paid safe leave protection is Executive Order 13706³⁴, which provides paid sick and safe leave to federal contractors. While this doesn't provide national levels of protection,

it serves as a model for implementing paid safe leave on the federal level. In contrast, survivors can access safe leave protections at the state level through paid sick and safe days law and ordinances, family and medical leave laws, and other similar proposals.

Paid sick and safe days laws ensure survivors can take a few hours or days of paid time off at short notice to access critical services without risking their financial security. Nationwide, at least 13 states, as well as dozens of cities and counties, have enacted paid sick and safe days laws, and at least 14 states have laws that provide

unpaid safe leave.³⁵ In at least four states – Colorado, Connecticut, New Jersey and Oregon – survivors can also access longer periods of time, or intermittent leave for periodic needs, through paid family and medical leave programs.³⁶ Additionally, several states, cities, and counties provide paid or unpaid, job protected safe leave for survivors through a separate law or ordinance from other leave laws.³⁷

In order to meet the needs of all survivors and their family members, we need national paid safe leave protections. ■

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