

<b>HUMAN RESOURCES MEMORANDUM 26-009</b>		DATE ISSUED: 3/16/2026
SUBJECT: <b>Survivors of Violence and Family Members of Victims Right to Leave and Accommodations</b>		REFERENCE: N/A
TO: All Department of General Services Employees and Client Service Agencies		SUPERCEDES: N/A

**Purpose**

The purpose of this memorandum is to advise Department of General Services (DGS) employees that all employees have the right to leave and accommodations as a survivor of violence and family member of a victim in accordance with the Fair Employment and Housing Act ([Government Code 12945.8](#)).

**Policy**

All employees have the right to take time off work for jury service or to appear in court as a witness to comply with a subpoena or court order.

If an employee is a victim of violence, they have the right to take time off work to get relief (such as a restraining order) to protect themselves or their child's health, safety, or welfare. All employees have this right, no matter the size of the employer. If an employee is a victim of violence, they have the right to take time off work for any of the following reasons:

- To take part in safety planning or other actions to help keep you or your family member safe from future violence.
- To prepare for, participate in, or attend civil, administrative, or criminal legal proceedings, such as a court hearing, related to the violence.
- To seek, get, or provide childcare or care to a dependent adult if the care is necessary to keep the child or adult safe after an act of violence.
- To care for a family member recovering from injuries caused by violence.
- To get, or help a family member get, the following services relating to the violence: civil or criminal legal services; a restraining order or other relief; medical attention for injuries; services from a domestic violence shelter or program, rape crisis center, or victim services organization or agency; psychological counseling; mental health services; or housing, including relocating, securing temporary or permanent housing, and enrolling children in a new school or childcare.

If an employee is a victim of violence or the family member of a deceased victim of violence, they can take up to 12 weeks off work for any of these reasons. If the

employee is the family member of a living victim of violence but are not themselves a victim, they may take up to 10 days off work for these reasons, with the exception of relocation, for which you can take up to five days.

The employee may use available vacation, paid time off, personal leave, or paid sick leave to take time off for any of the reasons described in this notice.

The employee must give their manager/supervisor advance notice before taking time off, unless it is not possible. If they do not give advance notice, DGS cannot discipline if the employee provides documentation within a reasonable time supporting the reason for their absence.

If an employee or employee's family member is a victim of violence, the employee has the right to ask for accommodation to make sure they are safe at work. The employee's manager/supervisor must work with the employee to see what changes can be made. DGS can ask for a statement certifying that the employee's request is related to being a victim or the family member of a victim.

If an employee is a victim or the family member of a victim, your manager/supervisor must keep information about their request for time off or accommodation confidential unless federal or state law requires disclosure, or disclosure is necessary to protect the employee's safety at work. If the manager/supervisor plans to disclose information about the employee's circumstances, they must tell the employee in advance.

DGS cannot discipline the employee, treat the employee differently, or fire the employee because:

- They are a survivor or the family member of a victim or survivor of domestic violence, sexual assault, stalking, violent threats, or violence causing injury.
- They asked for time off work to recover from or get help related to the violence.
- They asked for accommodations to make sure they are safe at work.

## Protections

Employees are encouraged to contact the [Equal Employment Opportunity Office](#), the Office of Human Resources or any of the references listed below:

**Wage Replacement:** You may be eligible for wage replacement if you are unable to work because of your health or because you need to care for a family member with a serious health condition. **State Disability Insurance (SDI)** provides short-term wage replacement when you are temporarily disabled from working. **Paid Family Leave (PFL)** provides short-term wage replacement so you can care for a seriously ill family member, among other reasons. Learn more or file a claim for wage replacement by contacting the [Employment Development Department](https://edd.ca.gov/) (EDD) ([https:// edd.ca.gov/](https://edd.ca.gov/)) or by phone at 800-480-3287 (for SDI) or 877-238-4373 (for PFL).

**Family and medical leave:** Under the Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA), you may have the right to take time off work for yourself or a family member's serious health condition or because of the birth, adoption, or foster care placement of a child. Learn more about family and medical leave by visiting the [State of California Civil Rights Department](https://calcivilrights.ca.gov) (CRD) (<https://calcivilrights.ca.gov>). You can file a complaint with CRD if you believe your rights have been violated.

See the Personnel Operations Manual [Family and Medical Leave Act](#) for additional information.

**Bereavement leave:** Bereavement leave shall not exceed three days with pay for any one occurrence. However, a request for two additional days of bereavement leave shall be granted, at the option of the employee, as either dock or as a charge against any accrued sick leave credit.

**Leave to attend court for certain crimes:** If you are a victim of certain crimes or the family member of a victim of certain crimes, you have the right to take time off work to attend related court proceedings under [Labor Code Sections 230.2 and 230.5](#). You can learn more information or file a complaint with the Labor Commissioner's Office within the [Department of Industrial Relations](https://www.dir.ca.gov) (<https://www.dir.ca.gov>).

Contact the Civil Rights Department if you have questions about your rights or to file a complaint:

### **Civil Rights Department**

Online at <https://ccrs.calcivilrights.ca.gov/s/>

By mail at 651 Bannon Street, Suite 200, Sacramento, CA 95811

By calling 800-884-1684 (voice), 800-700-2320 (TTY), or California's Relay Service at 711

For more information about your right to leave and accommodations as a victim or the family member of a victim, visit [CRD-Survivors-of-ViolenceFAQ](#).

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Administration Division