1.0 PURPOSE
Employees may need to be excused from work in order to address issues related to domestic violence.

2.0 RESPONSIBILITY
Holy Cross is committed to the welfare of its employees.

All employees should understand this Policy and how to access leave for purposes related to domestic violence. Managers/Supervisors should seek advice from Human Resources (HR) if an employee reports domestic violence and/or requests a leave under this Policy. HR is responsible for approval of leave requests and administration leave granted pursuant to this Policy.

Any Holy Cross employee who sees signs of domestic violence should contact HR Resources.

3.0 DEFINITIONS
The following definitions apply to his Policy. Employees and Managers/Supervisors who are uncertain about the application of these definitions should seek advice from HR.

3.1 Employee Defined
This Policy applies to all Employees.

3.2 Domestic Violence Defined
Domestic violence, for the purposes of this Policy, includes abuse, abusive behavior, including domestic violence, stalking, sexual assault, or kidnapping, of an employee, or a family member of an employee.

3.2 Domestic Violence Leave Purposes
The purposes for which leave may be granted include: to seek or obtain medical attention, counseling, victim services, or legal assistance; to secure housing; to obtain a
protective order from a court; to appear in court or before a grand jury; to meet with a
district attorney or other law enforcement official; to attend child custody proceedings; or
to address other issues directly related to abusive behavior against the Employee or a
member of the Employee’s family.

3.3 Family Members Defined
Family members, for purposes of this Policy, are: persons who are married to one
another; persons in a substantive dating or engagement relationship and residing
together; persons having a child in common, regardless of whether they have married or
resided together; a parent, stepparent, child, stepchild, sibling, grand-parent, or
grandchild; or persons in a guardian relationship.

4.0 PROCEDURES

4.1 Leave Amounts for Victims; Perpetrators Not Eligible
Any employee who is the victim of domestic violence, or whose family member is the
victim of such behavior, may take up to fifteen (15) days of unpaid leave during any
rolling twelve (12) month period to address such issues. However, an Employee who is
the perpetrator of the behavior shall not be eligible for leave.

4.2 Notification of Need for Leave
The employee must provide reasonable advance notice of the need for leave for
foreseeable events, and notice as soon as possible if the need for leave is
unforeseeable.

Except in circumstances where there is an imminent threat to the health or safety of an
Employee or a member of the Employee’s family, Employees seeking leave under this
Policy must request the leave from HR, and Managers/Supervisors must direct
employees who request such leave to HR.

In circumstances where there is an imminent threat to the health or safety of an
Employee or a member of the Employee’s family, advance notice of the need for leave
is not required. However, the Employee or his or her representative shall notify HR
within three (3) work days that leave was taken or is being taken under this Policy.

4.3 Documentation to Support Need for Leave
The College may require Employees taking leave under this Policy to provide
documentation to HR to establish that leave is or was taken for a qualifying reason.
Such documentation may include copies of protective orders, police reports, witness
statements, documentation of medical treatment, or a written statement from the
Employee, a counselor or a representative of an agency or program that provided
assistance to the Employee or his or her family member to address the effects of the
abusive behavior.

4.4 Substitution of Paid Leave Accruals and Accumulated Time Due
Any type of accrued leave or accumulated time due (vacation, floating holiday time,
personal time, sick time and time due grants) may be utilized in the case of a leave
taken under this Policy. Employees must first use any available accrued leave or
accumulated time due to cover the leave granted under this Policy. Any leave taken
after the Employee has exhausted accrued time off benefits will be unpaid (unless the Employee qualifies for compensation under another applicable leave plan).

4.5 Continuation of Benefits
During leave, an Employee will continue to participate in College-sponsored benefit programs and insurance plans under the same terms and conditions as existed when the leave began. To continue coverage, the Employee must make his or her required benefit contributions during leave. If the Employee requests, the College may consider alternative payment arrangements for the continuation of the Employee’s coverage under College-sponsored health plans.

4.6 Concurrency with Other Leaves
This leave will run concurrently with other leaves that cover absences for the same reasons. (For example, an employee who uses Domestic Violence Leave to obtain medical care, which would also qualify the employee for Family and Medical Leave (FMLA) to care for the employee’s own medical condition – in such a case the Domestic Violence Leave and the FMLA would run concurrently).

4.7 Leave Information is Confidential
All information related to an Employee’s leave under this Policy will be kept confidential by the College, except to the extent that disclosure is: (i) requested or consented to, in writing, by the Employee; (ii) ordered to be released by a court of competent jurisdiction, (iii) otherwise required by federal or state law, (iv) required in the course of a law enforcement investigation, or (v) necessary to protect the safety of the Employee or other members of the College community.

Questions about this Policy should be directed to HR.

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Related Information:

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Date of Last Review Jun-01-2015