New Law Provides Employees 15 Days of Unpaid Leave to Deal with Situations of Domestic Violence and Abuse

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On August 1, 2019, Act No. 83-2019 was signed into law, providing employees with a special unpaid leave of fifteen (15) days per year to deal with situations where the employee or a close relative, as defined by the Act, is affected by domestic or gender-based violence, child abuse, sexual harassment in the workplace, sexual assault, lewd acts or stalking.

This special leave may only be used to tend to specific matters outlined in the Act, such as obtaining a restraining order, securing safe housing and seeking medical treatment.

The employee must notify the employer of his or her intention to seek this special leave with at least a two-day notice, except in situations where there is imminent danger. The employer may, in turn, require the employee to provide documentation to show that the employee utilized this special leave for the purposes outlined in the Act.

Act No. 83-2019 further provides that employers may not discriminate or take any adverse actions against an employee, such as reducing his or her workday, reclassifying the employee to a new position or changing his or her work shift, for using this special leave.

Lastly, Act No. 83-2019 mandates employers to include in their sexual harassment policy and their domestic violence protocol a reference to this special leave.