

Victims' Economic Security & Safety Act (VESSA)

This Illinois VESSA law provides that an employee who is a victim of domestic or sexual violence, or who has a family or household member who is a victim of domestic or sexual violence, can take up to twelve (12) weeks of unpaid leave per any twelve (12) month period to address issues arising from domestic or sexual violence. Employees can seek medical help, legal assistance, counseling, safety planning, and other assistance. This may run concurrently with leave taken under the Family Medical Leave Act ("FMLA").

The amendments to VESSA (effective January 1, 2020) will expand the protections to include victims of gender violence. The amendments define gender violence as violence or aggression that is illegal under State law and committed, in part, on the basis of a person's actual or perceived sex or gender, whether or not criminal charges were ultimately brought. The employee may take this leave intermittently or on a reduced work schedule in order to seek medical attention, victim services, counseling, safety planning, or legal assistance.

All private sector employers with one (1) or more employees, the State of Illinois, units of local government, and school districts are required to implement VESSA. In a twelve-month period, employers with one (1) to fourteen (14) employees must provide up to four (4) weeks of unpaid leave, employers with fifteen

(15) to forty-nine (49) employees must provide eight (8) weeks of unpaid leave, and employers with fifty (50) or more employees must provide 12 weeks of unpaid leave.

Employers must post a notice in their workplace summarizing VESSA's requirements. Copies of the required notice are available through the Illinois Department of Labor. Employers are not required to have a VESSA policy in their employee handbooks, nor is additional training for staff or employees mandated in the Act.

Proactive Solutions

- Set up tracking of VESSA/FMLA time
- Posting of required VESSA notice