



M O N T A N A  
COALITION AGAINST  
DOMESTIC AND SEXUAL  
V I O L E N C E

To: House Business and Labor Committee  
From: Kelsen Young, Executive Director  
Date: March 4<sup>th</sup>, 2009  
Re: HB 579 – Paid sick leave including for domestic violence as minimum labor standard

EXHIBIT 2  
DATE 3-4-09  
HB 579

Good morning Mr. Chairman and Members of the Committee. For the record my name is Kelsen Young and I represent the Montana Coalition Against Domestic and Sexual Violence. We are a statewide membership organization representing direct service programs from across the state that provide services to victims of domestic and sexual violence. We rise in support of HB 579 sponsored by Representative Caferro.

HB 579 instructs employers with more than 10 employees that they must provide up to 9 paid sick days in a year to an employee. Included in this proposal is that the paid sick leave can be used for dealing with situations that arise from domestic violence, sexual assault, or stalking situations. Currently, Montana provides up to 10 weeks of unemployment insurance for victims of domestic violence, sexual assault, and stalking victims. Therefore, the state of Montana and previous Legislators have already indicated their support and acknowledgement that survivors of these crimes are often faced with unique circumstances that affect their ability to maintain employment.

Montana is not the first state to consider creating paid or unpaid leave for domestic violence victims. Many other states have considered and passed legislation that mandates paid and/or unpaid leave be provided to victims of violence. And many other states have specific protections for victims of violence mandating that employers cannot discriminate or take retaliatory action based on a victim of crime's need to cooperate with criminal justice proceedings and similar situations (see MCA 46-24-205).

Victims of domestic violence, sexual assault and stalking need to have access to paid sick leave for many reasons:

- They may only be able to access services during their regularly scheduled work hours.
- Paid time off can make the difference between getting critically important help when it's needed, or delaying their move into a safe situation.
- They may need to seek urgent medical care.
- They may need or want to obtain an Order of Protection which can only be done during court hours.
- They may be fleeing the abusive home environment and seeking shelter to protect themselves and their children from further harm.
- They may need to obtain medical or psychological care to address the effects of trauma on themselves and their children.
- They likely will have numerous follow up meetings with law enforcement, prosecutors, and attorneys and attend and participate in the judicial process.

As you can imagine recovering from a sexual assault, fleeing from a domestic violence situation, and protecting your children from further harm – all of these situations take time, energy and a great deal of courage. Employers should not stand in the way of these important safety measures and should do everything they can to support their employees who are dealing with these all too often life-threatening situations. Even a few days away from work in order to obtain these essential services would make a significant difference. And a victim should not have to make the choice between losing a job, not having access to several days worth of pay, and keeping themselves and their families safe.

There is a great deal of information available about the economic cost and impact of domestic violence on the workplace. There is also extensive research on what other states and localities have considered on the issues of employment protections, sick leave, unemployment insurance, etc. I am happy to provide any of this information to members of the Committee who are interested and if it would assist in your deliberations. Thanks for your time.

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