

Staff Personnel Manual (SPP)

SPP 707: Victim's Leave Benefits

Effective: 11/1/2005

Revised: 7/1/2012

Purpose

To allow employees who are victims of crimes to leave work to exercise their right to be present at legal proceedings related to the crimes

Source

Arizona Revised Statutes §§ 8-420, 13-4439

Eligibility

Any university [employee](#) is eligible for leave under this policy, except if the employee's family member is the [victim](#) and the employee is in custody for an [offense](#) or is the accused

Policy

ASU will provide victim's leave to eligible employees in accordance with the Arizona State Victim's Leave Law (*Arizona Revised Statutes §§ 8-420, 13-4439*). This law authorizes employees who are victims of crimes to leave work to exercise the right to be present at legal proceedings related to the crime.

A request for time off must be made to the employee's immediate supervisor or responsible administrator with as much notice as practical. In making this request, the employee shall provide:

1. a copy of the form provided to the employee by the law enforcement agency
and
2. a copy of the notice of each scheduled proceeding that is provided to the victims by the responsible agency.

Records under this policy shall be maintained in a confidential manner. To remain in pay status while absent from work, an employee may use vacation, sick, or compensatory leave benefits, if available. If the employee has exhausted all accrued leave balances or if the employee is not benefits-eligible, the leave of absence shall be unpaid.

While there is no maximum amount of time allocated for victim's leave, the university reserves the right to limit the leave provided under state law if the employee's absence from work creates an undue hardship to the university's business.

It is a violation of ASU policy for any university supervisor to refuse to hire, discharge, or discriminate against an employee in compensation or other terms, conditions, or privileges of employment because the employee utilizes the victim's leave policy.

Definitions

Criminal Offense

A felony or a misdemeanor involving physical injury, the threat of physical injury, or sexual offense.

Delinquent Act

An act committed by a juvenile involving physical injury, the threat of physical injury, or sexual offense that, if committed by an adult, would be either a felony or a misdemeanor.

Victim

A person against whom the criminal offense has been committed, or if the person is killed or incapacitated, the person's immediate family (or member of the employee's established household) or other lawful representative (person who is designated by the victim or appointed by the court and who acts in the best interests of the victim), except if the person is in custody for an offense or is the accused.