



**Bill Purpose**

A survivor of domestic, dating, sexual, or stalking violence who leaves work, or is unable to work, or separated from employment due to circumstances directly relating to that violence will still be eligible for unemployment benefits when the survivor:

* Fears violence at or en route to workplace
* Wishes to relocate to another geographic area to avoid violence to themselves, their family, or co-workers
* Finds it necessary for future safety and health of themselves, their family, or co-workers

Survivors will provide documentation: police, court records; sworn statement; statement from shelter worker, attorney, healthcare provider, clergy.

The benefits are charged against the state’s pooled account, not an employer’s account.

Employees of the KY Office of Unemployment Insurance will be trained on domestic, dating, sexual, and stalking violence and benefits applications.

The Secretary will send an Annual Report to LRC of the number of claims filed.

Legislative

**Fact Sheet**

**AN ACT Relating to
Unemployment Insurance Protections For**

**Survivors Of Domestic, Dating,
Sexual, and Stalking Violence**

*Sponsored by: Representatives Kulkarni and Heavrin*

**For more information
about this bill, contact

Mary Savage msavage@kcadv.org
at Kentucky Coalition
Against Domestic Violence or**

**Laela Kashan lkashan@kasap.org
at Kentucky Association of
Sexual Assault Programs**

**Bill Summary**

**This bill amends KRS 341.350-370 and 341.125 to provide much-needed protections to survivors of domestic, dating, sexual, and stalking violence who lose their jobs due to abuse.**

**Why are these protections needed?**



Nationally, *1 in 6 women* experiences stalking in her lifetime, and *61.5%* of cases are
Intimate Partner Violence related.

For men, *1 in 19* will experience stalking with

*43%* of stalking cases related to Intimate Partner Violence.

In Kentucky, **1 in 4 women** experiences stalking in her lifetime, with

**71%**

being related to Intimate Partner Violence1.

Nearly 1 in 2 women (39.1%)

and 1 in 5 men (18.3%)

in Kentucky reported experiencing contact sexual violence at some point in their lives1.

Nationally, intimate partner violence, or partner abuse, impacts *1 in 4 women* and *1 in 9* men in their lifetime.

In Kentucky that number rises to
**1 in 3 women** and

**1 in 8 men** experience partner abuse each year2.

**21%**

of full time employed adults reported being victims of domestic violence3.

Multiple studies indicate that unemployment is often related to the domestic violence in a relationship4.

**How do perpetrators sabotage survivors’ employment?**

* Perpetrators of domestic, dating, sexual, and stalking violence **interfere with survivors’ employment** in a number of ways and often **cause job loss by direct interference and harassment** at the workplace but also **indirectly through physical abuse and controlling behavior, sabotaging transportation or childcare, and through the physical and emotional impact** of violence.
* Abusers use a **range of tactics that can disrupt** an employed victim’s ability to get to work or perform on the job, as well as disrupt victim’s coworkers or customers5.
* Such tactics can **lead to increased absenteeism, tardiness, reduced productivity, work distraction, and job loss**6.
* In one survey, **83 percent of domestic violence survivors reported their ability to work was negatively impacted by an abusive partner**, including missed raises or promotions, missing days of work, or losing a job. Seventy-nine percent of victims experiencing abusive behavior that affected their work reported being late to work because of interference from abusers7.
* **Between 10% and 50% of domestic violence victims indicate they were forced to change or quit their jobs or leave school** to keep themselves safe or because of problems due to the abuse7,8.
* Nearly **10% of stalking victims are forced to change or quit their jobs or leave school** to keep themselves safe and stop the behavior8.
* Employed survivors stalked by either intimate partners or others experienced **twice as many tactics and were pursued three times longer than unemployed survivors.** Women who were stalked by a violent partner were significantly more susceptible to on-the-job harassment and employment problems than women with abusive partners who were not stalked9.
* Seventy-two percent of acquaintance stalking victims who were sexually harassed and/or assaulted by the stalker reported they had also been harassed at their job by the stalker; 24% experienced difficulty getting to or staying at work because of the stalker; and 75% had job performance problems due to the stalking. Further, 34.5% experienced problems at work because of the stalker, and 9.2% lost a job because of the stalking10.
* Over nineteen percent of adult female rape victims and 9.7% of adult male rape victims reported that their victimization caused them to lose time from work11.
* Abusers **sabotage victim employment** but also employment opportunities such as the ability to get new jobs, promotions, change careers, networking and their reputation which can have long-last harmful effects on careers12.
* Women who experience domestic violence typically **experience employment instability for up to** **six years** after the abuse occurs13.
* **Across the nation:** 39 states and Puerto Rico, US Virgin Islands and Washington D.C. have enacted legislation, regulations, policies or interpretation of these which protect survivors’ rights to unemployment benefits14.

1. Smith, S.G., Chen, J., Basile, K.C., Gilbert, L.K., Merrick, M.T., Patel, N., Walling, M., & Jain, A. (2017). *The National Intimate Partner and Sexual Violence Survey*(NISVS): 2010-2012 State Report. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention

2. Black MC, Basile KC, Breiding MJ, Smith SG, Walters ML, Merrick MT, et al. The National Intimate Partner and Sexual Violence Survey (NISVS): Summary report. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention; 2011.

3. Bureau of Labor Statistics (BLS). (2005, October 27) Survey of workplace violence prevention. Corporate Alliance to End Partner Violence. (2007). *Corporate leaders and America’s workforce on domestic violence: A survey.*

4. Showalter, K. (2016) *Women’s employment and domestic violence: A review of the literature*. Aggression and Violent Behavior 31 (2016) 37-47.

5. Ridely, E., Riuox, L., Lim, K., Mason, D., Houghton, K., Luppi, F., et al. (2005)). *Domestic violence survivors at work: How perpetrators impact employment.* August: Maine Department of Labor and Family Crisis Services. Swanberg, J.E., Logan, T. & Macke, C. (2005). Intimate partner violence: A workplace matter. In K. Kelloway, J. Baring, & J. Hurrell (Eds.), *Handbook of workplace violence* (pp. 286-312). Thousand Oaks, CA: Sage.

6. Reeves, C. & O’Leary-Kelly, A. (2007) The effects and costs of intimate partner violence for work organizations. *Journal of Interpersonal Violence, 22(3),* 327-344.

7.Institute for Women's Policy Research. (2017, August). *The Economic Cost of Intimate Partner Violence, Sexual Assault, and Stalking*. Institute for Women's Policy Research. Hess, C. & del Rosario, A. (2018, October). *Dreams Deferred: A Survey on the Impact of Intimate Partner Violence on Survivors' Education, Careers, and Economic Security*.

8. Baum, K., Catalano, S., Rand, M., & Rose, K. (2009, January). *National Crime Victimization Survey: Stalking Victimization in the United States*. U.S. Department of Justice

9. Nicastro, A. M., Cousins, A. V., & Spitzberg, B. H. (2000). The tactical face of stalking. *Journal of Criminal Justice, 28*(1), 69-82. doi:[https://doi.org/10.1016/S0047-2352(99)00038-0](https://doi.org/10.1016/S0047-2352%2899%2900038-0); Logan, T., Shannon, L., Cole, J., & Swanberg, J. (2007). Partner stalking and implications for women’s employment. Journal of Interpersonal Violence, 22, 3, 268-291.

10. Logan, T. (2021). Acquaintance stalking and resource losses. Manuscript in process.

11. Tjaaden & Thoennes, 2006. *Extent, nature, and consequences of rape victimization: Findings from the National Violence Against Women Survey. Washington, DC:* National Institute of Justice.

12. Logan, T.K., Walker, R. (June/July, 2017). *Impact of stalking victimization on separation: assessing and addressing safety and economic security*. Domestic Violence Report, 22(5)

13. Staggs, S. L., Long, S. M., Mason, G. E., Krishnan, S., & Riger, S. (2007) *Intimate partner violence, social support, and employment in the post-welfare reform era*. Journal of Interpersonal Violence, 22(3), 345-367.

14. *Comparison of State Unemployment Insurance Laws,*Office of Unemployment Insurance Division of Legislation, U.S. Department of Labor(2020).

**References**