



Your Privacy Matters

Taking domestic abuse leave is a private matter.

Employers cannot share with anyone any of this information, or even the fact that the employee is taking domestic abuse leave.

This information can only be shared if the employee consents, or if a court or government agency orders the employer to do so.

SOUTHWEST WOMEN'S LAW CENTER

If you have been denied leave from work for domestic violence related matters, please contact the Southwest Women's Law Center.

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Call: (505) 244-0502
Email: info@swwomenslaw.org
or visit
www.swwomenslaw.org

YOUR RIGHT TO DOMESTIC ABUSE LEAVE IN NEW MEXICO

THE SOUTHWEST WOMEN'S
LAW CENTER



Women cannot be forced to choose between protecting themselves from domestic violence and keeping their jobs. The Promoting Financial Independence for Victims of Domestic Abuse Act allows survivors of domestic violence to take time off work to sort out their legal issues. This time off may be used to get a protection order, talk with police officers, meet with an attorney or advocate, or go to court.

Employees may need to take domestic abuse leave during emergencies.

The law requires employees to tell their employers that they are taking domestic abuse work leave within 24 hours of when the leave starts.

Currently, it is unclear whether this means that employees must tell their employers 24 hours before they take leave or within 24 hours of beginning leave.

Please contact the Southwest Women's Law Center if you have been denied leave for this reason.

- Taking time off for domestic abuse leave is a right in New Mexico.
- Employees can take up to 14 days off in a calendar year for up to 8 hours in a day.
- Employers must allow employees to take this time off, and cannot retaliate against employees who take time off work for this purpose.
- This type of leave from work may be paid or unpaid.
- The time an employee takes for domestic abuse leave cannot count against an employee in calculating benefits
- Employers can ask employees for documents that prove that they were survivors of domestic abuse and have a right to take work leave.
- Employees can give their employers one of the following:
 - (1) a police report,
 - (2) a protection order or other court evidence, or
 - (3) a written statement from an attorney, advocate, or police official giving the details of the situation.
- Employers cannot withhold pay or health coverage that has accrued when an employee takes domestic abuse leave.