What is the Law About?

The Employment Protections for Victims of Domestic Violence, Sexual Offenses, and Stalking Amendment Act of 2018 protects victims and family members of victims of domestic violence, a sexual offense, or stalking (“DVSOS”) against discrimination by employers, employment agencies, and labor organizations in the District of Columbia. OHR will begin enforcing this law on October 1, 2019.

What is “domestic violence”? A pattern of abusive behavior that is used by one partner to gain or maintain power and control over another intimate partner, dating partner, or family member.

What is a “sexual offense”? Incest, sexual abuse, or attempt to commit incest or sexual abuse.

What is “stalking”? Engaging in a course of conduct directed at a specific individual – with the intent to cause the individual to or knowing the conduct would cause the individual reasonably to: (1) fear for personal safety or safety of another; (2) feel seriously alarmed, disturbed, or frightened; or (3) suffer emotional distress.

Who is included in the definition of “family member”?

- Spouse – including domestic partners
- Parents of a spouse
- Children – including foster children and grandchildren
- Spouses of children
- Parents
- Brothers and sisters
- Spouses of brothers and sisters
- Child who lives with an individual and for whom the individual permanently assumes and discharges parental responsibility
- Person with whom an individual shares or has shared, for not less than the preceding 12 months, a mutual residence and with whom the individual maintains a committed relationship

What Are Employers Not Allowed To Do?

1. **Discriminate**: Employers may not take an adverse employment action against an employee based wholly or partially on the fact that:

   - An employee attended, participated in, prepared for (or requested leave to attend, participate in, or prepare for) a criminal, civil, or administrative proceeding related to DVSOS;
   - An employee sought physical or medical health treatment or counseling relating to DVSOS; or
   - An individual caused a disruption at the employee's workplace or made a threat to the employee's employment, related to DVSOS.

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2. **Refuse To Provide Reasonable Accommodation:** Employers are required to provide reasonable accommodations to victims of or family members of victims of DVSOS when it is necessary to ensure the employee's security and safety – unless the accommodation would cause the employer an undue hardship.

3. **Disclose Information Without The Employee's Consent:** Employers may not disclose any information related to an employee's status as a victim of or family member of a victim of DVSOS that was provided

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**What If The Employer Does Something It Is Not Allowed To Do?**

You can submit an Intake Questionnaire to the DC Office of Human Rights (OHR), if you believe an employer in the District has:

- A. Discriminated against you because of your status as a victim of or family member of a victim of DVSOS,
- B. Wrongfully denied you a DVSOS-related reasonable accommodation, or
- C. Unlawfully disclosed information that you provided to the employer related to your status as a victim of or family member of a victim of DVSOS.

The Intake Questionnaire must be filed within one year of the alleged violation and can be filed:

- Online: ohr.dc.gov
- In-Person/Mail: 441 4th Street NW, Suite 570N, Washington, DC 20010
- Email: intake@ohr.dc.gov
- Fax: (202) 727-9589

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**What Happens After I Submit The Intake Questionnaire to OHR?**

1. **Intake:** OHR will review the Intake Questionnaire and if it satisfies jurisdictional requirements, OHR will schedule an intake interview with you.

2. **Formal Complaint:** If, after the interview, OHR accepts your case for investigation, it will file a formal complaint – or Charge of Discrimination – and send the complaint to the employer.

3. **Mediation:** OHR will require you and the employer to attend mediation to attempt to resolve your complaint.

4. **Investigation:** If mediation is unsuccessful, OHR will launch a full investigation of the case.

5. **Conciliation:** If OHR finds probable cause to believe that a violation occurred, the case will be sent for mandatory conciliation (similar to mediation).

6. **Hearing:** If conciliation is unsuccessful, the case will be sent to a full hearing before the Commission on Human Rights (private sector cases) or before an Administrative Law Judge (District government cases).

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**Questions**

Questions about your rights under this law or the OHR complaint process can be directed to OHR’s office at (202) 727-4559.