

February 22, 2024

AMEND BOARD REPORT 22-0223-PO3  
VICTIMS' ECONOMIC SECURITY AND SAFETY ACT (VESSA)

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Board of Education of the City of Chicago ("Board") amend Board Report 22-0223-PO3, Victims' Economic Security and Safety Act (VESSA) Leave and Accommodations, in response to Public Act 103-0314 - LRB103 28184 SPS 5463. This policy was posted for public comment from December 15, 2023 until January 16, 2024.

PURPOSE: To establish eligibility criteria and terms and conditions for Victims Economic Security and Safety Act ("VESSA") leaves and reasonable accommodations for all employees of the Board of Education. This policy provides procedures for when ~~Board of Education~~ Chicago Public Schools employees who are the victims of domestic, sexual, or gender violence or any other crime of violence, or who have a family or household member who is a victim of domestic, sexual, or gender violence, or any other crime of violence may need to take time off or receive reasonable accommodations.

POLICY TEXT:

I. Overview

An eligible employee who is a victim of domestic, sexual, or gender violence, or any other crime of violence

E. Gender violence means (a) one or more acts of violence or aggression satisfying the elements of any criminal offense under Illinois laws that are committed, at least in part, on the basis of a person's actual or perceived sex or gender, regardless of whether the acts resulted in criminal charges, prosecution, or conviction; (b) a physical intrusion or physical invasion of a sexual nature under coercive conditions satisfying the elements of any criminal offense under Illinois laws, regardless of whether the intrusion or invasion resulted in criminal charges, prosecution, or conviction; or (c) a threat of an act described in (a) or

C. In instances outlined in III.A.6-8 above an employee is entitled to up to two (2) work weeks (10 work

3. a court record;
4. other corroborating evidence; or
5. a death certificate, published obituary, or written notification of death, burial or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency, documenting that a victim was killed in a crime of violence.

The employee may choose which document to submit and the Board will not request or require more than one document to be submitted during the same 12-month period leave is requested or taken if the reason for leave is related to the same incident or incidents of violence or the same perpetrator or perpetrators of the violence.

B. Failure to provide a completed VESSA Leave Sworn Certification Form or a sworn document that includes the basic leave information described above within a reasonable time of notifying the Talent Office of the need for a VESSA leave and failure to provide the required supporting documentation upon obtaining such documents may result in a denial of the leave and/or disciplinary action. In general, reasonable time to provide supporting documentation ver(t)-1.1 (he nee)-12.2 (d f)-13.2 (or)-6.3 ( a Dd b1,7lw13 Tw 0.566 0)d 9c52 (e s)-8 (e

ADA Office must make a determination on any request for reasonable accommodation in a timely fashion and in compliance with VESSA.

C. The Chief Executive Officer or the Chief Talent Officer are authorized to approve reasonable accommodations requested under this policy. Any exigent circumstances or danger facing the employee or their family or household member must be considered by the Chief Executive Officer or the Chief Talent Officer in determining whether the accommodation is reasonable.

VIII. Non-Interference and Non -Discrimination

The Board must not interfere with, restrain, or deny an employee's exercise of or the attempt to exercise any rights under VESSA. The Board must not fail to hire, refuse to hire, discharge, constructively discharge, or harass any employee with respect to the compensation, terms, conditions, or privileges of employment, or retaliate against an employee in any form or manner because:

A. The employee:

1. Is or is perceived to be a victim of domestic, sexual, or gender violence, or any other crime of violence;
2. Attended, participated in, prepared for, or requested leave to attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic, sexual, or gender violence, or any other crime of violence of which the employee or a family or household member of the employee was a victim or requested or took leave under this policy;
3. Requested an adjustment to a job structure, workplace facility, or work requirement, including a transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, or implementation of a safety procedure in response to actual or threatened domestic, sexual, or gender violence, or any other crime of violence, regardless of whether the request was granted;
4. Is a victim of domestic, sexual, or gender violence, or any other crime of violence such that the Board sought a workplace protection restraining order pursuant to the Workplace Violence Prevention Act, 820 ILCS 275/21; or
5. Opposed any practice made unlawful by VESSA; or
6. The workplace is disrupted or threatened by the action of a person whom the employee states has committed or threatened to commit domestic, sexual, or gender violence, or any other crime of violence against the employee or the employee's family or household member.

Legal References: 820 ILCS 180/1 et seq. 820 ILCS 275/21, 103-0314 - LRB103 28184 SPS 5463

Approved for Consideration:

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Benjamin Felton  
Chief Talent Officer

Approved:

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Pedro Martinez  
Chief Executive Officer

Approved as to Legal Form:

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Ruchi Verma