

## Department Policy and Procedure Manual

Subject: Victims Economic Security and Safety Act  
(VESSA)

Effective Date: 10/1/2008

Scope: Organization-wide

**Page 1 of 5**

### **I. Purpose**

The purpose of this policy is to define the hospital's compliance with the Victim's Economic Security and Safety Act (VESSA).

### **II. Policy Statements**

A. The hospital provides job protected leave under the Victim's Economic Security and Safety Act (VESSA), which allows for employees who are victims of domestic or sexual violence or who have family or household members who are victims of such violence to take unpaid leave to:

1. Seek medical attention for, or recover from, physical or psychological injuries caused by domestic or sexual violence;
2. Obtain services from a victims' services organization;
3. Obtain psychological or other counseling;
4. Participate in safety planning, to temporarily or permanently relocate, or to take other actions to increase her/his own safety (or family/household member), from domestic violence or to ensure economic security; or
5. Seek legal assistance or other remedies to ensure the health and safety of the employee (or family/household member), including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

### **III. Procedures**

#### **A. Eligibility and Duration**

1. To be eligible for VESSA leave, an employee must be a current, active, employee and be a victim of domestic or sexual violence or have a family or household member (defined as spouse, civil union partner, parent, child and person jointly residing in the same household of the employee) who is a victim of such violence.

*DISCLAIMER: This policy was developed solely for the use of Children's Hospital of Chicago Medical Center and its affiliates (the "Medical Center"). The information contained herein shall not be relied upon by individuals or entities outside the Medical Center for accuracy, timeliness, or any other purpose. Nothing in this policy alters the employment-at-will relationship of employees.*

Department Policy and Procedure Manual

Subject: Victims Economic Security and Safety Act  
(VESSA)

Effective Date: 10/1/2008

Scope: Organization-wide

**Page 2 of 5**

2. Employees are entitled to up to 12 weeks of VESSA leave in a rolling 12 month period.

**B. VESSA Leave and Family and Medical Leave Act (FMLA):** For employees on VESSA leave who are also eligible for FMLA leave, VESSA leave runs concurrently with FMLA when the reason for VESSA leave also qualifies under FMLA.

**C. Notification and Application**

1. Requests for VESSA Leave should be made 48 hours in advance of the leave, or as soon as practicable.
2. To apply for a VESSA leave, an employee must contact IPMG at 877-737-0032 or [www.in-sightonline.com](http://www.in-sightonline.com) and submit:
  - a. A Leave of Absence application (selecting the VESSA and any other applicable reasons):
    - 1.) If the VESSA leave involves medical attention, for the employee or family member, the employee may provide a medical certification from the treating health care provider.
    - 2.) If for a non-medical leave, documentation from a victim services organization, attorney, member of the clergy, or medical or other professional from whom the employee or the employee's family or household member has sought assistance;
  - b. Police or court record; or
  - c. Other corroborating evidence.

**D. Compensation while on VESSA Leave:** VESSA leave is unpaid leave. However, the Hospital permits employees to use available paid time during the period of VESSA leave. All paid leave time, including time for which short term disability benefits are provided

*DISCLAIMER: This policy was developed solely for the use of Children's Hospital of Chicago Medical Center and its affiliates (the "Medical Center"). The information contained herein shall not be relied upon by individuals or entities outside the Medical Center for accuracy, timeliness, or any other purpose. Nothing in this policy alters the employment-at-will relationship of employees.*

Department Policy and Procedure Manual

Subject: Victims Economic Security and Safety Act  
(VESSA)

Effective Date: 10/1/2008

Scope: Organization-wide

**Page 3 of 5**

may be substituted for any unpaid VESSA leave and runs concurrently with any VESSA time. Such paid time includes:

1. **Paid Time Off (PTO)** – paid through Hospital payroll. PTO is paid for the following when PTO hours are available prior to leave being in an unpaid leave status:
  - a. VESSA leave for employee's own non-medical condition – may be used
  - b. VESSA leave for family or household member(s) – may be used
  - c. VESSA leave for employee's own medical condition:
    - 1.) May be used for:
      - a.) First days of absence prior to short term disability benefits beginning
      - b.) Intermittent leave or reduced status
      - c.) When employee is not eligible for short term disability benefits.
    - 2.) Optional: to supplement short term disability benefits
2. **Short-Term Disability (STD)** benefit payments may be available to an employee if the employee is a benefits eligible employee. This program is managed, approved and paid through the Hospital's third party claims administrator IPMG. (Refer to the Short Term Disability Plan document for more information.)

**E. Return from VESSA Leave**

1. An employee who has been absent for VESSA leave and returns within 12 weeks, shall be restored to the position of employment held by the employee when the leave commenced; or an equivalent position with equivalent pay, and benefits including life insurance, health insurance, PTO and pension accrued prior to the date leave commences, but is not entitled to accrue seniority or additional employment benefits during the leave.
2. It is the employee's responsibility to report periodically to the supervisor on his/her status and intention to return to work.

*DISCLAIMER: This policy was developed solely for the use of Children's Hospital of Chicago Medical Center and its affiliates (the "Medical Center"). The information contained herein shall not be relied upon by individuals or entities outside the Medical Center for accuracy, timeliness, or any other purpose. Nothing in this policy alters the employment-at-will relationship of employees.*

Department Policy and Procedure Manual

Subject: Victims Economic Security and Safety Act  
(VESSA)

Effective Date: 10/1/2008

Scope: Organization-wide

Page 4 of 5

**F. Ongoing VESSA Needs and Support**

1. The hospital encourages employees who are victims of domestic or sexual violence to contact their managers or Human Resources to discuss any reasonable preventative or safety measures that can be considered to offer protection to the employee.
2. In addition, employees are encouraged to contact their managers or Human Resources to request time off to attend, prepare for or participate in criminal or civil court proceedings related to an incident of domestic or sexual violence.

**G. Benefits:** During the leave, the Hospital will maintain an employee's group health benefits on the same conditions as if the employee had continued working his/her regular schedule. If Paid Time Off (PTO) is used during VESSA leave, the Hospital will deduct the employee's portion of insurance and benefit deductions and contributions as long as the employee has sufficient funds to cover them. If leave is unpaid, the employee must make arrangements with Human Resources to pay his/her portion of the premium. Group health care coverage will cease if the premium payment is more than 30 days late, but the employee will be notified at least 15 days before coverage lapses. Additionally, if an employee fails to return from leave, the Hospital may require repayment of any premium that was paid for maintaining the health coverage for the employee, unless the employee does not return because of continuing or recurring serious health condition or that of a covered family or household member, or because of other circumstances beyond the employee's control. (Please note: if insurance coverage is cancelled due to failure to pay premiums that is not a qualifying event to be offered COBRA continuation coverage.)

Benefit plan deductions and contributions cease during an unpaid leave.

**IV. Cross References / Related Policies**

Family and Medical Leave of Absence  
Personal Leave & Non-FMLA Medical Leave of Absence

Date Written: 10/1/2008

Date Reviewed/Revised: 2/1/2011; 9/1/2011; 10/14/11; 2/12/14, 03/1/2019, 2/1/20

Date of Approvals [**as applicable**]:

*DISCLAIMER: This policy was developed solely for the use of Children's Hospital of Chicago Medical Center and its affiliates (the "Medical Center"). The information contained herein shall not be relied upon by individuals or entities outside the Medical Center for accuracy, timeliness, or any other purpose. Nothing in this policy alters the employment-at-will relationship of employees.*



## Department Policy and Procedure Manual

Subject: Victims Economic Security and Safety Act  
(VESSA)

Effective Date: 10/1/2008

Scope: Organization-wide

**Page 5 of 5**

Administrative Policy & Procedure Committee: 2/1/2020

*DISCLAIMER: This policy was developed solely for the use of Children's Hospital of Chicago Medical Center and its affiliates (the "Medical Center"). The information contained herein shall not be relied upon by individuals or entities outside the Medical Center for accuracy, timeliness, or any other purpose. Nothing in this policy alters the employment-at-will relationship of employees.*