

Important notice: Legal Momentum has developed this sample demand letter as a model that may be useful for individuals seeking to enforce their legal rights. However, because laws and legal procedures frequently change and are subject to differing interpretations, Legal Momentum cannot ensure that the information in this letter is current, nor be responsible for any use to which it is put. Before relying on this information, you are advised to consult an attorney or appropriate agency about your legal rights in your particular situation. If you need assistance in finding a lawyer, contact Legal Momentum, the bar association in your state, your local legal services office, domestic or sexual violence coalition, or service provider.

Sample Letter Asking for Changes at Work to Help You Stay Safe

What does this letter ask for? This letter requests a “reasonable accommodation” under New York City’s Human Rights Law. A reasonable accommodation is a change at work that will help you stay safe and allow you to do your job. You can also use this letter to ask for time off to take steps to address the violence.

What employers are covered by the law? This law applies to all employers in New York City that have at least four employees. Employers in Long Island and Westchester are not covered by this law, but Westchester has a similar law.

Whom should you send your letter to? You should send the letter to your supervisor, human resources representative, or someone else with authority to make decisions about your employment.

How should you deliver the letter? You may hand deliver the letter or you may mail it. If you mail it, it’s a good idea to mail it certified with return receipt requested or by an express mail service that can give you a record of receipt.

What records should you keep? You should keep a copy of the letter you send and record of how and when you delivered it. You should keep a copy of any written response you receive. If your boss or HR department talks to you about your request, you should keep detailed notes of what each of you said during that conversation. Also, if you feel like you are being discriminated against at work because of your request or because you are a victim of domestic violence, sexual assault, or stalking, you should keep records of exactly what happened (including notes on specific words said to you, if possible).

What are the risks of sending this letter? Under this law, if you are a survivor and need changes at work to do your job, you have a right to those changes. Sending this letter or otherwise disclosing you are a survivor gives you a legal right to request an accommodation. However, you should first think about how your boss will react if you tell him or her about the violence or stalking. Will your boss be sympathetic?

Some possible risks:

- Your boss may fire you or retaliate against you for asking for an accommodation or just because you’re a survivor. This would be against the law. However, enforcing the law might be too difficult or time consuming an option for you. Is it more important to you to know you can keep a steady paycheck right now?
- Your boss might tell other people at work about your situation, even though this is usually illegal. Is this too big a risk for you to take?
- Your boss might pressure you leave your abuser or to get a protective order. This might not be the right step for you. Will you feel comfortable talking about this with your boss?

Some possible advantages

- Telling your boss gives you a legal right to have changes made at work.
- Telling your boss may be a good idea if you have been having performance problems related to the violence or stalking that you need to explain.
- It can also help keep you and your co-workers safe at your place of employment.

Before disclosing your situation, think about whether your boss could actually make any of the accommodations you want to request. Also, if you ask for reasonable accommodations, your employer has the right to ask for proof that you are a survivor. Be prepared to provide a police or court record; a protective order; a letter from a caseworker, lawyer, clergy member, medical provider or any other professional who is working with you; or any other papers that show that you are a survivor.

How can I learn more about the law? See our handout called “Know Your Rights: Employment Rights and Benefits for Survivors of Domestic and Sexual Violence in New York City.”

Supervisor / Human Resources Representative's Name

Employer's Name

Employer's Street Address

City, State and Zip Code

Date

Dear _____:

I am writing to inform you about a sensitive and serious personal issue. I am currently dealing with a domestic violence/sexual assault/stalking situation (circle all that apply) and I am requesting your assistance.

New York City law requires employers to provide "reasonable accommodations" to domestic violence/sexual assault/stalking victims so that they can take steps to address the violence and keep their jobs.

As such, I ask that you provide me with the following reasonable accommodations: (check and circle all that apply):

- time off for a court appearance / to obtain a protective order / to consult an attorney / medical or social work professional
- a change in telephone number / extension
- that my calls be routed through a receptionist
- that you keep my home address and telephone number confidential
- that I be transferred to a different desk / shift / work site
- that a security guard escort me to my car / bus / subway stop
- that security be informed of my protective order and/or be given a picture of my abuser and deny him entry to the premises
- any other specific and reasonable requests, such as _____.

If, before granting my request(s), you would like documentation that I am a domestic violence/sexual assault/stalking survivor, please inform me, and I will provide such documentation.

Please be advised the law requires that you keep my status as a survivor, my request for reasonable accommodations, and any supporting information I provide to you in the strictest confidence. In the interest of maintaining this confidentiality and my safety, please contact me only at _____ (phone number).

Additionally, under section 8-107.1(2) of the New York City Administrative Code, it is illegal for employers to discriminate against survivors of domestic violence, sexual assault, or stalking. This means that in New York City, employees cannot be fired, paid differently, or treated worse than they were before because of a domestic violence, sexual assault or stalking situation.

Thank you for your assistance in this crucial matter.

Sincerely,

Your Name