

SURVIVOR STATE EMPLOYMENT GUIDE

ALASKA

INTRODUCTION

The resource below is for informational purposes only and may not reflect new protections enacted after its publication date. While this resource is not intended to provide legal advice, it can be used as a starting point to guide you in identifying workplace protections for survivors of domestic violence, sexual assault, and stalking in your state. Note that in addition to possible other protections enacted since this resource was last updated, there may be local or federal protections available. Employers may also provide additional protections that may be reflected in employee handbooks or policies.

ANTI-DISCRIMINATION PROTECTIONS

At the time of publication, Alaska law does not provide anti-discrimination workplace protections for survivors of domestic violence, sexual assault, or stalking. However, under Alaska law ([AS 12.61.017](#)), an employer can't penalize or threaten to penalize an employee who is a victim of a crime and was requested or subpoenaed by the prosecuting attorney to attend court proceedings to give testimony (see below).

Note that federal law, local law and/or employers' internal policies may provide other applicable protections.

REASONABLE ACCOMMODATIONS

At the time of publication, Alaska has not enacted a state law affording reasonable accommodations for domestic violence, sexual assault, or stalking. However, individuals may be eligible for reasonable accommodations under other laws or policies, including those that might afford reasonable accommodations for a disability related to domestic violence or sexual assault. Note that federal law, local law and/or employers' internal policies may provide other applicable protections.

LEAVE/TIME OFF WORK

At the time of publication, Alaska law does not require employers to provide paid or unpaid sick leave, leave to address domestic violence, sexual assault or stalking or leave to participate in the justice system as a crime victim.

However, under Alaska law ([AS 12.61.017](#)), an employer can't penalize or threaten to penalize an employee who is a victim of a crime and was requested or subpoenaed by the prosecuting attorney to attend court proceedings to give testimony. Under this law, "penalize" is defined as the employer taking any action to impact the employee's status, wages, or benefits. This includes demoting or suspending the employee, dismissing the employee, or loss of pay or benefits, except if they are related to the employee's absence to go to court, reporting an offense to law enforcement, or participating in a law enforcement agency investigation of the offense.

Note that individuals may also be eligible to take time off under their employer's policy, including vacation time, sick time, and personal days, under other state laws or protections, or under federal protections such as the Family and Medical Leave Act (FMLA), which may afford unpaid leave for a severe medical condition.

UNEMPLOYMENT INSURANCE

Under Alaska Law (**8 A.A.C.095**), an employee can receive unemployment benefits, even if they quit their job, if the employee can show they left “for good cause.” One of the factors that can be considered “good cause” is if the employee left their job “to protect the claimant [person claiming unemployment insurance benefits] or the claimant’s immediate family members from harassment or violence.” An immediate family member includes a person related to the claimant by blood, marriage, or adoption as a parent, child, spouse, brother, sister, grandparent, or grandchild.

- *Do I have to show proof of domestic violence?* The claimant may need to show proof of violence or harassment in to qualify for the good cause exception. According to the **Alaskan Department of Labor and Workforce Development Benefit Policy Manual**, proof of claims of harassment, violence, or fear of violence by a spouse, an ex-spouse, or another person can be requested by the Department when reviewing a claim for unemployment insurance (see VL 155.45, page 50). The manual states “Any qualified professional from whom the individual sought assistance such as a counselor, shelter worker, clergy, attorney, or health worker will suffice. The state must accept any other kind of evidence that reasonably proves domestic violence.”

OTHER RESOURCES

- **Alaska Department of Labor and Workforce Development Benefit Policy**