

## **SURVIVOR STATE EMPLOYMENT GUIDE**

# **ARKANSAS**

### **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, Arkansas law does not provide specific anti-discrimination workplace protections for survivors of domestic violence, sexual assault, or stalking. However, under Arkansas law (**A.C.A 16-90-1105**), an employer cannot fire or punish a victim of a crime for participating in preparation for criminal justice proceedings (at the prosecutor's request) or attending criminal justice proceedings (if attendance is reasonably necessary to protect their interests as a victim). "Victim" is defined as "victim of a sex offense or an offense against a victim who is a minor and a victim of any violent crime." This also applies to the representative of a victim, defined as "a member of the victim's family or an individual designated by the victim or by a court in which the crime is being or could be prosecuted."

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

### **REASONABLE ACCOMMODATIONS**

At the time of publication, Arkansas 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, Arkansas 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.

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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, which may afford unpaid leave for a severe medical condition.

### **UNEMPLOYMENT INSURANCE**

Under Arkansas law ([A.C.A. 11-10-513](#)), an individual who voluntarily leaves work cannot be disqualified from receiving benefits if, after making “reasonable efforts to preserve his or her job rights,” he or she left work due to domestic violence where the individual left work because it could threaten their safety or the safety of a member of the individual’s immediate family. An immediate family member is defined as a spouse, child, parent, brother, sister, grandchild, or grandparent of the employee.