

## SURVIVOR STATE EMPLOYMENT GUIDE

# MISSISSIPPI

### **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, Mississippi law does not provide anti-discrimination workplace protections for survivors of domestic violence, sexual assault, or stalking. Note that federal law, local law and/or employers' internal policies may provide other applicable protections.

### **REASONABLE ACCOMMODATIONS**

At the time of publication, Mississippi 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, Mississippi law does not require employers to provide paid or unpaid sick leave or leave to address domestic violence, sexual assault or stalking. Under Mississippi law, crime victims may take time off to respond to a subpoena or prepare for criminal proceedings.

- **Time Off for Crime Victims:** Under Mississippi law ([Mississippi Code §99-43-45](#)), a person who has been the victim of a crime may respond to a subpoena to testify in criminal proceedings or participate in reasonable preparation for criminal proceedings without losing their job or being intimidated or threatened that they may lose their job for participating.

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 Mississippi law ([Mississippi Administrative Code for Department of Employment Security 309.01](#)), a claimant (a person filing a claim for benefits) usually cannot file a claim for benefits if they are leaving their job for domestic, child, or marital circumstances. However, there is an exception for domestic violence in Mississippi. A claimant may qualify for benefits if there is sufficient evidence showing that continuing their job would be harmful to their welfare or their underage children's welfare due to domestic violence.

## **OTHER RESOURCES**

**“Where Do I Go From Here? A Guide to the Mississippi Court and Legal System for Victims of Family Violence”** Mississippi Coalition Against Domestic Violence Report