

1 A bill to be entitled
 2 An act relating to employment leave for crime victims
 3 and witnesses; creating s. 960.0012, F.S.; providing
 4 definitions; providing that employees who are crime
 5 victims and their family or household members and
 6 witnesses to crimes may take leave from their
 7 employers under certain circumstances; prohibiting
 8 certain actions by employers; providing duties of
 9 employees; providing for return of employees;
 10 providing an effective date.

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 12 Be It Enacted by the Legislature of the State of Florida:

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 14 Section 1. Section 960.0012, Florida Statutes, is created
 15 to read:

16 960.0012 Employment leave for victims and witnesses.—

17 (1) DEFINITIONS.—As used in this section, the term:

18 (a) "Crime" means any offense, including any felony or
 19 misdemeanor offense.

20 (b) "Employee" has the same meaning as in s. 440.02.

21 (c) "Employer" has the same meaning as in s. 440.02.

22 (d) "Family or household member" has the same meaning as
 23 in s. 741.28.

24 (2) (a) LEAVE.—An employee may take the necessary amount of
 25 leave, if he or she:

26 1. Is a witness to a crime and is required to be
27 questioned by a law enforcement agency or testify as a witness
28 in a grand jury proceeding or as a witness in a criminal trial,
29 including a deposition given pursuant to a criminal trial, or is
30 required by legal counsel to meet in preparation for such
31 testimony.

32 2. Is a family or household member of a crime victim and
33 wishes to attend the trial of a person alleged to have committed
34 an offense against the victim.

35 (b) An employer may not:

36 1. Deny an employee the use of and payment for any of the
37 employee's accrued vacation leave for a purpose described in
38 paragraph (a).

39 2. Refuse to grant leave without pay for a purpose
40 described in paragraph (a).

41 (3) DUTIES OF EMPLOYEE.—In any case in which the necessity
42 for leave under paragraph (2)(a) is foreseeable, the employee
43 shall:

44 (a) Make a reasonable effort to schedule the leave so as
45 not to unduly disrupt the operations of the employer.

46 (b) Provide the employer with not less than 10 days'
47 notice, before the date the leave is to begin, of the employee's
48 intention to take leave under subsection (2), except that if the
49 date of the testimony or preparation requires leave to begin in
50 less than 10 days, the employee shall provide such notice as is

51 practicable.

52 (4) DISCHARGE PROHIBITED.—It shall be unlawful for any
 53 employer to discharge, discipline, or in any other manner
 54 discriminate against any employee who:

- 55 (a) Takes leave in accordance with this section; or
- 56 (b) Has filed any complaint or instituted or caused to be
 57 instituted any proceeding under or related to this section,
 58 including a proceeding that seeks enforcement of this section,
 59 or has testified or is about to testify in any such proceeding.

60 (5) RETURN FROM LEAVE.—Upon returning at the end of leave
 61 for a purpose described in paragraph (2) (a), such employee shall
 62 have the same job or an equivalent position with equivalent pay
 63 and with seniority, retirement, fringe benefits, and other
 64 service credits accumulated before the leave period.

65 Section 2. This act shall take effect January 1, 2025.