

VICTIMS OF ECONOMIC SECURITY AND SAFETY LEAVE (VESSA)

Frequently Asked Questions (FAQ)

Flow Chart related to VESSA and Family Bereavement Leave (FBL)

Definitions

Last Updated 5/2024

What is VESSA?

VESSA is the State of Illinois Victims Economic Security and Safety Act that grants employees who are victims of domestic violence, sexual violence, gender violence, or any other crime of violence unpaid leave to seek medical help, legal assistance, counseling, safety planning, and other assistance. VESSA leave also allows employees unpaid leave to attend the funeral, make arrangements, or grieve a family or household member who is killed in a crime of violence.

What constitutes domestic violence, sexual violence, gender violence, or any other crime of violence referred to in VESSA legislation?

Definitions of Select Terms That Appear in the VESSA Legislation may be found at the end of this document. Refer to Section of (820 ILCS 180/10) for a Complete List of Definitions or refer to [Criminal Code of 2012](#).

You may find the definition of "household member" at the end of this document.

Is stalking covered under VESSA?

Yes. "Stalking" means any conduct proscribed by the Criminal Code of 1961 or [the Criminal Code of 2012](#) in Sections 12-7.3, 12-7.4, and 12-7.5.

How much unpaid leave off are employees who use VESSA leave eligible to take?

The length of leave is dependent on the reason for which the leave is being taken. Some reasons qualify for twelve (12) weeks leave while others qualify for two (2) weeks leave. Refer to the next question for more details.

What are the events that qualify as an approved VESSA leave and how much leave is available for each event?

There are eight (8) reasons for which an employee may request to use VESSA leave.

All employees at the University are eligible for twelve (12) weeks of VESSA leave in a twelve (12)-month period for the following reasons:

1. To seek medical attention for, or recovering from, physical or psychological injuries caused by domestic violence, sexual violence, gender violence, or any other crime of violence to the employee or the employee's family or household member.
2. To obtain services from a victim services organization for the employee or the employee's family or household member.
3. To obtain psychological or other counseling for the employee or the employee's family or household member.
4. To participate in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic violence, sexual violence, gender violence, or any other crime of violence or ensure economic security.
5. To seek legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil, criminal, or military

legal proceeding related to or derived from domestic violence, sexual violence, gender violence, or any other crime of violence.

All employees at the University are eligible for two (2) weeks of VESSA leave in a twelve (12)-month period for the following reasons.:

6. To attend the funeral or alternative to a funeral or wake of a family or household member who is killed in a crime of violence.
7. To make arrangements necessitated by the death of a family or household member who is killed in a crime of violence.
8. To grieve the death of a family or household member who is killed in a crime of violence.

What types of documentation are acceptable to verify VESSA eligibility?

Employees may use any of the following forms of documentation when applying for VESSA leave:

- A sworn statement of the employee (completion of the VESSA application with the employee's signature satisfies this requirement); and, if the employee has possession of one of the following, it should also be submitted:
 - Documentation from the employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic or sexual violence and the effects of the violence; or
 - a police, court or military record; or a death certificate, published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency, documenting that a victim was killed in a crime of violence; or
 - Other corroborating evidence.

How much notice in advance must an employee give the employer when requesting VESSA leave?

The employee shall provide the supervisor with forty-eight (48) hours' notice in advance, unless providing such notice is not practicable. Certification should be provided within a reasonable period of time after an unscheduled absence occurs.

Are there additional steps employees need to take if there is a serious health injury?

Yes. Certification issued by the employee's or family member's health care provider shall be required to support a request for VESSA leave for a serious health condition as outlined in the Family and Medical Leave policies.

Does VESSA leave run concurrently with FMLA leave, or is it in addition to the twelve (12)-week FMLA entitlement?

VESSA leave runs concurrently with FMLA leave when the reason for VESSA leave also qualifies as an FMLA event, such as a serious health condition. If the VESSA leave is taken for reasons other than an FMLA qualifying event, the twelve (12)-week VESSA leave entitlement is in addition to the twelve (12)-week FMLA entitlement.

If I am eligible for VESSA leave, does that mean I am also eligible for FMLA leave?

No, VESSA leave and FMLA leave have two different eligibility criteria. The only requirement to be eligible for VESSA leave is that you must be a University employee receiving compensation. Based on eligibility criteria, Extra Help employees, students, and Academic Hourlies are eligible for VESSA leave. To be eligible for FMLA leave, you must have worked 1,000 hours in the last twelve (12) months and have worked at the University for one year.

May the employer designate a leave as VESSA leave?

Yes, if the employer has reason to believe that an absence may be due to a VESSA qualifying reason, the employer may designate the leave as VESSA leave. Before doing so, the unit should consult with their university or system human resources office ([here](#)) to ensure proper designation and compliance with the law.

Who has the authority to approve or deny a VESSA Leave?

The department human resources representative or applicable human resources office as the authority to approve or deny a VESSA leave.

Before denying a leave, the department human resource representative should contact the appropriate university or system office human resource office ([here](#)). If assistance is needed, or there is a disagreement, the department human resource representative should seek guidance from the appropriate university or system office human resource office who will provide assistance to both the employee and the unit.

How is the VESSA year-end date determined?

The VESSA year-end date is the same day and month as the VESSA year begin date, one year later.

How does intermittent leave work for VESSA?

Intermittent leave is leave that is taken in separate blocks of time for a single qualifying event. The intermittent leave can be planned or unplanned, and the shortest leave increment is the shortest period of time designated in the payroll system generally fifteen (15) minutes for exempt employees and six (6) minutes for non-exempt/hourly employees.

If I am eligible for Family Bereavement Leave (FBL), can I take twelve (12) weeks (for reasons one to five (1-5) and then another two (2) weeks (for reasons six to eight (6-8)) within the same year?

Yes. If an employee is entitled to Family Bereavement Leave (FBL), then the total amount of leave they could receive is up to fourteen (14) weeks of VESSA leave per year. Additional information is available on the "VESSA & Family Bereavement Leave Diagram" found at the end of this document.

If I am NOT eligible for Family Bereavement Leave (FBL), can I take twelve (12) weeks (for reasons one to five (1-5) and then another two (2) weeks (for reasons six to eight (6-8)) within the same year?

No. If an employee is not entitled to unpaid Family Bereavement Leave (FBL), they can take no more than twelve (12) weeks of VESSA leave per year for any of the reasons one to eight (1-8) listed above. Employees who are not eligible for Family Bereavement Leave should consult with their department/unit HR, System HR, UIS HR, or UI Health Leave Coordinator

If I am eligible and take Family Bereavement Leave can I also take VESSA for the same occurrence/event?

No. Employees may not use both leave types for the same occurrence/event.

Which types of leave benefits can be used to continue in pay status while on VESSA leave?

In order to continue in pay status while on VESSA leave, employees may use the following:

- Vacation Leave
- Holiday
- Floating Holiday
- Sick Leave
 - May only be used if approved for VESSA and VESSA is in conjunction with FMLA for a serious health condition of the employee or employee's immediate family member as defined in the Family and Medical Leave policies, then the leave should be counted towards both VESSA and FMLA leave.
 - Since sick leave can only be used for illness or injury, the use of sick leave for VESSA leave would mean the employee's leave also qualifies as an FMLA event.
 - If the employee is eligible for FMLA and NOT eligible for FMLA, the employee would use VESSA vacation, VESSA Holiday, VESSA Floating Holiday, or VESSA unpaid leave.

Who is responsible for tracking the employee's absence(s) for VESSA and/or VESSA/FMLA?

The department, generally the direct supervisor, is responsible for tracking VESSA usage on the U of I Leave Usage Report available at <https://www.hr.uillinois.edu/leave/forms>

Leave Tracking

How is VESSA or VESSA/FMLA leave tracked?

Leave may be tracked as VESSA only or VESSA/FMLA.

Exempt Employees

Leave is entered in the department's established leave management system.

Non-Exempt Employees

Leave is entered using earn codes via webtime entry, department time entry, or leave management system:

ECLASS	EARN CODE	EARN CODE DESCRIPTION
AA AB AC AD AE AF AG AH AL AM AN AQ BA BB BC BD BE BF BG BH BJ BK BL BM BN BP CL CM DR DS PA	CFR	FMLA/VESSA Lv Float Hol (RDG)
CA CB CG CH DA DB DK DL	CVF	FMLA/VESSA Leave Float Holiday
AA AB AC AD AE AF AG AH AL AM AN AQ BA BB BC BD BE BF BG BH BJ BK BL BM BN BP CL CM DR DS PA	CHR	FMLA-VESSA Lv Hol (RDG)
CA CB CG CH DA DB DK DL	CVH	FMLA/VESSA Leave Holiday
AA AB AC AD AE AF AG AH AL AM AN AQ BA BB BC BD BE BF BG BH BJ BK BL BM BN BP CE CF CL CM DG DH DR DS PA	CSR	FMLA/VESSA Lv Sick (RDG)
CA CB CG CH DA DB DK DL	CVS	FMLA/VESSA Leave Sick
AA AB AC AD AE AF AG AH AL AM AN AQ BA BB BC BD BE BF BG BH BJ BK BL BM BN BP CC CD CE CF CJ CK CL CM DD DE DG DH DN DP DR DS PA	CUR	FMLA/VESSA Lv Unp (RDG)
AA AB AC AD AE AF AG AH AL AM AN AQ BA BB BC BD BE BF BG BH BJ BK BL BM BN BP CL CM DR DS PA	CVR	FMLA/VESSA Lv Vac (RDG)
CA CB CG CH DA DB DK DL	CVV	FMLA/VESSA Leave Vacation
AA AB AC AD AE AF AG AH AL AM AN AQ BA BB BC BD BE BF BG BH BJ BK BL BM BN BP CL CM DR DS GA PA PB RA RB	VFR	VESSA Leave Float Hol (RDG)
CA CB CG CH DA DB DK DL	VLF	VESSA Leave Floating Holiday
AA AB AC AD AE AF AG AH AL AM AN AQ BA BB BC BD BE BF BG BH BJ BK BL BM BN BP CL CM DR DS GA PA PB RA RB	VHR	VESSA Leave Holiday (RDG)
CA CB CG CH DA DB DK DL	VLH	VESSA Leave Holiday
CA CB CG CH DA DB DK DL	VLS	VESSA Leave Sick
AA AB AC AD AE AF AG AH AL AM AN AQ BA BB BC BD BE BF BG BH BJ BK BL BM BN BP CL CM DR DS GA PA PB RA RB	VSR	VESSA Leave Sick (RDG)
CA CB CG CH DA DB DK DL	VLU	VESSA Leave Unpaid
AA AB AC AD AE AF AG AH AL AM AN AQ BA BB BC BD BE BF BG BH BJ BK BL BM BN BP CC CD CE DF CJ CK CL CM DD DE DG DH DN DP DR DS GA PA PB RA RB	VUR	VESSA Leave Unpaid (RDG)
CA CB CG CH DA DB DK DL	CVU	FMLA/VESSA Leave Unpaid
CA CB CG CH DA DB DK DL	VLV	VESSA Leave Vacation
AA AB AC AD AE AF AG AH AL AM AN AQ BA BB BC BD BE BF BG BH BJ BK BL BM BN BP CL CM DR DS GA PA PB RA RB	VVR	VESSA Leave Vacation (RDG)

Banner Records for Human Resources

PZAELOA

The HR representative for the Home Department/Unit will record VESSA information in the Banner form PZAELOA. The PZAELOA form will be used to record all approvals, relevant dates, leave reasons, and other information related to the leave itself.

PZAELOA Codes for VESSA and VESSA/FMLA*:

- VC - Leave VESSA/FMLA Combined*
- VS - Leave VESSA
- VU - Leave VESSA/UFM-DP Combined*
- VF - Leave VESSA Funeral 10Workdays

*If the VESSA leave is for a serious health condition of the employee or employee's immediate family member as defined in the Family and Medical Leave policies, and the employee is eligible for Family and Medical Leave (FMLA), then the leave should be counted towards both VESSA and FMLA leaves. The leave should be tracked on both the PZAELOA and PEAFMLA forms in Banner and the VESSA/FMLA earnings codes should be used.

How is a VESSA denial tracked?

Vessa denials are not tracked in Banner. Units must maintain their own records for denials.

If the department believes that the employee is not eligible for VESSA leave, please consult your university or system human resources office before denying the leave.

Human Resource Leave Contacts may be found [here](#).

VESSA & Family Bereavement Leave Diagram¹

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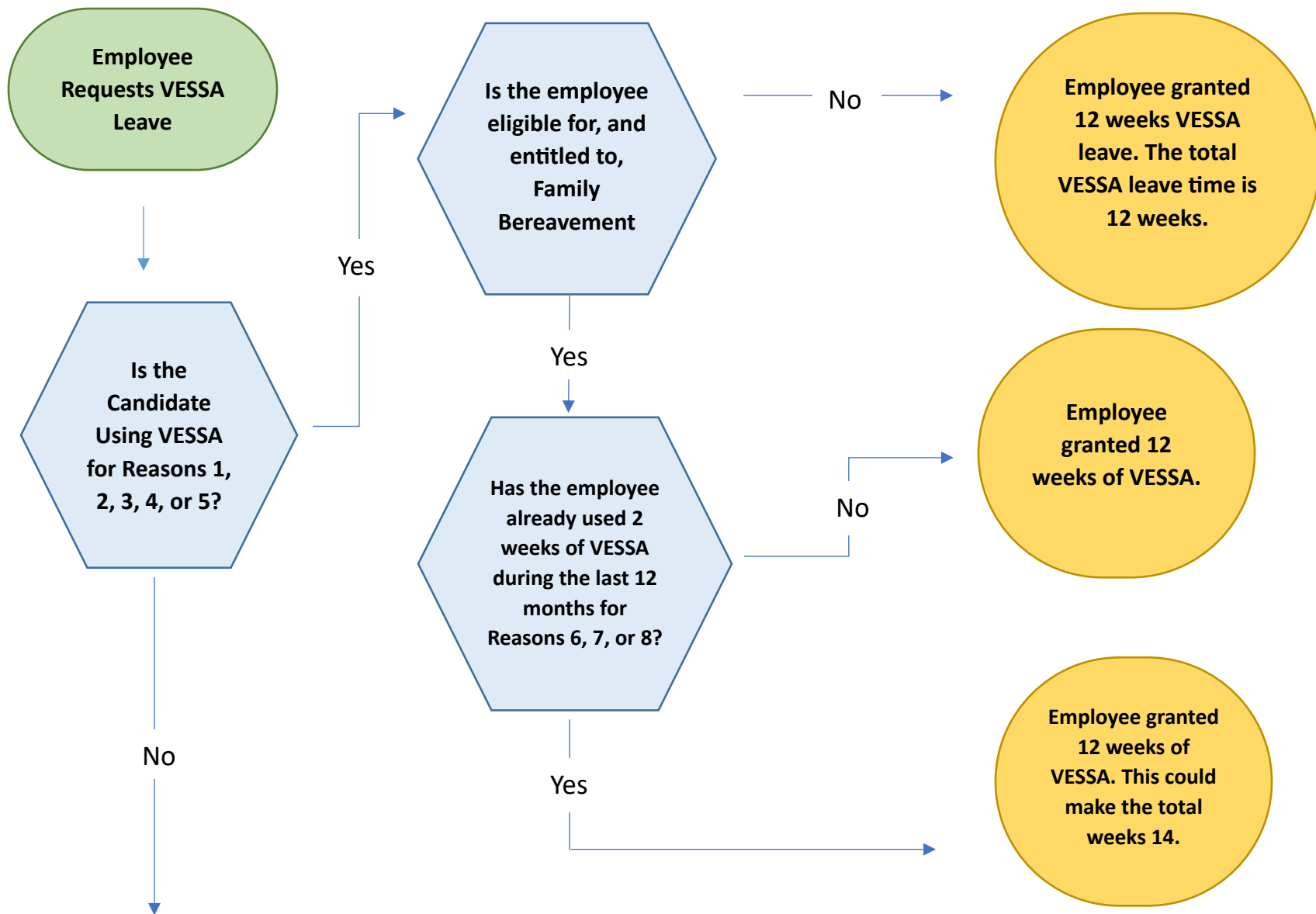
Reasons for taking VESSA and Receiving **12 Weeks** of Unpaid Leave

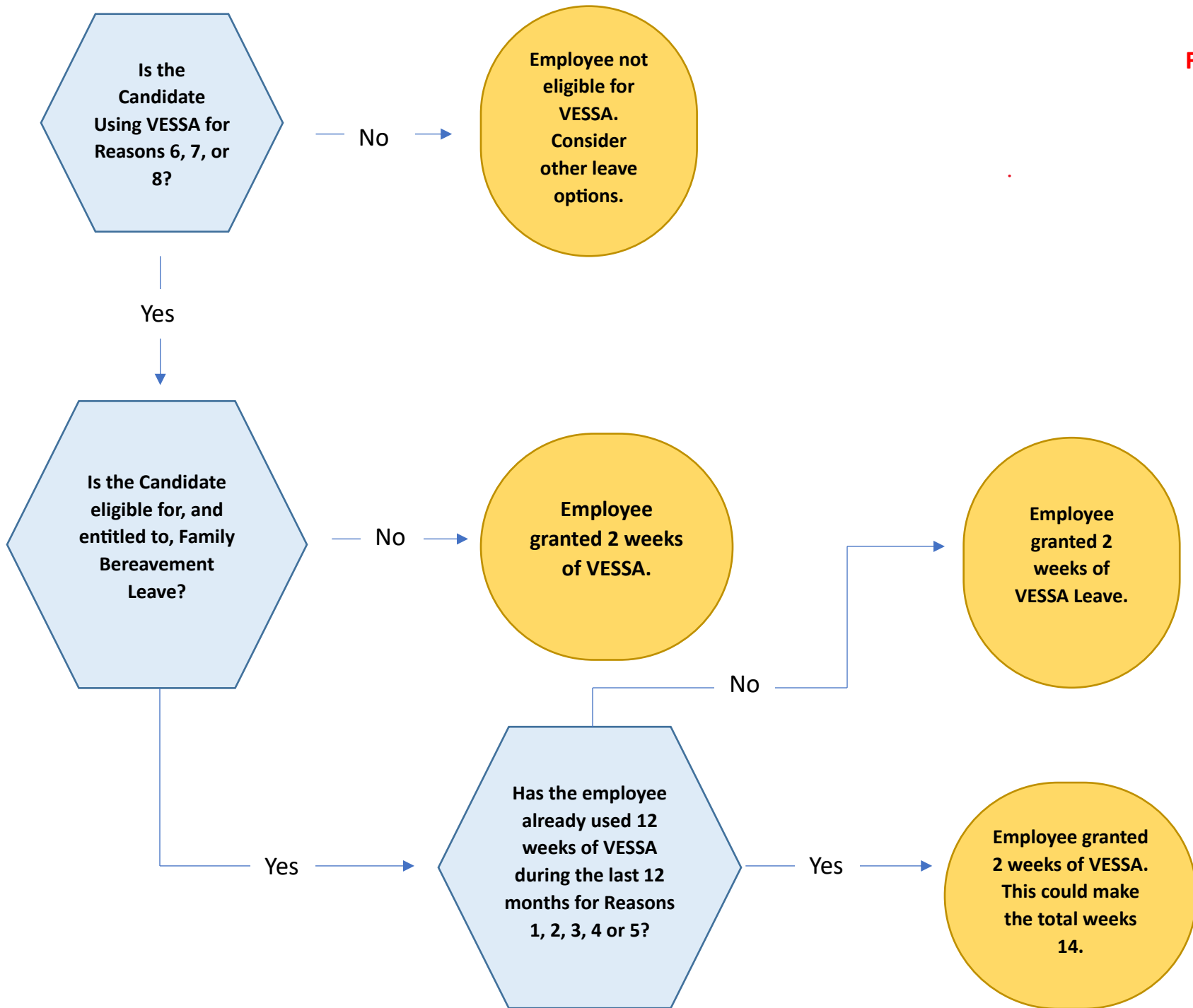
1. To seek medical attention for, or recovering from, physical or psychological injuries caused by domestic violence, sexual violence, gender violence, or any other crime of violence to the employee or the employee's family or household member.
2. To obtain services from a victim services organization for the employee or the employee's family or household member.
3. To obtain psychological or other counseling for the employee or the employee's family or household member.
4. To participate in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic violence, sexual violence, gender violence, or any other crime of violence or ensure economic security.
5. To seek legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil, criminal, or military legal proceeding related to or derived from domestic violence, sexual violence, gender violence, or any other crime of violence.

Reasons for taking VESSA and Receiving **10 Days** of Unpaid Leave

6. To attend the funeral or alternative to a funeral or wake of a family or household member who is killed in a crime of violence.
7. To make arrangements necessitated by the death of a family or household member who is killed in a crime of violence.
8. To grieve the death of a family or household member who is killed in a crime of violence.

¹ Please note this diagram is not intended to address every scenario that could arise under the law. Instead, this diagram is intended to be a general summary of the interaction of between VESSA and Family Bereavement Leave. While there can be overlap between VESSA and the Family Bereavement Leave, there are also subtle differences. Each leave request should be analyzed on a case-by-case basis.





VICTIMS ECONOMIC SECURITY AND SAFETY ACT (VESSA)

Definitions of Select Terms That Appear in the [VESSA Legislation](#) *Refer to Section of (820 ILCS 180/10) for a Complete List of Definitions*

"Crime of violence" means any conduct proscribed by Articles 9, 11, 12, 26.5, 29D, and 33A of the Criminal Code of 2012 or a similar provision of the Criminal Code of 1961, in addition to conduct proscribed by Articles of the Criminal Code of 2012 referenced in other definitions in the VESSA legislation.

"Family or household member", for employees with a family or household member who is a victim of domestic violence, sexual violence, gender violence, or any other crime of violence, means a spouse or party to a civil union, parent, grandparent, child, grandchild, sibling, or any other person related by blood or by present or prior marriage or civil union, other person who shares a relationship through a child, or any other individual whose close association with the employee is the equivalent of a family relationship as determined by the employee, and persons jointly residing in the same household.

"Domestic violence, sexual violence, or gender violence" means domestic violence, sexual assault, or stalking.

"Domestic violence" means abuse, as defined in Section 103 of the Illinois Domestic Violence Act of 1986 by a family or household member, as defined in Section 103 of the Illinois Domestic Violence Act of 1986. Section 103 of the Illinois Domestic Violence Act of 1986 defines the following:

- "Abuse" means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis.
- "Family or household members" include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in Section 12-4.4a of the Criminal Code of 2012. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between 2 individuals in business or social contexts shall be deemed to constitute a dating relationship. In the case of a high-risk adult with disabilities, "family or household members" include any person who has the responsibility for a high-risk adult as a result of a family relationship or who has assumed responsibility for all or a portion of the care of a high-risk adult with disabilities voluntarily, or by express or implied contract, or by court order.

"Gender violence" means:

- One or more acts of violence or aggression satisfying the elements of any criminal offense under the laws of this State that are committed, at least in part, on the basis of a person's actual or perceived sex or gender, regardless of whether the acts resulted in criminal charges, prosecution, or conviction; or
- A physical intrusion or physical invasion of a sexual nature under coercive conditions satisfying the elements of any criminal offense under the laws of this State, regardless of whether the intrusion or invasion resulted in criminal charges, prosecution, or conviction; or
- A threat of an act described above causing a realistic apprehension that the originator of the threat will commit the act.

"Sexual assault" means any conduct proscribed by:

- Article 11 of the Criminal Code of 2012 except Sections 11-35 and 11-45;
- Sections 12-13, 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of 2012; or
- A similar provision of the Criminal Code of 1961.
- "Stalking" means any conduct proscribed by the Criminal Code of 1961 or the Criminal Code of 2012 in Sections 12-7.3, 12-7.4, and 12-7.