

State Laws Clarifying Eligibility for Unemployment Insurance Benefits for Victims of Domestic Violence, Sexual Assault, and/or Stalking

This information is for anyone providing support to victims of domestic violence, sexual assault, and/or stalking (DVSAS). This chart provides a high-level overview of the state and U.S. territory laws clarifying eligibility for unemployment insurance benefits for victims of DVSAS. Even if a state law doesn't clarify that employees who leave work because of DVSAS can get unemployment insurance benefits, victims may still get unemployment insurance benefits based on that state's law.

What are Unemployment Insurance Benefits?

Unemployment insurance benefits are a temporary partial wage replacement administered by a state agency. A qualified individual may receive unemployment insurance benefits when they quit or are fired from their job, if they show they worked the requisite amount of time and are able and available to work a new job.

Typically, applications are completed online or over the phone. The state agency will review their application, determine their eligibility, and issue temporary wage replacement if the individual is deemed to be eligible and qualified. Importantly, an individual may only begin to get unemployment insurance benefits from the date they apply, not from the date they were

fired from or quit their job. This means the sooner a person applies for unemployment benefits, the sooner they can access these benefits.

Please review this chart along with the charts that Workplaces Responds has created on state laws prohibiting employers from discriminating against employees who are victims of DVSA, state laws providing reasonable accommodations for employees who are victims of DVSA, and state laws requiring employers to provide leave from work for survivors of DVSA.

Disclaimer: This chart does not include information on how employees may use these protections. The information in this chart is not legal advice. Please consult with an attorney licensed in your jurisdiction. State laws frequently change. This chart is up to date as of March 14, 2025.

Chart Legend	
	Indicates when a state's law does not clarify if employees who separate from a job due to DVSA may be eligible for unemployment insurance benefits.
	Indicates when a state's law clarifies employees who separate from a job due to DVSA may be eligible for unemployment insurance benefits.

Disclaimer	This chart does not include information on how employees may use these protections. The information in this chart is not legal advice. Please consult with an attorney licensed in your jurisdiction. State laws frequently change. This chart is up to date as of March 14, 2025.			
State/Territory	Has the state's unemployment insurance law been clarified to include benefits for domestic violence, sexual assault, and/or stalking as a valid job separation reason?	Which forms of are violence (domestic violence, sexual assault, and/or stalking) are expressly included in the law?	What documents establishing abuse are explicitly listed as acceptable under the state's unemployment insurance law?	Citation
Alabama	No	None	None	N/A
Alaska	Yes	Violence	A letter from a counselor, shelter worker, attorney, clergy, or health care worker	8. A.A.C. 85.095(c)(6)(2010).
		Harassment	Other forms of evidence are acceptable	
Arizona	Yes	Domestic Violence	The person applying for unemployment insurance benefits can provide documentation of a domestic violence case	A.R.S. § 23-771.
Arkansas	Yes	Domestic Violence	No documentation is explicitly listed under the state law	A.C.A. § 11-10-513 (2023).
California	Yes	Domestic Violence	No documentation is explicitly listed under the state law	Cal. UIC Code § 1256 (2011).
Colorado	Yes	Domestic Violence	No documentation is explicitly listed under the state law	Colo. Rev. Stat. § 8-73-108
Connecticut	Yes	Domestic Violence	No documentation is explicitly listed under the state law	Conn. Gen. Stat. § 31-236.
		Sexual Assault		
Delaware	Yes	Domestic Violence	A letter from a counselor, shelter worker, attorney, clergy, or health care worker	19 DE Code § 3314. (2020).
		Sexual Assault	Law enforcement record or court record	
D.C.	Yes	Domestic Violence	Law enforcement or court record	D.C. Code § 51-131 (a) (2010).
		Sexual Assault	A letter from a counselor, shelter worker, attorney, clergy, or health care worker	
Florida	Yes	Domestic Violence	Acceptable evidence the person applying for unemployment insurance benefits can be a protective order, injunction, or another document that reasonably proves domestic violence has occurred	Fla. Stat. § 443.101 (2021). Fla. Stat. § 741.28 (2017).
		Sexual Assault		
		Stalking		
Georgia	Yes	Domestic Violence	A court order	Ga. Comp. R. & Regs. 300-2-9.10.
		Stalking	A certified law enforcement report	
			The person applying for unemployment insurance benefits can provide proof the abuser was convicted of a family violence crime	
			The person applying for unemployment insurance benefits can provide medical documentation of abuse-related injuries	
Guam	No	None	None	Claimants here only get federal benefits
Hawaii	Yes	Domestic Violence	The law states the person applying for unemployment insurance benefits provide reasonable and confidential documentation	Haw. Rev. Stat. § 383-7.6 (2011).
		Sexual Violence		
		Stalking		
Idaho	Yes	Domestic Violence	N/A	Idaho Code § 72-1366(5) (2024).
Illinois	Yes	Domestic Violence	A court order	820 Ill. Comp. Stat. 405/601 (2015).
			A law enforcement report	
			The person applying for unemployment insurance benefits can provide medical documentation of domestic violence	
			A letter from a counselor, shelter worker, attorney, clergy, or health care worker	
Indiana	Yes	Domestic Violence	A court order	Ind. Code § 22-4-15-1(1)(c)(8)(2017).
		Family Violence	A law enforcement report	
			A sworn and notarized statement from a domestic violence service provider	
Iowa	No	None	None	N/A
Kansas	Yes	Domestic Violence	A court order	Kan. Stat. Ann. § 44-706(a)(12)(2024).
			A law enforcement report	
			The person applying for unemployment insurance benefits can provide proof of their abuser being convicted of domestic violence crime	
			The person applying for unemployment insurance benefits can provide medical documentation of domestic violence	
			A letter from a counselor, shelter worker, attorney, clergy, or health care worker	
			A sworn statement from survivor swearing to abuse	
Kentucky	No	None	None	N/A
Louisiana	No	None	None	N/A

State/Territory	Has the state's unemployment insurance law been clarified to include benefits for domestic violence, sexual assault, and/or stalking as a valid job separation reason?	Which forms of are violence (domestic violence, sexual assault, and/or stalking) are expressly included in the law?	What documents establishing abuse are explicitly listed as acceptable under the state's unemployment insurance law?	Citation
Maine	Yes	Domestic Violence	No documentation is explicitly listed under the state law	Me. Stat. tit. 26 § 1193(1)(A)(4) (2021).
Maryland	Yes	Domestic Violence	A court order A law enforcement report	Md. Code Ann. Lab. and Emp. § 8-1001(3)(2013).
Massachusetts	Yes	Domestic Violence	A court order A law enforcement report The person applying for unemployment insurance benefits can provide proof of their abuser being convicted of domestic violence crime	Mass. Gen. Laws. ch. 151A § 25.
		Sexual Assault	Medical Documentation of domestic violence A letter from a counselor, shelter worker, attorney, clergy, or health care worker A sworn statement from claimant swearing to abuse	
Michigan	No	None	None	N/A
Minnesota	Yes	Domestic Abuse Sexual Assault Stalking Harassment	The person applying for unemployment insurance benefits must provide "all information necessary"	Minn. Stat. Sec. 268.095 (2022).
Mississippi	Yes	Domestic Violence	The law requires that the person applying for benefits provide "sufficient evidence"	20 Miss. Code. R. § 101-300-309.01
Missouri	No	None	None	N/A
Montana	Yes	Domestic Violence Sexual Assault Stalking	A court order A law enforcement report Medical Documentation of domestic violence A letter from a counselor, shelter worker, attorney, clergy, or health care worker	Mont. Code Ann. § 39-51-2111 (2015).
Nebraska	Yes	Domestic Violence Sexual Assault	The state agency can request proof from the person applying for benefits	Neb. Rev. Stat. § 48-628.13 (2021).
Nevada	Yes	Domestic Violence Sexual Assault	The state agency can request proof from the person applying for benefits	Neb. Rev. Stat. § 612.3755 (2017).
New Hampshire	Yes	Domestic Abuse	The person applying for benefits must provide "reasonable documentation"	N.H. Rev. Stat. Ann. § 282-A:32 (2020).
New Jersey	Yes	Domestic Violence Sexual Assault Stalking Harassment	A court order A law enforcement report The law says that the person applying for benefits can provide proof of the abuser being convicted of a domestic violence crime The person applying for benefits can provide medical documentation of domestic violence The person applying for benefits can provide certification from a certified domestic violence specialist or domestic violence agency A letter from a counselor, shelter worker, attorney, clergy, or health care worker	N.J. Stat. Ann. § 43:21-5 (2023).
New Mexico	Yes	Domestic Abuse Stalking Sexual Assault Harassment	The person applying for unemployment insurance benefits can provide legal documentation The person applying for unemployment insurance benefits can provide medical documentation of domestic violence Sworn statement by the person applying for benefits	N.M. Stat. Ann. § 51-1-7 (2023).
New York	Yes	Domestic Violence	The abuse must be verified by "reasonable and confidential documentation"	N.Y. Lab. Code § 31-18-593.
North Carolina	Yes	Domestic Violence Sexual Assault Stalking	A court order A law enforcement report A letter from a counselor, shelter worker, attorney, clergy, or health care worker	N.C.Gen. Stat. § 96-14.8 (2013).

State/Territory	Has the state's unemployment insurance law been clarified to include benefits for domestic violence, sexual assault, and/or stalking as a valid job separation reason?	Which forms of are violence (domestic violence, sexual assault, and/or stalking) are expressly included in the law?	What documents establishing abuse are explicitly listed as acceptable under the state's unemployment insurance law?	Citation
North Dakota	Yes	<div>Stalking</div> <div>Domestic Violence</div> <div>Sexual Assault</div>	<div>A court order</div> <div>A law enforcement report</div> <div>The person applying for benefits can provide medical documentation indicating domestic violence or sexual assault</div> <div>A written affidavit from a licensed social worker, counselor, clergy member, domestic violence advocate</div>	N.D. Cent. Code § 52-06-02 (2021).
Ohio	No	None	None	N/A
Oklahoma	Yes	Domestic violence or abuse	The abuse must be verified by "reasonable and confidential documentation"	Okla. Stat. Tit. 40 § 2-210 (2023).
Oregon	Yes	<div>Domestic Violence</div> <div>Stalking</div> <div>Sexual Assault</div>	No documentation is explicitly listed under the state law	Or. Rev. Stat. § 657.176 (2021).
Pennsylvania	Recognized state agency interpretation clarifying access	N/A	No documentation is explicitly listed under the state law	43 Pa. Stat. § 802 (2002).
Puerto Rico	Yes	Domestic Violence	<div>A court order</div> <div>A law enforcement report</div> <div>The person applying for unemployment insurance benefits can provide a report or a certification from a bona fide organization that provides support to domestic violence victims</div>	29 PR Laws tit. 47, § 704 (2020).
Rhode Island	Yes	<div>Domestic Abuse</div> <div>Stalking</div> <div>Involuntary sexual relations</div>	<div>A court order</div> <div>A law enforcement report</div> <div>A letter from a counselor, shelter worker, attorney, clergy, or health care worker</div>	R.I. Gen. Laws § 28-44-17.1 (2023).
South Carolina	Yes	Domestic Abuse	<div>A law enforcement report</div> <div>A court order</div> <div>The person applying for unemployment insurance benefits can provide documentation of abuse from a shelter worker, attorney, member of the clergy, or medical or other professional from whom the individual has sought assistance</div>	S.C. Code Ann. §41-35-125(2023).
South Dakota	Yes	Domestic Abuse	Upon request by the state unemployment insurance agency, the law enforcement agency shall complete and return to the department a certification form indicating whether the employee has complied with the requirements of this subdivision	S.D. Codified Laws § 61-6-9.1 (2017).
Tennessee	No	None	None	N/A
Texas	Yes	<div>Stalking</div> <div>Family Violence</div> <div>Sexual Assault</div>	<div>An active or recently issued protective order</div> <div>A law enforcement report</div> <div>The person applying for unemployment insurance benefits can provide medical documentation that describes the patient's experience of abuse and identifies the patient</div> <div>The person applying for unemployment insurance benefits can provide documentation from a family violence or rape crisis center that describes experience of impacted individual</div>	Tex. Lab. Code Ann. § 207-046 (2021).
Utah	No	None	N/A	N/A
Vermont	Yes	<div>Domestic Violence</div> <div>Sexual Violence</div>	<div>A sworn statement from the person applying for unemployment insurance benefits about the abuse</div> <div>A court order</div> <div>A law enforcement report</div> <div>A letter from a counselor, shelter worker, attorney, clergy, or health care worker</div>	21 V.S.A. § 1253 (2017).
Virgin Islands	Yes	Domestic Violence	A letter from a counselor, shelter worker, attorney, clergy, or health care worker	V.I. Code tit. 24 § 304 (b)(12) (2019).
Virginia	No	None	N/A	N/A
Washington	Yes	<div>Domestic Violence</div> <div>Stalking</div> <div>Sexual Assault</div>	No documentation is explicitly listed under the state law	Wash. Rev. Code § 50.20.050 (2023).
West Virginia	No	None	N/A	N/A
Wisconsin	Yes	<div>Domestic Abuse</div> <div>Harassment</div>	<div>A court order</div> <div>A law enforcement report</div> <div>The person applying for benefits can provide evidence of the domestic abuse or concerns provided by a health care professional or an employee of a domestic violence shelter</div>	Wis. Stat. Ann. §108.04(7)(s)1.a (2021)
Wyoming	Yes	Domestic Violence	The law requires that the abuse be documented	Wyo. Stat. Ann. § 27-3-311 (2023).

Workplaces Respond provides technical assistance to workplace stakeholders seeking to better prevent and respond to domestic violence, sexual assault, stalking, and harassment impacting the workplace. Scan this QR code to access the Resource Center.



This project is supported by Grant No. 15JOVW-23-GK-05464-MUMU awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed herein or in any materials herein, are those of the authors and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

© 2024 Futures Without Violence. All rights reserved. This product provides only general information; it does not constitute or supplant legal advice or consist of the practice of law and should not be used or relied upon as such. Legal advice is dependent upon the specific circumstances of each situation and upon the law in specific jurisdictions. Do not rely on legal information without consulting an attorney licensed to practice law in your jurisdiction.