

## The Law:

For a more detailed look at the legislation governing a crime victim's right to leave work, please refer to:

### ARS § 13-4439

Right to Leave work; scheduled proceedings; counseling; employment rights; nondiscrimination; confidentiality; definition.

For the complete text of the legislation, go to:  
[www.azleg.gov/ars/13/04439.htm](http://www.azleg.gov/ars/13/04439.htm)

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*Nothing in this brochure should be  
considered legal advice.*



Kent Volkmer  
Pinal County Attorney

Crime Victim's Right to  
Leave Work

## Who is a Victim:

A victim is a person, against whom a criminal offense has been committed, or if the person is killed or incapacitated, the person's immediate family or other lawful representative, except if the person is in custody for an offense or is the accused.

## What is a Criminal Proceeding?

A criminal proceeding is a hearing, argument, or other matter scheduled by and held before a trial court.

A criminal proceeding DOES NOT include any deposition, lineup, grand jury proceeding or other matter not held in the presence of the court.

## Information for Employers

The law requires that a victim provide an employer with a copy of the Victim Rights form or information received from law enforcement, as well as a copy of the notice of each scheduled criminal proceeding they wish to attend.

There is no limit on how much time a victim may take off of work to exercise the right to attend proceedings. Again, a criminal proceeding is limited to the definition from the preceding section.

## Information for Crime Victims

Arizona law states a crime victim may attend criminal proceedings in cases pertaining to the crime in which they are the victim.

If a crime victim works for an Arizona employer with 50 or more employees each work day, the victim has the right to leave work to attend these proceedings.

Employers *may not dismiss, revoke seniority, or discriminate* in any other manner against an employee who is exercising his or her right to attend a criminal proceeding in which they are the victim.

A victim is not entitled to compensation from their employer unless they claim accrued leave time, including vacation, personal, or sick time, which the employer may require them to do.

Additionally, a victim's employer may limit the leave time, if the victim's leave time would create 'undue hardship.'

A victim should contact the Victim Services Unit of the Pinal County Attorney's Office if an absence from work would cause 'undue hardship' to the employer.

For more information, or if you have questions please contact the Victim Services Division of the Pinal County Attorney's Office at (520) 866-6813 or (800) 208-6897 ext. 6813.