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Sargent Shriver National Center on Poverty Law

**Taking action to end poverty**

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Gregory J. Ramel, Deputy Legal Counsel  
Illinois Department of Employment Security  
33 S. State Street -- Room 937  
Chicago, IL 60603  
Submitted via e-mail: [Gregory.ramel@illinois.gov](mailto:Gregory.ramel@illinois.gov)

Dear Mr. Ramel,

Thank you for the opportunity to comment on the proposed and emergency amendment to 56 Ill. Adm. Code 2840, published at 34 Ill. Reg. 1764, 2335 (Feb.5, 2010). The Sargent Shriver National Center on Poverty Law champions fair laws and policies so that people can move out of poverty permanently. This includes the areas of employment and unemployment compensation, and the devastating impact that domestic and sexual violence can have on the economic security of its victims, the vast majority whom are women and girls. Specifically, I will comment on the examples related to voluntary leave due to domestic violence in Section 2840.101(d)(5-7).

The Department has done a good job of capturing a few difficult situations that employees who are survivors, or employees who have a family member who is a survivor, experience. However, these are just examples of what is possible, not a limitation on what is allowable under the law. I suggest that the Department clarify this in Section 2840.101(d).

Domestic violence is a complex issue—there is no one size fits all. Unemployment compensation claims cannot be administered in that way. Domestic violence encompasses many forms of negative behavior on the part of abusers, and impacts its victims in a multitude of ways (e.g., physically, mentally, emotionally, economically), which translates into a multitude of reactions by victims.

While some behaviors will be recognizable as abusive to anyone, even those not knowledgeable about domestic violence, others will not. Domestic violence may be a pattern of coercive control that one person exercises over another, or battering that includes behavior that physically harms, arouses fear, prevents a victim from doing what they wish or forces them to behave in ways they do not want. It may include the use of physical and sexual violence, threats and intimidation, emotional abuse and economic deprivation. It can be one incident or a pattern of behavior over time. One employee may reasonably believe that her safety or that of a family member is in jeopardy if she continues her employment, where another employee experiencing similar negative behaviors may not. It is the employee who can provide the best assessment of the situation, the abuser's behavior, and any safety risk for herself and family members. This includes assessing whether or when to end a relationship with an abuser. It is well-documented that ending a relationship is the most dangerous time for victims--staying in a relationship should never be a negative factor in assessing a UI claim.

Domestic violence survivors understand that obtaining and maintaining employment is key to their ability to leave an abusive relationship and to their and their family members' mental, physical, and economic well-being. Leaving a job because of domestic violence is a step not taken lightly, and the Department has a duty to ensure that its staff is educated about domestic violence and treats claimants coping with domestic violence in a professional, confidential and dignified manner, as they should all claimants.

Thank you again for the opportunity to submit written comments. If you have any questions, please do not hesitate to contact me at 312-368-3303 or [wendypollack@povertylaw.org](mailto:wendypollack@povertylaw.org).

Sincerely,

Wendy Pollack  
Director, Women's Law and Policy Project  
Sargent Shriver National Center on Poverty Law