



Blackall-Tambo
Regional Council

Domestic and Family Violence Leave.

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Chief Executive Officer
Chris Blanch

Mayor
Cr Andrew Martin

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Domestic and Family Violence Policy

1 PURPOSE

Blackall-Tambo Regional Council commits to supporting employees who experience or are impacted by domestic and family violence. The purpose of this policy is to outline entitlements with respect to domestic and family violence leave, including assistance provided by Council to employees and the application, notice and evidence required for accessing such leave.

2 SCOPE

This policy does not form part of any employee's contract of employment. The policy is not intended to override the terms of any award, certified agreement or contract that applies to an employee.

This policy reflects the provisions of the *Industrial Relations Act 2016 (the Act)* but does not override any more beneficial provision in an employee's contract of employment, including the Local Government Awards, the Blackall-Tambo Regional Council 2018-2021 Enterprise Bargaining Agreements or Employment Contracts, as applicable.

3 APPLICATION

This policy applies to all employees of Blackall-Tambo Regional Council.

4 DOMESTIC AND FAMILY VIOLENCE LEAVE

Blackall –Tambo Regional Council is committed to providing a safe workplace for all employees. Council aims to support employees who are impacted by domestic and family violence. Domestic and family violence is an extremely sensitive issue that affects individuals, families, and communities.

Council commits to the following principles when assisting impacted employees:

- Confidentiality of employee details;
- Safety planning strategies to ensure protection for employees;
- Support for employees affected by family and domestic violence by providing access to the Royal Flying Doctors which provides free confidential counselling (face to face, telephone or online) and access to a wide range of information and support resources;
- Support for employees to access relevant leave/ flexible work arrangements;
- Protection against adverse action, discrimination, harassment or bullying as a result of any disclosure, experience or perceived experience relating to domestic and family violence.



5 GENERAL ENTITLEMENT

Employees experiencing domestic and family violence or who need to take leave as a result of domestic and family violence, will be entitled to leave as follows;

- Up to 10 days paid leave per calendar year for full-time employees (non-cumulative);
- Part-time employees are entitled to the leave on a pro-rata basis;
- Up to 10 days' unpaid leave per calendar year for long term casual employees;
- Up to 2 days' unpaid leave per calendar year for short term casuals.

If an employee has exhausted the entitlement to domestic and family violence leave the employee may, with Council's agreement, take additional days of unpaid leave.

In addition to the paid and unpaid domestic and family violence leave provided for in the above, a permanent employee is entitled to access up to 10 days of their paid sick leave each year, so they can care for someone who has experienced domestic and family violence.

Once the paid carer's leave entitlements have been exhausted, a permanent employee is then entitled to access up to 2 days of unpaid carers' leave on each time the employee needs the leave to care for someone who has experienced domestic and family violence.

6 NOTICE AND EVIDENCE REQUIREMENTS

The employee must give the Chief Executive Officer 2 weeks' notice of their need to access domestic and family violence leave:

- Before or on the day the employee is to take the leave; or
- If it is not possible to notify the employer before the leave is taken – during the leave or as soon as possible after the leave ends.

Where evidence is requested by Council, the evidence provided by the employee seeking domestic and family violence leave, may be a document issued by the Police Service, a Court, a Doctor or a Health Professional, a report from a Counsellor, or a statutory declaration from the employee.

7 DOMESTIC AND FAMILY VIOLENCE LEAVE APPROVAL

Approval for domestic and family violence leave is to be undertaken as follows;

- An employee may make a request to access the leave directly to the Chief Executive Officer;
- Where a request is made via the employee's Supervisor/ Manager, the request for leave is to be immediately passed to the Chief Executive Officer to ensure the confidentiality of the impacted employee. This may



- occur by the Supervisor/ Manager of the employee making contact with the Chief Executive Officer to discuss the request.
- In the event an employee requires assistance with making an application for domestic and family violence leave, Council’s HR Officer will be available to provide support to the employee making an application to the Chief Executive Officer.

Council will not discriminate or take action against an employee because they have requested and/ or accessed domestic and family violence leave.

8 PAYMENT OF DOMESTIC AND FAMILY VIOLENCE LEAVE

Domestic and Family Violence Leave will be paid at the employee’s ordinary rate of pay for all ordinary hours of work in the period. Unless otherwise specified in employee specific arrangements, this will not include payment for any allowance, loadings and/ or penalties.

The payment will be processed as part of the employee’s usual weekly pay, provided the employee has complied with the notice and evidence requirements within the applicable timeframes.

9 RELEVANT INFORMATION

- *Industrial Relations Act 2016*

10 RECORDS

When completed and approved the original, signed hard copy of the policy is filed in the Master File.

Electronic copies are saved in the appropriately labelled folder in InfoXpert