

Policy Name: Family & Domestic Violence Leave

Policy Number: 2.06

Date: February 2023

POLICY STATEMENT:

JC Steele recognises and appreciates that unfortunately from time to time some employees may be affected by family and domestic violence. In line with legislation, JC Steele provides up to ten (10) days of paid Family and Domestic Violence Leave per annum for all full-time, part-time and casual employees.

Family and domestic violence means violent, threatening or other abusive behavior by an employee's family member that seeks to coerce or control the employee or causes them harm or fear.

A family member includes an employee's:

- spouse or former spouse
- de facto partner or former de facto partner
- child / parent
- grandparent / grandchild
- sibling
- an employee's current or former spouse or de facto partner's child, parent, grandparent, grandchild or sibling, or
- a person related to the employee according to Aboriginal or Torres Strait Islander kinship rules.

Employees can take paid Family and Domestic Violence Leave when they are experiencing family and domestic violence or need to attend to matters relating to the impacts of family and domestic violence where it is not practical to do so outside of their regular working hours. These can include;

- making arrangements for their own safety, or the safety of a family member living with them (including relocation)
- attending court hearings
- accessing police services
- attending counselling
- attending appointments with medical, financial and or legal professionals directly relating to their family or domestic violence situation.

If an employee has a need to apply for paid family and domestic violence leave, they must let their direct manager, or the Managing Director know as soon as is practicably possible. Where possible, the employee should advise at this time how long they expect to be away from work.

In accordance with its privacy Policy, JC Steele will keep any request for, or discussions regarding, Family and Domestic Violence Leave private and confidential.

PROCEDURES:

- a. Effective from 1 August 2023, all full-time, part-time and casual employees are eligible to receive ten (10) days paid Family and Domestic Violence Leave per annum.

- b. Family and Domestic Violence Leave is not pro-rated based on employment type. The full ten (10) day entitlement to Family and Domestic Violence Leave will be immediately available to all employees upfront. Paid Family and Domestic Violence Leave does not accumulate each year however, it will renew each year on the anniversary of the employee's employment with JC Steele.
- c. Employees will continue to be entitled to five (5) days of unpaid Family and Domestic Violence Leave until they can access the paid entitlement from 1 August 2023.
- d. Full-time and part-time employees will be paid at their full pay rate for the hours they would normally have worked on the day they took Family and Domestic Violence Leave, up to a total of ten (10) days per annum.
- e. Casual employees will be paid their full pay rate for any hours **they were rostered to work** in the period they took Family and Domestic Violence Leave, up to a total of ten (10) days per annum.
- f. Any employee who is experiencing family and domestic violence is encouraged to speak with their manager, the Managing Director or any other JC Steele employee they feel most comfortable speaking with regarding their situation, for the purpose of notifying the business of their circumstances. The manager or other employee, as a representative of the affected employee, will then advise the Managing Director of the situation.
- g. Where an employee needs to apply for Family and Domestic Violence Leave they should complete and submit a Leave Request Form to their manager, or directly to the Managing Director. This request should include brief details of the situation and the number of absent days required.
- h. JC Steele may require the provision of reasonable appropriate evidence to support a request for the leave and to confirm entitlement. The employee's manager or the Managing Director may ask an employee for evidence to show that they need to attend to matters relating to family and domestic violence and that it is not practical to do so outside of their normal hours of work. If the employee does not provide the requested evidence, their application for paid Family and Domestic Violence Leave may be declined.

Evidence to support an application for paid Family and Domestic Violence Leave should be provided on all occasions. Evidence can include, but is not limited to:

- documents issued by the police
- documents issued by a court
- family violence support service documents, or
- a statutory declaration.

The manager or the Managing Director can only use the evidence provided to satisfy them that the employee is entitled to Family and Domestic Violence Leave, unless:

- the employee consents to its use for other purposes
- the employer is required to deal with the information by law, or
- it's necessary to protect the life, health or safety of the employee or another person.

Evidence provided in support of an application for Family and Domestic Violence Leave cannot be used to take adverse action against the employee.

Management will consider any application for Family and Domestic Violence Leave and advise the employee of the outcome as soon as is reasonably possible.

- i. Employees who need to attend to matters relating to family and domestic violence during a period of paid Personal or Annual Leave, can apply to change their leave to Family and Domestic Violence Leave. The required evidence will need to be submitted to their manager or the Managing Director in support of their application., for review and a decision will be provided as soon as possible.
- j. Employees may request to extend their Family and Domestic Violence Leave by applying to use any available Annual Leave entitlements they may have. If all accrued Annual Leave has been exhausted, the employee may request a period of unpaid leave, subject to approval by their manager or the Managing Director.
- k. Confidential information, counselling and support for people impacted by domestic and family violence is available 24 hours a day 7 days a week at the national sexual assault domestic and family violence counselling service, 1800 RESPECT (www.1800respect.org.au or 1800 737 732).
- l. In accordance with its Privacy Policy JC Steele will take all reasonable steps to ensure all information relating to an employee's family and domestic violence situation is kept confidential.
- m. Exemptions to this policy may be made on a discretionary basis, and in consideration of an employee's individual circumstances. Exemptions to this policy can only be authorised by the Managing Director.