



Type: Premier's Memorandum Identifier:

M2018-03 Status: Active

# M2018-03-Support for Employees Experiencing Domestic and Family Violence

## Description

The NSW Government strongly supports initiatives that enable and support victims of domestic and family violence to continue to participate in the workforce.

The workplace can make a significant difference to employees experiencing domestic and family violence by providing appropriate safety and support measures. Fostering a workplace culture where employees experiencing domestic and family violence are supported at work while also having access to adequate leave contributes to a healthy and safe working environment for all.

## Function and Subject

### Human Resources (1)

Leave

## Detailed Outline

The Government has decided that:

1. Government sector employees are to have access to 10 days paid domestic and family violence leave per calendar year (non-cumulative and able to be taken in part-days, single days, or consecutive days), effective from 1 January 2019.

2. The leave is to be available for employees experiencing domestic and family violence, for purposes including:

- a. seeking safe accommodation;
- b. attending medical, legal, police or counselling appointments relating to their experience of domestic and family violence;
- c. attending court and other legal proceedings relating to their experience of domestic and family violence;
- d. organising alternative care or education arrangements for their children; or
- e. other related purposes approved by the agency head.

3. When approving leave, the agency head needs to be satisfied, on reasonable grounds, that domestic and family violence has occurred, and may require proof such as:

- a. an agreed document issued by the Police Force, a court, a domestic violence support service or a member of the legal profession;
- b. a provisional, interim or final Apprehended Violence Order (AVO), certificate of conviction or family law injunction; or
- c. a medical certificate.

4. The leave entitlement can be accessed without the need to exhaust other existing leave entitlements first.

5. The leave entitlement does not extend to casual employees. Temporary and part-time employees will be entitled to the leave on a prorata basis.

The NSW Government also strongly supports initiatives that enable and support victims of domestic and family violence to continue to participate in the workforce rather than address the issue solely through the availability of leave. These initiatives include flexible working arrangements, employee assistance provider support to employees and their immediate families, and workplace support and role adjustments. Other initiatives include domestic and family violence related learning and development activities to ensure that managers and supervisors can appropriately support those employees experiencing domestic and family violence.

Further guidance to agencies is available from Women NSW, Department of Family and Community Services and Public Sector Industrial Relations, NSW Treasury.

These leave provisions and workplace support initiatives are to be made available to all employees in the Government Sector, as defined in the *Government Sector Employment Act 2013*. Other Public Sector agencies and State Owned Corporations are strongly encouraged to provide the same leave provisions and support to their employees.

## Overview

### Who needs to know and/or comply with this?

Departments

Executive agencies related to Departments

Separate agencies

State Owned Corporations

Statutory Authorities/Bodies

Subsidiaries of the NSW Government established under the Corporations Act

### AR Details

#### Date Issued

Dec 21, 2018

#### Review Date

Jul 30, 2024

#### Replaces

#### Replaced By

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