Dealing with Domestic Violence at Work Policy
5 DECEMBER 2011

ITEM 6.4 DEALING WITH DOMESTIC VIOLENCE AT WORK POLICY (S083242)

Moved by Councillor Kok, seconded by Councillor Tornai -

It is resolved that:

(A) Council note the implementation of the Dealing with Domestic Violence at Work Policy as shown at Attachment A to the subject report, with section 4 a) amended to read as follows:

4. Leave

a) An employee experiencing domestic violence will be granted paid Special Leave for medical appointments, legal proceedings and other activities related to dealing with domestic violence.

(B) the City of Sydney participate in the White Ribbon Workplace Program Reference Group.

Carried unanimously.
DEALING WITH DOMESTIC VIOLENCE AT WORK POLICY

1. General Principle

The City recognises that employees sometimes face situations of violence or abuse in their personal life that may affect their attendance or performance at work. Therefore, the City is committed to providing support to staff who experience domestic violence.

2. Definition of Domestic Violence

The City accepts the definition of domestic violence as defined in the Crimes (Domestic and Personal Violence) Act 2007. The most commonly acknowledged forms are physical and sexual violence, threat and intimidation, emotional and social abuse and economic deprivation.

3. General Measures

a) Proof of domestic violence will be required and can be in the form of a document issued by the Police service, a Court, a health professional who specialises in dealing with domestic violence, district nurse or a Family Violence Support Officer.

b) For employee protection the Australian Domestic & Family Violence Clearinghouse recommends employees experiencing domestic violence obtain a domestic violence court protection order that includes their workplace as well as their home. An employee can also use this order as proof for accessing Special Leave for dealing with domestic violence.

c) All personal information concerning domestic violence will be kept confidential in line with Council policy and relevant legislation. Information will not be kept on an employee’s personnel file without their express written permission.

d) No adverse action will be taken against an employee if their attendance or performance at work suffers as a result of experiencing domestic violence provided the required evidence has been provided.

e) The City’s contact will be the Manager Human Resources Operations who is trained in dealing with staff experiencing domestic violence and privacy issues. The City will also provide an employee contact trained in dealing with staff experiencing domestic violence. The City will advertise the name of these contacts on the intranet.

f) An employee experiencing domestic violence may raise the issue with their immediate supervisor or the Manager Human Resources Operations. The supervisor may seek advice from the Manager Human Resources Operations if the employee chooses not to see Human Resources.

g) Where requested by an employee, the Manager Human Resources Operations will liaise with the employee’s supervisor on the employee’s behalf, and will make a recommendation on the most appropriate form of individual support to be provided in accordance with clauses 4 and 5.

h) In the event that an employee reports domestic violence, the employee should be referred to the City’s domestic violence contacts.
4. Leave

a) An employee experiencing domestic violence will be granted paid Special Leave for medical appointments, legal proceedings and other activities related to dealing with domestic violence.

b) This leave may be taken as consecutive or single days or as a fraction of a day and can be taken without prior approval provided appropriate evidence is provided on the employees return.

c) An employee who supports a person experiencing domestic violence may apply for Personal Carer’s Leave to accompany them to court or to hospital, or as agreed by the Manager Human Resources Operations provided appropriate evidence is provided.

5. Individual Support

a) In order to provide support to an employee experiencing domestic violence and to provide a safe work environment to all employees, the City will approve any reasonable request from an employee experiencing domestic violence for:

   (i) changes to their span of hours or pattern or hours and/or shift patterns;
   (ii) job redesign or changes to duties;
   (iii) relocation to suitable employment within the Council;
   (iv) a change to the employee’s telephone number or email address to avoid harassing contact; and
   (v) any other measures deemed appropriate and agreed in consultation with the employee, Manager Human Resources Operations and the M3 Manager.

b) An employee experiencing domestic violence will be referred to the City’s Employee Assistance Program (EAP) and/or other support services. The City’s EAP provider employs professionals trained to support staff experiencing a range of personal, relationship and work related issues.

c) An employee who discloses to the Manager Human Resources Operations or their supervisor that they are experiencing domestic violence will be given a resource pack of information regarding support services provided by the Australian Domestic & Family Violence Clearinghouse.

Employee responsibilities

- Discuss application for Special Leave with Manager Human Resources Operations or contact person as soon as practicable.
- Submit the required evidence as soon as practicable.

Manager responsibilities

- Ensure employee’s privacy.
- Make arrangements for phones and emails to be answered when employee is on Special Leave.
- Ensure attendance records are duly noted “SPL”.


Workforce Services responsibilities

- Maintain confidential leave records.
- Direct employee to Manager Human Resources Operations.
- Provide a resource kit of agencies that can assist further.
- Refer employee to the City’s Employee Assistance Program and other support services.

Contact Persons

Manager Human Resources Operations 9265 9470
Valerie Rietdyk 9265 9688

Related Policies and Procedures

- Crimes (Domestic and Personal Violence) Act 2007
- City of Sydney Wages/Salary Award 2010
- City of Sydney Enterprise Agreement 2010
- South Sydney Wages Staff Award 2010
- South Sydney Salaried Officers Award 2010
- Local Government State Award 2010
- Flexible Working Arrangements Policy
- Working from Home Policy
- Payment of Accumulated Sick Leave Entitlements (South Sydney) Council

APPROVAL AND REVIEW

Review Period
The Manager Human resources Operations will review this policy every 3 years.

Next Review Date
5 December 2014

TRIM Reference Number
Document number: 2011/120828

AUTHORISATION

Approved by Council on 5 December 2011