

# DOMESTIC VIOLENCE SUPPORT PROCEDURES 2014

**Issued by:** Director, Human Resources

**Date:** 16 June 2014

**Last amended:** 15 May 2017 (Administrative amendments)

**Name:** Mr John Dixon

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## 1 Purpose and application

- (1) These procedures give effect to the domestic violence provisions contained in clauses 189-191 of the Agreement.
- (2) The entitlements set out in these procedures apply to all staff who are covered by the Agreement, except that the leave entitlements set out in clause 6 do not apply to casual staff.
- (3) These procedures inform:
  - (a) staff about the leave and support available to them if they are experiencing domestic violence, also known as family violence; and
  - (b) supervisors about providing a supportive workplace for staff who are experiencing domestic or family violence.

## 2 Commencement

These procedures commence on 20 June 2014.

## 3 Interpretation

Words and phrases used in these procedures and not otherwise defined in this document have the meanings they have in the Agreement.

**Agreement** means the [University of Sydney Enterprise Agreement 2013-2017](#) or any successor or replacement agreement.

**domestic violence** means any violence between family members (including a partner of the same or different gender) whenever and wherever the violence occurs. It may include any or all of physical, sexual, emotional or financial abuse or threatening, coercive or dominating behaviours. Domestic violence is also known as family violence.

**staff or staff member** means an employee of the University, including a casual employee.

#### **4 Workplace support**

- (1) Staff who are experiencing domestic violence have access to a range of leave and supporting measures as outlined in these procedures.
- (2) Staff experiencing domestic violence are encouraged initially to contact either their supervisor or their [HR Advisor](#) to discuss the options available.
- (3) Where leave or adjustments to the workplace are anticipated, staff are encouraged to include their supervisor in the consultation as early as possible as they will need to be involved in approving leave, accommodating other support and managing the impact on the workplace.
- (4) Supervisors should be aware that staff may contact their HR Advisor in confidence to request leave or support.

#### **5 Confidentiality and non-victimisation**

- (1) Any request for leave or support by a staff member as a result of domestic violence will be dealt with on a confidential basis. The reasons for the leave or support will not be discussed with anyone outside Human Resources or their direct manager unless there is a legal obligation to do so, or as agreed by the affected staff member for the purposes of providing support or security.
- (2) All documentation relating to matters dealt with under these procedures must be filed confidentially with the Case Management Group of Human Resources. Supporting documentation must not be filed on staff files.
- (3) A person must not victimise or otherwise subject another person to detrimental action as a consequence of that person raising, providing information about, or otherwise being involved in the support for an individual experiencing domestic violence.
- (4) A breach of this confidentiality or non-victimisation requirement will be treated seriously by the University. It may constitute misconduct, and may result in disciplinary action.

#### **6 Domestic violence leave**

- (1) This clause does not apply to casual staff.
- (2) Staff are entitled to up to 20 days paid leave each year (pro rata for part time staff) if, as a result of domestic violence, they require leave for reasons such as:
  - (a) medical or counselling appointments;
  - (b) organising alternative accommodation;
  - (c) care or education arrangements;
  - (d) attending court hearings;
  - (e) police appointments; or
  - (f) accessing legal advice.

- (3) Domestic violence leave does not accrue from year to year and unused leave is not paid out on termination of employment.
- (4) A staff member who is unable to attend work due to domestic violence must comply with the notification and evidentiary requirements of the Agreement. In particular, a staff member who is unable to attend work due to domestic violence must:
  - (a) complete a special leave application on [myHRonline](#) (which will be submitted to their supervisor for approval) as early as practicable; and
  - (b) where required by subclause 6(5), provide suitable documentation to support their application such as:
    - (i) a medical certificate or letter from their doctor;
    - (ii) a letter from a lawyer or a court document;
    - (iii) other relevant agency or counselling documentation; or
    - (iv) a police report.
- (5) Supporting documentation must be provided in accordance with [clauses 192 and 193](#) of the Agreement:
  - (a) for any single period of absence of five working days or more; and
  - (b) if requested in accordance with clause [192\(b\)](#) of the Agreement.

## 7 Supporting measures

- (1) Any staff member experiencing domestic violence may apply for other leave or supporting measures to which they may be entitled under the Agreement or these procedures.
- (2) Staff experiencing domestic violence should discuss with their supervisor or HR Advisor if they would like to apply for any such support.
- (3) All staff, including casual staff members, may apply for supporting measures such as:
  - (a) flexible working arrangements (subject to clause 155 of the Agreement);
  - (b) changes to work location;
  - (c) changes to email address;
  - (d) changes to work telephone;
  - (e) blocking of particular email contacts or telephone callers;
  - (f) changes to the staff member's contact details on the University website;
  - (g) assistance from University Security.
- (4) In applying for supporting measures, the staff member may be required to provide supporting documentation of the kind listed in subclause 6(4)(b).
- (5) When considering a staff member's application for a support measure as a result of domestic violence, the University will take into account the staff member's individual circumstances, their role at the University, their ability to perform their duties as a result of the domestic violence and the specific needs of the workplace.
- (6) Staff may also access the University's [Employee Assistance Program](#) (EAP) which is a free confidential counselling service. A staff member's supervisor or HR Advisor may also refer them to external support services as appropriate.

## 8 Other advice and support

- (1) For other advice and support for victims of domestic violence, please contact:
- (a) [Case Management](#), Human Resources  
Phone: +61 2 9351 5885

## Notes

### Domestic Violence Support Procedures 2014

Date adopted: 16 June 2014

Date registered: 25 June 2015

Date commenced: 20 June 2014

Administrator: Director, Human Resources

Review date: June 2019

Related documents: [University of Sydney Enterprise Agreement](#)

[Work Health and Safety Policy 2016](#)

[Flexible Working Arrangements Policy](#)

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## AMENDMENT HISTORY

Provision	Amendment	Commencing
1(3) and 3	to clarify that domestic violence is also known as family violence	23 June 2015
5(3)-(4)	to include a statement that a staff member using these procedures will not be victimised or subject to detrimental action.	23 June 2015
6(2)	to clarify that, consistent with <a href="#">clause 149</a> of the Agreement, the leave entitlement is pro rata for part-time staff.	23 June 2015
6(5)	to clarify that supporting documentation must be provided in accordance with both <a href="#">clauses 192 and 193</a> of the Agreement	23 June 2015
Notes	Correcting date on WHS policy	15 May 2017