

## Domestic Violence Workplace Rights and Entitlements

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This paper will discuss the productive partnership between the Australian Domestic and Family Violence Clearinghouse (ADFVC) and trade unions to address domestic violence as a workplace issue. The ADFVC presentation will be seeking national discussion on the developments to date and on strategies into the future with conference participants.

The context for the partnership between the ADFVC and union partners has been the evidence that two thirds of women reporting recent domestic violence are in paid employment, that returning or staying in work is a critical pathway for women to leave a violent relationship, yet the negative impact of abuse on a woman's work performance can put her employment at risk.

Since 2009, the ADFVC has worked with the CPSU (SPSF Group) NSW Branch and other unions to provide information on international good practice in union initiatives that promote domestic violence workplace strategies.

As a result, a set of model domestic violence clauses have been tabled in this round of enterprise bargaining in the NSW university sector. The clauses will provide paid leave for employees for relevant appointments, changes to working times and patterns, and confidentiality in the workplace.

The clauses will be discussed in detail, and progress to date discussed.

The paper will describe the ongoing national strategy to introduce domestic violence clauses across a range of sectors with a number of partner unions, and the necessary infrastructure for the successful implementation of workplace domestic violence entitlements that provide protection for working women. This will include:

- strategies to encourage the uptake of domestic violence provisions and the uptake of training and policy development to support the implementation of the provisions.
  - generic workplace information and education resources based on the domestic violence clauses or other instruments in place, to inform employees of their rights and place domestic violence within a workplace context. These resources may be re-badged and produced by individual workplaces or unions.
  - a model training package for union delegates, supervisors and human resources personnel.<sup>1</sup> The package will draw on existing training manuals, both nationally and internationally, and will be tailored to focus on the
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domestic violence provisions and practices to be put in place in the workplace. The training package will be trialled in a number of sites and adapted, where necessary, to particular industries.

- an evaluation framework to monitor and evaluate the outcomes of introducing domestic violence clauses and other instruments, using measurable outcomes agreed with key stakeholders. This process is envisaged to include:
  - Recording the numbers and details of the enterprise agreements that include domestic violence from the relevant agencies.
  - Establishing baseline data through surveys of union members in selected workplaces or industries. The surveys will establish prevalence of domestic violence in this sample, the impact of domestic violence on women's work capacity and on the workplace environment, and strategies that have or could assist them to remain safe and in employment. The surveys will draw on similar work undertaken by UNISON in the United Kingdom. The CPSU annual survey of female members 'What Women Want' may be able to include specific questions on domestic violence.
  - Run annual focus groups for working women in a number of industries or sectors to provide further knowledge of the issues faced by women experiencing domestic violence and gather qualitative feedback on the benefits of the domestic violence clauses or other instruments.

The paper will also discuss a proposal to incorporate domestic violence measures into the *Fair Work Act 2009* drafted by the ADFVC. This proposal was developed in consultation with Australian Working Women's Centres and has been submitted to the Australian Law Reform Commission Inquiry into domestic violence.