

C2011-08 Support for Employees Experiencing Domestic Violence

Status: current

Keypoints

- In June 2010 the NSW Government released the *NSW Domestic and Family Violence Action Plan: Stop the Violence, End the Silence* which includes employment support initiatives that enable employees who have experienced domestic violence to enter or return to the workplace.
- Employees who experience domestic or family violence will now be able to access certain leave entitlements and where those entitlements are exhausted the employee shall be granted special leave.
- The provisions in this circular will apply to agencies that comprise the NSW Public Service . Other Public Sector agencies and State Owned Corporations are strongly encouraged to adopt these provisions.

The *NSW Domestic and Family Violence Action Plan: Stop the Violence, End the Silence*, released in June 2010, includes developing employment support initiatives in the public service that enable employees who have experienced domestic violence to enter or return to the workforce.

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

Agencies should apply the following provisions:

1. Leave entitlements provided for in Sick Leave, Family and Community Service Leave, Sick Leave to Care for a Family Member (also referred to as Personal/Carers Leave) may be used by staff members experiencing domestic violence.
2. Where the leave entitlements referred to in point 1 above are exhausted, the employee shall be granted five days Special Leave per calendar year.
3. Agencies will need to be satisfied, on reasonable grounds, that domestic violence has occurred and may require proof presented in the form of an

- agreed document issued by the Police Force, a Court, a Doctor, a Domestic Violence Support Service or Lawyer.
4. Personal information concerning domestic violence will be kept confidential by the agency.
 5. Agencies, where appropriate, may facilitate flexible working arrangements subject to operational requirements, including changes to working times and changes to work location, telephone number and email address.
 6. Domestic Violence means domestic violence as defined in the Crimes (Domestic and Personal Violence) Act 2007.

A new clause will be inserted in the *Crown Employees (Public Service Conditions of Employment) Award 2009* to reflect the above provisions. Other Public Sector agencies and State Owned Corporations are strongly encouraged to adopt these provisions in their industrial instruments.

The Department of Premier and Cabinet will develop guidelines for agencies to assist in the implementation of these provisions.

Brendan O Reilly
Director General

Which agencies does this Circular apply to?

This Circular applies to all agencies and employees in the NSW Public Service (Part 1 Schedule 1 of the *Public Sector Employment and Management Act 2002*) and is recommended for other NSW Public Sector agencies including the Teaching Service, NSW Police and the NSW Health Service and State Owned Corporations.

Who needs to know about this Circular?

HR Managers and all line managers.

Further information

Client Services, Public Sector Workforce, ph 9228 4444, psw@dpc.nsw.gov.au.

Issued by

Public Sector Workforce in the Department of Premier and Cabinet

Contact

Client Services, Public Sector Workforce, ph 9228 4444,
psw@dpc.nsw.gov.au

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This Circular has not superseded any Circular.



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