

A Workplace Guide to Preventing & Responding to Domestic Violence



*Brought to your workplace by the Australian Services Union NSW & ACT (Services) Branch
and its commitment to ending domestic violence*



A WORKPLACE GUIDE TO PREVENTING & RESPONDING TO DOMESTIC VIOLENCE

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For an electronic copy of this document contact info@asu.org.au

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Introduction

Every week in Australia a woman dies as a result of domestic or family violence. Domestic and family violence is recognised as a

serious social and criminal issue in our community. It is a widespread problem that has an enormous impact on individuals and communities throughout Australia. Members of the Australian Services Union (ASU) work with victims and survivors of domestic and family violence to support them to live free of that violence and deal with the devastating impacts violence has had on their lives.

As the union of frontline domestic and family violence workers, the ASU has been a leader in the campaign to end the untold damage of domestic and family violence on our community. Our campaign has focussed on the fact that domestic violence is a workplace issue and we have driven the campaign for paid domestic violence leave to be a universal right for all workers through the National Employment Standards (NES).

Recently, however, attention has focused on the ways workplaces and workplace rights can play a tangible role in tackling family violence. Workplaces can play an important role in preventing and responding to family violence. They reflect the breadth and diversity of the community and offer a key opportunity to reach people who are affected by family violence, to provide support for them and to help them take steps to secure their safety. Workplaces are also important sites for dealing with family violence because the effects of violence reach into them in a variety of ways and because attitudes and cultures that prevail in them can influence the

level to which violent behaviour is supported or condoned.

This guide has been developed as an extension of the ASU's campaign to end domestic violence. It is the women, children and men whose lives have been destroyed by domestic violence that have driven the ASU's determination to end domestic violence and the misery it causes for victims and survivors. ASU members have taken this campaign into their workplaces and communities, to the streets and our parliaments calling for paid domestic violence leave and funding for the vital services needed to support victims of domestic violence to live free from that violence. Domestic violence occurs beyond the family home, it occurs in vehicles, shopping centres, local parks and workplaces. If it occurs in your workplace or one of your co workers is experiencing domestic or family violence, how people in your workplace respond can make a difference. Workplace intervention can reduce further harm and challenge beliefs that underlie supportive attitudes that contribute to family and domestic violence.

This guide is designed to be used in all the types of workplaces found across New South Wales and the ACT. It aims to be a practical resource not an academic paper. The guide also aims to raise awareness about domestic and family violence in the workplace. It describes the signs and effects of domestic violence and gives practical examples of how workplaces can support workers experiencing domestic violence to leave a violent relationship. Most importantly, it demonstrates why domestic violence is a workplace issue and how employers, managers and fellow workers can make a real difference in supporting a worker to live free from domestic violence.

Natalie Lang

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What is domestic violence?

Domestic and family violence is behaviour and conduct that is violent, threatening, coercive, controlling or intended to cause the family or household member to be fearful. It is usually part of a pattern of behaviour that is controlling and coercive. It is always about gaining and maintaining power over another.

The terms *domestic violence*, *family violence* and *gendered violence* are often used interchangeably. The following definitions and descriptions may help your understanding of the forms of behaviour and abuse that constitute domestic and family violence.

Domestic violence is behaviour used by one person to gain control and power over another with whom they have or have had an intimate relationship. It can take the form of physical and sexual violence, psychological, financial and emotional abuse, threats and intimidation, intentionally damaging or destroying property, intentionally causing death or injury to an animal, harassment, isolation, belittling and constant unreasonable criticism. It can also be called intimate partner violence. It occurs in a couple relationship; past or present. This includes same sex relationships. People from all ages, cultures and backgrounds can experience domestic violence.

Family violence means violent, threatening or other behaviour by a person that coerces or controls a member of the person's family, or causes the family member to be fearful. It can take the form of physical and sexual violence, psychological, financial and emotional abuse, threats and intimidation, intentionally damaging or destroying property, intentionally causing death or injury to an animal, harassment, isolation, belittling and constant unreasonable criticism. People from all ages, cultures and backgrounds can experience family violence.

Sexual assault means sexual or sexualised behaviour by one person that makes another person

feel uncomfortable, intimidated or frightened. It is behaviour that a person has not invited or chosen. It can take the form of sexual harassment, unwanted touching or kissing, coerced or forced sexual activities or sex related activities, exposing of genitals such as 'flashing', stalking, posting of sexual images on the Internet without consent, spiking drinks or the use of drugs and alcohol in order to reduce or impair a person's capacity to make choices about sex or sexual activity, having sex with someone who is asleep, severely affected by alcohol /and or other drugs, lewd or suggestive jokes, stories or showing of sexualised pictures, as part of a pattern of coercive, intimidating or exploitative behaviour, and rape. People from all ages, cultures and backgrounds can experience sexual assault.

Gender based violence involves men and women, in which the female is usually the target, and is derived from unequal power relationships between men and women. Violence is directed specifically against a woman because she is a woman or affects women disproportionately. It includes, but is not limited to, physical, sexual, and psychological harm. The most pervasive form of gender based violence is abuse of a woman by intimate male partners.

WHO EXPERIENCES DOMESTIC AND FAMILY VIOLENCE?

Domestic and family violence occurs across the socio economic spectrum, across all cultures and in all kinds of relationships, including:

- intimate partners, lovers, husband and wife, same sex couples, ex partners
- older people and their children (elder abuse)
- other family members, including step parents
- parents and their teenage or adult children
- people with disabilities and their carers



DOMESTIC AND FAMILY VIOLENCE – THE FACTS

- In Australia, at least one woman a week is killed by a partner or former partner.
- Intimate partner violence contributes to more death, disability and illness in women aged 15 to 44 than any other preventable risk factor.
- Domestic or family violence against women is the single largest driver of homelessness for women, is a common factor in child protection notifications, and results in a police call out on average once every two minutes across the country.
- Violence against women is not limited to the home or intimate relationships.
- Every year in Australia, over 300,000 women experience violence – often sexual violence from someone other than a partner.
- Eight out of ten women aged 18 to 24 were harassed on the street in the past year.
- When domestic violence occurs between adults in heterosexual relationships, research shows that men are most likely to be the perpetrators and women the victims.
- When the violence occurs against children in families, research shows that parents and step parents are most likely to be the perpetrators.
- Children and young people also experience violence when they live with and/or witness violence between other family members.

DOMESTIC AND FAMILY VIOLENCE – WHAT'S GENDER GOT TO DO WITH IT?

The most dangerous place in Australia for a woman to be is at home with her partner on a Saturday night.

The most dangerous place for a man to be is out in public in the company of other men.

Sydney Morning Herald, 5 July 2017.

Experiences of violence in Australia, and most other countries, are shaped by gender. Men are subjected to violence mostly from other men in public spaces, and women mostly from men they know in private spaces and contexts. Women are far more likely to experience sexual violence than men, and women are also much more likely than men to be afraid, assaulted or killed by an intimate partner or former partner.

The numbers

- In 2015/16, 467,000 men and 432,000 women experienced physical assault.
- Men are seven times more likely to be assaulted by another man than by a woman. They are also five times as likely to be assaulted by a male stranger than by an intimate partner.
- Women are almost twice as likely to be assaulted by an intimate partner or family member than by a stranger.
- On average at least one woman a week is killed by a partner or former partner in Australia.
- One in three Australian women has experienced physical violence since the age of 15.
- One in five Australian women has experienced sexual violence.

- One in four Australian women has experienced physical or sexual violence by an intimate partner.
- One in four Australian women has experienced emotional abuse by a current or former partner.
- Intimate partner violence contributes to more death, disability and illness in women aged 15 to 44 than any other preventable risk factor.
- 61% of women who experienced violence by a male ex partner had children in their care when the violence occurred.
- 73% of women who experienced violence by a male ex partner had experienced more than one incident of violence.
- Domestic and family violence is the principle cause of homelessness for women and their children.

The facts and figures of domestic and family violence tell us that women and men have very different experiences of this form of violence. Women and girls are disproportionately affected by domestic, sexual and other forms of violence committed by men – this fact tells us that gender is a factor in how violence is experienced in our society.

To end domestic and family violence we need to understand these gendered patterns of violence and the causes underlying them. Violence is not the only way women's and men's experiences in our society are different. There are many aspects of life in our society where women's and men's experiences are different:

- Economic security – Full time women workers earn 15.3% less than full time male workers; women make up the majority of workers in part time and casual jobs; women workers on average retire with 52.8% less than men retire with.
- Leadership – Only 25.3% of directors of companies listed with the Australian Stock Exchange are women; women hold just over a quarter of seats (26.7%) in Australian parliaments. Family and home life – In Australia women spend substantially more time on unpaid

care work than men and this unequal distribution of unpaid care work reinforces gender stereotypes and contributes to the gender inequalities in the labour market. Economists have reported that raising children accounts for a 17% loss of lifetime wages for women.

- Everyday sexism – Women and girls experience sexism throughout their lives – from rigid gender roles and stereotypes to sexual harassment and sexual violence. Sexist jokes, discrimination in workplaces and being judged on her appearance and how she dresses are still very common experiences for Australian women and girls.
- The different life experiences for women and men are not naturally occurring. They are a result of social, economic and political conditions, as well as historical and cultural factors.
- Gender inequality is a social condition characterised by unequal value afforded to men and women and an unequal distribution of power, resources and opportunity between them. It often results from, or has historical roots in, laws or policies formally constraining the rights and opportunities of women, and is reinforced and maintained through more informal mechanisms.
- Power and control are at the core of all acts of domestic and family violence and occur in an environment of gender inequality.
- We need to address gender inequality to eliminate domestic and family violence and the harm it causes from our society.



Domestic violence is a workplace issue

The Victorian Royal Commission into Family Violence (2014-16) found that workplaces are important sites for intervening to prevent and respond to family violence.

The Commission found that:

- Workplaces present an opportunity to reach large sections of the population.
- Workplaces have the potential to reach and support workers who are experiencing domestic and family violence.
- A workplace may be the only place a person, particularly those from vulnerable groups who are experiencing domestic or family violence can reach out for support beyond their own families or households.
- Domestic and family violence has a negative impact on a victim's employment.
- Employment can be a protective factor against domestic and family violence.
- The workplace can be a place where domestic and family violence is perpetrated.
- A workplace's culture can perpetuate attitudes that support and condone domestic and family violence.

WHY IS DOMESTIC VIOLENCE A WORKPLACE ISSUE?

Domestic violence is a serious criminal, health and social issue facing our society today. Whether your workplace is a mechanic's workshop, child care centre, a local retail outlet, building site, women's refuge or a hospital there will be someone who has contact with your workplace that has been affected by domestic or family violence. It may be a customer, client or one of your workers.

The personal and social cost of domestic and family violence does not stop at the workplace gate. Workplaces have a key role in preventing domestic and family violence and addressing the causes of it. Workplaces can also play a positive role by providing a safe and supportive environment for workers experiencing domestic or family violence while the worker is planning how to end the violent relationship they are in.

Employers and managers are not expected to become domestic violence counsellors or experts. They can however, ensure that the workplace has policies and procedures in place to support workers getting to and leaving work safely, provide safety plans, grant leave to attend to critical matters for the worker's safety, and refer workers to domestic violence services for expert advice and resources.

HOW DOES DOMESTIC AND FAMILY VIOLENCE AFFECT THE WORKPLACE?

The Australian Bureau of Statistics estimates that around two thirds of women who experience domestic violence are in the workforce. That means that more than 800,000 women or around one in six women workers are experiencing some form of violence in their home.

Workers living with domestic violence change their job more often, miss out on promotions, are more likely to resign or be terminated and more likely to be bullied at work.

In addition to the personal impact of violence when a worker is living with violence there are also real costs for their workplace. These include:

- increased absenteeism and staff turn over

- decreased performance and productivity
- conflict among workers
- safety issues for everyone if the perpetrator attends the workplace.
- It is estimated that domestic violence costs the Australian economy more than \$8 billion every year in lost productivity and other costs.

Everybody wins when a worker who is experiencing domestic violence keeps their job. Sometimes

being at work is the only place where that person feels safe. Paid work also plays a critical role in enabling a worker and their children to leave an abusive relationship.

Workplaces can make a real difference to the safety and well being of workers who are experiencing domestic or family violence to do this you need to recognise the signs of domestic violence and how best to support the worker to live free from that violence.

Signs of domestic violence

POSSIBLE WARNING SIGNS OR CUES IN THE WORKPLACE

A worker may display indications or warning signs that they are affected by family or domestic violence.

The following is a list of symptoms and behaviours, it is important to note that they are not comprehensive, and may be explained by other circumstances such as stress or a mental health condition.

- Obvious physical injuries such as bruises, black eyes, broken bones, hearing loss
- Explaining injuries away as just being accident prone or clumsy often the seriousness of the injury does not match up with the explanation
- Clothing that is inappropriate for the weather, such as long sleeves and high collars on warm days
- Wearing scarves, sunglasses and unusually heavy makeup that the worker does not normally wear
- Minimisation and denial of harassment or injuries
- Uncharacteristic repeated absenteeism or lateness for work
- Change in work performance, such as poor concentration and errors, slowness, inconsistent work quality or difficulty managing deadlines
- Regular requests to leave the workplace early
- Having little money available: may not have credit cards, a car, be unable to join in with social activities or contribute to gifts or donations
- Sudden or uncharacteristic change in behaviours, such as becoming anxious, fearful or upset for no apparent reason
- Isolation, for example, unusually quiet and keeping away from others
- Emotional distress or flatness, tearfulness, depression and suicidal thoughts
- An unusual number of phone calls, emails, texts which illicit a strong reaction and reluctance to converse or respond to messages
- Heightened sensitivity about relationship with partner, life at home or hints of trouble at home, for example, comments that may include references to bad moods, anger, temper, and alcohol or drug abuse
- Disruptive or unexpected personal visits to workplace by a current or former partner, or family member
- Having to ask permission to meet, talk with, or do things with other people or work colleagues.

If you observe these warning signs in a worker at your workplace use them to begin a conversation. Don't jump to conclusions, inquire sensitively about the worker's well being.

We suggest you approach in the following ways:

- Approach the topic sensitively, non judgmentally and privately in a safe environment.
- Explain that you have noticed warning signs and express your concern for them. If they do not want to talk, express your concern for them anyway.
- Tell them that domestic and family violence is never okay and they have done nothing to deserve or cause it. Let them know that they will be believed and that support and protection is available if they need it.
- Assure them that they can talk to you confidentially and that you will listen and support them if or when they are ready to disclose experiences of family or domestic violence.

WHAT TO DO IF A WORKER DISCLOSES DOMESTIC OR FAMILY VIOLENCE

If a worker discloses that they are being abused or are frightened of their partner or former partner there are several ways you can support that worker and assist them to receive professional support and advice from a domestic violence specialist service.

You are not expected to be a domestic violence expert, however, you can support them in the following ways:

It is important that you do:

- Believe them
- Be sensitive
- Reassure them that the information will be kept confidential and only shared with those who need to know and with the member's agreement
- Suggest they access the employee assistance program (EAP) if the workplace has one
- Make the worker aware of domestic violence policies and procedures if your workplace has these and be sure to follow them yourself

- Make clear to them that they are not to blame, the only person who is to blame is the person who chose to use violence
- Ask them about the impact that family violence is having on their work life
- Ask them what they would like to do and check if they have a safety plan
- Encourage them to keep a diary of events and incidents
- Follow up with them to monitor their situation.

It is important that you don't:

- Become personally involved
- Put yourself in any danger
- Discuss this with anyone else except the person who has come to you and other designated people within the workplace
- Ask questions about the relationship, why they think the violence is occurring, how it started nor should you express an opinion about the situation such as by asking why the person does not leave the relationship or call the police or make other comments that suggest the violence is the victim's fault
- Give them advice or tell them what to do.

You are there to support them.

If you are struggling yourself with what you hear or are unsure about what to do please call 1800RESPECT 1800 737 732 or talk to your EAP contact. If the person does not know where to get help you can give them information or refer them to the support services listed at the end of this kit.



Preventing and addressing domestic violence in the workplace

Workplaces have an important role in preventing and responding to domestic and family violence and are in a unique and vital position to address domestic and family violence in the following ways:

- Responding to domestic and family violence that is already occurring
- Preventing domestic and family violence from occurring
- Challenging attitudes that underlie domestic and family violence by actively promoting gender equity and respect.

Responding to domestic and family violence that is already occurring

Workplaces can respond to violence that is already occurring by recognising signs of domestic and family violence, responding appropriately to a disclosure of domestic and family violence by a worker and referring them to appropriate services for support and intervention – please see page 6-7 for details on how to do this.

PREVENTING DOMESTIC AND FAMILY VIOLENCE FROM OCCURRING

Having a clear set of policies and procedures on addressing domestic and family violence is a key component of prevention, and will bring real benefits to your workplace by:

- Ensuring a consistent and clear response to domestic and family violence in your workplace.
- Providing managers and staff with guidelines for supporting workers experiencing domestic and

family violence, e.g. leave entitlements, flexible work arrangements.

- Providing workers with knowledge about what is expected of them, e.g. standards of behaviour.
- Providing a clear framework for the delegation of decision making and appointment of a domestic and family violence contact person.
- Providing a means of communicating information to new workers.

Suggestions for establishing relevant policies and procedures include the following:

- Create a policy about domestic violence in the workplace. A step by step guide to help you create a workplace policy is available at: [humanrights.gov.au/sites/default/files/Annex%20A%20policies_and_procedures.pdf](https://www.humanrights.gov.au/sites/default/files/Annex%20A%20policies_and_procedures.pdf)
- Develop a workplace safety plan for dealing with domestic violence, as described on page 11.
- Consult with key stakeholders in the workplace as well as trained professionals to develop reporting, investigation, and follow up procedures.
- Establish a process for all staff to report threatening situations they have experienced or witnessed in or around the workplace.
- Establish a process to notify human resource staff and managers of the situation and the plans that have been developed, and to keep them informed of new information.
- Establish processes for reviewing policies and procedures regularly, e.g., Are they in place? Have they been effectively communicated? Do they address current and potential security risks?

- Design policies for flexible work hours, extended leaves of absence, and workplace relocation for victims of domestic violence for details of individual support to be included in these policies see the ASU Domestic and Family Violence Model Clause on page 15.
- Provide a mechanism for affected workers to request domestic violence leave, flexible work arrangements, and where possible, relocation to a different work premises.
- Identify key areas of responsibility to appropriate staff who support workers experiencing domestic or family violence and report to the police any acts of violence, threats of violence, or stalking that occur in the workplace. Know when threats and/or incidents of violence must be reported and/or investigated in accordance with any of your potential legal obligations.
- Develop codes of conduct that make clear the workplace will not tolerate any acts or behaviour of sexism, harassment, discrimination or violence.
- Design policies that create a culture where all staff feel confident to report and/or take bystander action if they see or hear about sexism, harassment, discrimination and violence in the workplace.
- Develop accountability measures for abusers working in your organisation.

Challenging attitudes that underlie domestic and family violence by actively promoting gender equity and respect

Developing a workplace domestic violence education program is the most effective way of challenging attitudes that underlie domestic and family violence and creating a positive culture of safety and respect for all.

A workplace domestic violence education program can be incorporated into staff meetings, new and ongoing staff training, and other aspects of your workplace. Rape and Domestic Violence Services Australia can assist your workplace with education and training. They can be contacted here: www.rape-dvservices.org.au

A workplace domestic violence education program could be designed to:

- Increase awareness about the effects domestic violence has on workplace health and safety.
- Decrease the stigma attached to victims of domestic violence.
- Encourage employees to talk about domestic violence in general and to report threats.
- Ensure and improve confidence that disclosure of domestic violence will lead to an appropriate response from the employer, supervisor, union, union delegate, human resources staff, and co workers.
- Reduce employee risk from domestic violence in the workplace.

The education program could include the following, where appropriate:

- A review of workplace policies and procedures for domestic violence, such as:
 - » procedures for handling domestic violence incidents, including specific steps to take when it enters the workplace
 - » policies regarding leaves of absence, flexible work hours, etc.



- » appropriate safety planning for victims and co workers
- A review of the workplace safety plan, including instructions on when to call the police
- Facts and figures about domestic violence and who it affects
- Signs, symptoms, and consequences of domestic violence in the workplace
- Discussions about attitudes that lead to domestic and family violence
- Discussions about everyday sexism and promote gender equity and respect
- Supportive and effective responses following disclosure
- Local community services such as anti gendered violence organisations, refuges, community legal centres and support groups for victims, and perpetrator programs for perpetrators, and how to make an effective referral to them
- Displaying educational materials around your workplace, such as posters, information flyers, and fact sheets
- Reminders about the importance of maintaining employee confidentiality without compromising workplace safety and the importance of not giving personal advice (explained further on page 7).

These are just a few suggestions. You may wish to provide other information to your workers.

Education and awareness programs should address the following gendered drivers of violence against women:

- Condoning of violence against women
- Men's control of decision making and limits to women's independence in public life and relationships
- Rigid gender roles and stereotyped constructions of masculinity and femininity
- Male peer relations that emphasise aggression and disrespect towards women
- Condoning of violence in general



- Experience of and exposure to violence
- Weakening of pro social behaviour, especially harmful use of alcohol
- Socio economic inequality and discrimination
- Backlash factors (when male power or status is challenged).

MORE INFO:

For more detail on the drivers of violence against women search for "Our Watch: Change The Story" at ourwatch.org.au

SAFETY PLANS

There are two types of safety plans that can be useful in addressing domestic and family violence in the workplace – *workplace safety plans* and *personal safety plans*.

Workplace safety plans

A workplace safety plan sets out specific actions that will be taken to help keep the workplace and all workers safe from threats of domestic violence. If your workplace has an existing violence safety plan you may wish to combine it with your domestic violence safety plans into one workplace safety plan. The contents of your workplace safety plan will depend on various factors including the size, type, and location of the workplace, the number of workers, and whether you are aware of any threats made against them, the nature of the industry or any inherent security risks associated with the type of business activity at a particular location or workplace.

Following are examples of actions you may want to include in your safety plans. Not all steps listed will be appropriate for every workplace or all domestic violence situations. Think about what else you can do and what is appropriate in your workplace. You might want to contact local organizations or professionals that work in domestic violence to help you create a safety plan. A workplace safety plan might include the following prevention steps:

- Making emergency phone numbers readily available – next to or on the phone
- Ensuring the workplace is well lit and secure, both inside and outside
- Making sure employees know how to report concerns or threats
- Specifying when police should be called and when doors should be locked

- Creating code words so staff can discreetly alert others to potential danger
- Installing panic buttons and/or personal alarms for staff
- Setting up an interdisciplinary team of key personnel (e.g., management, human resources, security) who can:
 - » work with external specialists (e.g., police, threat assessment professionals, local domestic violence services) to ensure the workplace can respond quickly and effectively when an employee discloses concerns about domestic violence – see section above on policies and education programs for more details
 - » investigate violent incidents that occur in the workplace.

Personal safety plans

A personal safety plan is designed to keep a specific worker who is experiencing domestic violence safe while at work. A personal safety plan will depend on the individual's specific situation. Preferably it is developed in consultation with the worker and tailored to her/his self identified needs, keeping the overall safety of the workplace in mind.

The personal safety plan must be developed in consultation with the worker experiencing domestic or family violence and should include:

- Establishing clear communication procedures for the worker to report a threat at work.
- Providing the perpetrator's photo or physical description to reception, security, and/or staff working nearby.
- Screening the victim's calls to reduce harassment, or providing the victim with a phone that has caller identification and having another worker record the voice mail greeting.
- Obtaining an emergency contact telephone number, other than the perpetrator's, in case the worker is late or absent from work.



- Arranging for an escort to and from the worker's vehicle or public transport at the beginning and end of each work day.
- Providing the worker with a parking spot near the building entrance to increase her/his sense of security.
- Relocating the worker to another workstation away from windows and doors, or away from the place the perpetrator expects to find her/him.
- Relocating the worker to another worksite.
- Connecting the worker with services available in the community or through the workplace.
- Integrating strategies the victim already has in place to increase her/his safety.

You may be faced with a situation in which two workers are involved in a domestic violence situation with each other. This can be a highly volatile situation. Effective training can help a manager or supervisor devise a proper plan to respond to these kinds of situations. Some suggested actions for keeping victims of domestic violence safe at work are presented above. In addition, if two workers are involved in a domestic violence situation with each other, appropriate action may include:

- Eliminating or minimizing the possibility of contact between the workers while at work (e.g.

scheduling the workers on different shifts and keeping the victim's schedule private).

- Offering appropriate referrals to both workers, such as giving them information about where they can get support.

If there has been police involvement in a domestic violence incident, there may be an apprehended domestic violence order (ADVO) in place. The ADVO may have conditions which prevent the defendant from approaching or contacting the protected person or going within a certain distance of where they live or work. It may be helpful for the workplace to be aware of this and to have a copy of the ADVO (without the attached narrative).

If conditions of an ADVO are breached e.g. the defendant attends the workplace or leaves a message on the answering machine, then it is important that evidence is kept e.g. dates of calls or visits, copies of phone messages. The worker experiencing the domestic or family violence may choose to report the breaches to police and proof is important in criminal charge matters.

Individual safety plans

It is also important that workers living with domestic and family violence make their own individual safety plans that they can use when away from the workplace. You can suggest a worker develops an individual safety plan and refer her/him to 1800RESPECT who can advise on how to make a safety plan or they can visit the 1800RESPECT website for information on making safety plans:

- www.1800respect.org.au
- Our Watch: www.ourwatch.org.au/

Resources & References

DOMESTIC & FAMILY VIOLENCE SERVICES IN NSW

EMERGENCY AND LIFE THREATENING SITUATIONS

Police and Ambulance 24/7
000

ACCOMMODATION

DV Line 24/7 (women only) 1800 65 64 63
TTY Service 24/7 1800 671 442
Link2home 24/7 1800 152 152

COUNSELLING AND SUPPORT

1800RESPECT 24/7 1800 737 732
Lifeline 24/7) 13 11 14
Suicide Call Back Service 24/7 1300 659 467
Aboriginal Medical Service 02 9212 4777 to find local AMS
Kids Helpline 24/7) 1800 55 1800
Men's Referral Service 1300 766 491

TRANSLATING AND INTERPRETING SERVICE

Call 13 14 50 and ask them to contact 1800 RESPECT.

NATIONAL RELAY SERVICE

For callers who are deaf or have a hearing or speech impairment.

TTY/Voice Calls: call 133 677 and ask them to contact 1800 RESPECT or 1800 737 732.

Speak and Listen: call 1300 555 727 and ask them to contact 1800 RESPECT.

INTERNET RELAY USERS

Visit the National Relay Service website and ask them to contact 1800 RESPECT or 1800 737 732.

LEGAL ADVICE

LawAccess NSW (Mon Fri, 9am 5pm) 1300 888 529
Domestic Violence Legal Advice Line 1800 810 784
Wirringa Baiya Aboriginal Women's Legal Service 1800 686 587
Indigenous Women's Legal Contact Line 1800 639 784
Safe Relationships LGBTIQ community 1800 244 481

DOMESTIC & FAMILY VIOLENCE SERVICES IN ACT

Domestic Violence Crisis Service ACT Phone (02) 6280 0900

ONLINE DOMESTIC AND FAMILY VIOLENCE INFORMATION AND RESOURCES

1800RESPECT 1800respect.org.au
Domestic Violence Crisis Service ACT www.dvcs.org.au
Community Legal Centres Living Without Violence Toolkit clcnsw.org.au/cb_pages/living_without_violence_toolkit.php
Commonwealth Bank Addressing Financial Abuse Guide
www.commbank.com.au/content/dam/commbank/assets/about/opportunity_initiatives/addressing_financial_abuse_guide.pdf
Rape and Domestic Violence Services Australia rape dvservices.org.au/

Family Violence Prevention Legal Services (Aboriginal and Torres Strait Islander victims/survivors). nation-alfvpls.org/Where We Are.php

Our Watch Change the Story ourwatch.org.au/getmedia/0aa0109b-6b03-43f2-85fe-a9f5ec92ae4e/Change-the-story-framework-prevent-violence-women-children-AA-new.pdf.aspx

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DOMESTIC VIOLENCE LEAVE MODEL CLAUSE

XX SUPPORT FOR EMPLOYEES EXPERIENCING FAMILY AND DOMESTIC VIOLENCE

X.1 Definition

X.1.1 For the purpose of this clause, family and domestic violence is defined as any violent, threatening or other behaviour by a person that coerces or controls a member of the person's family or household or causes the family or household member to be fearful. It includes current or former partners in an intimate relationship, whenever and wherever the violence occurs. It may include physical, sexual, emotional, psychological or financial abuse.

X.2 Confidentiality

X.2.1 All personal information concerning domestic violence will be kept confidential in line with the employer's policy and relevant legislation. No information will be kept on an employee's personnel file without their express written permission.

X.3 Family and Domestic Violence Workplace Contacts and Advice Referral

X.3.1 The employer will appoint a family and domestic violence workplace contact person to provide a point of first contact for employees experiencing family and domestic violence. The name and contact details of the nominated contact person shall be disseminated to all employees.

X.3.2 The employer must ensure the contact person is trained in handling family and domestic violence and privacy issues sensitively.

X.3.3 An employee experiencing domestic violence will be offered a referral to the Employee Assistance Program (EAP) and/or other local resources. The EAP shall include professionals trained specifically in domestic violence.

X.3.4 An employee that discloses that they are experiencing domestic violence will be provided with information and/or referral to local specialist resources, support and referral services.

X.4 Workplace Safety

X.4.1 The employer will develop workplace strategies to ensure the protection of employees and visitors where it is determined that an employee's experience of domestic violence may place the employee, other employees and visitors at risk of harm at the workplace.

X.4.2 The employer must ensure that the domestic violence contact person is trained to implement the safety strategies as per clause X.4.1 and that the strategies are clearly understood by the affected employees.

X.4.3 If it is determined that the disclosing employee, other employees or visitors of the employer may be at risk of harm, the employer must ensure their safety by implementing the safety strategies as per clause X.4.1.

X.5 Leave

X.5.1 An employee experiencing family and domestic violence will have access to 20 days per year of paid family and domestic violence leave to attend legal proceedings, counselling, appointments with a medical or legal practitioner, relocation, the making of safety arrangements and other activities associated with the experience of family and domestic violence.

X.5.2 Upon exhaustion of the leave entitlements in clauses X.5.1, employees shall be entitled to up to 2 days unpaid family and domestic violence leave on each occasion where paid leave would be available.

X.5.3 If required, employees may take additional paid or unpaid family and domestic violence leave by agreement with the employer.

X.5.4 Family and domestic violence leave is in addition to any other existing leave entitlements, and may be taken as consecutive or single days or as a fraction of a day.

X.5.5 Nothing in this clause shall prohibit the employee from accessing other available forms of leave for the purposes of attending legal proceedings, counselling, appointments with a medical or legal practitioner, relocation, the making of safety arrangements and other activities associated with the experience of family and domestic violence.

X.5.6 The employee shall give her or his employer notice of the taking of the leave under this clause, and if required by the employer, evidence that would satisfy a reasonable person that the leave was for the purposes of attending medical appointments, legal proceedings, legal assistance, court appearances, counselling, relocation, the making of safety arrangements and other activities associated with the experience of family and domestic violence.

X.5.7 Proof of family and domestic violence may be required and may include a document issued by the police service, a court, a doctor (including a medical certificate), district nurse, maternal and child health care nurse, a family violence support service or lawyer or a statutory declaration.

X.5.8 An employee is entitled to use personal / carer's leave for the purpose of providing care or support to a person who is experiencing family and domestic violence, including but not limited to, accompanying them to legal proceedings, counselling, appointments with a medical or legal practitioner or to assist them with relocation, the making of safety arrangements, minding children and other activities associated with the experience of family and domestic violence.

X. 6 Individual Support

X.6.1 In order to provide support to an employee experiencing family and domestic violence and to provide a safe work environment to all employees, the employer will approve any reasonable request from an employee experiencing family and domestic violence for:

- (i) changes to their span of hours or pattern of hours and/or shift patterns;
- (ii) job redesign or changes to duties;
- (iii) changes to the location of work;
- (iv) a change to their telephone number or email address to avoid harassing contact;
- (v) any other appropriate measure including those available under existing provisions for family friendly and flexible work arrangements.

X. 7 No Adverse Action

X.7.1 No adverse action will be taken against an employee if their attendance or performance at work suffers as a result of being a victim of domestic violence.



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