

## Senate Standing Committee on Education and Employment

### QUESTIONS ON NOTICE Supplementary Budget Estimates 2016 - 2017

#### Outcome 2 – Workplace Relations and Economic Strategy

Department of Employment Question No. EMSQ16-001085

Senator Marshall provided in writing.

#### Question

##### Domestic Violence leave - process of cases

- The ACTU is to progress a claim with the Commission to include 10 days of domestic violence leave in awards, are you aware of this?
- Are you able to explain how the process will operate?
- How will the case be run?
- When will a decision be made?
- How many employees now have access to paid domestic violence leave in union-negotiated workplace agreements?

#### Answer

The Government is aware of the ACTU's claim to insert a clause which provides for family and domestic violence leave as an additional leave entitlement in all modern awards (AM2015/1).

The claim is being considered by a Full Bench of the Fair Work Commission under Division 4 of Part 2-3 of the *Fair Work Act 2009*. Hearings in the case are expected to conclude by 2 December 2016.

Once the Fair Work Commission has heard relevant evidence and considered written submissions it will make a decision in relation to the claim. The timing of the decision will be a matter for the Full Bench.

The Department of Employment's Workplace Agreements Database has data specifically on domestic violence leave provisions in enterprise agreements approved by the Fair Work Commission for the period 1 January 2016 to 30 June 2016 (latest available data).

The Department provided detailed answers to questions on this issue. See SQ16-001084 and SQ-000837.