



Family Violence Leave Policy



"I feel supported to deal with the impacts of violence on my whānau."

Intent

We prioritise our employees' safety and recognise that they may need to take leave for reasons related to family violence such as attending court or a support service, finding new housing or new childcare arrangements. They may also require flexibility in their work conditions to accommodate their family, whānau circumstances or as part of their safety planning.

This policy applies to any kaimahi/employee who is [a person affected by family violence](#) and meets the conditions outlined in this policy. It does not apply to contractors.

Definition

"Family violence" is defined in [section 9, Family Violence Act 2018](#).

Responsibilities

The board will monitor compliance with this policy through management and support leadership of a culture that supports survivors of family violence.

Management will ensure that:



- all kaimahi are informed about this policy
- safety risks are appropriately managed
- any kaimahi, who is a person affected by family violence, is not adversely treated
- the privacy of a kaimahi, who is a person affected by family violence, is protected in accordance with the law.

All kaimahi have a role in responding to family violence and supporting other kaimahi affected by family violence. They will:

- raise any concerns they have with management about themselves or a colleague
- if requested by management, provide relevant proof of family violence and reasons for any request for flexible working arrangements.

Requirements

Variation request

An employee may request a short-term (2 months or shorter) variation to their working arrangements to deal with the effects of family violence. The request may be made regardless of how long ago the family violence occurred. It may be made by the employee or their representative for a variation in hours, days of work, location of work and/or other terms the employee thinks may assist them.

The request should be made in writing to management.

Obligation to respond

Management will respond to a request as soon as possible after receiving it (no later than 10 working days.).

Grounds for refusal



Where reasonably practicable, we will approve a variation request. It will only be refused if:

- work cannot be covered by existing or additional staff
- the staff member's absence would have a detrimental impact on quality or performance
- there's insufficient work during the periods the kaimahi proposes to work
- there are planned structural changes are underway
- the burden of additional costs is too large
- it would reduce functionality
- if the kaimahi has not shown, in response to being asked and within timeframe, that they meet the relevant legal requirements.

Written notification of refusal will state the reason.

Safety plan

If necessary, a safety plan will be developed with the affected kaimahi. This will address their safety needs and any risks to the safety of other kaimahi. It may include strategies such as:

- connecting them with their chosen support service
- restricting access to their work area by other people
- rostering other kaimahi to support them to walk to their car or bus
- screening their incoming calls
- temporary variation of their employment terms or conditions (see below)
- the kaimahi taking an agreed period of leave (see below).

Contact will be maintained with the kaimahi while they remain impacted by family violence. However, their privacy will be respected in accord with law and their own and others' safety.



Employee right to request leave

A kaimahi may also request up to 10 days family violence leave if they have worked:

- continuously with our organisation for six months, or
- for six months for an average of 10 hours per week, and
- at least one hour in every week, or 40 hours in every month.

Entitlement is for every 12 month period once they become entitled and for as long as the employee is affected by family violence.

If the leave is not claimed within a 12 month period it will not be carried over to a subsequent period nor paid out to the employee.

Notify as soon as possible

Wherever possible, the leave request should be made before the day on which the kaimahi wishes to take leave or as soon as possible after the start time. Leave may be declined in limited circumstances.

Payment

The leave will be paid at the relevant daily pay rate or average daily pay. It will be paid in the normal pay cycle.

No adverse treatment

We will ensure that our staff and their whānau are safe and supported to deal with the impacts of family violence. No kaimahi will be treated adversely because they are, or are suspected, assumed, or believed to be, a person affected by family violence.

Compliance

Social Sector Accreditation Standards - Level 2, Staffing 1.0, 7.0



NZS 8134:2021 Workforce and Structure 2.4

Employment Relations Act 2000

Helpful links

Employment Relations Act 2000 Part 6AB

Holidays Act 2003, Part 2, Subpart 5

Review

Date: November 2020

Next review: by October 2022