Domestic Violence Leave Procedure

Section 1 - Preamble

(1) Charles Darwin University ('the University', 'CDU') is committed to supporting employees who require assistance as a result of experiencing domestic, family or sexual violence.

(2) Domestic, family and sexual violence can present in many forms. Not all are visible. Violence can be physical, sexual, emotional, psychological, social, cultural, spiritual or financial. It can also be facilitated through technology.

Section 2 - Purpose

(3) This procedure outlines Domestic Violence Leave clause 50 of the Charles Darwin University and Union Enterprise Agreement 2022 (the Agreement) and sets out how staff access this leave.

Section 3 - Scope

(4) This policy and procedure apply to all CDU employees covered by the Agreement.

Section 4 - Procedure

(5) Employees experiencing domestic, family or sexual violence have access to fifteen (15) days of paid Domestic Violence Leave per annum.

(6) Employees can apply for this leave for themselves, or to provide care and support to:

a. a member of their immediate family
b. kinship relations, or
c. a member of their household.

(7) Employees can access this leave to undertake activities such as:

a. Seeking safe accommodation
b. Attending medical appointments
c. Attending counselling appointments
d. Attending court hearings
e. Accessing legal advice
f. Organising alternative care or education arrangements for children
g. Any other activity that is required by the individual to assist in their circumstances.

(8) Domestic Violence Leave is not recorded on the University's online human resources system, nor is it reflected on the employee's payslip.

(9) The employee accessing this leave is not required to discuss this request for leave with anyone in their workplace aside from the Director People and Culture.

(10) This leave refreshes yearly and does not accumulate.

(11) This provision applies to any leave an employee requires as a result of experiencing domestic violence. This can include, but is not limited to, domestic partner, dependants, extended family, a former partner etc.

(12) If required, workplace arrangements can be made such as:

a. Protecting the employee's identity
b. Moving work location
c. Changing contact details.

Application

(13) To ensure the safety and privacy for the employee, there is no application form for this leave.

(14) Accessing this leave is a confidential agreement between the employee and the Director People and Culture and can be arranged via email direct to the Director's confidential inbox, a telephone call or in person.

(15) The Director People and Culture may ask for evidence relevant to the employee's individual circumstances such as:

a. A statutory declaration
b. Family violence support service documents
c. Documents issued by a police service
d. Documents issued by a court.

(16) Any evidence will be sighted by the Director People and Culture only, no copies will be retained.

(17) Each request to access this leave will be considered on a case-by-case basis. Every situation will be assessed without prejudice.

(18) An employee who has exhausted all leave under this provision may make application to the Vice-Chancellor to undertake further activities.

Section 5 - Definitions

(19) Definitions of key terms can be found in the CDU Glossary.

(20) Immediate family:

a. A spouse (including former spouse), domestic partner (including former domestic partner), child, parent (including foster parent), grandparent, grandchild or sibling of the employee.
b. A spouse's child, parent (including foster parent), grandparent, grandchild or sibling of a spouse (including former spouse), or de facto partner (including de facto partner) of the Employee.
c. An equivalent kinship relationship to a. or b.

(21) Kinship: A group of people who are genetically closely related by ties of blood and marriage or its equivalent, i.e. parents and children, siblings, cousins, aunts and uncles.

(22) Household member: non-related persons living in the same household.

Section 6 - Non-Compliance

(23) Non-compliance with Governance Documents is considered a breach of the Code of Conduct – Staff or the Code of Conduct – Students, as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures outlined in the Charles Darwin University and Union Enterprise Agreement 2022 and the Code of Conduct – Students.

(24) Complaints may be raised in accordance with the Code of Conduct – Staff and Code of Conduct - Students.

(25) All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the Fraud and Corruption Control Policy and Whistleblower Reporting (Improper Conduct) Procedure.

Status and Details

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Effective Date	2nd June 2023
Review Date	2nd June 2024
Approval Authority	Vice-Chancellor
Approval Date	31st May 2023
Expiry Date	23rd October 2024
Responsible Executive	Peta Preo Director People and Culture
Implementation Officer	Peta Preo Director People and Culture
Enquiries Contact	Peta Preo Director People and Culture People and Culture