



DOMESTIC VIOLENCE – VICTIM'S PROTECTION POLICY

Policy Statement

We acknowledge that some employees may fall victim to Domestic Violence, and that it may impact their work or performance.

This Policy outlines how we will support these employees.

Purpose

The purpose of this Policy is to support those employees who are impacted by Domestic Violence, so they can take necessary time away from work, and to assist them in working through any Domestic Violence concerns they may be facing.

Cover

All Internal and Field Employees of the AWF Madison Group

Any Contractors that are in a position of authority over employees and therefore is a representative of the employer.

Definitions

Domestic Violence as defined in the Domestic Violence Act 1995, which refers to domestic violence against that person by any other person who that person is, or has been, in a domestic relationship (including children)

Internal Employees refers to those employees employed directly to work at an AWF Madison Group branch

Field Employees refers to on-hire employees that work for an AWF Madison Group client

Manager refers to the Employees direct Manager or a representative of AWF, Select, Madison and Absolute IT who manages their employment with a client.

Affected employee means a person who is employed by AWF Madison Group and has been in a domestic relationship and is or has domestic violence inflicted upon them.

Violence means physical abuse, sexual abuse, psychological abuse (including but not limited to intimidation, harassment, damage to property and threats of physical abuse, sexual abuse, or psychological abuse), and/or financial or economic abuse (for example, denying or limiting access to financial resources, or preventing or restricting employment opportunities or access to education).

In relation to a child, **violence** includes situations/circumstances that cause or allow the child to see or hear abuse of an employee with whom the child has a domestic relationship, or that place the child at risk witnessing such abuse occurring.

POLICY

Domestic Violence Leave

Affected employees are entitled to paid domestic violence leave for up to ten (10) days per entitlement period in accordance with and subject to the eligibility criteria set out below:

- i. An employee is eligible to paid domestic violence leave after he/she has completed six (6) months' current continuous employment with an AWF Madison Group Company; or
- ii. The employee has, over a period of six (6) months, worked for an AWF Madison Group Company for at least an average of ten (10) hours a week during that period, and, no less than one (1) hour in every week during that period or no less than 40 hours in every month during that period.
- iii. The entitlement period is 12 months, beginning at the end of the initial six month period, and each subsequent 12 months of current continuous employment. Employees must satisfy the eligibility criteria for each subsequent 12-month period of employment, in order to be entitled to paid domestic violence leave in any subsequent entitlement period.
- iv. Domestic Violence Leave is additional to other leave entitlements, and may be taken as consecutive or single days, or as a half day.

It is irrelevant how long ago the domestic violence occurred, and, the occurrence of the domestic violence may predate the affected employee's commencement of employment with an AWF Madison Group Company.

The entitlement to paid domestic violence leave is only available for the purpose of assisting the affected employees to deal with the effects of domestic violence. Misuse of this entitlement may be treated as serious misconduct.

Untaken domestic violence leave cannot be carried forward into the next entitlement period (12 month period). Untaken domestic violence leave is not payable upon the termination of employment.

Notifying of Intention to take Domestic Violence Leave

Affected employees must notify their Manager of their intention to take domestic violence leave as early as reasonably possible before they are due to start work, or, if that is not possible, as soon as reasonably practicable and prior to the requirement to use leave.

General Managers (or their designated Manager when on leave) are approvers of Domestic Violence Leave.

Affected employees are requested to use the provided form (**Appendix 1**) when requesting paid domestic violence leave.

Request Proof

Proof of Domestic Violence is required before any domestic violence leave will be paid. Proof may include but is not limited to documentation which provides sufficient information to satisfy the Manager that the employee is affected by domestic violence, for example correspondence from:

- i. a Counsellor;
- ii. a Health Practitioner;
- iii. a relevant Government department;
- iv. NZ Police; and/or
- v. A Family Violence Support Service.

Alternatively, an affected employee may provide a nominated representative of the employer with their written consent to obtain confirmation from the above (example) service providers that the employee is affected by domestic violence.

Proof should be provided by the affected employee as part of their request for paid domestic violence leave. However, where no such proof is provided initially, the employee must provide proof within 10 days of making the application.

If the employee has provided no proof, or unsatisfactory proof despite having been given a reasonable opportunity to do so, the employer will not be required to pay the employee for the relevant domestic violence leave.

Leave Records

The employer is legally obliged to maintain leave records for all of its employees for a period of six years. This includes domestic violence leave. The Employer will take all practicably reasonable steps to ensure that such records are only accessed by persons who need to know that information and are permitted by legislation to do so, and/or as required by law or relevant policies.

Flexible Working Arrangements

Affected employees (or an authorised person on their behalf) may request at any time a variation of their working arrangements for the purpose of assisting them to deal with the effects of being affected by domestic violence.

The requested variation may relate to one or more of the following:

- i. The employee's place of work;
- ii. The employee's days and/or hours of work;
- iii. The employee's duties at work;
- iv. The extent of the contact details that the employee must provide to the employer;
- v. Any other terms of the employee's employment, including but not limited to those that may apply by way of the employee's employment agreement, and/or policies, rules and procedures.

The requested variation may be for a period of up to two (2) months.

Affected employees are requested to use the provided form (**Appendix 2**) when requesting short-term flexible working arrangements.

The employer will notify the employee no later than ten (10) working days after receipt of the employee's written request whether the request is approved or declined. The employers' notification will provide the requesting employee with:

- i. Its decision regarding the employee's request;
- ii. The ground/s and reason/s for declining the employee's request, if declined;
- iii. Information about domestic violence support services (also see section at the end of this policy, below);

The employer may decline the employee's request for one or more of the following grounds:

- i. Inability to reorganise work among existing staff, and/or to recruit additional staff;
- ii. Detrimental impact on quality, and/or performance, and/or detrimental effect on ability to meet customer/client demand;
- iii. Insufficiency of work during the periods the employee proposes to work;
- iv. Planned structural changes;
- v. Burden of additional costs; and/or
- vi. No/unsatisfactory proof provided by the employee

If the employee's request is declined and he/she believes that the Employers decision does not accord with its obligations, he/she may request mediation and/or refer the matter to a Labour Inspector or the Employment Relations Authority. Such request must be made within six (6) months after the date of the decision to decline the employee's request for flexible working conditions.

If the employee's request is approved, the employee's previous terms and conditions will apply again after the expiry of the variation, without the need for notice.

The entitlement to request flexible working arrangements under this policy is distinct from, and in addition to, an employee's statutory entitlement to request flexible working arrangements under Part 6AA of the Employment Relations Act 2000.

Workplace Safety Plan

If appropriate and with the affected employee's agreement, a workplace safety plan may be developed between the affected employee, a specialist agency (for example, Women's Refuge), and a designated staff member of the employer. A workplace safety plan may address matters such as:

- i. Preventing the perpetrator from contacting the employee at work, including but not limited to potentially trespassing the perpetrator from any premises where an employee works
- ii. Providing the employee with a (secure) car park at or close to work premises;
- iii. Re-routing payslips communication and wages payments;
- iv. Designating a person to monitor attendance and follow up in the event of unplanned absences, including an appropriate emergency contact or potential code word to use in the event of danger; and/or

- v. Changes to the employee's work phone number and/or email address, and/or changes to next of kin notification details.

Privacy and Confidentiality

The employer will take reasonable and practicable steps to ensure that affected employees' requests for domestic violence leave, flexible working arrangements, and/or other related matters regarding the affected employee will be treated with the appropriate sensitivity and remain confidential as far as is practicably possible and permitted by law.

Full confidentiality may not be possible, in that the employer considers that a small number persons will need to be made aware of the leave and/or other arrangements, for example, the employee's direct manager and/or the department/business unit manager, the client manager, the Group People & Safety Manager and payroll staff). However, all reasonable steps will be taken by the employer to ensure that those of its employees who obtain knowledge of an employee's domestic violence leave on a "need to know"-basis, do not further circulate such information.

Staff Training

The Employer will provide training to its leadership team and designated positions in relation to ensuring awareness of domestic violence and support to affected employees.

The below support services are available and affected employees are encouraged to utilise these services:

- i. Women's Refuge

Women's Refuge provides education programmes, support services, information and safe housing to women, young people and children experiencing abuse, as well as advice to their concerned friends and family members. Services are available around New Zealand. Women's Refuge can be contacted at www.womensrefuge.org.nz, or [0800 733 843](tel:0800733843), or at info@refuge.org.nz.

- ii. Shine

Shine provides a range of effective, practical and innovative services to achieve its mission to stop domestic abuse in New Zealand. Shine directly helps thousands of adult and child victims every year to become safe and stay safe through its services. Services are available around New Zealand. Shine can be contacted at www.2shine.org.nz, or [0508 744 633](tel:0508744633), or at enquiries@2shine.org.nz.

- iii. "Are you OK?"

This service provides information in relation to family/domestic violence and what assistance is available. The service can be accessed via www.areyouok.org.nz and/or 0800 456 450.

- iv. New Zealand Police

Domestic violence generally constitutes criminal offending. To report criminal offending and/or to access services facilitated by New Zealand Police, access www.police.govt.nz/contact-us, or dial 111 in the event of an emergency. In addition, specialist information can be accessed at www.police.govt.nz/advice/family-violence and/or Police's Family Violence Information Line on 0800

456 450. This service provides self-help information and connects people to appropriate services. The service is available seven days a week, from 9.00am to 11.00pm, with an after-hours message redirecting callers in the case of an emergency.

- v. Employee Assistance Programme Services Limited (EAP). EAP's services can be accessed on www.eapservices.co.nz or 0800 327 669.

1. Appendices

- 1.1. Appendix 1 – Domestic Violence Leave Form
- 1.2. Appendix 2 – Request Form for Flexible Working Arrangement (up to 2 months)

Policy Amendments

AWF Madison Group is entitled to amend and vary this policy from time to time at Madison's sole discretion and all employees are required to observe such amended policy.