

# GUIDE TO APPLICATIONS FOR LEAVE FOR EMPLOYEES EXPERIENCING DOMESTIC AND FAMILY VIOLENCE



## PURPOSE

1. The purpose of this Guidance is to assist managers and employees when applying for leave on behalf of employees for domestic and family violence<sup>1</sup> purposes as provided for in ACTPS enterprise agreements.
2. This guidance should be read in conjunction with the Domestic and Family Violence Policy and Domestic and Family Violence Leave Advice.

## ISSUES

3. Access to paid family violence leave gives employees experiencing domestic and family violence, time away from work to access support or attend to important matters whilst being able to maintain their employment and financial independence.
4. It is important to maintain the employee's privacy when applying for the leave. For that reason, there is no specific leave category for family violence leave. Rather, leave is approved and granted as 'other leave' where 'leave cannot be granted under any other provision'.
5. While approving managers/supervisors may have sighted evidence, including supporting documentation, it is important to note that no documentation is to accompany the leave application.

### Who can approve and apply for this leave?

6. An employee experiencing domestic and family violence may be most likely to disclose to a manager/supervisor they are comfortable with. This may not be their direct manager/supervisor. Any manager/supervisor can approve the leave, provided they have the necessary delegation.
7. The employee can submit an application for leave and pick the relevant manager/supervisor as the approving delegate on the leave form.
8. The manager/supervisor who is approving the leave can also complete the leave form on behalf of the employee if the employee requires assistance.
9. The intention of the family violence leave framework is that only the manager/supervisor approached by the employee should need to know why the employee is taking the leave.

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<sup>1</sup> Note that the Enterprise Agreements use the broad term Family Violence as defined in the *Family Violence Act 2016*.

## Applying for leave on behalf of an employee

10. Leave applications for all types of leave other than annual and personal leave are completed online through the Shared Services portal which is found on your Directorate's intranet.
11. Step-by-step instructions for applying for family violence leave can be found at Annexure A.

## What are the manager's obligations?

12. Managers have an obligation to keep the details disclosed confidential.
13. Managers have an obligation to be supportive and avoid narrowly interpreting the entitlements. They should adopt a flexible approach to applying the family violence leave provisions and remember that the purpose is to support employees experiencing domestic and family violence.
14. Managers have an obligation to keep an accurate record of how many leave days/shifts have been taken as family violence leave against the employee's entitlement over the calendar year. This should be done in a confidential way - e.g. they could send themselves an email to their work address or make a file note placed in a secure location. The manager should use their sound judgement on the best way to do this to protect and maintain the employee's privacy and confidentiality.
15. In the event that the employee moves to a new position, or where their delegation/reporting lines are changing, the manager should ask the employee to consider whom they would feel comfortable approaching to approve future applications for family violence leave. The record of family violence leave taken in the calendar year will then be provided to their new manager.

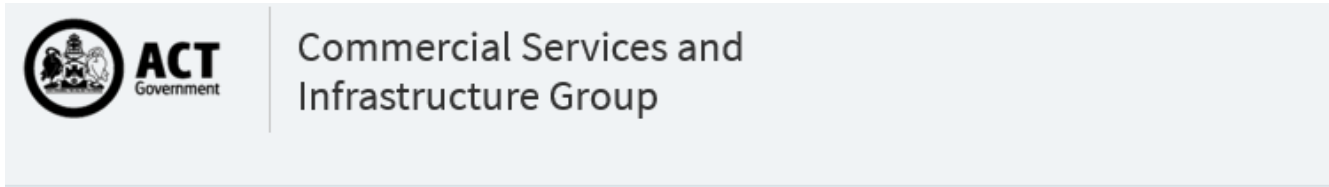
## Other Considerations

16. Managers/supervisors are not expected to be domestic and family violence experts and should seek assistance from their Human Resources area or the Public Sector Workplace Relations team where necessary. This should be done in a way that maintains the confidentiality of the employee, and HR areas will work with managers/supervisors to make this possible.

# ANNEXURE A

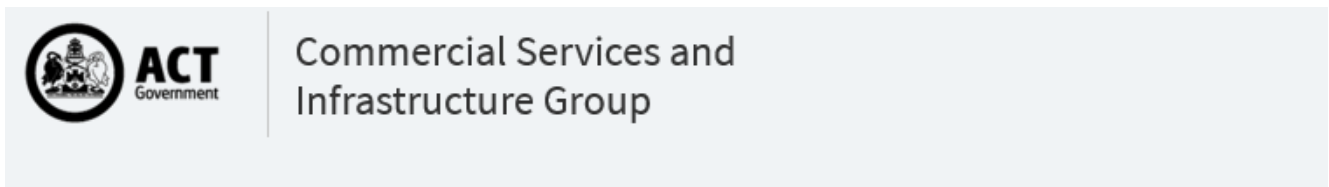
Step-by-Step instructions for managers assisting employees with applying for leave, or applying for leave on behalf of an employee

1. Leave applications for all 'other types' of leave other than annual and personal leave are completed online through the Shared Services portal which is found on your Directorate's intranet.
2. Click on the "Shared Services".



Shared Services

3. Use the drop down. Select "Employment & Pay".



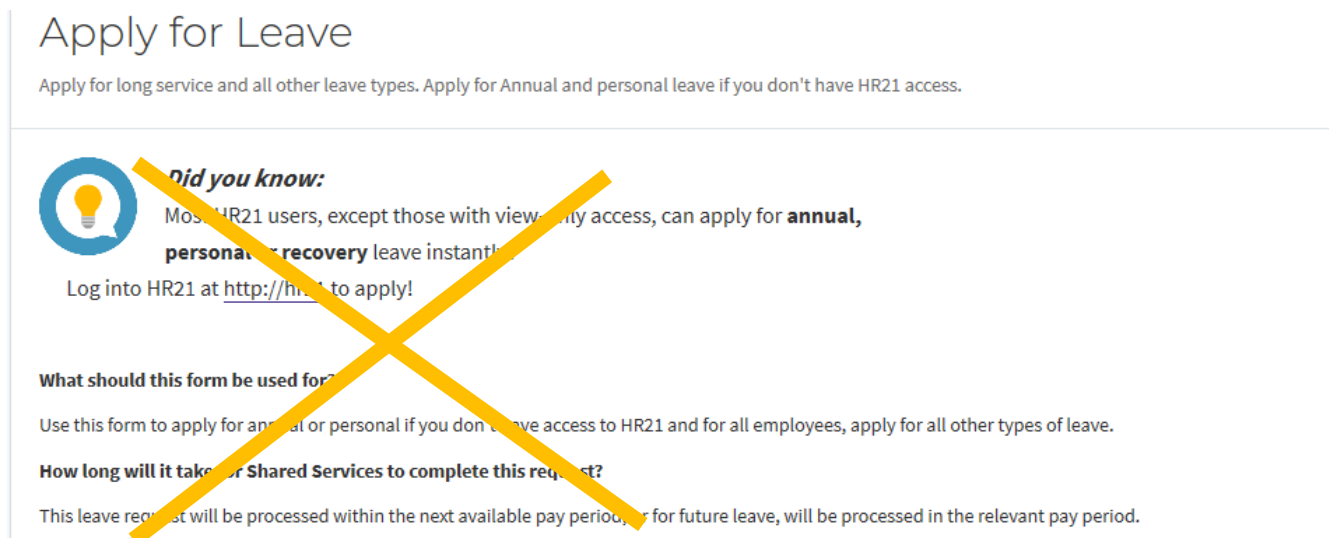
Shared Services



4. Click on "Apply for Leave" The form will automatically display.



5. Do NOT select 'Apply for Leave- HR21', as you cannot apply for 'other leave' in HR21.



6. Next, complete the smart form with all the relevant details, including;

- Employee name
- Directorate
- AGS number/Staff Number
- Email address
- If the employee has an active compensation claim
- If the employee is currently employed on an executive contract or is a board member.

7. Select Type of Leave as 'Other leave' and then 'Take leave where leave cannot be granted under any other provision'.

Type of Leave

\*What type of leave do you want to take?

Other leave

\*Other leave

Take leave where leave cannot be granted under any other provision

8. Complete question on Salary Packaging (Yes or No)

Are you currently salary packaging?

^ More information

This will ensure that all relevant areas within Shared Services are aware of this request.

-- None --

9. Leave Reason does not need to be completed you can leave blank or type in N/A. You should not mention leave for DFV here.

Leave Reason for Manager/Delegate

Leave reason

^ More information

Use this space to advise your manager and/or leave delegate of the reason you are requesting leave.



10. Tick Payment options box for 'Full Pay'

Payment

Rostered and Part-time employees: Each payment option includes an optional Hours and Minutes field. You can use this field to specify the number of hours of leave you are taking between the start and end dates you'll specify.

^ More information

Payment Options

Full pay

Without pay

**11. Other information - you do not need to complete this. Leave blank**

Please ensure you have consulted your directorate's delegations manual when applying for other leave types. [Click here To learn more about delegations and to view your directorate's HR delegations manual.](#) or see the related information to the right of this form.

Other information

Please add any information that you would like to let Shared Services know about in relation this leave request.

**12. Select the manager/supervisor you have discussed the leave with (does not need to be your direct supervisor or manager) and tick the box 'The manager listed here is also the delegate for this request'**

Manager/Supervisor details

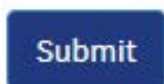
\* Select manager/supervisor

The manager listed here is also the delegate for this request.

Delegate

\* Select delegate

**13. Click 'Submit' at the bottom of the page. You have completed the leave form for DFV**



**14. Remember:**

- If you are a manager approving leave, keep your own log of family violence leave taken in a calendar year by an employee in a confidential and non-identifiable format.
- Ask HR for confidential support if needed.
- Maintain employee confidentiality at all times.
- Specific reasons do not need to be provided to an employee's direct supervisor.
- If you are not the employee's line manager, you should only provide the line manager with information that the employee required time off for a personal reason and this was discussed and approved by you.