



HELEN & JOEY
— ESTATE —
YARRA VALLEY

Family and Domestic Violence Leave Policy

July 2023

POLICY STATEMENT:

Helen & Joey Estate and Re'em Yarra Valley recognise and appreciate that unfortunately from time-to-time some team members may be affected by family and domestic violence. In line with legislation, Helen & Joey Estate and Re'em Yarra Valley provide up to ten (10) days of paid Family and Domestic Violence Leave per annum for all full-time, part-time, and casual team members.

Family and domestic violence is defined as violent, threatening, or other abusive behaviour by a team member's family member or member of their household that seeks to coerce and/or control the team member and/or cause them harm or fear.

A family member includes a team member's:

- spouse or former spouse
- de facto partner or former de facto partner
- child/parent
- grandparent/grandchild
- sibling
- a team member's current or former spouse or de facto partner's child, parent, grandparent, grandchild or sibling, or
- a person related to the team member according to Aboriginal or Torres Strait Islander kinship rules.

Team members can take paid Family and Domestic Violence Leave when they are experiencing family and domestic violence or need to attend to matters relating to the impacts of family and domestic violence where it is not practical to do so outside of their regular working hours.

These can include;

- making arrangements for their own safety or the safety of a family member living with them (including relocation)
- attending court hearings
- accessing police services
- attending counselling
- attending appointments with medical, financial and or legal professionals directly relating to their family or domestic violence situation

If a team member has a need to apply for paid Family and Domestic Violence Leave, they must let their Direct Manager or Managing Director know as soon as is practicably possible. Where possible, the team



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members should advise at this time how long they expect to be away from work. The team members can be assured that this information will be kept confidential.

PROCEDURE:

- a. All permanent full-time, part-time and casual team members are eligible to receive ten (10) days per annum paid Family and Domestic Violence Leave. Leave is not pro-rated based on employment type.
- b. The full ten (10) day entitlement will be available upfront, renewing each year on the anniversary of the team member's employment with Helen & Joey Estate and Re'em Yarra Valley or immediately if employed prior to the legislation coming into effect. Family and Domestic Violence Leave will not accumulate from year to year if not utilised.
- c. Full-time and part-time team members will be paid at their full pay rate for the hours they would normally have worked up to a total of ten (10) days per annum.
- d. Casual team members will be paid their full pay rate for any hours **they were rostered to work** in the period they took leave up to a total of ten (10) days per annum.
- e. Team members who need to attend to matters relating to family and domestic violence during a period of paid personal/carers or annual leave can apply to change their leave to paid Family and Domestic Violence Leave. The required evidence will need to be submitted to their Direct Manager or Managing Director for review and a decision will be provided as soon as possible.
- f. Any team member who needs to apply for paid Family and Domestic Violence Leave should request leave from the Managing Director. The Managing Director may require appropriate evidence to support any request for paid Family and Domestic Violence Leave. The team member may be asked to complete a Leave Application form which will be kept in a secure location to ensure confidentiality.
- g. The Managing Director may ask a team member for evidence to show that they need to attend to matters relating to family and domestic violence and that it is not practical to do so outside of their normal hours of work. If the team member does not provide the requested evidence, their application for paid Family and Domestic Violence Leave may be declined.

Evidence to support an application for paid Family and Domestic Violence Leave should be provided on all occasions and evidence can include but is not limited to:

- documents issued by the police
- documents issued by a court
- family violence support service documents, or



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- a statutory declaration

The Managing Director can only use the evidence provided to satisfy that the team member is entitled to Family and Domestic Violence Leave, unless:

- the team member consents
- the employer is required to deal with the information by law, or
- it's necessary to protect the life, health or safety of the team member or another person.

The Managing Director cannot use the evidence provided for other purposes, including taking adverse action against the team member.

Management will consider any application for Family and Domestic Violence Leave and advise the team members of the outcome as soon as is reasonably possible.

- h. Team members may request to extend their Family and Domestic Violence Leave by applying to use any available annual leave entitlements they may have. If all accrued annual leave has been exhausted, the team member may apply to take any additional leave required as unpaid leave.
- i. Confidential information, counselling and support for people impacted by domestic and family violence is available at the 1800 RESPECT website, the national sexual assault domestic and family violence counselling service.
- j. Helen & Joey Estate and Re'em Yarra Valley will take all reasonable steps to ensure all information relating to a team member's family and domestic violence situation is kept confidential.
- k. Exemptions to this policy may be made on a discretionary basis based on individual circumstances.