

7th June 2024

Dear Independent Review team,

Re: Independent Statutory Review of the Fair Work Amendment (Paid Family and Domestic Violence Leave) Bill 2022

In 2022 I made a submission in support of this Bill and I would now like to reiterate my continued support and urge retaining the Bill in its entirety, with an appropriate public education campaign.

Since 2018 I have worked for a not-for-profit organisation operating in western and outer western Sydney, Hawkesbury region and the Blue Mountains to provide support to women who have experienced, or are experiencing, domestic and family violence.

Prior to this role, I have worked in various roles with services directly and indirectly assisting women experiencing domestic and family violence since 1995.

The organisation I work for assists women, with or without dependant children in their care, through broad based service provision which includes refuge accommodation, community outreach and specialist DVRE* services, as well as having two dedicated services specifically supporting Aboriginal and Torres Strait Islander women who have experienced or are experiencing domestic and family violence.

(* Providing direct support and material aid to people placed in short term Temporary Accommodation via a crisis line or police).

As an Intake Assessment and Referral Worker, I have spoken with over 200 women in the past 12 months to assess client needs, including asking questions about the client's employment status and financial situation.

The majority of clients have experienced some form of financial abuse. Many are also facing significant ongoing financial issues directly due to abuse by partners or family members.

While many clients are not in paid employment – some due to being unpaid carers for children or family members, others because of abuse related control, a significant number work outside the home, especially in part time, casual and shift work employment.

Since the implementation of the Fair Work Amendment (Paid Family and Domestic Violence Leave) Bill 2022, staff (including myself) have been able to provide information to clients about the Bill. In the first few months, few clients were aware of this Bill, or their rights in relation to Paid Family and Domestic Violence Leave, but awareness has been gradually increasing.

Clients I have personally spoken with about the Leave have given positive reports of its effectiveness and the way it has been implemented in their workplaces. They have also been positive about the flexible nature of the leave, which enables them to take 10 full days at once, or to take a few days at a time. I would like to share two examples:

- Client 1 is a clerical worker with a small business employer. She was new at the job when she needed to use Paid Family and Domestic Violence Leave. Her employer was supportive, stating they did not wish to lose her skills. She took one week of the leave when she was ready to go, having already accessed support services and was able to get

her child to safety and receive support from our service to access a subsidised rental programme. She later used some days of leave to attend associated court proceedings.

- Client 2 used 10 days Paid Family and Domestic Violence Leave to escape with her children. She found it hard to manage all the major life changes within the time frame, but was glad she did not face financial difficulty or potential job loss in order to end the violence and abuse to which her partner subjected her. She easily accessed the leave after a discussion with her manager, and returned from leave with her colleagues being only aware that she'd had some time off.

A colleague told me: "I have had positive feedback about the paid DV Leave. The women I have spoken with have not had any problem accessing it. One woman told me the hardest thing was talking to her boss because no-one knew about the situation at home. Clients who have talked about the leave have said their bosses were very helpful and they had no problems ... In the months after the leave was first brought in, it was not well known, but most clients who are working seem to know about it now."

While these positive stories have been heartening, I did hear from a colleague that one of her clients had been reluctant to approach her manager to access the leave. This woman is not an Australian citizen and is working casually in seasonal employment. She felt that if she 'made waves' her employment might not be continued. Because she did not approach her employer, we cannot know how they would have reacted, but this does shine a light on the need for further accurate education about the nature of the leave and individual entitlements.

In my earlier submission, I related that clients had sometimes told me their employers said they wished there was more they could do to support them to escape domestic and/or family violence. I believed – and still do – that most employers are decent and caring members of the community who previously has no practical mechanism to provide more support than they were already able to offer, to the detriment of victim survivors and workplaces which spend time and energy sourcing and training good staff!

Hearing from clients in the past 12 months about the ways employers are supporting their staff to access this leave, working with them to make it flexible, and maintaining confidentiality with other staff makes me confident I was right about this. Employers WANT to support their staff to escape violence and abuse, and the Fair Work Amendment (Paid Family and Domestic Violence Leave) Bill 2022 provides a real and practical way they can do so. I'm sure many employers are also very much conscious of the fact that being able to access this leave is potentially life saving for victims of family and domestic violence.

I thank the Independent Review team for the opportunity to make this submission, and would like to urge members to recommend continuance of the Fair Work Amendment (Paid Family and Domestic Violence Leave) Bill 2022 in its entirety, promoted with an appropriate public education campaign.

Yours sincerely,

Christine Smith