



Working Women's Centre SA Inc.

24 September 2018

Committee Secretary
Senate Education and Employment Committees
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Committee Secretary

The Working Women's Centre SA Incorporated (WWC SA) is a community based, not-for-profit organisation that provides free and confidential information, support and advocacy on work-related matters to vulnerable female employees in South Australia. Our Centre began in 1979 and operates as a statewide service.

The WWC SA works primarily with women who are not represented by a union, lawyer or other advocate. Women who contact our Centre are often economically disadvantaged and work in precarious areas of employment. Many women who contact our service experience domestic or family violence.

We are pleased to provide this short submission in relation to the Fair Work Amendment (Family and Domestic Violence Leave) Bill 2018.

We welcome the introduction of entitlements in the National Employment Standards to support employees who are experiencing domestic and family violence. We strongly believe that leave entitlements should be paid rather than unpaid, and in this respect we endorse the submission provided to the Committee by the ACTU. We note the introduction recently in New Zealand of 10 days paid domestic and family violence leave and believe that we should at least match this provision in Australia.

In our submission we wish to primarily address the definitions incorporated in the Bill. We request a review of these definitions to ensure that they are consistent with other entitlements, and that they reflect the clear evidence base on the relationship of domestic and family violence victims to their perpetrator. To this end we support the submission of the Northern Territory Working Women's Centre and recommend that:

1. Former partners are expressly included in the s.12 definition.
2. The reference to "family" in s.65, also include "former family".
3. Some interrelationship be spelt out between s.65 and the proposed new s.106C.

We can see no good reason why the NES should provide a different set of definitions and entitlements to the Awards – s.55 gives the NES the trump card over the Awards/Agreements, a situation which could lead to confusion and misinterpretation.

We recommend that the wording in the Bill be completely clear to ensure as stated in the Explanatory Memorandum that *“The entitlement in the Bill to unpaid family and domestic violence leave is consistent with the new modern award entitlement that the Commission inserted into all modern industry and occupation awards.”* The current wording is not consistent.

I have attached a copy of an article which appeared recently in the ‘Advertiser’ following extensive discussions with the writer Lauren Novak. WWC SA takes a deep interest in all measures designed to assist women to be safe and supported in their workplaces, including the impact of domestic and family violence. I have been delivering training to managers in Government, local government, private and not for profit organisations since 2012 and have seen first hand how important it is that Australia has consistent provisions and approaches to preventing and addressing domestic and family violence in workplaces.

Yours sincerely

Sandra Dann
Director