



AKD Family & Domestic Violence Leave Policy

PURPOSE

The purpose of the AKD Family and Domestic Violence Leave Policy (AKD FDVL) is to set out the guidelines for eligibility and access to the support and assistance AKD makes available to its employees who are subject to family and domestic violence.

SCOPE

This policy applies to all employees of AKD who have completed 6 months of permanent employment as defined in their relevant employment agreement. Casual employees must be engaged in work on a regular (weekly) basis for at least 6 months before being entitled.

The policy is effective from 1 December 2022.

POLICY

The AKD FDVL Policy is an extension of our health and wellbeing policy and supports our aim to improve the overall wellbeing of all employees and their families while promoting a diverse and inclusive work environment. This policy demonstrates that our care extends beyond the workplace.

Where an employee is experiencing family domestic violence, the employee is entitled to access up to 10 days' paid domestic violence leave per annum upon the provision of appropriate Domestic Violence Leave Evidence. The leave is not cumulative and any unused component of family and domestic violence leave will not carry over to the following year. Where the employee has exhausted their annual paid domestic violence leave entitlement, and further leave is required, the employee may access paid and unpaid leave in accordance with leave provisions of the relevant enterprise or employment agreement.

Employees experiencing family and domestic violence may request temporary flexible working arrangements including changes to working hours or days. Such requests will be reviewed in accordance with the company's flexible work arrangements and reasonable requests shall not be unreasonably refused.

Where an employee utilises their accrued annual and/or personal/carer's leave entitlement to cover an absence from work due to experiencing domestic violence, the Company may grant paid AKD FDVL and re-credit the employee's leave if appropriate evidence is provided within 6 weeks of the absence.

AKD FDVL will be paid at the full rate of pay for the hours that the employee would have worked had they not taken the leave. AKD FDVL will be included for the calculation of superannuation payments.

It is important to note that whilst on AKD FDVL the employee is still considered an employee and is required to comply with all employment conditions and obligations consistent with other types of leave.

Domestic Violence Leave Evidence

An employee seeking to utilise leave under this policy is required to produce suitable evidence such as documents issued by the Police, a Court, a Medical Practitioner, a Domestic Violence Support Service, a Lawyer or Counselling Professional confirming the employee has been subject to family and domestic violence and confirms the period of such.

All personal information about domestic violence will be kept confidential.

Employee Assistance

Employee Assistance Program or other local resources will be available to employees experiencing domestic violence upon request.

Emergency Housing Assistance

The intention of this policy is to minimise the disruption and financial impact of family and domestic violence leave. It is recognised that in some circumstances that victims of family and domestic violence need to escape from the violent situation and require safe emergency accommodation.

AKD where possible will assist the employee in finding such accommodation for themselves and their children (if any). Upon prior request and approval from the company AKD will reimburse or cover the cost of the first 7 days of such accommodation upon the provision of appropriate receipts and evidence. This benefit can only be claimed once. Any repeat request will be at the discretion of AKD.

Application

The government has recently passed changes to the Fair Work Act 2009 to introduce paid family and domestic violence leave as part of the NES. This policy will operate in conjunction with this legislation and provides additional benefits only to the extent that they are better than those provided for in the legislation.

The AKD FDVL Policy is not intended to operate in addition to any Government legislated Paid Domestic Violence Leave. If there is a conflict between the NES and the AKD FDVL policy, the AKD policy will prevail to the extent that the employee is better off.

This policy is subject to change at the discretion of AKD. Any changes to Government or mandated access to Family or Domestic Violence Leave will likely result in changes.

Unpaid FDV Leave

The employee may take unpaid family and domestic violence leave if:

- (a) the employee is experiencing family and domestic violence; and
- (b) the employee needs to do something to deal with the impact of the family and domestic violence; and
- (c) it is impractical for the employee to do that thing outside the employee's ordinary hours of work.

Examples of actions, by an employee who is experiencing family and domestic violence, that could be covered by part (b) include arranging for the safety of the employee or a close relative (including relocation), attending court hearings, accessing police services, attending counselling and attending appointments with medical, financial or legal professionals.

Definitions

| Term/Abbreviation | Description |
|----------------------------|--|
| AKD | means Associated Kiln Driers Pty Ltd or any wholly owned subsidiaries. |
| Family & Domestic Violence | is violent, threatening or other abusive behaviour by a close relative of an employee, or a member of the employees' household, or a current or former intimate partner of the employee that: (a) seeks to coerce or control the employee; and (b) causes the employee harm or to be fearful. |
| Close Relative | is a person who: (a) is a member of the employee's immediate family; or (b) is related to the employee according to Aboriginal or Torres Strait Islander kinship rules. |
| Government | means The Australian Government |
| 10 days | <p>means a period equivalent to an employee's ordinary hours of work in a week over a two-week (fortnightly) period, or 1/26 of the employee's ordinary hours of work in a year. A 'day' for the purposes this policy is of one-tenth of the equivalent of an employee's ordinary hours of work in a two-week (fortnightly) period.</p> <p>For a full time employee working an average of 38 ordinary hours per week '10 days' is 76 hours and a 'day' is 7.6 hours.</p> <p>For a casual employee working an average of 20 ordinary hours per week '10 days' is 40 hours and a 'day' is 4 hours.</p> |