

House of Representatives
Supplementary Order Paper

Wednesday, 13 June 2018

Domestic Violence—Victims’ Protection Bill

Proposed amendment to SOP No 39

Hon Mark Mitchell, in Committee, to move the following amendment:

Clause 14

Replace *clause 14* (pages 23 to 26) with:

14 New Part 2, subpart 5 (Annual or sick leave for victims of domestic violence)

After section 72, insert:

Subpart 5—Annual or sick leave for victims of domestic violence

72A Purpose of this subpart

The purpose of this subpart is to clarify that employees who are victims of domestic violence qualify for paid annual or sick leave for the purpose of dealing with the effects of being victims of domestic violence.

72B Interpretation

In this subpart, **domestic violence** has the meaning given to it in section 3 of the Domestic Violence Act 1995.

72C Request for annual or sick leave for victims of domestic violence

(1) This section applies to an employee who is a victim of domestic violence.

- (2) A request may be made by the employee or on the employee’s behalf to the employer to approve the employee’s taking annual or sick leave for reasons associated with domestic violence.
- (3) The request must—
 - (a) state that the request is made under this subpart; and
 - (b) state—
 - (i) the employee’s name; and
 - (ii) the date on which the request is made; and
 - (c) provide appropriate evidence verifying the request.
- (4) As soon as is practicable after receiving a request, the employer must approve the employee’s request.

Explanatory note

This Supplementary Order Paper amends SOP No 39 amending the Domestic Violence—Victims’ Protection Bill to make it explicit that domestic violence is a valid reason for requesting and being provided paid annual or sick leave. It replaces the original *clause 14*, which provided an additional 10 days’ leave specifically for reasons associated with domestic violence. The original changes would be difficult for tens of thousands of small businesses to navigate. The new 10 days of annual domestic violence leave entitlements are significant and in addition to the 4 weeks of annual leave, 11 days of public holidays, 5 days of sick leave and 3 days of bereavement leave provided by law. This Supplementary Order Paper provides a more moderate change that makes it clear to employers that reasons associated with domestic violence are valid reasons for granting annual and sick leave.