

CFV 113

**Victorian and Tasmanian ASU  
submission in response to the  
ALRC Inquiry into Family Violence  
and Commonwealth  
(Employment and  
Superannuation) Laws**

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Victorian and Tasmanian Authorities and Services Branch  
Australian Services Union  
Submission to the  
Australian Law Reform Commission on Family Violence

We are pleased to continue our involvement with this Inquiry into Family Violence & Commonwealth Laws. Our union's capacity to contribute to the review will be limited to Part E specifically Chapters 14, 16, 17 and 18 which cover aspects where we have experience. Overall we are strongly supportive of the overarching objective of the review which is to 'protect the safety of those experiencing family violence' and the four core principles underpinning the review of seamlessness, fairness, accessibility and effectiveness and hope this review will deliver outcomes that are of real assistance to those experiencing or who will experience family violence

Our union has embraced the issue of Family Violence as a critical social issue in which we believe we can be instrumental in leading community opinion and creating social change. The ASU represents employees in industries where the majority of the workforce is women. As an issue that primarily impacts on women we are conscious that a substantial number of our members will at some point in their lives grapple with family violence, their own experiences or the experiences of those close to them.

The need to redress the systemic barriers that individuals experiencing Family Violence are subjected to is critical if we are to provide a remedy for the subsequent social dislocation and disadvantage we know are likely to result.

While we will not make any specific comments on the areas of Centrelink, Social Security, Child Support Family Assistance or Superannuation we would like to make some broad points with reference to one of our key membership areas, the Community Sector. We note that existing inconsistencies between agencies whether they be the definition of Family Violence, relationships or inconsistent protocols and processes all impact on service and system access. These impacts are of course felt most acutely by the families leaving or dealing with the violence in their lives, but also by the people working as their advocates and supports. Employees across the Community Sector and particularly those working in Family Violence services have carriage of some of the most difficult work in supporting women and children leaving family violence. The difficulties and frustrations of maintaining these families safety, accessing income support and housing and remedies through the legal system compound significant workplace stress associated with the nature of working in the area of family violence. These employees are often poorly paid, working in under resourced environments and are stretched in providing the material, physical and emotional supports of usually highly stressed and vulnerable clients. The frustrations of negotiating an unwieldy and inflexible legal and social security system which can require multiple forms of evidence or 'proof' of the violence can replicate the experience of the abuse for both individuals leaving the violence and those working with them. Supporting and representing the interests of families who have and may continue to experience extreme hardship has a multiplying factor when structural impediments cause further hardship. We draw your attention to this issue as we believe the subsequent issues of staff burn out, turnover and occupational stress are some of the hidden costs of many access issues..

**Question 14–1 In addition to removal of the employee records exemption in the Privacy Act 1988 (Cth), what reforms, if any, are needed to protect the personal information of employees who disclose family violence for the Discussion Paper Summary 31**

The exemption under the Privacy Act of employee records and of employers with an annual turnover of less than \$3 million needs to occur as a matter of urgency to assist in maintaining an employee's security when disclosure of family violence occurs. Measures to ensure the privacy of employee records employed by small private sector employers has been well aired through the Office of Privacy Commission review 2004, Victorian Law Reform Commission – Privacy 2002 and the subject of parliamentary debate. It is well established that there is no adequate protection of these employees privacy. To assist in safe guarding the security of employees and provide confidence a repeal of the exemption is a necessary step.

There has been significant public debate about whether it is appropriate to strengthen privacy provisions via industrial legislation. While there is scope for the *Fair Work Act 2009* to be strengthened to incorporate greater recognition of the issue of family violence as a workplace issue and provisions to safeguard employee's confidential disclosure would be helpful, we remain uncertain of whether the FWA is the right legislative vehicle for this reform. Industrial legislation remains highly politicised and sensitive, provisions in the FWA that provide for employee and their union's access should not be compromised.

A further consideration of *Principle 11 Limits on disclosure of personal information* in the *Privacy Act 1988* which says that;

*1. A record-keeper who has possession or control of a record that contains personal information shall not disclose the information to a person, body or agency (other than the individual concerned) unless:*

*(e) the disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.*

*maybe necessary if the implication is that the employer is then required to disclose on behalf of the employee.*

With or without reforms to either Act a strong community education campaign about the role of employers and employees in assisting employees experiencing family violence and the need to protect and respect confidentiality is absolutely necessary.

**Proposal 14–1 There is a need to safeguard the personal information of employees who have disclosed family violence in the employment context. The Office of the Australian Information Commissioner and the Fair Work Ombudsman should, in consultation with unions and employer organisations:**

- (a) develop a model privacy policy which incorporates consideration of family violence-related personal information; and**
- (b) develop or revise guidance for employers in relation to their privacy obligations where an employee discloses, or they are aware of, family violence.**

Both of these proposals would be valuable in conjunction with a workplace based education campaign. We would welcome this initiative with the involvement of the ACTU and the AFDVCH. Adverse action mention.

**Proposal 14–2 The Australian Government should initiate a national education and awareness campaign about family violence in the employment context.**

As already stated we support an education campaign to support additional reforms aimed at addressing the issue of family violence in the workplace. Such a campaign would be necessary to raise awareness and ensure the effectiveness of any other outcomes of this review.

As a union partner of the Australian Family and Domestic Violence Clearing House we recommend that the Clearing house and the ACTU be consulted and involved in the development of such a campaign.

Education and awareness targets should be broader than just employers. To achieve effective change such a campaign should also target the education of employees, employee representatives and Unions. This is particularly important if we are prioritising prevention of violence.

**Proposal 14–3 Section 653 of the Fair Work Act 2009 (Cth) should be amended to provide that Fair Work Australia must, in conducting the review and research required under that section, consider family violence-related developments and the effect of family violence on the employment of those experiencing it, in relation to:**

- (a) enterprise agreements;**
- (b) individual flexibility arrangements; and**
- (c) the National Employment Standards.**

We are unclear of whether there would be sufficient information available to FWA via these means to provide any meaningful data for research or review. However we welcome any initiatives in this area and anticipate that the FWA will be able to report on what we hope will be a growing number of agreements that contain a Family Violence Clause.

**Question 14–2 In addition to review and research by Fair Work Australia, what is the most appropriate mechanism to capture and make publicly available information about the inclusion of family violence clauses in enterprise agreements?**

Information could only be gathered about specific clauses if unions and / or employers were required to report on their existence at the time of lodgement at FWA. We believe that such a requirement would be a worthwhile initiative. It may be useful to discuss initiatives along these lines with AFDVCH as they are already conducting research to monitor and evaluate the use of existing clauses.

**Question 14–3 How should Fair Work Australia collect data in relation to the incidence and frequency with which family violence is raised in unfair dismissal and general protections matters?**

The majority of Unfair Dismissals are settled privately after conciliation. Under existing arrangements the only means of gaining information about causes or background factors in Unfair Dismissal hearings would be from the information reported on the Fair Work application

forms, which ask the employee to provide the reason given by the employer for the dismissal, the employer for their reason for the dismissal and ask the employee why they consider the dismissal to be unfair.

While an employee may mention an experience of Family Violence as a mitigating factor that makes a termination unfair, it is unlikely. Clues that an employer's reasons for termination may point to an employee's experience of family violence would be guess work at best.

We believe that the only means to gather this information would be if the experience of family violence was included as a protected attribute under s. 351. As this step accords with our view that the experience of family violence should be included as an attribute under Federal and State Equal Opportunity legislation we support this course of action.

#### **Proposal 14–4 In the course of its 2012 and 2014 reviews of modern awards, Fair Work Australia should consider issues relating to data collection.**

We support Fair Work Australia examining all possible data collection methods as a means of reviewing the Australian workplace experience and incidence of family violence.

#### **Chapter 15: The Pre-Employment Stage**

The ASU is unable to respond on issues contained in Chapter 15.

#### **Chapter 16: Employment—The Fair Work Act 2009 (Cth)**

Chapters 16 and 17 focus on the Fair Work Act 2009 (Cth). Chapter 16 provides an overview of the Fair Work Act and examines possible options for reform to the Act, and the institutions created under the Act, to address the needs—and ultimately the safety—of employees experiencing family violence. The chapter examines the background, constitutional basis, coverage and objects of the Fair Work Act, as well as the role and processes of Fair Work Australia (FWA) and the Fair Work Ombudsman (FWO). The ALRC suggests ways in which those institutions or their processes do, or could, function to protect the safety of those experiencing family violence.

The key focus of Chapter 16 is on the National Employment Standards. The ALRC makes two key proposals—first, that family violence be included as a circumstance in which an employee should have a right to request flexible working arrangements and, secondly, that family violence-related leave be included as a minimum statutory entitlement under the National Employment Standards.

#### **Question 16–1 How do, or how could, Fair Work Australia's role, functions or processes protect the safety of applicants experiencing family violence?**

As already mentioned the FWA could be amended to include Family Violence in the General Protections provisions of s. 351.

Various methods to ascertain the incidence of Family Violence as a contributing factor in terminations and other disputes should be examined. If attainable, this data could assist in building our rationale for the need to add family violence under s. 351.

Options for increased confidentiality of applicant and hearing details should be possible and promoted. Confidentiality measures would also need to include consideration of employee records, hearing notifications and tribunal transcript. All reasonable steps should be undertaken by employers and Fair Work Australia to protect the confidentiality of employees who need to access their services.

**Question 16–2 In making an application to Fair Work Australia, applicants are required to pay an application fee. Under the Fair Work Regulations 2009 (Cth) an exception applies if an applicant can establish that he or she would suffer ‘serious hardship’ if required to pay the relevant fee. In practice, do people experiencing family violence face difficulty in establishing that they would suffer ‘serious hardship’? If so, how could this be addressed?**

Waiving filing fees in circumstances of family violence would be of assistance. We would argue that not only do people experiencing family violence have difficulty establishing serious hardship, but that they are often also reluctant to disclose their circumstances, particularly if there is no apparent purpose. Providing information about FWA’s capacity to waive fees could help.

**Question 16–3 In applying for waiver of an application fee, referred to in Question 16–2, applicants must complete a ‘Waiver of Application Fee’ form. How could the form be amended to ensure issues of family violence affecting the ability to pay are brought to the attention of Fair Work Australia?**

The FWA ‘Waiver of Application fee’ form asks the full range of questions about the applicants income and financial commitments, but nowhere is there a question about the extent of responsibility and /or control that the applicant might have over their finances. As financial control is usually one of the abusive behaviours experienced in family violence asking about access to money is reasonable if the desire is to genuinely identify hardship. This may need to be asked in conjunction with broader questions about other extenuating circumstances. Under Question 14 Comment (Please include any other information/comments you believe FWA should consider when deciding whether to waive your fee) there is capacity to detail circumstances that might impact on an applicant’s finances. Whether reference to family violence would occur in a jurisdiction that has little or no profile in the area of family violence without prompts or any explanation is doubtful.

**Question 16–4 In Proposals 14–1, 17–1 and 17–3 the role of the Fair Work Ombudsman is discussed. In what other ways, if any, could the Fair Work Ombudsman’s role, function or processes protect employees experiencing family violence?**

The National Plan to Reduce Violence against Women and their Children 2010–2022 contains six national outcomes which outline a range of strategies and approaches to build a community which does not tolerate violence against women. Providing Good Practice Guidelines for employers that assist employers steps to support these and their appreciation of family violence as a workplace issue would be useful. These should be framed by advancing the concept of gender equity and demonstrating the continuum in preventing violence by encouraging respect

for women and improved women's status in the workplace, intolerance of discrimination, sexual harassment and violence against women.

If the AFDVCH has not already held discussions with the Office of the Workplace Ombudsmen then these should be encouraged to identify appropriate strategies.

Protecting employees who are experiencing family violence must be understood by employers as a matter they may have to contend with and that being clear that the development of appropriate responses is an employer's responsibility. While we do not wish to detract from the critical need for legislative support for these concepts and believe firmly in securing provisions in Workplace Agreements that provide for enforceable employee provisions, no change will occur and no one will be safer without an educational campaign.

**Proposal 16-1 Section 65 of the Fair Work Act 2009 (Cth) should be amended to provide that an employee who is experiencing family violence, or who is providing care or support to a member of the employee's immediate family or household who is experiencing family violence, may request the employer for a change in working arrangements to assist the employee to deal with circumstances arising from the family violence.**

**This additional ground should:**

- (a) remove the requirement that an employee be employed for 12 months, or be a long-term casual and have a reasonable expectation of continuing employment on a regular and systemic basis, prior to making a request for flexible working arrangements; and**
- (b) provide that the employer must give the employee a written response to the request within seven days, stating whether the employer grants or refuses the request.**

We believe that such a provision should be provided for under section 65 of the FWA and support the wording proposed by the ACTU which provides for leave for employees who may be expected to care or support for people beyond their immediate household or family.

The ACTU also raise in their submission the unlikely capacity that women experiencing family violence are likely to have in overcoming the hurdles presented to them by s. 739 (2) which states that 'FWA must not deal with a dispute to the extent that the dispute is about whether an employer had reasonable business grounds under subsection 65(5) or 76(4), unless:

- (a) the parties have agreed in a contract of employment, enterprise agreement or other written agreement to FWA dealing with the matter; or
- (b) a determination under the Public Service Act 1999 authorises FWA to deal with the matter.'

The Surf Coast Shire Workplace Agreement was the first agreement in Australia to include a Family Violence clause last year, as far as we are aware, there are still less than a dozen agreements in the country where a) will be of any assistance for people who are seeking to vary hours on the basis of their experience of family violence.

Even in the highly unlikely event, a massive take up of Family Violence clauses in Enterprise Agreements across the country occurred in the immediate future, the most vulnerable employees who have no access to workplace bargaining, are also without access to dispute resolution regarding a request to vary their working hours. The FWA provides no protection or support for these employees applying for flexible working arrangements if an employer's claim that a request is refused on reasonable business grounds cannot be contested.

The ACTU's submission proposes the right of appeal for all employees in relation to an NES right, the ASU supports this. We also support their proposed adoption of wording from the Victorian

Equal Opportunity Act (1995) which sets out an employer's obligations in considering and endeavouring to accommodate requests.

The next proposals are presented as alternate options: Proposal 16–2 OR Proposals 16–3 and 16–4

**OPTION ONE: Proposal 16–2**

**Proposal 16–2** The Australian Government should amend the National Employment Standards under the Fair Work Act 2009 (Cth) to provide for a new minimum statutory entitlement to 10 days paid family violence leave. An employee should be entitled to access such leave for purposes arising from the employee's experience of family violence, or to provide care or support to a member of the employee's immediate family or household who is experiencing family violence.

**OPTION TWO: Proposals 16–3 and 16–4**

**Proposal 16–3** The Australian Government should amend the National Employment Standards under the Fair Work Act 2009 (Cth) to provide for a minimum statutory entitlement to an additional 10 days paid personal/carer's leave. An employee should be entitled to access the additional leave solely for purposes arising from the employee's experience of family violence, or to provide care or support to a member of the employee's immediate family or household who is experiencing family violence.

**Proposal 16–4** The Australian Government should amend the National Employment Standards under the Fair Work Act 2009 (Cth) to provide that an employee may access the additional personal/carer's leave referred to in Proposal 16–3:

- (a) because the employee is not fit for work because of a circumstance arising from the employee's experience of family violence; or Discussion Paper Summary 37
- (b) to provide care or support to a member of the employee's immediate family, or a member of the employee's household, who requires care or support as a result of their experience of family violence.

The ASU strongly supports the provision of a new National minimum statutory entitlement to 10 days paid family violence leave and prefers Proposal 16- 2. We believe that it should be referred to as Family Violence leave and not as a sub set of Carers or Personal leave to avoid any confusion. Clearly for the purposes of maintaining confidentiality employers may need to contemplate how they would accommodate this on leave forms, some consideration of the administrative policy and processes by the ALRC in conjunction with the AFDVCH may be valuable.

It is most important that the entitlement is for leave to address matters that arise out of the experience or need to care for someone who has experienced family violence. Any provisions that limit the clause to personal wellbeing or safety will limit its effectiveness as a measure for individuals to make themselves safe.

**Chapter 17: Employment—The Fair Work Act 2009 (Cth) Continued**

**Proposal 17–1** The Fair Work Ombudsman should develop a guide to negotiating individual flexibility arrangements to respond to the needs of employees experiencing family violence, in consultation with the Australian Council of Trade Unions and employer organisations.



We believe that the reference here to Individual Flexibility Arrangements provisions under s. 64 of the FWA is inappropriate and ill advised. Vulnerable individuals who desperately need to vary working hours to attend to urgent care or protection of children, family or their own safety in circumstances of family violence should not be forced to consider averaging arrangements that may disadvantage them.

Individual flexibility arrangements under s. 64 are specifically available to employees who are agreement and Award free , so are less likely to have access to industrial representation or information. So although s.144 and 145 provide for safeguards to ensure a IFA leaves an employee no worse off, we are well aware that the majority of employees, particularly those who are Award and Agreement free are unlikely to have any awareness of general protections available to them.

We do not support any suggestion to advise employees, particularly vulnerable employees with little or no bargaining power, to pursue IFAs without access to support and representation from a union.

**Proposal 17–2 The Australian Government should encourage the inclusion of family violence clauses in enterprise agreements. Agreements should, at a minimum:**

- (a) recognise that verification of family violence may be required;**
- (b) ensure the confidentiality of any personal information disclosed;**
- (c) establish lines of communication for employees;**
- (d) set out relevant roles and responsibilities;**
- (e) provide for flexible working arrangements; and**
- (f) provide access to paid leave.**

We support this proposal as evidenced by our union's utilisation of this approach. The clause that the ASU is currently negotiating into Enterprise Agreements contains the provisions as you set out ;;

#### ASU FAMILY VIOLENCE CLAUSE

##### XX.0 FAMILY VIOLENCE

##### XX.1 General Principle

(a) This Council/shire recognises that employees sometimes face situations of violence or abuse in their personal life that may affect their attendance or performance at work. Therefore, the Council/shire is committed to providing support to staff that experience family violence.

##### XX.2 Definition of Family Violence

This Council/shire accepts the definition of Family violence as stipulated in the Family Violence Protection Act 2008 (Vic). The definition of family violence includes physical, sexual, financial, verbal or emotional abuse by a family member.

##### XX.3 General Measures

(a) Proof of family violence may be required and can be in the form an agreed document issued by the Police Service, a Court, a Doctor, district nurse, maternal and health care nurse a Family Violence Support Service or Lawyer. A signed statutory declaration can also be offered as proof.

- (b) All personal information concerning family violence will be kept confidential in line with Council/shire Policy and relevant legislation. No information will be kept on an employee's personnel file without their express written permission.
- (c) No adverse action will be taken against an employee if their attendance or performance at work suffers as a result of being a victim of family violence.
- (d) The council/shire will identify contact/s in Human Resources and across the organisation who will be trained in family violence and privacy issues for example training in family violence risk assessment and risk management. The council/shire will advertise the name of the contact within the Council/shire.
- (e) An employee experiencing family violence may raise the issue with their immediate supervisor or the Human Resources contact. The supervisor may seek advice from Human Resources if the employee chooses not to see the Human Resources contact.
- (f) Where requested by an employee, the Human Resources contact will liaise with the employee's supervisor on the employee's behalf, and will make a recommendation on the most appropriate form of support to provide in accordance with sub clauses 4 and 5.
- (h) The Council/shire will develop guidelines to supplement this clause which details the appropriate action to be taken in the event that an employee reports family violence.

#### XX.4 Leave

An employee experiencing family violence will have access to 20 days per year of paid special leave for medical appointments, legal proceedings and other activities related to family violence. This leave will be in addition to existing leave entitlements and may be taken as consecutive or single days or as a fraction of a day and can be taken without prior approval.

An employee who supports a person experiencing family violence may take carer's leave to accompany them to court, to hospital, or to mind children.

#### XX.5 Individual Support

In order to provide support to an employee experiencing family violence and to provide a safe work environment to all employees, the Council/Shire will approve any reasonable request from an employee experiencing family violence for:

changes to their span of hours or pattern or hours and/or shift patterns;

job redesign or changes to duties;

relocation to suitable employment within the Council/shire;

a change to their telephone number or email address to avoid harassing contact;

any other appropriate measure including those available under existing provisions for family friendly and flexible work arrangements.

An employee experiencing family violence will be offered a referral to the Employee Assistance Program (EAP) and/or other local resources. The EAP shall include professionals trained specifically in family violence.

An employee that discloses to HR or their supervisor that they are experience family violence will be given a resource pack of information regarding support services.

This clause has been negotiated into at least 8 Enterprise Agreements by ASU members, the first being the Surfcoast Shire Workplace Agreement, it is now a standard feature of the Victorian and Tasmanian Authorities and Service's Branch's log of claims for all industries.

We know that other public sector unions have included the clause in their claims and it has been included in a private sector agreement in the Transport industry.

The ASU approach to family violence was initiated by ASU workplace delegates and was then supported by a motion at our union's governing body. These steps have been important in

providing a foundation from which our union has been able to take a position of leadership on the issue of family violence.

**Proposal 17-3 The Fair Work Ombudsman should develop a guide to negotiating family violence clauses in enterprise agreements, in conjunction with the Australian Domestic and Family Violence Clearinghouse, the Australian Council of Trade Unions and employer organisations.**

We support this proposal.

Education campaigns developed by appropriate agencies to highlight community responsibility for family violence and the importance of understanding that family violence is a workplace issue would assist unions in continuing to campaign for this clause.

**Proposal 17-4 In the course of its 2012 review of modern awards, Fair Work Australia should consider the ways in which family violence may be incorporated into awards in keeping with the modern award objectives.**

**Proposal 17-5 In the course of its first four-yearly review of modern awards, beginning in 2014, Fair Work Australia should consider the inclusion of a model family violence clause.**

We agree with the proposals 17-4 and 17-5.

**Proposal 17-6 Fair Work Australia members should be provided with training to ensure that the existence of family violence is adequately considered in deciding whether there are 'exceptional circumstances' under s 394(3) of the Fair Work Act 2009 (Cth) that would warrant the granting of a further period within which to make an application for unfair dismissal. Further training of FWA members may assist in awareness and consideration of family violence as an 'exceptional circumstance' which causes a delay in an Unfair Dismissal application.**

**Question 17-1 Section 352 of the Fair Work Act 2009 (Cth) prohibits employers from dismissing an employee because they are temporarily absent from work due to illness or injury. Regulation 3.01 of the Fair Work Regulations 2009 (Cth) prescribes kinds of illness or injury and outlines a range of other requirements. In what ways, if any, could the temporary absence provisions be amended to protect employees experiencing family violence?**

Section 352's prohibition of termination due to an absence that is due to illness or injury is in our view quite narrow, as there are a range of circumstances in a person's life that may prevent them working. The regulations further narrow the application of this provision. We believe that the provisions should allow for absences for other purposes and agree with the ACTU's proposition that a provision of leave for individuals experiencing family violence be included in the NES.

If a person left their home to remove themselves from violence they will need to be absent from work to ensure their safety, the safety of their children and their work colleagues. They may also need to be away from work to find safe accommodation, the safety of which is very likely to be compromised if they travel to it to and from work. Many women leaving family violence, do not just leave once. It is common that they may return to an abusive relationship due to pressure from their abusive partner, children or other family members or because they lack the material resources and support to be confident that they will be successful in making a new life for themselves. Such a scenario may mean that an employee is absent for more than three months or has a tally of absences that account for more than three months. In these circumstances it is

critical that people have some capacity to maintain their employment so that they do have the capacity to achieve economic independence. We therefore believe that the FWA Regulations also be amended in line with any new provision in the NES that provides for leave for family violence and to accommodate scenarios such as the one outlined.

#### **Chapter 18: Occupational Health and Safety Law**

**Proposal 18–1 Safe Work Australia should include information on family violence as a work health and safety issue in relevant Model Codes of Practice, for example:**

- (a) 'How to Manage Work Health and Safety Risks';**
- (b) 'Managing the Work Environment and Facilities'; and**
- (c) any other code that Safe Work Australia may develop in relation to other topics, such as bullying and harassment or family violence.**

We agree that information on family violence as a workplace issue be included in Model Codes of Practice in the three examples given. Workplaces across Australia are dealing with family violence and material needs to be developed to assist employers and employees in working to maintain safe workplaces.

**Proposal 18–2 Safe Work Australia should develop model safety plans which include measures to minimise the risk posed by family violence in the work context for use by all Australian employers, in consultation with unions, employer organisations, and bodies such as the Australian Domestic and Family Violence Clearinghouse.**

We agree with this proposal.

**Proposal 18–3 Safe Work Australia should develop and provide education and training in relation to family violence as a work health and safety issue in consultation with unions, employer organisations and state and territory OHS regulators.**

**Proposal 18–4 Safe Work Australia should, in developing its Research and Data Strategy:**

- (a) identify family violence and work health and safety as a research priority; and**
- (b) consider ways to extend and improve data coverage, collection and analysis in relation to family violence as a work health and safety issue.**

We agree that training and education should be developed in relation to family violence by Safe Work Australia. It would be valuable if this would occur in consultation with the ACTU, unions and AFDVCH. If family violence in the workplace has not already been identified as a health and safety research priority then we agree it should be, along with ways to extend and improve data collection.

**Question 18–1 What reforms, if any, are needed to occupational health and safety law to provide better protection for those experiencing family violence? For example, should family violence be included in the National Work Health and Safety Strategy?**

Yes we agree that family violence should be included in the National Work Health and Safety Strategy.

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