

Australia: Trade union proposal for paid domestic violence leave'

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ACTU application denied, but commission leaves open door to unpaid leave and possible future paid leave

The Fair Work Commission has rejected [a union bid for 10 days paid domestic violence leave](#) in all modern workplace agreements but has left the door open on unpaid leave.

In a decision published online on Monday, the full bench of the commission determined it was “not satisfied” it was necessary, or that paid leave would overcome the disruption to workplace participation.

But the FWC believes leave is needed to deal with domestic and family violence and that victims can also use personal or carer’s leave.

“We have ... formed the preliminary view that all employees should have access to unpaid family and domestic violence leave,” the decision reads. “And, in addition, we have formed the preliminary view that employees should be able to access personal/carer’s leave for the purpose of taking family and domestic violence leave.”

The claim was put forward by the [Australian Council of Trade Unions](#) as part of the four-yearly review of modern workplace awards.

The commission said that, while it rejected the ACTU’s claim, that did not mean a future finding that paid leave was needed was off the table.

The commission now wants to convene to hear submissions on unpaid leave and accessing personal or carer’s leave for family violence reasons.

Australian Associated Press

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The Guardian

<https://www.theguardian.com/australia-news/2017/jul/03/fair-work-commission-rejects-paid-domestic-violence-leave-proposal>