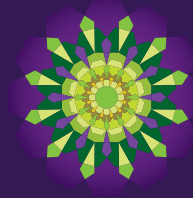


July 2024



**IWA**  
Australia Ltd

IWA AUSTRALIA LTD

**Submission to the  
Independent Review of the Fair  
Work Amendment (Paid  
Family and Domestic Violence  
Leave) Act 2022 (Cth)**

PREPARED BY:  
FIGEN SENYUCEL

# **Submission to the Independent Review of the Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022 (Cth)**

**Submitted by:** IWA Australia Ltd

**Email:** legal@iwaa.org.au

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## **Summary**

This submission provides an analysis of the implementation and impact of the Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022 (Cth) on employers and employees, with a particular focus on culturally and linguistically diverse (CALD) communities. It highlights the challenges faced in accessing and implementing Family and Domestic Violence (FDV) Leave and offers recommendations for policy improvements.

## **Background of IWAA**

IWA Australia Ltd (IWAA) is a not-for-profit community organisation dedicated to providing a wide range of services to the community, with a specialist focus on delivering services to the Culturally and Linguistically Diverse (CALD) community. IWAA's workforce is predominantly composed of women, and they offer services in aged care, disability support, community development, settlement support, and domestic and family violence services.

## **Family and Domestic Violence (FDV)**

At IWAA, while we have not had any employees report instances of Family and Domestic Violence (FDV), we recognise the importance and positive impact of the Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022 (Cth). We recognise the introduction of FDV leave provisions as a proactive step towards supporting employees who face family and domestic violence. Even in the absence of reported cases within our organisation, we are seeing a rise in cases in the CALD community. Offering paid FDV leave is a critical measure to ensure that employees feel supported and protected should they ever need to utilise this entitlement.

## **Vulnerability in the CALD community**

In our experience, many women from Culturally and Linguistically Diverse (CALD) backgrounds encounter significant barriers that prevent them from speaking up about Family and Domestic Violence (FDV), despite experiencing abuse. These barriers include limited access to CALD-specific information, language and communication obstacles, fear and distrust of authorities, adherence to cultural norms and beliefs, and heightened financial vulnerability. Additionally, in certain culturally diverse contexts, men are traditionally viewed as primary breadwinners. Perpetrators may exploit this dynamic within FDV situations to wield financial control and maintain dominance over their partners. This exploitation of financial dependency often serves as a major deterrent for CALD women in disclosing instances of FDV.

We anticipate that the Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022 (Cth) will play a crucial role in transforming workplace culture by fostering recognition of FDV issues and supporting affected employees. The increase from 5 unpaid to 10 paid days is crucial in encouraging women who are in difficult financial positions to speak up about their experiences with Family and Domestic Violence (FDV). The provision of paid leave under the Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022 (Cth) alleviates the financial burden associated with taking time off work to address

FDV situations. This change is pivotal in empowering women to access support, break free from abusive situations, and begin the journey to safety and recovery

### **Implementation of FDV Leave**

At IWAA, the implementation of Family and Domestic Violence (FDV) leave provisions under the Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022 (Cth) has been carefully managed through the amendment of our policies and procedures. Specific guidelines have been introduced to outline how FDV leave requests are handled, emphasizing confidentiality and sensitivity at every stage of the process. To ensure comprehensive awareness among our staff, our HR department has disseminated internal emails detailing these amendments and providing clear steps on how employees can access FDV leave and the support available to them.

### **Empowerment Commitment Despite Challenges**

At IWAA, we acknowledge that sudden absences due to Family and Domestic Violence (FDV) leave can pose staffing challenges and costs. Despite these obstacles, IWAA is deeply passionate about empowering women and speaking up against FDV. This Act not only provides crucial leave provisions but also signifies a proactive step towards fostering a workplace culture that prioritises the well-being and safety of all employees, especially those in vulnerable situations.

**Awareness and Education:** One of the primary challenges highlighted in the implementation of the Fair Work Amendment Act 2022 (Cth) in workforces in Australia is the limited awareness among employees about the provisions and entitlements under the Act. This lack of awareness underscores the critical need for targeted education and outreach efforts. At IWAA, we place significant emphasis on educating our workforce, especially given our focus on CALD communities. We also offer a DFV Mobile Support Service where we provide information to women who are in the workforce and are looking for escape pathways.

**Promoting a Supportive Workplace Culture:** Encouraging employers to foster a workplace culture that supports employees experiencing FDV is vital. This includes reducing stigma, encouraging open communication, and providing resources and support for employers to create safe and supportive environments for all employees, including those from diverse backgrounds.

**Confidentiality and Privacy:** As a close-knit community organisation, IWAA recognises the profound challenges faced by employees when applying for Family and Domestic Violence (FDV) leave, particularly regarding confidentiality and privacy. This concern arises from the interconnectedness within our community, where maintaining the privacy of FDV leave can be complex and sensitive.

Employees may worry about how their personal circumstances could impact their professional relationships and personal reputation within our closely connected community. Ensuring that employees feel secure in requesting and using FDV leave without fear of their privacy being compromised is crucial to supporting their well-being and fostering a trusting workplace environment. In a community where information can spread quickly, maintaining strict confidentiality around sensitive matters such as FDV leave is challenging.

At IWAA, we have implemented policies and procedures to safeguard the confidentiality of FDV leave requests. While these measures have not been tested due to the absence of reported cases within our organisation, we remain committed to upholding the privacy of our

employees and ensuring that they receive the support they need in a secure and confidential manner.

**Cultural and Social Stigma:** IWAA acknowledges the pervasive stigma surrounding Family and Domestic Violence (FDV) within CALD communities, including those we serve. This stigma significantly hinders individuals from openly disclosing their experiences or seeking support due to fears of judgment or social repercussions.

At IWAA, we firmly believe that by openly addressing FDV issues and speaking up about them, we can begin to change these harmful social norms. The recent amendments to legislation, such as the Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022 (Cth), provide organisations like ours with the necessary framework and support to advocate for change effectively.

These legislative changes empower IWAA and similar organisations to implement proactive measures, speak out against FDV, and provide comprehensive training to our staff. By fostering a supportive and informed workplace culture, we aim to break down barriers, encourage open dialogue, and ultimately create a safer environment where individuals feel empowered to seek help and support without fear of stigma or judgment.

## **Conclusion**

The Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022 (Cth) represents a critical advancement in supporting employees affected by Family and Domestic Violence (FDV), particularly in CALD communities. Through diligent implementation, education, and fostering a supportive workplace culture, IWAA aims to enhance awareness, reduce stigma, and empower individuals to seek help and support without fear. We encourage ongoing dialogue and collaboration to further refine and strengthen these provisions for the benefit of all employees across Australia.