

Domestic Violence – Victims’ Protection policy

Domestic Violence is not OK

ATNZ recognises that domestic violence is a huge concern in NZ. Some ATNZ Apprentices may fall victim to this, through no fault of their own, and it may impact their wellbeing overall, work attendance, engagement and performance.

With that in mind, this policy has been developed to support those ATNZ Apprentices who have been impacted by domestic violence, so they can feel safe in our workplace, take necessary time away from work to attend court or specialist support service meetings, or adjust their working arrangements.

At ATNZ, we are committed to doing all we reasonably can to support employees who are victims of domestic violence.

ATNZ employees who are victims of domestic violence will not be discriminated against or disadvantaged in any way. Wherever possible, we will maintain the confidentiality of employees who are victims of domestic violence.

ATNZ will take all practicable steps to ensure that an affected employee can rely on a workplace where they can feel safe and supported.

Definitions

We use the definition of “domestic violence” found in the Domestic Violence Act 1995, which refers to domestic violence against that person by any other person with whom that person is, or has been, in a domestic relationship.

Employees who reside with a child affected by “domestic violence” inflicted by other family members are also covered by this policy.

The “relationship” includes if the person is a spouse or partner of the other person; is a family member of the other person; ordinarily shares a household with the other person; or has a close personal relationship with the other person.

For the purpose of this policy, “violence” includes physical, sexual, economic and psychological abuse.

ATNZ has a duty to consider seriously any requests from victims of domestic violence. The right to have legal protection in the workplace for those who are affected by domestic violence, comes under Domestic Violence – Victims’ Protection Act (2018).

Supporting documentation

Proof of family violence may be requested and can be in the agreed form of a document from the Police, a government department, a health professional or a family violence support service (community) group.

Domestic violence - victims’ protection Leave provisions

If you are seeking to take time off due to being affected by domestic violence you will be entitled to up to 10 days of paid Domestic Violence leave in each 12 months of your employment with ATNZ. This leave can be used for medical appointments, legal proceedings,

court hearings, support group appointments or any other activities related to domestic violence.

This leave can be taken as consecutive or single days, or as a portion of a day. This leave, however cannot be carried forward into the next 12-months' period. No domestic violence leave will be paid out as part of employment termination for any reason.

If you are intending to take Domestic violence leave you should notify your Account Manager (ATNZ Lead Account Manager or ATNZ HR Manager) as early as possible and practicable. One of these managers will then communicate with the Host company as appropriate in the circumstances to ensure that cover is arranged for your absence.

Unpaid leave (at the discretion of the approving ATNZ Manager) will be available for you if you are supporting a victim of family violence (in your wider community) to go with them to court, to hospital or to mind children.

Unpaid leave (at the discretion of the approving ATNZ Manager) will be available for those who use violence in their family and who are committed to education and rehabilitation.

Flexible working arrangements

If you are a victim of domestic violence you will be entitled to request flexibility in your work hours and/or a change of location of your work to ensure your safety. This request can be for a permanent or a temporary change.

This policy is inclusive of your statutory right to request a short-term (2-months or shorter) variation of your working arrangements if you have been affected by domestic violence.

ATNZ will approve any of these reasonable requests on the grounds of domestic violence:

- Changes to your shift or your pattern of working hours (hours, days)
- Location of work (e.g. a different site)
- Your duties
- The extent of the contact details that you must provide to ATNZ
- Any other reasonable changes that may require a variation to the employment terms

All flexible work applications (long and short-term) that relate to domestic violence will be considered urgently (and no later than 10 days after receiving the request).

To request a flexible working arrangement due to domestic violence, you will be required to submit a *Flexible Working Arrangement Request (for victims of domestic violence)*.

In consideration of the requests for flexible working arrangements for victims of domestic violence, management of ATNZ will work with your Host company and will take into account your tenure with your Host company, your study progress and the impact on your apprenticeship in general.

Whilst ATNZ will endeavour to accommodate any reasonable request from those employees who have been affected by domestic violence, a flexible work application may be declined on the same business grounds as recognised by the Employment Relations (Flexible Working Arrangements) Amendment Act 2007. These grounds are:

- inability to reorganise work among existing staff;
- inability to recruit additional staff;
- detrimental impact on quality;
- detrimental impact on performance;
- insufficiency of work during the periods the employee proposes to work;

- planned structural changes;
- burden of additional costs;
- detrimental effect on ability to meet customer demand.

If ATNZ has declined your request and you are dissatisfied with the outcome, you can refer the matter to a Labour Inspector within 6 months after the request was declined. You may also refer the matter to mediation or the Authority for determination.

Wherever possible, we will maintain the confidentiality of the flexible working arrangement requests (related to domestic violence) and the circumstances around them.

Short-term Safety provisions

If you are concerned about your safety at work due to family violence and you have made us aware of it, a workplace safety plan may be developed between you, your Account Manager and a Host company representative. Your Account manager will be supported by ATNZ HR Manager and ATNZ H&S Manager.

If required, and with your consent we may engage a specialist agency (such as Shine or Women's Refuge). We may also engage any other ATNZ staff member or a Host company staff member that you may want to have as a support person with you. This workplace safety plan might cover areas like:

- stopping the perpetrator from contacting you at work
- giving you a car park close to the workplace door
- offering temporary flexibility in your work hours
- temporarily changing location of your work and/or duties
- re-routing payslips and deposits if needed
- designating a person to monitor attendance and follow up in the event of unplanned absences, including an appropriate emergency contact or potential code word to use in the event of danger

Referrals to Support services

ATNZ encourages its team members who are affected by domestic violence to seek support via NZ specialist support services. This also includes support for those employees who want to stop using violence.

- OCP – ATNZ Employee Assistance Program – free confidential counselling support available to all ATNZ employees: **0800 377 990**
- Women's Refuge: **0800 REFUGE**
- Shine: <http://www.2shine.org.nz/get-help/helpline>
- Are You Ok: www.areyouok.org.nz
- Safe to Talk: www.safetotalk.nz
- National Network of Stopping Violence Services: www.nnsvs.org.nz

ATNZ may subsidise the cost for a user of violence to attend an accredited support program to help them to stop using violence in their family and wider community.

Staff education, training and awareness

All ATNZ Apprentices will be trained to become aware of domestic violence policy, how to identify possible victims of the domestic violence and the support available for them. ATNZ will encourage and enable all staff to take intranet-based training such as *Shine's "Working Together"* module.

ATNZ supports the financial independence of employees. Wages will not be paid into a bank account that does not include the name of the employee, in order to ensure employees are not subjected to any financial coercion and control.

An ATNZ Manager (or staff member) who supports a person who is a victim of domestic violence may receive a specialist training to enable them to appropriately support the affected team member and/or refer them to specialist services.

We will include building awareness of domestic violence and our company policies that deal with it through our onboarding process for new employees.

ATNZ will continue reinforcement of the training and awareness of domestic violence at all levels of our organisation including in our relationships with the Host companies.