

EMPLOYEES OF THE PUBLIC SERVICE OF NEW SOUTH WALES

SECTION 52 (1) DETERMINATION NO 3 of 2018

Under the power accorded to me as the Industrial Relations Secretary, I determine, pursuant to section 52 of the *Government Sector Employment Act 2013*, the following conditions of employment:

1. SUPPORT FOR EMPLOYEES EXPERIENCING DOMESTIC AND FAMILY VIOLENCE

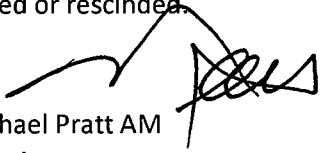
- (a) Public Service employees are to have access to 10 days paid domestic and family violence leave per calendar year (non-cumulative and able to be taken in part-days, single days, or consecutive days), effective from 1 January 2019.
- (b) Leave is to be available for employees experiencing domestic and family violence, for purposes including:
 - i. seeking safe accommodation;
 - ii. attending medical, legal, police or counselling appointments relating to their experience of domestic and family violence;
 - iii. attending court and other legal proceedings relating to their experience of domestic and family violence;
 - iv. organising alternative care or education arrangements for their children; or
 - v. other related purposes approved by the agency head.
- (c) When approving leave, the agency head needs to be satisfied, on reasonable grounds, that domestic and family violence has occurred, and may require evidence such as:
 - i. an agreed document issued by the Police Force, a court, a domestic violence support service or a member of the legal profession;
 - ii. a provisional, interim or final Apprehended Violence Order (AVO), certificate of conviction or family law injunction; or
 - iii. a medical certificate.
- (d) The leave entitlement can be accessed without the need to exhaust other existing leave entitlements first.
- (e) The leave entitlement does not extend to casual employees. Temporary and part-time employees will be entitled to the leave on a pro-rata basis.

2. BASIS OF ENTITLEMENT

This Determination shall apply to all public service employees as defined in the *Government Sector Employment Act 2013* employed in the Departments, Public Service executive agencies related to Departments, and separate Public Service agencies as listed in Schedule 1 to the *Government Sector Employment Act 2013*.

3. DATE OF EFFECT

The above arrangements shall take effect on and from 1 January 2019 and shall remain in force until varied or rescinded.



Michael Pratt AM
Secretary
NSW Treasury

Dated: 18.12.18.