



INAUGURAL ASIA-PACIFIC CONFERENCE ON GENDERED VIOLENCE & VIOLATIONS

MASTER CLASS SUMMARY

Date: February 10, 2015

Session title: *Gendered Violence and the Workplace – current approaches to preventing and responding to the effects of domestic/sexual violence on the workplace*

Presenter: Ludo McFerran, Adjunct Lecturer, School of Social Sciences, and Manager, 'Safe at Home, Safe at Work' Program, Gendered Violence Research Network, UNSW

Convenor: kylie valentine, Deputy Director and Senior Research Fellow, Social Policy Research Centre, UNSW

Summary:

The first half of the masterclass was concerned with the origin, development and implementation of domestic violence (DV) clauses in industrial agreements. Key points about these clauses are:

1. They emerged from recognition of the importance of economic security for women experiencing family and domestic violence
2. They are designed to support women to maintain employment
3. They recognise family and domestic violence as workplace issues
4. They recognise the vulnerabilities of employer led, voluntary responses
5. The trade union movement has driven the movement to create a standard, non-discretionary and enforceable right to support from the workplace for workers experiencing domestic violence.

Information is available at the [Safe at Home, Safe at Work website](#) for:

- Workers experiencing domestic violence
- Unions looking to negotiate domestic violence clauses
- Employers looking for information about domestic violence in the workplace and what to do about it
- Anyone interested in learning more about why domestic violence is a workplace issue
- International recognition of achievements so far.

Australian achievements in collective bargaining for DV paid leave have been recognised by the International Labour Organisation (ILO), which is discussing an international gender-based violence labour standard that would include domestic violence. In addition, discussions at the

Commission on the Status of Women 57 (CSW57) in 2013 highlighted Australian achievements in introducing domestic violence entitlements in industrial awards and agreements, including access to paid family violence leave of up to twenty days a year. These advocacy efforts contributed to this clause in the CSW57 agreed conclusions on the elimination and prevention of all forms of violence against women and girls: 'Take measures to ensure that all workplaces are free from discrimination and exploitation, violence, and sexual harassment and bullying, and that they address discrimination and violence against women and girls, as appropriate, through measures such as regulatory and oversight frameworks and reforms, collective agreements, codes of conduct, including appropriate disciplinary measures, protocols and procedures, referral of cases of violence to health services for treatment and police for investigation; as well as through awareness-raising and capacity-building, in collaboration with employers, unions and workers, including workplace services and flexibility for victims and survivors'.

The second half of the master class was based on practical exercises around advocacy and bargaining, and participants included two people who could share their insights on the process:

- Jane Karlsake, Women's Officer, Victorian and Tasmanian Authorities and Services, Australian Services Union. The ASU successfully logged the first DV clause and has been the lead union ever since.
- Anna Lee Tuvera, Senior Office Women and Projects International Trade Union Confederation-Asia Pacific, currently working with Ludo – and the Gendered Violence Research Network on a DV and work survey with Philippine unions.

Some of the points covered in the discussion included:

- Challenges in introducing/implementing clauses: male dominated cultures, risks of re-victimisation, and risks to career of disclosure
- Local government as a critical player as an employer, leader, and enabling environment
- The risks and benefits of different mechanisms for getting DV recognition into the workplace, e.g. policy, legislation, and/or entitlements; the experience to date is that once something is established in policy, it becomes more difficult to have it enacted as a right.