

# Unpaid leave and toxic cultures: Workplaces must do better on family violence

December 10 2021, by Kate Fitz-Gibbon, Emma Jane McNicol, Naomi Pfitzner

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Brittany Higgins's disclosure of an alleged rape in our nation's most prominent workplace put all Australian employers on notice—they too must act to end violence against women and better support victim-survivors of domestic and family violence (DFV).

Throughout the last year, a sequence of valuable reports including [Respect@Work](#) and [Set the Standard](#) have established that violence against women is a serious workplace issue.

[Research shows](#) 62% of women who have or are currently experiencing DFV are in the paid workforce.

## **Workplace supports for family violence victim-survivors**

Recognizing workplaces can play a role in responding to DFV, in 2018 the Fair Work Commission introduced [five days of unpaid family and domestic leave](#) for 123 modern awards.

The commission is currently reviewing their DFV leave model. [As part of this review](#), we surveyed 302 victim-survivors across Australia, and interviewed 42 of those, about their experiences of accessing DFV leave and other workplace supports.

This is the [first Australian study](#) examining what workplace supports (including paid DFV leave) victim-survivors have accessed, and what supports they believe are needed. We found toxic workplace cultures, financial insecurity and sessional contracts negatively affect victim-survivors and can compound the impacts of trauma.

## **Building understanding of an endemic problem**

[DFV can affect people's everyday lives](#) and cause significant harm to their mental and physical well-being. Victim-survivors in this research explained their experiences of DFV led to anxiety, difficulty concentrating at work and impacted their punctuality and attendance. These factors combined to damage their relationships with colleagues. "I

would have a lot of time off work, be physically sick at work as well as emotional and would cry easily."

Many of the research participants were not comfortable disclosing their experience of DFV at work. This contributed to inaccurate assumptions by colleagues and managers. Participants reported they were seen as lazy or flaky, and in some cases moved onto performance management plans. As one victim-survivor recalled: "I could not bring my full self to my work. I was unable to perform tasks I would normally do with ease due to ongoing anxiety and depression that I developed over a period of about a year [...] I did not feel I could talk honestly about what was happening with me [...] I appeared lazy and distracted to my workmates and towards management. They lost faith in my ability to perform."

[Our findings](#) underscore the need for workplace training in specialist DFV and trauma-informed practice. There is a need to create safe and supportive environments where employees feel comfortable to disclose that they are experiencing DFV in order to engage key supports (such as leave) that enable them to remain in the workforce.

## **Financial security is key to recovery**

[Our research](#) shows DFV not only affects victim-survivors' engagement in the workforce but also their work performance and their career progression.

Women are [overrepresented](#) in low-paid and casualised roles with limited leave entitlements. The COVID-19 pandemic has [exacerbated this trend](#).

Only 20% of the victim-survivors surveyed accessed DFV leave. None of those surveyed who were working in casual roles or as contractors at the time they were experiencing violence had access to DFV leave. In

addition, many employed in full or part-time ongoing roles identified the absence of paid leave as the key barrier to use.

[This study](#) highlights the critical role financial security plays in supporting victim-survivors to leave abusive relationships. While the introduction of unpaid DFV leave in 2018 was a welcomed first step, respondents stressed the benefits of paid leave entitlements as they recover from DFV.

Ideally, Australian workplaces would shift to introduce a minimum of 14 days paid DFV leave, and, where required, grant victim-survivors access to unlimited leave provisions.

## **Safe and supportive workplaces**

Beyond access to paid DFV leave, [our research](#) reveals the critical role workplace culture plays in ensuring the safety and participation of victim-survivors in the workforce.

Many respondents reflected on the stigma associated with accessing DFV supports, especially in workplaces where managers were not educated about, or sensitive to, the complexity of DFV. As one victim-survivor explained: "If you look at their DFV policy, leave and intranet page you'd give it full marks. The issue was, and is, that if you identify as a DFV victim in the legal profession—you're marked and your career is over—it doesn't matter what the policies say it matters what employers actually do and how they treat you."

There is significant work to be undertaken across Australian workplaces to provide a culture and a policy environment in which victim-survivors of DFV are safe and are supported to thrive in paid employment.

Key to this is ensuring employees are not penalized or ridiculed for

seeking help at work. Trauma and DFV-informed workforce training to build awareness and understanding, particularly on how to respond sensitively and appropriately to DFV disclosures, is essential to the effectiveness of DFV leave policies. Such [workplace](#) models reinforce that [family violence](#) is everyone's business, but also signal clear recognition of the ongoing effects of DFV.

The mounting evidence demonstrates Australian workplaces must implement change. Workplaces can play a key role in supporting employees' trauma recovery while ensuring they have the [financial security](#) required to live free from violence.

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Provided by The Conversation

Citation: Unpaid leave and toxic cultures: Workplaces must do better on family violence (2021, December 10) retrieved 26 June 2024 from <https://phys.org/news/2021-12-unpaid-toxic-cultures-workplaces-family.html>

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