



Commencement of Domestic Violence Leave on Monday 27th November 2023

Commencement

It was recently announced that Domestic Violence Leave would come into effect and just yesterday, on Monday November 27th, this provision of the Work Life Balance and Miscellaneous Provisions Act 2023 commenced.

Employers must ensure that a policy detailing the provisions of the Act has been communicated and rolled out to all Employees and set out below are some of the key considerations in developing the appropriate policy.

Policy Requirements

The policy must detail the Organisation's approach to leave for Employees who have been, or are being, or are at risk of being subjected to domestic violence and abuse, or where the Employee is supporting a relevant person.

The policy should be designed to promote a workplace culture that facilitates disclosures of domestic abuse, and supports Employees subjected to domestic violence and abuse in maintaining employment and promote a safe work environment for all staff.

Scope

The policy should apply to all Employees within the Organisation and provide definitions of Domestic Violence and abuse and the connection between an Employee or relevant person. It is important that access to the provisions of the policy is detailed so that any Employee can easily understand how they might approach a member of management or a designated person to avail of supports.

Employers should highlight best practice in the allocation of responsibilities for management, a designated person and even a work colleague should concerns arise.

The policy should detail the legal entitlement to up to 5 days paid leave within a twelve-month period, during which the Employee would typically be scheduled to work as well as providing examples of the purpose of this leave, which is to assist the Employee, or allow the Employee to assist a relevant person.

Confidentiality

Confidentiality is of paramount importance and the policy should highlight the approach to confidentiality and disclosures as well as the approach to confidentiality and record keeping.

Workplace Safety

The policy should include details of the Organisations approach to workplace safety and the measures that may be included in a workplace safety plan.

Referrals

A list of domestic abuse specialist organisations should be maintained and easily accessible to Employees. The policy may detail that a referral list can also be obtained from a manager or designated person.

Workplace supports

Employers must consider what workplace supports will be made available under the policy and what supports in excess of the statutory obligations could be provided such as:

- Special leave (which is paid or unpaid leave in addition to the statutory 5 days)
- Financial Assistance

As Employers navigate through the development and application of this policy consideration must always be given to compliance, best practice and continuous review.

To support development of new or revised policies and procedures, or for information on Employer compliance requirements, please contact our team of experts in Adare HRM for information of supports provided through our HR Partnership Programme.

Contact Details: Phone (01) 561 3594 or email info@adarehrm.ie

Adare Human Resource Management is a team of expert-led Employment Law, Industrial Relations and best practice Human Resource Management consultants.