

19 May 2017
Committee Secretariat
Justice and Electoral Committee
Parliament Buildings
Wellington
New Zealand
Online Submission

Rural Women New Zealand
Submission on the Supplementary Order Paper changes
to the Domestic Violence-Victims' Protection Bill

Introduction

1. The Supplementary Order Paper (SOP) included some changes that Rural Women New Zealand (RWNZ) believes may make the process more costly and onerous for employers.
2. RWNZ believes there should be government funding or reimbursement for employers for domestic violence paid leave; a recognition that the burden of compliance is greater for Small Medium Enterprises (SMEs), especially for those in rural and small towns; a timeframe for employers' to provide flexible working arrangements that is reasonable and reflective of the nature of the business; and a stand down period should apply before any entitlement can apply. RWNZ also supports the amendment for the requirement of an employer to now "provide" information.

Overview of our submission

3. We believe that there should be government funding to support or reimburse employers, especially if the employers are working extra hours, essentially providing both funding and support to a nationwide issue that affects every member in society. An employer should not be held legally liable for an issue that is out of their control, and in some cases, go well above and beyond the duties and obligations expected of an employer to their employee.
4. RWNZ recognises that the burden of compliance is greater for SMEs, especially for those in rural and small towns. New Zealand is a country made up of SMEs, with over 97,000 employers reporting 1 to 5 as their total number of employees and over 37,000 employers reporting 6 to 19 as their total number of employees.

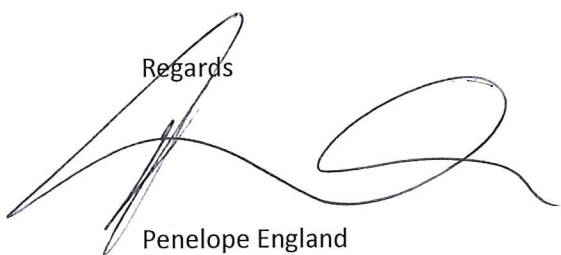
RWNZ submission on SOP on Domestic Violence-Victims' Protection Bill 19/05/17

5. Regarding the employer's duty to provide flexible working arrangements for victims, this timeframe has been amended from "as soon as is practical but no later than three months," to "5 working days." The new timeframe is too short for many primary industry businesses, especially businesses with harvesting pressures and difficulty in finding staff. Whilst 5 days may be reasonable for larger businesses that contain their own Human Resources department, it is unreasonable on SME employers, who could be unable to meet the tight deadline due to reasons beyond their control, such as being away at a work related event such as Fieldays, on annual leave, or in the middle of calving. We believe that a requirement of at least 10 working days, and no more than 15 working days, would be more reasonable for the employer, and still timely for most victims of domestic violence.
6. There should be a stand down period before any entitlement can apply, as was in the original Bill. We believe this period should be 30 days (one month). A stand down period allows for victims of domestic violence, who may only be a few weeks into a new job, the rights they are entitled to. It also helps to prevent anyone from falsely claiming they are the victim of domestic violence. From a rural perspective, we believe this is the most reasonable approach.
7. RWNZ supports the amendment for the requirement of an employer to "provide" information about the appropriate domestic violence support services available instead of having to "refer" them. This is an improved position. It shows the employer is working in good faith with their employee to ensure they can be referred to the appropriate support services, without placing too heavy a burden on the employer.

Conclusion

8. Rural Women New Zealand would like to thank the Committee for the opportunity to submit on this Bill. Please do not hesitate to contact me using the details below to discuss our submission further. We would also appreciate the opportunity to appear before the Committee in support of our submission.

Regards



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