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Family violence leave

If you, or a child in your care, are affected by domestic and family violence, you can ask your employer for paid family violence leave and flexible working arrangements.

If you are in danger

If you or someone else is in immediate danger, call [111](#) [Link: 1] now.

[Services and support for anyone experiencing abuse](#)

What domestic and family violence means

Also known as domestic violence, family violence means all forms of violence in family and intimate relationships and can include physical, sexual or psychological abuse.

Under the Domestic Violence — Victims' Protection Act 2018, you have the right to be protected against domestic and family violence whatever your gender or type of relationship you're in.

- [Domestic Violence — Victims' Protection Act 2018 — NZ Legislation \(external link\)](#) [Link: 2]
- [Get help — Women's Refuge \(external link\)](#) [Link: 3]
- [Taking family violence leave — Employment NZ \(external link\)](#) [Link: 4]

Your rights as an employee

If you are affected by family violence and you are employed, the Act gives you the right to:

- take 10 days of paid family violence leave each year
- ask for a short-term flexible working arrangement for up to 2 months — this could be a change to your duties, work location or the time you start and finish work each day
- not be treated unfairly at work because you might have experienced family violence.

You can also take paid family violence leave to support a child who has experienced family violence, as long as they live with you some of the time.

It does not matter when the family violence took place. You still have these rights if you experienced family violence before you began working for your current employer or before the law changed when the Act started on 1 April 2019.

[Family violence leave — Employment New Zealand \(external link\)](#) [Link: 5]

Qualifying for paid family violence leave

You can take paid family violence leave if you're an employee and you have been:

- employed continuously for 6 months with the same employer, or

- working for your employer for 6 months for:
 - an average of 10 hours per week, and
 - at least 1 hour in every week or 40 hours in every month.

Offering more than the minimum or if you do not qualify

Your employer can also offer you:

- more than the minimum 10 days of paid family violence leave
- family violence leave in advance, annual leave, unpaid leave or sick leave.

If your employer decides to offer more than the minimum or only the 10 days of paid leave, they must record all arrangements in writing.

- What family violence leave you're entitled to — Employment New Zealand (external link) [Link: 6]
- Check the type of employee you are — Employment New Zealand (external link) [Link: 7]

Applying for family violence leave

Tell your employer on or before the day you are meant to work or as early as you can that you want to take family violence leave.

Your employer can ask for proof that you are affected by family violence.

Providing proof of family violence — Employment New Zealand (external link) [Link: 8]

Your personal information

Your personal information must be kept private and confidential by your employer, including the reason for any leave you take, unless the Privacy Act 2020 (external link) [Link: 9] lets them share it.

If you are refused leave or flexible work arrangements

If you have problems getting family violence rights, you should talk to your employer first. If you cannot talk to your employer you can get free, confidential help and mediation.

If you are not getting what you are entitled to — Employment New Zealand (external link) [Link: 10]

Index of page links

1. Phone number: 111
2. <https://www.legislation.govt.nz/act/public/2018/0021/latest/DLM7054315.html>
3. <https://womensrefuge.org.nz/get-help/>
4. <https://www.employment.govt.nz/leave-and-holidays/family-violence-leave/taking-family-violence-leave>
5. <https://www.employment.govt.nz/leave-and-holidays/family-violence-leave>
6. <https://www.employment.govt.nz/leave-and-holidays/family-violence-leave/taking-family-violence-leave#scroll-to-1>

7. <https://www.employment.govt.nz/starting-employment/who-is-an-employee/types-of-employee/>
8. <https://www.employment.govt.nz/leave-and-holidays/family-violence-leave/taking-family-violence-leave#scroll-to-4>
9. <https://www.legislation.govt.nz/act/public/2020/0031/latest/LMS23223.html>
10. <https://www.employment.govt.nz/leave-and-holidays/family-violence-leave/taking-family-violence-leave#scroll-to-9>

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