

Committee Secretary  
Senate Education and Employment Committees  
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Canberra ACT 2600

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Dear Chair,

Re : Education and Employment Legislation Committee Inquiry into the Sex Discrimination and Fair Work (Respect at Work) Amendment Bill 2021 Submission of the Fair Work Commission July 2021

The National Rural Women's Coalition (NRWC) welcomes the opportunity to make a submission to the Education and Employment Legislation Committee (the Committee) inquiry into the Sex Discrimination and Fair Work (Respect at Work) Amendment Bill 2021 (the Bill).

The National Rural Women's Coalition (NRWC) through its organisational membership represents over two hundred and fifty thousand (250,000) women and girls from across diverse communities in rural, regional and remote areas of Australia, including those in Fishing and on Australia's Remote Offshore Territories. As one of the Australian National Women's Alliances, NRWC provides policy advice to the Australian Government on matters relevant to the views and circumstances of rural, regional and geographically remote women and also takes a leading role in ensuring that it helps as many rural, regional and remote women as possible to achieve their goals.

This submission provides the National Rural Women's Coalition responses to the proposed amendments to the Sex Discrimination Act 1984 (Cth) (SDA) and Fair Work Act (2009) (FWA) under the Sex Discrimination and Fair Work (Respect at Work) Amendment Bill 2021. The NRWC wish to uphold the findings from the Respect@Work Report and the strategies contained within the '*Roadmap for Respect: Preventing and Addressing Sexual Harassment in Australian Workplaces*' as a comprehensive path forward to address workplace sexual harassment.

The NRWC views this Bill and the subsequent changes to the SDA and FWA as a positive step forward further to protecting women and men from violence and harassment on the basis of sex.

### **Expanding coverage of the Sex Discrimination Act 1984 (Cth) (SDA)**

The National Rural Women's Coalition (NRWC) supports the expansion in the Bill of the concept of "worker" and "persons conducting a business of undertaking" (PCBU) to include all workers, including interns, volunteers those in casual and non-paid work situations. In many instances in rural, regional and remote work, including in disaster relief work the role of volunteers and other self-employed and non paid workers is essential to provide quick and effective responses to the communities involved in the situation it is essential that such workers are protected against sex discrimination and that there is

recourse to justice. In this regard, the expansion of the discretionary grounds on which a complaint may be terminated by the President of the Australian Human Rights Commission from 6 months to 12 months is welcomed.

### **Rural, regional and remote workers in isolated situations**

The reporting of sexual harassment in many situations in Australia is particularly complex and confusing for victims and employers to understand and navigate. It places a heavy burden on individuals to make a complaint. In situations of isolated working situations, such as in mining, off-shore mining, transport, fishing and primary production, the complaints procedure is not only complex and confusing but often unsafe given the close quarters and isolation of the workplace.

With the growth of women in non-traditional work, including science, technology, engineering and mathematics (STEM) pathways, there is an urgency not only to extend the Fair Work Act section on bullying to include sexual harassment, but also to strengthen the Work Health and Safety Act 2011 (WHS Act) to provide more education to private companies, small business and industry about what sexual harassment is, what the duty of the person conducting business is to protect workers, especially in situations of workplace isolation.

### **Further information**

Thank you again for the opportunity to comment on this Bill. The National Rural Women's Coalition (NRWC) would be pleased to provide any further assistance the Committee may require. Should you wish to speak with me directly, I am contactable on 0455 844101 or include email [ceo@nrwc.com.au](mailto:ceo@nrwc.com.au).



Mel McDonald / per

President  
Leonie Noble