

IR POLICY AND GOVERNANCE UPDATE



INTRODUCTION

Hopefully everyone is staying positive, testing negative and on their way to being double jabbed where possible. This week, interest rates remain on hold, further good reasons to be vaccinated as we move forward, and the legislative response to the Respect@Work report passes through parliament.

RESPECT@WORK BILL PASSED

In response to the 2020 Sex Discrimination Commission Inquiry and resulting Report, the Federal Government introduced the *Sex Discrimination and Fair Work (Respect at Work) Amendment Bill 2021* (the Bill). The Bill, which has now passed, implements numerous recommendations from the Report by making amendments to the *Fair Work Act* and *Sex Discrimination Act*.

The amending legislation will allow the Fair Work Commission to issue orders to 'stop sexual harassment' in a workplace, similar to 'stop bullying orders', it also legislates sexual harassment as 'serious misconduct' and a potentially valid reason for dismissal, and will also enable employees the use of compassionate leave for miscarriage. Additionally, the timeframes for making related complaints through the Human Rights Commission are being extended from six months to two years.

These legislative amendments will require some consideration and also potential amendments to internal policies and processes. Next week TRMC will provide a guide on these legislative amendments and what is required in your business.

INTEREST RATES REMAIN ON HOLD

Perhaps the only constant at the present time, the Reserve Bank of Australia determined to hold the official cash rate at 0.1%. On the state of the Australian economy, the Board of the Reserve Bank views the current conditions are only temporary in nature:

- > Prior to the Delta outbreak the Australian economy had considerable momentum. GDP increased by 0.7 per cent in the June quarter and by nearly 10 per cent over the year. Business investment was picking up and the labour market had strengthened. The unemployment rate had fallen below 5 per cent and job vacancies were at a high level.
- > The recovery in the Australian economy has, however, been interrupted by the Delta outbreak and the associated restrictions on activity. GDP is expected to decline materially in the September quarter and the unemployment rate will move higher over coming months. While the outbreak is affecting most parts of the economy, the impact is uneven, with some areas facing very difficult conditions while others are continuing to grow strongly.
- > This setback to the economic expansion is expected to be only temporary. The Delta outbreak is expected to delay, but not derail, the recovery. As vaccination rates increase further and restrictions are eased, the economy should bounce back. There is, however, uncertainty about the timing and pace of this bounce-back and it is likely to be slower than

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that earlier in the year. Much will depend on the health situation and the easing of restrictions on activity. In our central scenario, the economy will be growing again in the December quarter and is expected to be back around its pre-Delta path in the second half of next year.

Although the Reserve Bank continues to undertake its quantitative easing program it has moved down from \$5b to \$4b bond purchases per week. This RBA approach aims to keep the Australian dollar under control to support economic growth and ensure interest rates stay at their record lows. This is of benefit to exporters, but not so great if your importing.

COVID-19 VACCINATIONS

NSW LGA's of Concern – Authorised Worker Vaccination Requirement Revised

Authorised workers from the 12 Greater Sydney local government areas (LGAs) of concern who leave their LGA for work now have until Sunday, 19 September 2021 to receive at least one vaccination dose (previously 6 September 2021). For clarification, the extension to that requirement means:

- > From 9 September 2021, authorised workers who live in a local government area of concern, must not leave your local government area for work unless they can evidence they have:
 - > had at least 1 dose of a COVID-19 vaccine; or
 - > an appointment booked to be vaccinated on or before 19 September 2021 and have evidence of the appointment; or
 - > evidence of a medical exemption.
- > From 20 September 2021 those authorised workers will only be able to leave their LGA for work if you have:
 - > had at least 1 dose of a COVID-19 vaccine; or
 - > evidence of a medical exemption.

Authorised workers who are unable to have a COVID-19 vaccine for medical reasons must obtain a formal NSW Government COVID-19 vaccination contraindication exemption from their medical practitioner.

Members are reminded that their impacted authorised workers must carry and be able to produce evidence of their vaccination, their vaccination appointment, or their medical exemption. if requested by their employer or a police officer.

NSW Roadmap to Freedom

Today the NSW released its Roadmap to Freedom for moving the state out of the current lockdown restrictions being experienced in much of NSW. Effectively, a range of social restrictions will be lifted for fully vaccinated individuals the Monday after the state reaches 70% vaccination levels for the population (over 16 years of age).

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The roadmap is being fine-tuned and in consultation with industry and will be finalised in the coming days. Currently NSW sits at around 43% fully vaccinated, so it is expected that the 70% level could be reached by the end of September.

Under the plan employers will need to continue allowing employees to work from home if the employee is able to do so, and wearing facemasks will continue to be a requirement in many indoor settings.

Vaccination Status Apps – no jab, no entry

Although it would be preferable to have a national based approach, most Australian states and territories are working on various “app” based approaches so as to verify an individual’s vaccination status for ease of entry into venues as we move out of lockdown in the coming weeks. Additionally, most states and territories are also determining similar requirements for workers who seek to enter different states.

As we move forward within the framework of the national transition plan, we will likely see many more businesses premises mandating ‘no jab, no entry’ requirements for customers, contractors and visitors, as is their right.

Vaccination status requirements for travel

In another step forward, the federal government is preparing to issue ‘COVID-19 vaccine passports’ from October 2021. Effectively, an individual’s vaccination status will be inked to the chip in their passport. Exactly how such a system will operate and work with the vaccination requirements of differing countries is currently being agreed upon. Nonetheless, they will likely be an essential requirement for international travel as restrictions start to lift and travel bubbles are created. Historically, travellers needing to evidence they have received vaccinations for a variety of diseases and viruses before embarking or upon entry into many countries is nothing new.

CONTACT

Any Industrial Relations Member who has a related query should contact Charles Watson, GM – IR, Policy and Governance at The Real Media Collective via email charles@thermc.com.au or mobile:+61 428 568 032.

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