

IR POLICY AND GOVERNANCE UPDATE



INTRODUCTION

This week we summarise the Respect@Work legislative amendments and provide members with steps to ensure compliance, an update of the current labour force figures, and given the ongoing lockdowns across Australia phishing scammers continue trying to part good people from their money.

VACCINATION ROLL-OUT PROGRESSES

A review of current Operation COVID Shield data on vaccination rates across Australia is encouraging. Currently over 69% of Australians over the age of 16 have at least had a first dose, and 43.9% are fully vaccinated. On a state and territory basis each is between 58% and 80% first dose and most are moving towards 50% fully vaccinated. Currently the ACT leads the way with over 53% fully vaccinated, although 12-15-year olds are now included. Although we have weeks to go before regions hit 70% plus vaccination rates, if they keep moving at their current rates let's hope October will be a month of goals for everyone.

RESPECT@WORK LEGISLATIVE AMENDMENTS

Further to last week's update, the amendments to various pieces of legislation arising from the *Sex Discrimination and Fair Work (Respect at Work) Amendment Bill 2021* will require members to undertake some consideration, review and amendment to workplace policies and procedures. The legislative amendments that need to be considered are as follows.

Fair Work Act

- > Sexual harassment in connection with a person's employment is considered as 'serious misconduct' and can be a valid reason for dismissal when and if the Fair Work Commission is required to determine whether a dismissal was harsh, unjust or unreasonable.
- > A worker who is sexually harassed at work will be able to apply to the Fair Work Commission for a 'Stop Sexual Harassment Order', similar to the 'Stop Bullying Order'. The Commission may make such an order if it is satisfied that sexual harassment has occurred and there is a risk of the harassment occurring in future.
- > If a worker or their partner have a miscarriage, they will now each be entitled to 2 days paid compassionate leave (unpaid for casuals).

Sex Discrimination Act

- > Discrimination involving harassment on the ground of sex will now be expressly prohibited.
- > Sexual harassment protections will now be extended to all paid and unpaid workers, including volunteers, interns and the self-employed.
- > The application of the *Sex Discrimination Act* has been widened to ensure that it applies to sexual harassment by extending the ambit to those who cause, instruct, induce, permit or aid another person to do acts of sexual harassment, or harassment on the ground of sex.

Human Rights Commission Act

- > The time period for making a Sex Discrimination Act related complaint to the Human Rights Commission will be extended from six months to two years.

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Member To Do List

- > Members should review and relevantly amend where necessary all related workplace policies, procedures, enterprise agreements, and complaints procedures to reflect the legislative amendments.
- > Ensure all managers, supervisors, HR, payroll and other relevant staff are aware of the amendments and understand any implications in the workplace.
- > Use this opportunity to consider your workplace culture and whether any improvements could be undertaken.

NATIONAL UNEMPLOYMENT RATES LOWER, BUT....

Australia's unemployment rate has fallen to 4.5% in August 2021. However, this rate needs to be tempered by the effect of rises in underemployment (1% up to 9.3%) and decreases in participation rates caused by ongoing lockdowns and workplace restrictions particularly in NSW and Victoria.

PHISHING EMAIL

In another example of why printed is best, a fake Australia Post email notification attempting to phish personal and banking details has been received by various recipients. The fake email, liveried as if it comes from Australia Post, asks the recipient to click on a link and confirm personal details. Given the high level of items being delivered to Australian homes at this time, it is no surprise cybercriminals are attempting to use delivery service brands for such scams. Australia Post advise they do not email, call or text to request financial information or a payment.

BUSINESS SUPPORT AUS AND NZ

We have updated our [Business Support Report](#) that provides an overview of the variously available Australia and New Zealand government business support packages and make available to you. Please remember that the government support packages all have variable closing dates for making applications.

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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