

MEDIA RELEASE – 31 August 2021

It's time for Respect@Work

Circle Green Community Legal calls on the federal government to implement all 55 recommendations made by the Respect@Work Report as it considers the Sex Discrimination and Fair Work (Respect at Work) Amendment Bill 2021 today.

Sara Kane, CEO of Circle Green Community Legal, says “The burden of addressing workplace sexual harassment has laid with complainants for too long. Complainants need to have better protections to enable them to make claims of sexual harassment without fear of retribution and cost orders.”

She continues, “This includes sufficient time to make a claim. Extending the timeframe to 24 months doesn’t go far enough. In our experience, it can take victims longer than 24 months to deal with the practical impacts of workplace sexual harassment, especially if they come from a vulnerable or disadvantaged background.”

Circle Green identifies four essential changes needed immediately to address workplace sexual harassment effectively and appropriately in Australia.

1. A positive duty in the *Sex Discrimination Act 1984* (Cth) for employers to take reasonable and proportionate steps to eliminate sex discrimination, sexual harassment, and victimisation as far as possible is crucial.

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2. Cost protections for complainants, like those in the *Fair Work Act 2009* (Cth) should be available. Current costs provisions for sexual harassment claims create a significant access to justice issue for vulnerable and disadvantaged complainants, who are at the greatest risk of sexual harassment.
3. Achieving substantive equality between men and women is critical to eliminate workplace sexual harassment and sex discrimination. The wording proposed by the Report should be adopted for the object clause of the *Sex Discrimination Act 1984* (Cth). The proposed wording ‘so far as practicable, equality of opportunity’ is unjustifiably narrower.
4. A longer timeframe of six years for complainants to lodge sexual harassment complaints before the discretion to terminate on the grounds of time arises is needed. Extending the timeframe to 24 months does not go far enough.

Circle Green Community Legal is a not-for-profit community legal centre based in Western Australia that provides free, state-wide employment law advice, case work, advocacy, education, and non-legal support services for vulnerable and disadvantaged victims of workplace sexual harassment.

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