

25 February 2026

Committee Members  
House of Representatives Standing Committee on Employment  
Workplace Relations, Skills and Training  
PO Box 6021  
Parliament House  
CANBERRA ACT 2600

### **By online lodgement only**

Dear Committee Members

### ***Inquiry into the National Employment Standards under the Fair Work Act 2009 (Cth)***

Circle Green Community Legal (**Circle Green**) welcomes the opportunity to comment on the National Employment Standards (**NES**) in the *Fair Work Act 2009* (Cth) (**FW Act**).

### **About Circle Green**

Circle Green is a community legal centre in WA providing state-wide specialist legal services in the areas of workplace, tenancy, humanitarian, and family and domestic violence to the WA community. Our services are aimed at assisting people from marginalised communities and who face disadvantage in gaining access to justice. You can find more information about Circle Green's services on our website: <https://www.circlegreen.org.au/>.

Circle Green is the only community legal centre in WA with a specialist workplace law practice that provides state-wide services to marginalised and disadvantaged non-unionised WA workers. Our workplace law services include legal advice, casework, representation, information, referrals and education on state and national workplace law, including the FW Act. We are also a volunteer legal advice provider for the Fair Work Commission's (**FWC**) Workplace Advisory Service, and since late 2024, we have been providing the legal services of the Working Women's Centre of WA in partnership with Women's Legal Service WA.

### **Our client base**

Circle Green provides legal assistance services to people who are marginalised or disadvantaged in their access to justice. Our clients include those who experience one or more of the following challenges, among others:

- low income or financial hardship;
- homelessness or risk of homelessness;
- physical or mental disabilities;
- being women or gender-diverse;
- being pregnant;
- having dependents and family or other caring responsibilities, or being the sole income earner in their household;
- being under the age of 21 or over the age of 50;
- being from a culturally and linguistically diverse (**CALD**) background;
- being of Aboriginal or Torres Strait Islander (**ATSI**) descent;
- working or residing in a regional, rural, and remote area;
- being a newly arrived migrant, refugee, or asylum seeker; and
- being subject to family and domestic violence.

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## Submission

This submission is based on Circle Green's experience and expertise assisting WA workers experiencing the kinds of disadvantage and challenges set out in the preceding paragraph. We take this opportunity to reflect upon our experience, and our clients' experiences, and where appropriate, share some anonymised case studies. For all case studies, we have changed or removed names and other identifying information to protect client confidentiality.

The focus of our submission is on aspects of the NES we believe are inadequate in protecting WA workers experiencing disadvantage and marginalisation, and we make recommendations aimed at supporting a more inclusive, safe, and better-trained workforce with more opportunities and adequate protections for workers, particularly women and other disadvantaged groups.

### ***Division 5 – Parental leave and related entitlements***

#### Eligibility for unpaid parental leave

To be eligible for unpaid parental leave, section 67 of the FW Act requires that an employee, other than a casual employee, has, or will have, completed at least 12 months of continuous service with the employer immediately before the applicable date.

For casual employees, the requirement is that the employee is a regular and systematic casual employee during a period of at least 12 months, *and* but for the birth of expected birth of the child, they would have a reasonable expectation of continuing employment with the employer on a regular and systematic basis.<sup>1</sup>

First, we recommend that the eligibility period (currently 12 months), is reduced to 6 months for employers with 15 or more employees. This recommendation supports inclusivity and gender equity in the workforce,<sup>2</sup> and is consistent with similar eligibility requirements in the FW Act.<sup>3 4</sup>

Second, the eligibility requirement for casual employees should be amended to prevent employers taking advantage of the inherent flexible nature of casual employment to potentially prejudice an employee's eligibility for unpaid parental leave under the FW Act. For example, employers could reduce or alter an employee's shifts after notification of pregnancy, to put their eligibility in issue. We have seen employers do this, and in fact, in one instance, the employer's actions caused the employee to be ineligible for the Government's paid parental leave scheme.

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<sup>1</sup> *Fair Work Act 2009* (Cth), s 67.

<sup>2</sup> Part-time work, unpaid years, and career interruptions account for approximately 33% of the hourly gender pay gap: KPMG, DCA, and WGEA, [She's Price\(d\)less \(4<sup>th</sup> edition\)](#) (13 July 2022); and career interruptions due to care, family and pregnancy, is the highest identifiable driver of the gender pay gap: KPMG, DCA, and WGEA, [She's Price\(d\)less \(5<sup>th</sup> edition\)](#) (29 January 2026).

<sup>3</sup> Eligibility for a remedy for unfair dismissal (FW Act, ss 382-3) applies after 6 months of continuous service with the employer; and employee choice about casual employment (FW Act, s 66AAB) applies after 6 months of continuous service with the employer.

<sup>4</sup> Whilst we acknowledge that Division 4 of Part 2-2 (requests for flexible working arrangements) is excluded from the scope of the NES review, we recommend, to ensure further consistency, and support inclusivity in the workplace, that the eligibility requirements to request flexible working arrangements be amended to 6 months of continuous service with the employer for employers with 15 or more employees (FW Act, s 65(2)).



### Case study 1 – Amy

Amy is a young mother living outside of the Perth metropolitan area who was employed by a support service organisation. Amy had been working for the employer for approximately 18 months, and worked an average of nearly 30 hours per week on a regular and systematic basis.

When Amy discovered she was pregnant, she informed her employer, and requested reasonable adjustments to her role to keep herself and her baby safe. Amy's employer responded by unreasonably refusing to provide her with a 'safe job'; and subsequently decreasing her shifts, including significantly reducing her rostered hours per week, and not rostering her at all for some weeks.

Amy's employer decreased her shifts so much that she was no longer eligible for the Government's paid parental leave scheme. When Amy tried to resolve the rostering issues, her employer ignored her. This left Amy without work during her pregnancy, and without government support after she gave birth, which had a significant financial and emotional impact on Amy.

Circle Green represented Amy and supported her through multiple settlement attempts and a long litigation process, which ultimately resulted in a successful court mediation, where Amy obtained a settlement with financial and non-financial outcomes.

Whilst the general protections in the FW Act deem unlawful any adverse action taken by employers for a prohibited reason (including for a protected characteristic such as pregnancy, and family and carer's responsibilities), in practice, a pregnant employee is unlikely to have the time, resources, or emotional capacity to commence legal proceedings to dispute any such adverse action by their employer.<sup>5</sup>

We recommend that an additional layer of protection be introduced, such as in the form of an anti-avoidance provision. Similar anti-avoidance provisions which already exist in industrial relations legislation could be used as a reference model:

- *Long Service Leave Act 1958 (WA)* – an employee's continuous employment with the employer, for the purposes of calculating entitlement to long service leave, includes any period following the termination of an employee's employment if the employer did so with the intention of avoiding long service leave pay obligations, or annual leave entitlements;<sup>6</sup> and
- FW Act, section 121(4) – certain small business employers are required to pay redundancy pay, if the employer became a small business by downsizing in the process of bankruptcy or liquidation.<sup>7</sup>

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<sup>5</sup> Further, the practical utility of making a general protections claim not involving dismissal (FW Act, s 372) is low, as employers can refuse to agree to participate in a conciliation conference to resolve the matter. This leaves the employee with no choice but to make an application to the Federal Court of Australia or the Federal Circuit and Family Court of Australia should they wish to pursue the matter further.

<sup>6</sup> *Long Service Leave Act 1958 (WA)*, s 6(2)(a).

<sup>7</sup> *Fair Work Act 2009 (Cth)*, s 121(4).



## Subdivision C – other pregnancy-related entitlements

The pregnancy-related entitlements in the NES, do not, in our experience, provide sufficient protection against discrimination and gendered bias, whether conscious or unconscious, against women workers, pregnant workers, and workers with family and carer's responsibilities.<sup>8</sup> Further to the significant distress and disadvantage that we have seen our clients face in accessing these entitlements, part-time work, unpaid work, and career interruptions due to care, family and pregnancy, is a key driver of the gender pay gap, costing the Australian economy \$331 million per week in lost earnings.<sup>9</sup>

Workers in insecure roles are more likely to be at risk of disadvantage than permanent employees, and other forms of marginalisation compound the workers experience of disadvantage. Given the various barriers that pregnant workers and workers with family and carers responsibilities already face, it is crucial that the law offers them a broader range of options to be able to enter, and remain in, the workforce despite their pregnancy and / or family and carers responsibilities.

### 1. *FWC dispute resolution powers*

Similar to the dispute resolution powers that the FWC now have in dealing with disputes about flexible working arrangements, we recommend that the FWC be empowered with jurisdiction to resolve disputes about pregnancy-related entitlements in Division 5, subdivision C of Part 2-2 of the FW Act.<sup>10</sup>

We also recommend that employers be required to follow certain processes, similar to requests for flexible working arrangements, in responding to requests in relation to the pregnancy-related entitlements in Subdivision C. Employers should have clearer requirements around the process of responding to requests for transfers to a safe job, and consulting with employees on unpaid parental leave.

For example, the current requirement that employers take "all reasonable steps" to consult with the employee on parental leave about workplace changes that impact them, does not provide sufficient certainty to both employers and employees alike. A failure to comply with the consulting requirements should entitle the aggrieved employee to access the FWC's dispute resolution powers.

The below case study involved a worker who was involved in a prolonged dispute with their employer, and would have benefited from an external body assisting them with resolving the dispute, which could result in orders being made by that external body to provide finality where possible.

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<sup>8</sup> Statistics on the negative experiences of pregnant workers is consistent with our experience assisting these workers. For example, research shows that: **46%** of pregnant workers were ordered to complete work below their level of competence when they disclosed their pregnancy, **36%** experienced excessive performance monitoring, **51%** were not informed of changes in the workplace that could affect them, and **44%** received negative comments about returning to work part-time or requiring flexible work arrangements (Potter, R., Foley, K., Richter, S., Cleggett, S., Dollard, M., Parkin, A., Brough, P., & Lushington, K., [National Review: Work Conditions & Discrimination among Pregnant & Parent Workers in Australia Evidence & Insights Report](#) (2024).

<sup>9</sup> KPMG, DCA, and WGEA, [She's Price\(d\)less \(5<sup>th</sup> edition\)](#) (29 January 2026).

<sup>10</sup> As the Explanatory Memorandum for the *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Bill 2022* states, this proposed amendment 'would not alter the FWC's existing procedures in relation to resolving disputes, but would simply expand the kinds of disputes which the FWC may consider'.



### **Case study 2 – Shannen**

Shannen was a part-time employee, who was pregnant and caring for another young child at the time. Upon advice from her doctor, Shannen asked her employer to transfer her to a safe job, as she could not safely perform her current role due to risks associated with her pregnancy.

A week later, Shannen's employer raised performance issues with her, which had not been raised prior. Another week later, Shannen was offered an alternative role, which was of a lower level with less responsibilities and pay. When Shannen rejected the alternative role and asked again for a transfer to a safe job, the employer issued Shannen with a formal warning letter regarding her work performance.

Shannen was extremely distressed by the response from her employer, as she was dependent on being eligible for parental leave under the FW Act, and for the paid parental leave scheme. As a sole income earner of her household and soon-to-be parent of two young children, it was extremely important to Shannen that she continue with her employment.

Circle Green assisted Shannen with corresponding with her employer, but Shannen was not provided with an alternative safe role, or with paid no safe job leave. Ultimately, Shannen made a request for flexible working arrangements, which was only partially accepted, but at least enabled her to perform her job relatively safely until her parental leave period started.

The whole process took five months, which is approximately half the duration of an ordinary, full-term pregnancy, and was a distressing process for Shannen who was constantly in fear of losing her job.

We further note that, whilst valuable, FWC dispute resolution and arbitration processes can be difficult for a self-represented applicant to navigate, particularly for pregnant women and/or applicants from marginalised backgrounds. Given this, it is important that the FWC, and relevant legal support services such as Circle Green, are adequately resourced to facilitate access to any new jurisdiction of the FWC.

## **2. *Prohibit redundancy or termination of employment during pregnancy, parental leave, and a period following return from parental leave***

Recent research from 2024 suggests that job stability during and immediately after parental leave continues to be precarious for parents: 51% of parents were not informed about changes in the workplace that could affect them, and 22% of parents were made redundant, restructured out of a job, did not have their contract renewed, or had their employment terminated.<sup>11</sup> These statistics are consistent with our own experience assisting clients with pregnancy-related workplace issues. We often see employers making an employee's position redundant whilst they are on parental

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<sup>11</sup> Potter, R., Foley, K., Richter, S., Cleggett, S., Dollard, M., Parkin, A., Brough, P., & Lushington, K., [\*National Review: Work Conditions & Discrimination among Pregnant & Parent Workers in Australia Evidence & Insights Report\*](#) (2024).



leave, or only providing part-time or casual employment, or substantially varied roles (for example, lower seniority, or lower pay) on return.

### **Case study 3 – Maya**

Maya was a hospitality worker working for a small business employer on a permanent full-time basis, who took a period of unpaid parental leave under the FW Act.

When Maya tried to return to work at the end of her parental leave period, the employer indicated that they did not want her to return on a full-time basis. Maya also requested flexible working arrangements under the FW Act to return on a part-time basis, so it appeared that Maya and her employer's interests were aligned. However, the employer subsequently refused to accommodate for Maya's flexible working arrangements request, and told Maya that she could only return on a full-time basis, and that no other alternative options were available.

Circle Green offered Maya a few advice appointments about her rights under the FW Act, but Maya felt that she could no longer work for the employer, due to a breakdown of the relationship.

### **Case study 4 – Eri**

Eri was a permanent part-time retail worker. Eri initially verbally informed her managers that she would be providing notice to take unpaid parental leave under the FW Act. During this discussion, Eri's managers indicated to her that she may not have a job to return to, or that she would not have the same job to return to. Eri's managers also suggested that Eri may be put on a performance improvement plan, despite not having raised any performance issues with her prior.

When Eri provided her formal notice of taking unpaid parental leave, her managers issued her with a performance improvement plan. Additionally, Eri's managers made further discriminatory comments towards her that made Eri feel like a burden to the business for being pregnant, and taking parental leave.

Circle Green assisted Eri with reviewing and drafting correspondence from, and to, the employer, and the employer finally agreed on a beneficial plan for Eri to commence her parental leave early as paid leave, and that no further discussion of a performance improvement plan would be made, at least until her return from parental leave.

Whilst the return to work guarantee in the NES is a safeguard, the current framework of protection against unfair or unlawful dismissals does not adequately protect employees in particularly vulnerable circumstances, such as pregnant workers, and workers on parental leave. It is difficult for employees to evidence deep-rooted biases or inadvertent discrimination to dispute unfair or unlawful dismissals. Dated gendered norms and stereotypes unfortunately persist in Australian workplaces, whereby parents, particularly where they take parental leave, are still often treated

as an “inconvenience” to employers because they are not the “ideal worker”.<sup>12</sup> We propose that stronger regulatory action and reform is required for an overhaul of Australian workplace culture to address these issues that are hindering inclusivity and diversity in the workforce.

For example, we consider that further protections are required to prevent employers from taking advantage of the genuine redundancy defence in unfair dismissal claims, for example by placing a higher evidentiary burden on employers to justify dismissing or taking adverse action against employees who are on parental leave, and for a specific period after returning from parental leave.

We refer, in this regard, to similar protections that exist in several European countries.<sup>13</sup> We consider that Australia should follow a similar approach, for example, by specifically prohibiting termination of employment of workers on parental leave, and for a specified period after returning from parental leave, with the only exception being if the employer can prove that there are exceptional circumstances to justify the dismissal, namely serious misconduct by the employee, or severe financial difficulties of the business.

### 3. *Community education*

Employers’ lack of awareness of pregnancy-related entitlements means that the pregnant worker, or worker on parental leave, is required to educate the employer to, and whilst trying to, assert their rights and access their entitlements. This is particularly difficult for employees from marginalised backgrounds, as any additional marginalising factors further compounds the existing power imbalance and emotional toll on the employee. We propose that one possible mechanism to increase awareness in the context of workplaces, would be to require employers to provide an information sheet that specifically sets out the pregnancy-related entitlements, to new employees on commencement of their employment.<sup>14</sup>

## ***Division 7 – Other leave***

### Consideration for new types of leave in the NES

Circle Green supports the addition of the following other leave types, with the overall aim of supporting diversity and inclusion in workplaces:

#### 1. *Cultural and / or religious leave*

We recommend including an entitlement to at least 10 days of paid cultural leave in the NES for ATSI workers. Further, we recommend including a separate entitlement for employees to take

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<sup>12</sup> AHRC, [Supporting Working Parents: Pregnancy and Return to Work National Review Report](#) (2014); and Potter, R., Foley, K., Richter, S., Cleggett, S., Dollard, M., Parkin, A., Brough, P., & Lushington, K., [National Review: Work Conditions & Discrimination among Pregnant & Parent Workers in Australia Evidence & Insights Report](#) (2024).

<sup>13</sup> Similar protections already exist in some countries in Europe: for example, Switzerland has an absolute ban on redundancies and dismissal for pregnant workers (with the period of protection beginning on the first day of pregnancy, regardless of the employer’s knowledge of the pregnancy), workers on parental leave, and on return after parental leave for a period of 16 weeks ([Swiss Civil Code, Art. 336](#)); and similar provisions in Austria, Germany, and Greece (not exhaustive).

<sup>14</sup> Equivalent to the [Fair Work Information Statement](#) prepared by the FWO, which must be given to every new employee before, or as soon as possible after, they start a new job, pursuant to s 125 of the FW Act. Casual employees must also be given a copy of the Casual Employment information Statement (s 125B), and fixed term employees must also be given a copy of the Fixed Term Contract Information Statement (s 333K).



an additional two days of paid leave for any other cultural or religious holiday of their choosing, to acknowledge the value to employees to be able to have time off work to participate in cultural and religious holidays and activities, and to meet cultural obligations.

## 2. Reproductive leave

Reproductive leave is a common entitlement in industrial agreements across Australia, and Western Australian public sector agreements have a standard clause that provides 5 days of paid reproductive leave. We recommend that the NES include an entitlement to 10 days' paid reproductive leave for all workers. This recommendation supports inclusivity, worker health, and gender equity in the workforce. There is a further productivity incentive in including a specific entitlement for reproductive health issues. For example, workers' menstrual pain and symptoms alone are costing the Australian economy \$14 billion per annum in lost productivity.<sup>15</sup>

We would be pleased to provide further recommendations and comment should the Committee wish to consult further on these forms of leave.

### Paid personal / carer's leave

The current entitlement to paid personal / carer's leave leaves out those that need these types of leave the most: carers. From our experience, we observe that informal carers tend to be women and tend not to be in the workforce due to facing difficulties remaining in the workforce. From our work with clients attempting to engage in the workforce whilst balancing family and carers responsibilities, and providing informal care, we also observe that this cohort often face intersectional workplace disadvantage factors such as gender, race, CALD background, and insecure work.

All workers, including casual employees, should be entitled to a separate paid carer's leave entitlement. Employees with caring responsibilities are more likely to be in insecure or casual employment arrangements, but these types of employees currently do not have access to paid personal leave or annual leave. As stated in the Senate Select Committee on Work and Care Final Report (**Select Committee Final Report**), 'working carers are disproportionately concentrated in jobs lacking paid sick and holiday leave and yet, ironically, their need for paid sick leave and a holiday to rest and recover is great'.<sup>16</sup>

We also consider that paid carer's leave should be an entitlement available to all workers, not just permanent employees. We therefore recommend that:

- the current NES entitlement to paid personal / carer's leave be applied to casual employees, so that it covers all employees; and / or
- a separate carer leave entitlement to be provided to all employees.

Further, any separate carer's leave entitlement should be available in a broader range of situations, such as providing care on an ad-hoc basis if standing care arrangements fall through. This is particularly relevant to the care of young children, older people, and people with disabilities as care for these cohorts is likely to take place on an ongoing and daily basis. Primary carers are enabled to work only if other care arrangements can be made for those relying on their care. Unexpected gaps in that pre-arranged care, caused by arrangements changing at short notice or falling through, are

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<sup>15</sup> Michelle O'Shea et al, *Menstrual Pain and the Economic Purse: Calculating and Understanding Menstrual Symptom Productivity Loss and the Australian Economic* (January 2026).

<sup>16</sup> The Senate Select Committee on Work and Care, [Final Report](#) (March 2023), p 185 [8.113].



not likely to constitute situations that fall squarely within the definition of an “illness, injury, or emergency”.

### Unpaid carer’s leave

The FW Act entitlement to two days of unpaid carer’s leave per occasion can only be accessed by permanent employees who have exhausted their personal / carer’s leave. It is also available to casual employees, but they do not have a personal leave entitlement.

We recommend that the entitlement to unpaid carer’s leave per occasion is increased to five days per occasion.

Further, Circle Green supports the Productivity Commission’s Recommendation 5 in the Carer Leave Inquiry Report, to remove the requirement that unpaid carer’s leave can only be accessed when a permanent employee’s personal / carer’s leave has been exhausted.<sup>17</sup> Where personal and carer’s leave is currently a joint entitlement, it is unreasonable to expect carers to have used up their personal / carer’s leave for caring responsibilities, as it directly and disproportionately inhibits carers’ access to personal leave for their own health and wellbeing, compared to non-carers.

Additionally, we continue to strongly support the provision of a minimum statutory entitlement to unpaid carer’s leave, similar to the unpaid parental leave legislation, which includes the provision for 12 months of leave in the first instance, with the right to request up to a further 12 months where the refusal of any extension of unpaid carer’s leave could only be made on reasonable business grounds. Circle Green considers that this entitlement be extended to all employees, including casual employees, with continuous service of at least 12 months. This should add to, not replace, any existing options and entitlements available to carers, such as flexible working arrangements.

### Definition of “immediate family” for the purposes of carer’s leave and compassionate leave

*immediate family of a person means:*

- (a) *a spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the person; or*
- (b) *a child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the person.*

The definition of “immediate family” in section 3 of the FW Act is inadequate, as it limits access to relevant types of leave, including carers leave and compassionate leave, for marginalised cohorts, such as ATSI communities, people from CALD backgrounds, and LGBTQIA+ communities. These cohorts are unlikely to have family structures that fall within the definition of a Western traditional concept of family, or heteronormative family structures.

We agree with Recommendation 17 of the Select Committee Final Report, which recommends that the definition of “immediate family” in the FW Act be amended and broadened to include:

- any person who is a member of an employee’s household, and has been for a continuous period of over 18 months;
- any of the employee’s children (including adopted, step, and ex-nuptial children);

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<sup>17</sup> Productivity Commission Inquiry Report, [A case for an extended unpaid carer leave entitlement?](#) (31 May 2023), pp 80-81.



- any of the employee's siblings (including a sibling of their spouse or de facto partner); and
- any other person significant to the employee to whom the employee provides regular care.<sup>18</sup>

The definition should be broadened further to recognise ATSI family and kinship structures, as recognised across national policies which focus on improving outcomes for ATSI communities.<sup>19</sup>

Further, we recommend that:

- the entitlement to paid compassionate leave should apply to casual employees; and
- the amount of paid compassionate leave be increased from the current two days. Grief and trauma responses take a variety of forms, and consideration should be given to separating out bereavement leave and compassionate leave, and allocating an appropriate number of days' leave for each category.

### ***Division 11 – Notice and redundancy***

#### Legislative limit on employee notice periods

Circle Green has assisted many clients who have had employment contracts that require them, the employee, to provide unreasonably and excessively long notice of resignation while the employer is only required to provide the minimum NES notice period, or a period that is significantly less than what the employee is required to provide.

For example, between 1 October 2020 and 7 May 2024, Circle Green assisted 11 clients who were all employed by the same employer, and had signed employment contracts with unreasonably long notice periods. The required notice periods were typically around four to six months for the employee, while the employer was only required to provide the minimum NES notice period. The clients affected were either apprentices or migrant workers of limited financial means, who felt that they had choice but to accept these employment contracts, for the sake of their visas or apprenticeships, to negotiate any terms of the contract.

#### **Case Study - Ian**

Ian was an apprentice and had been working for the employer for approximately 8 months when he experienced work health and safety issues at work. Ian made a workers' compensation claim and resigned without giving the 4 months' notice prescribed in his employment contract.

The employer sought damages totalling approximately \$14,000 for failure to work out the 4-month notice period.

Circle Green assisted Ian by drafting a letter for him to send to the employer, and the employer did not pursue him further.

<sup>18</sup> Ibid pp 184-184 [8.107].

<sup>19</sup> For example, the [National Strategic Framework for Aboriginal and Torres Strait Islander Peoples' Mental Health and Social and Emotional Wellbeing 2017-2023](#); and the [National Agreement on Closing the Gap](#) (July 2020).



We recommend that the NES be amended to include limits on the length of notice periods employees are required to provide to resign their employment. Specifically, we recommend:

- the notice period owed by an employee be prohibited from exceeding the notice period owed by an employer under the terms of any contract of employment; and
- the notice period owed by an employee earning less than 50% of the high-income threshold be limited to the minimum set out in the NES.

Thank you for considering our submission. We would be pleased to discuss any of its contents further. Please contact Fiona Yokohata, Lawyer – Workplace, at [fiona.yokohata@circlegreen.org.au](mailto:fiona.yokohata@circlegreen.org.au) if you wish to do so.

Yours faithfully

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