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## Respect@Work bill an important milestone

Passage of the Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022 (Cth) represents an important milestone in implementing the remaining legislative recommendations of the Respect@Work report.

“The Law Council welcomes the passage of the Bill this week,” Law Council President, Mr Tass Liveris said.

“Behaviour constituting sexual harassment and sex discrimination is completely unacceptable but unfortunately remains far too commonplace.

“Implementation of the Respect@Work recommendations will help create safer, more inclusive and respectful workplaces.”

The Law Council is a long-standing supporter of the recommendations made in the Australia Human Rights Commission’s Respect@Work report. It has made several submissions over the course of the inquiry and during the implementation phase.

In 2021, the Law Council supported the implementation of the first tranche of legislative reforms to give effect to the recommendations from the Respect@Work report and emphasised that further legislative amendments were needed to give full effect to the report.

“For this reason, the Law Council particularly welcomes the amendment made by this bill to create a positive duty on employers to take reasonable and proportionate measures to eliminate sex discrimination, sexual harassment and sex-based harassment, hostile environments, and victimisation at work,” Mr Liveris said.

“It will also enable the Australian Human Rights Commission (AHRC) to monitor and assess compliance with the positive duty.

“As Ms Kate Eastman AM SC, Chair of the Law Council’s Equal Opportunity Committee said at the inquiry hearing on the bill, the introduction of a positive duty is a ‘key and transformational change’ that will shift the legislative focus from being complaints-based and reactive to being preventative and proactive.

“The new laws will also provide the AHRC with a broad inquiry function to inquire into systemic unlawful discrimination, including suspected systemic sexual harassment. This will take the burden off the individual and allow the issue of sexual harassment to be dealt with in a structural or systemic way.”

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