



15 December 2021

Parliamentary Joint Committee on Human Rights
PO Box 6100
Parliament House
Canberra ACT 2600
Via: religionbills@aph.gov.au

Dear Committee Members

The Victorian Trades Hall Council (VTHC) welcomes the opportunity to make a submission to the Parliamentary Joint Committee on Human Rights on the Religious Discrimination Bill (2021).

VTHC was founded in 1856 and is the peak body for unions in Victoria. VTHC represents over 40 unions and more than 430,000 workers in the state. These workers are members of unions that reach into every industry across Victoria, both in the public and private sectors, including workers of different religious backgrounds and employed at religious workplaces.

Since winning the Eight Hour Day in 1856, VTHC has had a long history of fighting for and defending the rights of workers in Victoria, including protections against discrimination at work, no matter a worker's religious beliefs.

VTHC makes this submission in support of the recommendations put forward by the Australian Council of Trade Unions (ACTU). The ACTU submission clearly articulates the outrageous negative implications of this Bill in workplaces. This bill should be rejected.

VTHC echoes the ACTU's concern that the Bill will increase (rather than decrease) religious discrimination against women workers, LGBTQI+ workers, workers with disability, and other groups who continue to experience discrimination.

The carve-out in the Bill to protect Statements of Belief, including those that are hostile, offensive, inappropriate and harmful, gives a green light to discriminatory language and actions. The low bar of what constitutes a Statement of Belief leaves significant scope for hostile and harmful statements made at work to become exempt from being identified as discriminatory. These provisions give workers limited access to external anti-discrimination bodies if they have been subject to hostile statements. This is especially harmful in situations where the employer is the alleged perpetrator of discrimination, where the use of internal processes would be prejudiced.

Every day we see new examples of the harms of sexual harassment and gendered violence. Yet this Bill would protect a range of Statements of Belief that would widely be considered examples of sexual harassment or gendered violence. VTHC believes that every person deserves to feel safe at

Luke Hilakari
Secretary

Amanda Threlfall
Assistant Secretary

Wilhelmina Stracke
Assistant Secretary

Trades Hall
54 Victoria Street
Carlton 3053

Ph: 03 9659 3511
info@vthc.org.au
weareunion.org.au



work, yet this Bill would seek to deny women workers protection from gender-based hostility at work.

VTHC also underscores the ACTU's findings that the Bill would have a negative effect on a workplace's capacity to maintain safe systems of work, because it would give religious employees an ability to argue that they do not need to comply with a workplace's safety policies. By limiting the ability for health and safety representatives and other employees to effectively enforce workplace safety policies, the Bill increases risk of harm in that workplace.

Furthermore, VTHC strongly recommends the rejection of this Bill because it explicitly and deliberately overrides hard-won human rights protections under State and Territory anti-discrimination laws. Recent reforms in Victoria guarantee protection from religious discrimination, yet the Bill proposed would once again expose Victorian workers to discrimination at work.

More broadly, VTHC is concerned that the Bill will also limit working people's access to public services, such as health services, on the basis of their religious background, gender identity, relationship status, or other status or attribute.

VTHC considers the Bill disproportionate, unfair and unjustified. VTHC strongly *rejects* the Bill in its current form. VTHC supports the ACTU's recommendation that all sections of the Bill that depart from existing anti-discrimination frameworks are removed entirely.

Every worker has a right to feel safe at work. VTHC believes this Bill would undermine this right and therefore should not be passed.

If you have any questions, please contact Ted Sussex, Politics and Research Lead, at

Yours Sincerely

Wil Stracke
Assistant Secretary
WS:JK 92.32

Luke Hilakari
Secretary

Amanda Threlfall
Assistant Secretary

Wilhelmina Stracke
Assistant Secretary

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