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SUBMISSION TO INQUIRY INTO FAIR WORK AMENDMENT (RIGHT TO WORK
FROM HOME) BILL 2025

Committee Secretary

Education and Employment Legislation Committee

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AUSTRALIA

I thank the committee for the opportunity to contribute to this inquiry.

The computer age

In 1964, Arthur C. Clarke said:

It will be possible in that age, perhaps only 50 years from now, for a man to conduct his business from Tahiti or Bali just as well as he could from London.... Almost any executive skill, any administrative skill, even any physical skill, could be made independent of distance.

When he made that prediction, most people in full-time employment worked from an office or other workplace, five days a week. The idea of ‘working from home’ was unknown. Clarke was right that much work would be made independent of distance, but his expectations of the death of the ‘city’ were less accurate. While some, who have the means to do so, ‘conduct [their] business from Tahiti or Bali’¹, most prefer to continue living in our cities and suburbs.

¹ Estonia has taken hold of this idea with both hands: <https://www.e-resident.gov.ee/nomadvisa/>

As a consequence of the digital age, the nature of work has, for many, changed irreversibly. A computer used to be a person employed to perform mathematical calculations. Now, it is a tool that has provided unquantifiable productivity gains for the world's economies. This has not been without incident. In many fields, as a result of computer automation, jobs have been lost. The work that machines can undertake is ever-expanding, though it can sometimes be a case of 'one step forward², two steps back³'. The 'innovation' of generative AI will have a similarly disruptive effect on work. Many employees who work from home will find themselves out of work in coming years, as employers seek to cut costs by replacing them with artificial intelligence. In fact, this is already playing out, both in Australia and overseas (though some companies may be reducing their workforce for other reasons and pinning the cutbacks on AI⁴). We need a government that will back Australian workers over foreign AI techbro billionaires.

Karlene Chandler v Westpac Banking Corporation

The decision of the Fair Work Commission on 20 October 2025 to rule in favour of Karlene Chandler in her case against her employer, Westpac, was an important step in developing the rights of workers in the post-COVID age. The judgement found that an employer cannot deny a formal request to work from home without having 'reasonable business grounds' for doing so. The argument that a worker will not be as productive or as involved in collaborative processes, without concrete evidence of how this would significantly affect the business, is not enough to deny a request to work from home.

Many Australians, particularly parents and carers, greatly value the flexibility that working from home offers them. In years gone by, the typical western household would consist of a husband at work and a wife at home. Changes in social and economic circumstances mean that it is not only unusual, but unviable, for a household to support itself on a single income. Today, both parents in a typical household would work, often leading to grandparents and other family members being leaned on to take care of the kids, to pick them up from school or run other errands. Working from home is a major win for parents and carers which gives them more time to attend to things outside of work. The most significant effect is removing the need to commute to and from work, saving hours each week.

The bill and the people it leaves behind

This bill is a sound measure. It puts a positive obligation on employers to consider requests to work from home, and to consider whether adjustments could be made to allow work to be conducted from home. It does, however, bear a striking resemblance to the proposal of the Victorian government to enshrine work from home as a right, for work that can be conducted at home. Like that proposal, this bill is substantially, if not primarily, a political proposal. Leaving aside the fact that it does not enshrine the right to work from home, but rather the right to ask to work from home, it is born, not of a desire to secure an important part of modern work for Australians, but of political cynicism. It is aimed to drive a wedge between the federal and Victorian governments while appealing to young professionals who the Australian Greens drove away at the last election.

² <https://www.businessinsider.com/robotic-surgery-da-vinci-system-stitches-peeled-grape-fruit-intricate-2017-4>

³ <https://www.theguardian.com/sport/2022/jul/24/chess-robot-grabs-and-breaks-finger-of-seven-year-old-opponent-moscow>

⁴ <https://www.cnbc.com/2025/11/04/white-collar-layoffs-ai-cost-cutting-tariffs.html>

This can be divined by looking at who this bill doesn't help. Workers in the frontline healthcare, aged care, education, childcare and primary industry sectors cannot work from home. You cannot insert an IV from home, you cannot give an aged care resident a shower from home and you cannot teach a primary school class from home. These are the people that keep Australia moving. This bill offers nothing to them. Our teachers are doing hours of unpaid work each week and, when they are being paid, it is to teach classes of ever-expanding size. A 2023 survey found that 15% of NSW nurses have post-traumatic stress symptoms that would meet the criteria for PTSD. We need to work to support those who cannot work from home, just as we do for those who can.

Recommendations

- 1. That the Senate pass the bill.**
- 2. That the Australian Government consider what interventions, legislative or otherwise, it could implement to support Australian workers who cannot work from home.**
- 3. That the Australian Government enact a standalone Artificial Intelligence Act, to protect the rights and interests of Australians in the AI age.**