



**THE POLICE
ASSOCIATION
VICTORIA**

Fair Work Amendment (Right to Work from Home) Bill 2025

SUBMISSION – February 2026



Protect. Support. Advance.



The Police Association Victoria

The Police Association Victoria (The Association) is an organisation that exists to advance and represent the industrial, legal, professional and welfare interests of its members. The Association's membership of over 17,500 is drawn exclusively from sworn Police Officers at all ranks, Protective Services Officers (PSOs), Police Reservists and Police Recruits who serve in Victoria Police.

Membership of the Association is voluntary. By virtue of its constitution, the Association is not affiliated with any political party.

The Association maintains a strong interest in legislation that directly or indirectly affects the working conditions of Police Officers and PSOs. Within this context, we make the following submission in response to the *Fair Work Amendment (Right to Work from Home) Bill 2025 (The Bill)*.

General Position

The Association supports the objective of promoting flexibility in the modern workplace and acknowledges the benefits that working from home can provide. However, it is our view that *The Bill*, as it is currently proposed, creates a range of unintended and inequitable consequences for essential workers, particularly Police Officers and PSOs. With an already strained workforce, the Association holds concerns regarding the following impacts:

- Recruitment and retention;
- Burnout in policing;
- Gender equity; and
- Financial and commuting disadvantages.

A statutory right to work from home for Australian workers must be accompanied by measures that provide equity for essential workers who are excluded from remote work benefits.

Access to Work from Home

Police and PSOs are a group of workers, many of whom will not have access to work from home for obvious reasons. Other occupations with similar constraints include firefighters, paramedics and health workers. The limitations of remote work within Victoria Police were reinforced before the Fair Work Commission by Deputy President Milhouse in the case of *The Police Federation of Australia (Victorian Branch) v Chief Commissioner of Police (C2024/6422)*.¹ This decision supports that, for the majority of police roles, working from home is impractical or impossible. However, decisions should not be made based on broad generalisations. Policing encompasses a wide range of roles: while many are inherently unsuited to remote work, others may have the capacity to be performed from home. During the Covid-19 pandemic, the overwhelming majority of police were required to attend at police premises every day, while a smaller cohort worked from home.

Consideration should also be given to the concept of “inherent requirements” when assessing the ability to work from home. The general view is that judicial consideration is complex, as detailed in case of *X v Commonwealth*² and *Bahnert v Commissioner of Police*³ which indicate that inherent requirements must be considered in the context of specific duties of the individual job in question, not applied as a broad occupational label. The case of *Bahnert* illustrates that the assessment is on the functions that the role encompasses at that particular time, which is conceptually different than that from a static notion of inherent requirements. Any legislative reforms, such as the proposed bill,

¹ Fair Work Commission, *The Police Federation of Australia (Victorian Branch) V Chief Commissioner of Police T/A Victoria Police*, 2025 [Decision C2024/6422](#)

² *X v Commonwealth* (1999) 200 CLR 177

³ *Bahnert v Commissioner of Police & Anor* [2024] NTSCFC 2 (27 September 2024)



therefore, needs to include clear mechanism for roles that are genuinely incompatible with remote work to ensure clarity and protection against overly broad or arbitrary denials of flexible work, including working from home.

Recommendation 1: Any proposal to legislate working from home should be universal and only limited by the reasonableness of the individual application, having regard to their particular position and work performed. The Association is opposed to legislative occupational carveouts that exclude police or PSOs.

Recruitment and Retention

Victoria Police is currently facing significant resourcing issues. It is publicly reported that over 1,400 FTE positions remain vacant, and 43 police stations have either been closed or had to reduce their operating hours due to staff shortages.⁴ In addition, approximately 400 Police and PSOs are currently on long-term WorkCover due to a work-related injury or illness. This equates to approximately 1800 members missing from the frontline, or approximately 10% of the workforce.⁵

This shortage is not just an organisational challenge, it directly impacts service delivery, response times, and community safety. In addition, turnover within Victoria Police is at historically high rates at approximately 6%. This means Victoria Police must recruit and train approximately 1000 recruits per annum to keep pace with attrition, let alone reduce the number of vacancies.

The reported publication of *Employee Value Proposition for Public Sector Employees* highlights a survey that captures the first quarter of 2025,⁶ which shows that work-life balance was the leading factor influencing job appeal. Introducing a statutory right to work from home may inadvertently undermine recruitment and retention in policing by making other occupations more attractive, should the majority of police positions not attract the right to work from home.

Recommendation 2: Where an employer refuses a request for work from home, they must consider what other alternatives exist to indirectly confer some of the benefits of working from home, this may be in the form of additional leave, compressed or shortened working weeks, other flexibilities, and/or increased remuneration to account for associated expenses.

Recommendation 3: In the case of policing, where the majority of employees are denied access to work from home, thereby exacerbating recruitment and retention issues, Parliament should consider changes to Fringe Benefits Tax legislation to incentivise that recognise the financial burdens of roles for which remote work is not practicable.

Burnout in Policing

Police work is physically and emotionally demanding, often involving long and irregular shifts, exposure to violence and rapid decision-making in high-stress environments. The accumulated pressure can become unsustainable and a driver of intention to quit, injury and lost time. A 2023 study conducted jointly by the Association and RMIT University found that 67% of surveyed members reported being at the point of burnout and 58% said they frequently considered leaving the profession.⁷ Contributing factors include excessive workloads, trauma exposure and the impact of shift work. While policing has always been demanding, this data demonstrates a system under

⁴ Parliament of Victoria, Legislative Council, "Police Resources – Adjournment," Hansard, 5 February 2025

⁵ Fair Work Commission, Chief Commissioner of Victoria Police T/A Victoria Police v Police Federation of Australia & Ors, 2025 [Decision B2024/1282](#)

⁶ Victorian Independent Remuneration Tribunal, *Employee Value Proposition for Public Sector Employers: Research Report* (Melbourne: Victorian Independent Remuneration Tribunal, 2025), Available at: [Research report EVP for Public Sector Employees](#)

⁷ RMIT University and Swinburne University in collaboration with TPAV, *Workplace Climate Report, Part 1, 2023* (Melbourne: TPAV, 2023).



extraordinary strain. If left unaddressed, these trends pose a serious threat to the sustainability of the police workforce. The proposed Bill introduces a new, and further, workplace inequity.

The Bill's proponents identified that there are benefits to participants in a workforce who can work from home, such as increased work-life balance due to reduced commuting time, increased workforce participation, and protecting women's access to the labour market. Similarly, Australian Bureau of Statistics (ABS) survey responses indicated that the main attraction employees work from home include greater flexibility, spending less time commuting (including associated costs), or caring responsibilities. The inherent irony is that some of the workforces that would most benefit from these undoubted work-life balance improvements will, in practice, be excluded from the benefits the proposed legislation intends to provide. Police officers are chief amongst those excluded from these benefits.

Recommendation 4: Parliament should continue to invest in the mental health and wellbeing of police through continuing funding initiatives such as BlueHub and other frontline support initiatives to mitigate burnout in policing.⁸ This is likely to intensify should a right to work from home be legislated.

Recommendation 5: Consideration should be given to reduce retirement age for police to 55 years old to enable early access to superannuation. With police experiencing higher levels of burnout, access to superannuation allows them to retire with dignity. Along with reduction in retirement age, the Commonwealth Government should consider implementing structured transitional pathways for police such as phased retirement, part-time or casual roles and pre-retirement support programs.⁹

Gender Equality

The Bill's proponents emphasised that the statutory right to work from home will support greater workforce participation, particularly among women.¹⁰ However, many police members, particularly women, already face significant challenges in balancing caring and work responsibilities. Having access to flexible working conditions is a major consideration in career decisions, with the choice-modelling survey finding that female workers value the ability to work remotely approximately 28% more than male workers.¹¹ Without access to remote work, a career in policing risks becoming less attractive to women, undermining the goal of achieving gender equality by 2030.¹²

The Association represents more than 98% of the Victoria Police workforce. Our membership figures highlight that only 28% of members identify as women. Introducing legislation that establishes a right to work from home, which by design excludes police officers, risks widening this gap further, limiting the diversity of Victoria Police and weakening its connection with the community it serves.¹³

While our core position remains the same, particularly in the context of a workforce that is predominantly male, we believe that gender equality at Victoria Police should not be addressed

⁸ BlueHub, "Helping Police Safely Move Through Trauma," <https://www.bluehub.org.au>

⁹ [CK10.1] Carney, M., et al. (2019). *Exploring the Impact of Retirement on Police Officers' Wellbeing*. *Police Practice and Research*, 20(5), 431–448. Available at: [15614263.2019.1658584](https://doi.org/10.1016/j.jebo.2019.1658584)

¹⁰ Parliament of Australia. (2025, November 5). *Senate Hansard* (48th Parl.). Retrieved from https://www.aph.gov.au/Parliamentary_Business/Hansard.

¹¹ A. Vij et al., "Employee Preferences for Working from Home in Australia," *Journal of Economic Behaviour & Organization* 214 (2023): 782–800, <https://doi.org/10.1016/j.jebo.2023.08.020>.

¹² Victoria Police, "Women in Policing: Celebrating 100 Years of Women in Policing," Victoria Police, updated March 7, 2025, accessed September 11, 2025, [Women in Policing](https://www.vicpolice.vic.gov.au/women-in-policing)

¹³ Victorian Equal Opportunity and Human Rights Commission, *Independent Review into Sex Discrimination and Sexual Harassment, including Predatory Behaviour in Victoria Police—Phase 2 Audit* (Melbourne: Victorian Equal Opportunity and Human Rights Commission, September 2017)



through financial incentives alone, and a broader approach should be considered. This should include enhanced flexible working arrangements, expanded parental leave, and the introduction of reproductive health leave.¹⁴

Recommendation 6: To mitigate the risk of exacerbating gender disparities, particularly in roles where women are underrepresented, such as policing, when an employer determines that a work from home arrangement is impractical, the employer must consider other alternatives that may deliver a comparable benefit to offset the absence of remote working options.

Financial and Commuting Disadvantages

The *Victoria Police (Police Officers, Protective Services Officers, Police Reservists and Police Recruits) Enterprise Agreement 2025 (2025 Agreement)* includes provisions whereby, when a member is required to work from a location that is not their permanent place of employment, they are compensated for travel costs exceeding their usual commuting expenses. This includes reimbursement for kilometres when the use of a private vehicle is required. These provisions in the 2025 Agreement recognise the economic impact of work-related travel.

Public commentary highlights that a statutory right to work from home for at least two days per week can deliver economic benefits, including estimated savings of \$110 a week or \$5308 per year on commuting costs.¹⁵ However, these type savings are not accessible to police members due to the nature of their roles.

The *Household, Income and Labour Dynamics in Australia (HILDA)* survey indicates that, on average, Australians spent nearly 60 minutes per day commuting to work.¹⁶ Longer commute times are associated with reduced job satisfaction and an increased intention to leave. Based on the salary of a police officer at the rank of Senior Constable, this would approximately equate to traveling 60 minutes a day, five days per week, at a cost of \$291 per week or \$15,175 per year. Under the proposed new legislation, these burdens are disproportionately carried by police officers.

Policing is not the only profession affected by this otherwise worthy proposal - firefighters, paramedics, nurses and educators are similarly excluded from the benefits of remote work. Without recognition of this reality, the legislation will introduce a system where essential workers are left behind.

Recommendation 7: Employers should be required to consider the economic benefit to individuals of work from home arrangements and ensure that workers who are unable to work from home are appropriately compensated.

Conclusion

Without complementary measures, the *Fair Work Amendment (Right to Work from Home) Bill 2025* risks making other professions more attractive to both current and prospective police members. Given the increasing competition for talent and the declining appeal of high-stress, high-responsibility jobs, we risk a future where Victorians are not adequately served by their police force.

¹⁴ Victorian Trades Hall Council, "Reproductive Health – A Workplace Issue!" *We Are Union*, October 10, 2024, [Reproductive Health - A Workplace Issue](#)

¹⁵ Jacinta Allan, "Work From Home Works For Families," *Premier of Victoria*, August 2, 2025, [Work from home media release](#)

¹⁶ RMIT University, "Australian City Workers' Average Commute Has Blown Out to 66 Minutes a Day," *RMIT News*, July 2019, <https://www.rmit.edu.au/news/all-news/2019/jul/increasing-commuting-times>

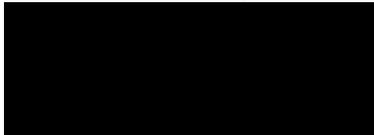


We encourage the government to consider a broader approach as emergency service professionals who are unable to access remote work benefits, including access to the aforementioned flexibility measures that improve the work life balance of our members, particularly women. This suite of measures would:

- acknowledge the disparity in access to flexibility and economic benefits;
- help offset the growing appeal of remote-capable professions;
- support retention in emergency service professions.

We believe such an initiative would be a simple, practical step toward equity, recognising the unique contribution and sacrifices made by emergency service personnel.

For Consideration,



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