

13 December 2012

SUBMISSION SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

Domestic and Family Violence as a ground of discrimination

SUPPORT FOR INCLUSION OF DOMESTIC AND FAMILY VIOLENCE

The Queensland Working Women's Service supports the submission of the Australian Domestic and Family Violence Clearing House in expressing our disappointment that the Exposure Draft does not include domestic violence as a new ground for human rights protection.

Our experience in working with women in employment, as documented in previous submissions by the National Working Women's Centres is that there is often discriminatory conduct by employers in relation to these workers experience of domestic violence.

An increasing number of employers are recognising the need to support victims of domestic violence through enterprise bargaining provisions including leave and support and through policy, however, in many cases workers still experience discriminatory actions including termination of their employment, inability to secure permanent and stable jobs or are subject to derogatory comments or other prejudices at work coinciding with their experiences of domestic violence. Under the Fair Work Act 2009 industrial protections can be limited. Unfair dismissal rights do not apply to all workers and unless domestic violence protection rights are specifically provisioned in enterprise bargaining agreements, General Protections legislation for Adverse Action can not be evoked.

QWWS considers that this reform would be a valuable opportunity to support other public policy and legislation that seeks to protect those people who experience domestic violence and family violence and to set the standard for Human Rights and Anti Discrimination Legislation for the States.

Yours Sincerely
Queensland Working Women's Service Inc.

