

Submission to Attorney-General's Department

**ATSE SUBMISSION ON
RESPECT@WORK –
CONSULTATION ON
REMAINING LEGISLATIVE
RECOMMENDATIONS**

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ATSE SUBMISSION ON RESPECT@WORK – CONSULTATION ON REMAINING LEGISLATIVE RECOMMENDATIONS

The Australian Academy of Technology and Engineering (ATSE) is a Learned Academy of around 900 independent, non-political experts helping Australians understand and use technology to solve complex problems. Bringing together Australia's leading thinkers in applied science, technology, and engineering, ATSE provides impartial, practical, and evidence-based advice on how to achieve sustainable solutions and advance prosperity.

ATSE welcomes the opportunity to respond to the consultation on the six remaining legislative recommendations on the Respect@Work report. ATSE believes that all recommendations of the Respect@Work report should be implemented in full. This would support the STEM sector to create more inclusive workplaces and address barriers to women's workforce participation and advancement. It is acknowledged that while all genders may experience workplace sexual harassment, it is overwhelmingly women who experience sexual violence including harassment.

Creating inclusive STEM workplaces

Implementing all remaining legislative recommendations would support STEM workplaces to attract and retain diverse talent. The Women in STEM Decadal Plan consultation identified harassment as a barrier to retention and career progression particularly at the tertiary education and early career stages, alongside numerous other barriers for women to remain in STEM careers; and that there are high levels of sexual harassment in STEM workplaces (Australian Academy of Science & Australian Academy of Technology and Engineering, 2019). It is therefore incumbent upon academia, industry, government, and other STEM stakeholders to create safer working environments for women. As suggested in the Women in STEM Decadal Plan, the Respect@Work recommendations should be implemented to address workplace sexual harassment.

Assisting workplaces to meet their positive duty obligations

Introducing a positive duty on employers to prevent sexual harassment would be an important step to creating more inclusive and safer workplaces. This is critical in the heavily masculinised STEM sector where there is a high prevalence of workplace sexual harassment (Science & Technology Australia, 2019). As noted in the Women in STEM Decadal Plan, it is the responsibility of employers to create a workplace culture that does not accept bullying and harassment.

It is essential that workplaces implement clear policies (including at recruitment), practical training, prevention initiatives, and visible leadership to create a culture of zero-tolerance for sexual harassment. This culture must extend to out-of-hours, off-site, and online work-related activities including conferences and social hours.

Some workplaces may require guidance and support to meet their positive duty obligations and implement best practices in addressing workplace sexual harassment. There is an opportunity to provide resources such as the [Diversity and Inclusion Toolkit](#), developed by ATSE, to provide resources for science and technology focused small and medium sized enterprises (SMEs) (Australian Academy of Technology and Engineering, 2022). The toolkit targets recruitment, reach, and retention as key areas for intervention and improvement.

Prevention of discrimination and harassment is highlighted by the toolkit as essential for staff retention. The toolkit recommends that STEM-focused SMEs develop and implement discrimination and harassment policies and establish a safe and secure complaints process. The toolkit outlines minimum inclusions in workplace discrimination policies, provides links to example policies, and suggests additional steps that employers can take to prevent and respond to harassment. The toolkit, which is currently in a pilot phase, is an example of the support that can be provided to employers – especially small employers – to enable them to meet their obligations to provide a safe workplace free of harassment.

Embedding procedural fairness

With new positive duty obligations and the creation of broad inquiry functions for the Australian Human Rights Commission, SMEs may be concerned about their liability and resourcing. To support implementation of the legislation, there should be clear messaging and resources or toolkits provided to communicate how procedural fairness is embedded in the new provisions.

References

- Australian Academy of Science, & Australian Academy of Technology and Engineering. (2019). *Women in STEM Decadal Plan*.
- Australian Academy of Technology and Engineering. (2022). *Diversity and Inclusion Toolkit*.
- Science & Technology Australia. (2019). *Sexual Harassment in the Workplace*.