

I feel like I'm the only one advocating for change. How do I encourage others – including my boss – to show interest?

1. Get equipped with the business case and legal obligations for your situation

Depending on the size of the business you work in, there will be legal obligations to follow under the Fair Work Act and the Workplace Gender Equality Act 2012.

This can be difficult to raise with your employer, but the toolkit has everything in one place making it a useful start point for difficult conversations.

Review these sections to understand why businesses should be paying attention to this issue.

PURPOSE AND OBJECTIVES

- → Why is this important for my business?
- → Understanding your legal obligations

2. Start with considering the cultural change information and resources, and adapt as required for your specific context

The resources offered in this toolkit provide structured approaches to facilitate discussions about workplace culture, gender dynamics and organisational change. They include materials for exploring current cultural norms, identifying barriers to inclusion and developing strategies for positive change.

CULTURAL CHANGE

- → The tools and information in Building inclusive workplaces – further tools for cultural change will be particularly helpful
- → An employee's guide to difficult conversations in the workplace
- → An employee's guide to fixing workplace problems
- → Difficult Conversations in the Workplace – employee online course

3. Consider the mentoring and networking arrangements around you, either within your workplace or beyond

Mentoring connects you with people who've faced the same frustrations and can offer practical ways to build momentum without burning out or feeling isolated.

A mentor can help you frame your ideas, spot the right moments to raise issues, and understand what motivates decision-makers in your workplace.

As you grow your confidence and network, you're better placed to bring others along with you.

INCLUSIVE RETENTION PRACTICES

Mentoring and networking

- → Read the case studies: Mentoring: creating connections and building relationships and Leadership and mentoring link to effective role-modelling

4. Explore and join networking and advocacy groups

- → Review the list of advocacy groups at: Further information, templates and resources



I'm seeing discrimination and harassment at work. What can I do to help, without becoming a target myself?

1. Consider this checklist for immediate steps you can take

What to do when you hear or see sexist, disrespectful or sexually harassing behaviour

- Don't laugh at sexism or sexist jokes or join in.
- Check in with the person affected, ask if they are okay and need support in any way.
- Let those perpetrating sexist language and behaviours know the behaviour is not okay: "The joke you made in yesterday's meeting was not funny, and actually not okay."
- At the time, calmly disagree and state that the comment is wrong or unacceptable.
- Challenge the logic: "That's not my experience." or "What makes you think that?"
- Make eye contact with the person affected — let them know you're an ally.
- As a bystander you can report the behaviour to management, or via incident reporting systems.

2. Understand your rights and obligations in responding to harassment and discrimination

Read the section Eliminating sexual harassment and everyday sexism in the workplace for an overview of the issue, key laws in Australia, and guidance on what to do when you see or hear sexist, disrespectful or harassing behaviour.

CULTURAL CHANGE

The toolkit also contains links to resources for bystanders and employers:

→ Bystander Action Toolkit
→ Online Active Bystander Project

3. Consider what action you can take to drive cultural change in your workplace

The toolkit provides an overview of different approaches to cultural change:

→ Cultural Change

You can also review the following resources for more in-depth guidance:

→ Australian Fair Work Commission. Sexual Harassment and discrimination, the general protections and work health and safety
→ Australian Fair Work Commission. Who can make a sexual harassment application?
→ National Inquiry into Sexual Harassment in Australian Workplaces: Have Your Say Conversation Toolkit
→ Respectful language and communication guide – Tasmanian Government
→ Workplace Equality and Respect Standards – Our Watch

4. Further information

→ Seek further information from Australian gender and DEI agencies: Further information, templates and resources
→ Seek support and peer networking via Australian gender advocacy groups: Further information, templates and resources



I'm experiencing sexual harassment at work.

1. Understand the law and your rights

Under Australian law, **sexual harassment** is distinct from **everyday sexism** in the workplace.

Everyday sexism refers to the routine, often subtle and normalised forms of sexism that occur in day-to-day life. Acts such as diminishing abilities, derisive comments aimed at women and gender diverse employees, and assigning people lesser roles based on their gender contribute to and reinforce gender inequality. Left unaddressed, these patterns can escalate and contribute to a broader culture that tolerates inequality and abuse.

If you think this is a problem in your workplace, you may find the toolkit resources on cultural change to be useful.

→ Cultural Change

Sexual harassment is unwelcome conduct of a sexual nature. It is defined as sexualised behaviour that is offensive, intimidating or humiliating, and/or hostile. Sexual harassment in the workplace is against the law in Australia, and you can take action to stop it from happening.

Visit this section in the toolkit:

→ Eliminating sexual harassment

And follow the links to the Australian Fair Work Commission Resources:

→ Sexual Harassment and discrimination, the general protections and work health and safety This link provides detailed information about sexual harassment in the workplace as recognised by the Fair Work Commission

2. Understand your options

If you want to take action, you have a number of options:

- If you feel safe doing so, you can talk to the person directly and tell them their behaviour is inappropriate. This is entirely your choice.
- You can raise the matter through internal avenues in your workplace; for example, by talking to your supervisor or your human resources team, if your workplace has one. **The law places a positive duty on employers to proactively prevent sexual harassment, not just respond to complaints.**
- You can seek support from an external body like Fair Work Australia or the Australian Human Rights Commission, or from a lawyer. In some cases, you can apply to Fair Work Australia to deal with a sexual harassment dispute.

Fair Work resources:

→ What you can do if you've been sexually harassed

→ Who can make a sexual harassment application?

3. Seek support if you need it

It's important to prioritise your own wellbeing. Talk to someone you trust or seek professional support.

→ What you can do if you've been sexually harassed



I'm interested in working flexibly, but my employer doesn't have a policy. What should I do?

1. Know your legal rights and obligations

There are legal requirements for employers to consider requests for flexible work arrangements from certain groups of employees, including people who:

- Are pregnant
- Are caring for children
- Are a carer of another person
- Have a disability
- Are 55 or older
- Are experiencing, or supporting someone who is experiencing, family violence.

Employers can only refuse these requests on reasonable business grounds.

Employees also have certain obligations if they are working flexibly, e.g. in relation to work health and safety.

YOUR EMPLOYER'S LEGAL OBLIGATIONS

Understanding your legal obligations.

→ This section identifies the main laws that impose obligations on employers around flexible working, in particular the Fair Work Act.

ENHANCING RETENTION THROUGH FLEXIBLE WORK PRACTICES

Resources for flexible work practices

→ Read through the resource 'Flexible work checklist – Workplace Gender Equality Agency' for a summary of mandatory and recommended actions for employers, leaders and teams.

→ See also the Fair Work Ombudsman's Flexible Working Arrangements Fact Sheet which describes who has a right to make a flexible working request, and how employers must respond.

2. Get equipped with the business case for flexible working

Coming prepared with an understanding of the potential business benefits of flexible working will assist, especially if your employer is new to this. It will help you anticipate and respond to their concerns.

INCLUSIVE RETENTION PRACTICES

Enhancing retention through flexible work practices

→ Review 'Why is this important for my business?'

→ Review case studies on flexible working in the wine industry

continued ...

3. Make a request for flexible work arrangements

Consider the merits of discussing your intention with colleagues as well as your employer.

Successful flexible arrangements depend on coordination among teams. Showing that you've thought about this in advance may help when your employer considers your request.

INCLUSIVE RETENTION PRACTICES

Resources for flexible work practices

- → Request for flexible working arrangements – templates from the Fair Work Ombudsman
- → Understanding job share options – Public Service Commission

4. Understand the next steps

Depending on your employer's response, there are different options to consider.

IF AGREED

Work with managers and colleagues to establish and commence arrangements.

- → See the Fair Work Ombudsman's Best Practice Guide to Flexible Working Arrangements

IF NOT AGREED

Seek to resolve internally first. If this is unsuccessful, in some circumstances it is possible to make an application to the Fair Work Commission.

- → See the Fair Work Ombudsman's Flexible Working Arrangements Fact Sheet



I've just found out I'm pregnant and my workplace does not have a parental leave policy. What should I do?

1. Understand your legal rights and options

All employees in Australia are eligible for unpaid parental leave if they have completed at least 12 months of continuous service with their employer, including casual workers in many cases.

Employers may also offer paid leave. If yours doesn't, the Australian Government operates a paid parental leave scheme.

ACCESSIBLE POLICY FOR PARENTAL LEAVE

Review the information on current legislation:

- → Parental leave and related entitlements
- → Returning to work from parental leave
- → Having a baby – payments and services

2. Make a request for parental leave

ACCESSIBLE POLICY FOR PARENTAL LEAVE

Check the resources for family-friendly workplaces

- → Parental leave templates – including sample forms for requesting, approving and managing parental leave
- → Before parental leave – these resources assist with determining entitlements and accessing leave
- → See also information on Keeping in Touch Days from the Fair Work Ombudsman

3. While on leave

If you're eligible for parental leave, you also have a right to return to your previous role, or equivalent, at the end of your leave.

You can keep in touch with your employer and team while on leave to facilitate your transition back to work, without affecting your leave entitlements.