



9 July 2021

Committee Secretary  
Senate Education and Employment Committees  
PO Box 6100  
Canberra ACT 2600

Via email: [eec.sen@aph.gov.au](mailto:eec.sen@aph.gov.au)

Dear Committee Secretary

***Sex Discrimination and Fair Work (Respect at Work) Amendment Bill 2020.***

The Minerals Council of Australia (MCA) welcomes the opportunity to provide a submission to the Senate Education and Employment Legislation Committee regarding the Government's *Sex Discrimination and Fair Work (Respect at Work) Amendment Bill 2020*.

MCA supports the Bill.

Sexual harassment causes profound physical, emotional and psychological impacts on those affected. It is unacceptable, against the law and must be eliminated from our industry's culture and workplaces.

Following the release of the Australian Human Rights Commission's Respect@Work: Sexual Harassment National Inquiry Report (2020), MCA quickly established a Board Director-led Taskforce of senior industry representatives with expertise in safety and health, human resources, and operational excellence.

Safety is the core value of the Australian minerals industry and a safe and fair workplace is essential.

Yet with the Commission's report finding that 40 per cent of the minerals industry workforce had experienced some form of sexual harassment in the past five years, with women more than twice as likely as men to be sexually harassed, it is clear that the industry needs to lead a decisive response and take stronger action.

The MCA taskforce has met monthly over the past year resulting in an expand scope of the minerals industry's safety and health policy and releasing a strong and direct statement on the importance of eliminating sexual harassment in Australian mining workplaces with an express [Commitment to Eliminating Sexual Harassment](#).

Australia's mining industry took another significant step in supporting its commitment to eliminate sexual harassment with the release of the MCA's [National Industry Code](#) on 7 July 2021. The Code sets clear expectations on MCA member companies to develop a culture of respect while improving support for workers.

This reinforces the industry's commitment by outlining clear preventative and response measures based on honest, respectful and open communication.

Prevention measures focus on culture and governance, awareness and education, leadership and working environments.

Response measures focus on creating an environment where raising concerns and reporting incidents is welcomed and encouraged, providing appropriate support and protection to affected persons, understanding how an incident occurred and why prevention measures in place were not effective and how they may be strengthened.

The MCA will release a resource toolkit including fact sheets, guidance and templates to support members companies' implementation of the code.

A uniform national approach enables all employers and workers to have the same expectations for respectful workplaces regardless of their location, job, gender or seniority.

MCA looks forward to the deliberations of the Committee and would be pleased to provide evidence at the Committee's invitation.

Yours sincerely

**TANIA CONSTABLE PSM**  
**CHIEF EXECUTIVE OFFICER**

#### **Minerals Council of Australia**

Australia's minerals industry is a global leader in providing the essential elements of modern life while growing the nation's economy and sustaining regional communities. Combined with its social contribution and responsible environmental management, the minerals industry plays a critical role in the modern world.

The MCA is the leading advocate for Australia's minerals industry, a strong and effective voice at the national and international level as well as through its divisions in the Northern Territory and Victoria.

The MCA's strategic objective is to advocate public policy and operational practice for a world-class industry that is safe, profitable, innovative, environmentally and socially responsible and attuned to community needs and expectations.

MCA member companies are signatories to Enduring Value – the Australian Minerals Industry Framework for Sustainable Development and have a long-standing commitment to the effective and responsible management of Australia's water resources.

MCA member companies have also has adopted Towards Sustainable Mining (TSM), an award winning accountability framework which helps minerals companies evaluate, manage and communicate their sustainability performance. Adopting the independently verified system will reinforce the sector's commitment to continuous improvement in safety, environmental and social governance. TSM strengthens Enduring Value – the Australian minerals industry's sustainable development framework – by providing a consistent approach to assess and communicate site level performance in a transparent and accountable way.