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8 September 2022

Joint Select Committee on Parliamentary Standards

By email: parliamentary.standards.sen@aph.gov.au

Re: Joint Select Committee on Parliamentary Standards 47th Parliament

The Australian Services Union (ASU) welcomes the opportunity to make a submission on the Jobs and Skills Australia Bill 2022 [Provisions] and the Jobs and Skills Australia (National Skills Commissioner Repeal) Bill 2022 [Provisions].

The ASU is one of Australia's largest unions, representing approximately 135,000 members. ASU members work in a wide variety of industries and occupations in both the private and public sector. The ASU represents employees who work as electorate or personal staff to support parliamentarians.

Everyone deserves to be safe at work. Workplace harassment, sexual harassment, assault, sexual assault and bullying can occur in a number of ways. Some are obvious and easy to identify. Others are subtle and more difficult to recognise. For our members who experience these forms of abuse, and those witnessing it, the workplace can cease to be a safe place and the harassment itself may cause lifelong ramifications.

Over the years ASU members have campaigned for stronger workplace processes that support Members of Parliament Staffers. Historically, Ministerial & Parliamentary Services MOP(S) have been tasked with accepting and responding to complaints.

This is a problem because MOP(S) are employed directly by their MP, therefore the department does not have a meaningful ability to resolve concerns when they are contacted. ASU members have told us about frequent instances of complaints being referred back to complainants and sometimes to the respondent to a complaint.

The department is ill-equipped to deal with disputes and complaints and their procedures cannot enforce standards in the workplace. The Jenkins Set the Standard Report found the absence of clear and consistent standards of conduct were a driver for limiting accountability and was highlighted as a major concern.¹

A code of conduct for Parliamentary workplaces will communicate the expectations of behaviour and provide a benchmark against which people can be held accountable.

Any codes of conduct must make it clear workplace harassment, sexual harassment, assault, sexual assault and bullying will not be tolerated, with sanctions for non-compliance. These codes should not

¹ Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces, November 2021

only apply to those that work in Parliament House but must be extended to those that visit, including visitors, journalists, volunteers, interns, and all employees.

It is important that any codes developed must be in conjunction with workers and their representatives to ensure it considers the particular circumstances of Parliamentary workplaces. Any codes of conduct developed must be underpinned by detailed policies along with an independent authority that is genuinely separate of parliamentarians and political parties.

Further any new codes must be supported by training for workers. When workers clearly understand their rights and responsibilities, unacceptable behaviour can be fairly and consistently challenged. Support must also be provided for workers where someone is behaving in a way that is inconsistent with the codes expected in the workplace.

The Commonwealth has a positive role to play in bringing about change and must lead with best practice. By developing codes of conduct for Commonwealth Parliamentary Workplaces, the government can lead the way for all Australian organisations. Everyone has the right to feel safe at work.

Finally, all 28 recommendations set out in the Jenkins Set the Standard Report must be implemented.

Yours faithfully

Robert Potter
NATIONAL SECRETARY