



Employment Law Matters

Hi, and welcome to May's Employment Law Matters newsletter. We have insight regarding mental health at work this month, following the Avertededge Workplace Mental Health and Wellbeing conference in Sydney - some short video insights from HR and OHS leaders. Additionally, we're pleased to provide new research and data on mental ill-health triggers at work from the Black Dog Institute.

Workplace mental health triggers - New Black Dog Institute research and report on mental ill-health triggers, and modifiable work-related risk factors.

There are different triggers for different demographics of workforces, and mental ill-health has become the leading cause of sickness absence and long-term incapacity in most high income countries. This new report released this month from The Black Dog Institute looks at how high job strain appears to independently affect the risk of future common mental disorders in midlife. These findings suggest that modifiable work-related risk factors might be an important target in efforts to reduce the prevalence of common mental disorders. Click [here](#) for this insightful report.

Some take-aways from the Workplace Mental Health & Wellbeing conference:

Here, in this [video](#), Kate Rush, Head of Disability and Mental Health at Anglicare discusses reducing stigma in the workplace, and increasing opportunities to talk about mental wellbeing.

In this [vox pop](#), Simone Blumberg, Head Of People at Sunsuper gives 3 quick tips for gaining leadership buy-in for corporate wellness programs, and most importantly integrating mental health into them.

This was following her presentation, when she she talked in more detail about:

- (1) Focusing on measurable outcomes which are aligned to business priorities
- (2) Communicating benefits to senior leadership, and finding program champions
- (3) Moving wellness programs to be seen as a strategic imperative

Other news, updates & reminders:

Terminations - Terminations by email, text, phone and social media. A timely reminder.

May 2018: The FWC has issued warnings to employers, with Fair Work Commission Member Peter Sams saying in one case "I do not consider that informing an employee of their dismissal by phone, text or email, to be an appropriate means of conveying a decision which has such serious ramifications for an employee." The exception was noted for instances where there were potential safety ramifications.

Sexual harassment – It's time to deliver positive change in the workplace.

I'm sure you have clear policies in place for sexual harassment and other inappropriate workplace behaviour, but are you training your employees about recognising and reporting behaviour? Are your staff and management teams protected and empowered? Is what you are doing enough to meet obligations as an employer, or enough to prevent vicarious, accessorial, or ancillary liability claims?

We're providing short 1½ & 2½ hour long, affordable courses using the right language, at the right level around Australia and New Zealand in August & September.

- Course 1: **Employees Rights and Responsibilities (1½ hours)**. \$120 early-bird finishes 31st May: How to recognise behaviours that characterise sexual harassment; Peers - how to call out the behaviour if they see it, and how to improve team culture; Potential victims - what they need to know, and what to do if it happens to them
- Course 2: **Not On My Watch! Manager's responsibilities (2½ hours)**. \$170 early-bird finishes 31st May: What to do if they encounter a sexual harassment issue; To prevent inappropriate behaviour at work and improve your workplace culture; To reduce risks contributing to sexual harassment, discrimination and workplace bullying

[Click here for more details](#). Group bookings are welcome, and we'd recommend you reserve space. Simply take advantage of the early-bird rates and let us know closer to the event the names of attendees.

Auckland 21st Aug 2018; **Wellington** 23rd Aug; **Perth** 30th August 2018 | **Brisbane** 4th Sept | **Canberra** 6th Sept | **Sydney** 11th & 12th Sept | **Melbourne** 18th & 19th Sept

Gender equality reporting - The May 31st deadline is here to submit your gender equality [report](#).

All non-public sector organisations with 100 or more employees are required to report to the Agency on six gender equality indicators of gender composition, remuneration, flexible working arrangements, gender equality consultation, sex-based harassment and discrimination.

Public Sector Workforce Planning

The federal budget papers revealed the APSC will embark on a whole-of-government workforce strategy to drive modern workforce practices, inform future capability requirements and help prepare public sector employees for the future.

If you're from the Government or Public Service, and involved in workforce planning or HR transformation, be sure to attend our 2nd annual Public Sector Workforce Planning & Organisational Capability (4th – 6th September 2018, Canberra).

Event at a glance/key themes:

- Organisational capacity frameworks
- People data and HR metrics
- Spotlight on key workforce demographics
- Workforce and workplace transformation
- ICT, HR information systems and digital
- Strategic directions
- Talent and leadership capability development

More information is [here](#).

As always:

For the latest Fair Work decisions click [here](#).

For the latest news from the Fair Work Ombudsman, click [here](#).

Scheduled events which may be of interest to you:

Workplace Mental Health & Wellbeing Conference

[Auckland](#) 18th – 20th June 2018

Managing Ill & Injured Employees Masterclass

[New Zealand](#): Wellington 24th July; Auckland 30th July

[Australia](#): August, Brisbane, Sydney, Melbourne, Perth. Dates to be announced soon.

[3rd Annual Graduate Employment Outcomes & Industry Partnerships Conference](#)

Sydney 30 July – 1 August

[2nd annual Public Sector Workforce Planning & Organisational Capability](#)

Canberra. 4th – 6th September 2018