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PART C: Submission

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**Commissioner Kate Jenkins
Sex Discrimination Commissioner
Australian Human Rights Commission**

July 2021

Re: Independent Review into Commonwealth Parliamentary Workplaces

Dear Commissioner Jenkins,

I write in relation to the *Independent Review into Commonwealth Parliamentary Workplaces*, and thank you for the opportunity to make a submission on this occasion.

I have had the privilege and honour of working for a federal Parliamentarian for four and a half years. I believe many of my colleagues, on all sides of the political spectrum, would have similar feelings – it is a privilege to work in the roles that we do; however this does not negate from the fact that our workplace has a serious culture problem.

I am lucky enough to work for one of the most decent, hardworking, and honourable Parliamentarians that has ever walked through the halls of Australian Parliament House. I am extremely fortunate in this way, however there are many who have not had similar experiences.

The issues that I will touch on in my submission are in no way exhaustive, but reflect on some of the observations I have made in recent years and some of the experiences of my colleagues in various different offices.

Firstly, I want to touch briefly on pay equality. Over recent years I have been lucky to work with some of the most bright, promising, and talented women in Parliament House, many of whom I am fortunate to consider friends. However, what has struck me as concerning (among other things) is the way in which many are not being fairly compensated for their work.

I am aware of a number of very talented and senior female staffers who are paid significantly less than males in more junior positions from across different offices. I acknowledge that the Commonwealth Parliamentary Workplaces are a series of different workplaces, with different office structures, roles/responsibilities, and different employing Parliamentarians, however I feel as though greater emphasis needs to be placed on addressing this significant issue, to ensure equity across the Parliament. Disparities in pay certainly contribute to the toxic culture presently plaguing Parliament House.

I also hold significant concerns on the complete lack of a Human Resources structure across Commonwealth Parliamentary workplaces. I am aware that this is an issue we have spoken at length on during deliberations around terms of references for the respective reviews that are underway, and across forum such as the ECG, WHS Committee, and in bargaining for a new enterprise agreement, but still feel it is necessary to comment on here.

I feel it is also necessary to acknowledge how disappointing the response has initially been to the horrific events, allegations and incidents that have been widely reported in the media and ultimately led to these reviews taking place.

Staff, and in particular female staff, should have had access to a wide range of supports from the outset. The fact that staff were made to go about their business in a building in which the most heinous of crimes had occurred, without (at the very least) any access to crisis support, trauma counselling, or even a basic wellbeing check, in the aftermath of these events is nothing short of a disgrace.

The toxic culture that exists in the building and across workplaces was only perpetuated by a lack of leadership in the wake of these horrific events, and a lack of basic levels of support and accountability.

I myself was contacted by a number of my colleagues who stated that they felt unsafe in the building, and these feelings alone should have warranted immediate action by the Parliament. Disappointingly, no such action was taken. The creation of the new 1800 APH SPT support line by the Department of Finance was a welcome step, however it should have been complimented by a range of other measures and accessible supports.

Individuals presently employed under the MOP(s) Act are employed by their employing Parliamentarian, and fall outside of the Australian Public Sector framework. Staff are hired and fired at the whim of the Parliamentarian, and have insufficient structures in place through the Parliament, the Department of Finance, or internally to raise concerns that would typically be addressed through Human Resources.

This, as I am sure you can appreciate, leads to significant power imbalances in the workplace.

Power imbalances are not limited to those that exist between Parliamentarian and staffer, but also within staff ranks itself. Significant imbalances exist, for example, between a senior personal staffer and a junior electorate officer, and the inability for staff to draw upon an independent and rigid human resources framework places significant barriers on a person who is in need of access to these supports.

I can think of no other workplace where such significant power imbalances occur.

Certainly there are external bodies such as Fair Work that may oversee disputes such as unfair dismissals, however we need to recognise that the very nature of our workplaces, roles, and loyalties to particular political movements act as a significant deterrents to individuals coming forward in the first place. MOP(s) Act employees ought to be provided access to a truly independent HR official, at the very least.

Despite these significant power imbalances, and the responsibility placed on a Parliamentarian to employ people on behalf of the Commonwealth, there is very limited accountability placed on Parliamentarians and senior staff themselves.

I am firmly of the view that the Parliament ought to adequately train Parliamentarians and staff, to ensure that;

1. They know how to manage an office and employees;
2. They are adequately equipped to provide support to those who need to raise complaints;
3. They are aware of their responsibilities to employees and each other;
4. The highest of workplace standards are upheld in every Commonwealth Parliamentary workplace;
5. Offices have sound practices in place to respond to issues as they arise; and
6. Every staffer and parliamentarian understands the concept of consent.

Parliamentarians are elected by their constituencies, and there are no pre-requisites for the job aside from being an Australian citizen, having a clear criminal record, and not having declared bankruptcy.

It is astounding that the Commonwealth allows Parliamentarians to employ staff and manage (relatively) small pools Commonwealth finances, without having first undertaken rigorous training as part of their induction into the role.

Such training must be mandatory.

The high-level turnover of political staffers, and the complex network of our respective workplaces, I feel, also warrants training being available to all Parliamentarians and staff on a recurring basis

These issues are in no way an exhaustive list of the concerns I hold in relation to the issues facing Commonwealth Parliamentary workplaces. However, I feel that these matters can be very easily addressed by the Parliament in the immediate future, as an immediate response to your review and its forthcoming findings.

Thank you again for the opportunity to make a submission, and for your continued work in this space.

Please do not hesitate to contact me if you require any further information.

Yours sincerely,

Brydan Toner