

Aboriginal & Torres Strait Islander peoples

Respect@Work: New sexual harassment protections and changes to compassionate leave

On 10 September 2021, the Fair Work Act 2009 was updated with new provisions to address sexual harassment at work. The changes aim to make sure that workers are protected and empowered to address sexual harassment at work. The Fair Work Act was also updated to include miscarriage as a reason to access compassionate leave.

We're reviewing the information in some of the resources on this page, including:

- the compassionate leave fact sheet
- the Sorry Business fact sheets and message card
- the guide to starting a new job.

We encourage you to keep checking back here for updates.

Find out more at [New sexual harassment protections take effect \(www.fairwork.gov.au/about-us/news-and-media-releases/web-site-news/new-sexual-harassment-protections-take-effect\)](http://www.fairwork.gov.au/about-us/news-and-media-releases/web-site-news/new-sexual-harassment-protections-take-effect) .

We have information and resources for Aboriginal and Torres Strait Islander peoples in the workplace including:

- [starting a new job](#)
- [rights and entitlements of employees](#)
- [the importance of cultural, family and kinship obligations](#)
- [taking time off for Sorry Business](#)
- [sorting out problems at work](#)
- [ending work](#)
- [employer information](#).

We also have [information for employers](#) of Aboriginal and Torres Strait Islander peoples.

Starting a new job

Starting a new job can be exciting. It can also be a bit scary if you're not sure what you need to do.

Our [guide to starting a new job \(DOCX 1.9MB\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-guide-to-starting-a-new-job.docx.aspx) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-guide-to-starting-a-new-job.pdf.aspx) will help you find all the basic information you need before starting a job, including:

- how to check you're getting the right pay
- what awards are and how to find out about your rights and entitlements
- what should be on your payslip
- what to do if you have a problem at work.

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Rights and entitlements of employees

All employees get minimum entitlements at work. Read our fact sheets about employee rights on the following topics:

- [Annual leave fact sheet \(DOCX 51.5KB\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-annual-leave.docx.aspx) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-annual-leave.pdf.aspx) (PDF 5.1MB)
- [Public holidays fact sheet \(DOCX 56.1KB\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-public-holidays.docx.aspx) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-public-holidays.pdf.aspx) (PDF 5MB)
- [Sick and carer's leave fact sheet \(DOCX 53.1KB\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-sick-and-carers-leave.docx.aspx) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-sick-and-carers-leave.pdf.aspx) (PDF 7.8MB)
- [Parental leave fact sheet \(DOCX 58.1KB\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-parental-leave.docx.aspx) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-parental-leave.pdf.aspx) (PDF 5.1MB)

- [Flexible working arrangements fact sheet \(DOCX 57.3KB\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-flexible-working-arrangements.docx.aspx) ([www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-flexible-working-arrangements.docx.aspx](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-flexible-working-arrangements.pdf.aspx)) (PDF 5MB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-flexible-working-arrangements.pdf.aspx)
- [Community service leave fact sheet \(DOCX 55.7KB\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-community-service-and-jury-duty-leave.docx.aspx) ([www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-community-service-and-jury-duty-leave.docx.aspx](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-community-service-and-jury-duty-leave.pdf.aspx)) (PDF 5.1MB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-community-service-and-jury-duty-leave.pdf.aspx)
- [Compassionate leave fact sheet \(DOCX 55.6KB\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-compassionate-leave.docx.aspx) ([www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-compassionate-leave.docx.aspx](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-compassionate-leave.pdf.aspx)) (PDF 5.1MB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-compassionate-leave.pdf.aspx)

Find out more about minimum entitlements for employees on our [National Employment Standards page](http://www.fairwork.gov.au/employee-entitlements/national-employment-standards) (www.fairwork.gov.au/employee-entitlements/national-employment-standards) .

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The importance of cultural, family and kinship obligations

Like all employees, Aboriginal and Torres Strait Islander peoples have pressures and responsibilities relating to their home and community life. However, there are some specific cultural issues that employers need to understand, including:

- the importance of family and kinship ties
- cultural obligations
- significant dates and cultural events
- the need for time away from work for issues such as Sorry Business.

For many Aboriginal and Torres Strait Islander peoples, responsibilities to family, community and culture are extremely important. These responsibilities can sometimes conflict with workplace responsibilities. These are serious issues, which employers should discuss with sensitivity and respect, in order to find a solution that's best for everyone.

Due to family obligations, Aboriginal and Torres Strait Islander peoples may have more of a role in caring for children and elderly family members. Care may include financial care, health care and general care. This means Aboriginal and Torres Strait Islander peoples may have more responsibility outside their immediate family.

To help employees meet these obligations, employers may need to consider offering flexible work arrangements. You can find more information about flexibility in the workplace on our [Flexible working arrangements](http://www.fairwork.gov.au/employee-entitlements/flexibility-in-the-workplace/flexible-working-arrangements) (www.fairwork.gov.au/employee-entitlements/flexibility-in-the-workplace/flexible-working-arrangements) page.

It's also important to be aware of significant cultural events and dates, including key events such as:

- NAIDOC Week
- Sorry Day
- National Reconciliation Week
- local and regional events.

It's a good idea for employers and employees to discuss these dates. Where possible, employers should encourage and support staff who want to acknowledge and participate in these events.

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Taking time off for Sorry Business

If you need time off work for Sorry Business, you might be able to take it off as compassionate leave. Employees can take compassionate leave when someone in their immediate family or household dies or has a life-threatening illness or injury.

If not, you may have other options available to you, such as annual leave, sick/carer's leave, unpaid leave or time off in lieu.

If you need to take time off work for Sorry Business it's a good idea to let your employer know as soon as you can.

Check out our [Do you need time off for Sorry Business fact sheet \(DOCX 61KB\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-time-off-for-sorry-business.docx.aspx) ([www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-time-off-for-sorry-business.docx.aspx](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-time-off-for-sorry-business%20.pdf.aspx)) (PDF 5.6MB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-time-off-for-sorry-business%20.pdf.aspx) and [message card \(DOCX 56.6KB\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-key-message-card-time-off-for-sorry-business.docx.aspx) ([www.fairwork.gov.au/ArticleDocuments/1106/atsi-key-message-card-time-off-for-sorry-business.docx.aspx](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-key-message-card-time-off-for-sorry-business.pdf.aspx)) (PDF 2.5MB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-key-message-card-time-off-for-sorry-business.pdf.aspx) .

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Sorting out problems at work

Most problems at work happen because people are unsure what the law is, or because employees and employers don't talk about

what's bothering them.

Case study - Trisha's annual leave

Trisha is planning to visit her community and asks her employer how much annual leave she has. Her employer says she has two weeks annual leave. Trisha thinks there is a problem and checks our [leave calculator \(www.fairwork.gov.au/leave/leave-calculator\)](http://www.fairwork.gov.au/leave/leave-calculator).

The calculator says that Trisha has three weeks annual leave. She prints the results from the leave calculator, and has a chat to her employer. Her employer checks the records again and says sorry for the mistake.

By talking to her employer in a polite and professional way, Trisha sorted the problem out quickly.

Check out our [guide to fixing workplace problems with your boss \(DOCX 79.6KB\) \(www.fairwork.gov.au/ArticleDocuments/1106/atsi-guide-to-fixing-workplace-problems-with-your-boss.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-guide-to-fixing-workplace-problems-with-your-boss.docx.aspx) (PDF 9.9MB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-guide-to-fixing-workplace-problems-with-your-boss.pdf.aspx).

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Ending work

A notice period is the amount of time you may have to give your employer when you leave a job. It's also the amount of time your employer may need to give you if you're sacked.

How much notice should you and your employer give each other? Check your:

- award
- registered agreement
- contract of employment.

If you have an award, use our [Pay and Conditions Tool \(www.fairwork.gov.au/Home/pact\)](http://www.fairwork.gov.au/Home/pact).

It's also a good idea to put your notice in writing. Check out our fact sheet on [ending employment \(DOCX 57.8KB\) \(www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-ending-employment.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-ending-employment.docx.aspx) (PDF 3.6MB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-ending-employment.pdf.aspx) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-redundancy.pdf.aspx) for more information.

Redundancy is when an employer no longer requires your job to be done by anyone, or when a business becomes bankrupt or insolvent (runs out of money and has to close). Check out our fact sheet on [redundancy \(DOCX 57.9KB\) \(www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-redundancy.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-redundancy.docx.aspx) (PDF 5.1MB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-redundancy.pdf.aspx) for more information.

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Employer information

Check out the [business.gov.au](https://business.gov.au/People/Hiring/Hiring-employees) checklist for small business owners  (<https://business.gov.au/People/Hiring/Hiring-employees>) for help following Australian laws when hiring employees.

We also have information to help you get the most out of your business and employees:

- [How can the Fair Work Ombudsman help your business fact sheet \(DOCX 58.6KB\) \(www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-how-can-fwo-help.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-how-can-fwo-help.docx.aspx) (PDF 4.9MB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-how-can-fwo-help.pdf.aspx) and message card (DOCX 58.5KB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-key-message-card-can-fwo-help.docx.aspx) (PDF 771.1KB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-key-message-card-FWO-help.pdf.aspx)
- [Problem-solving with your workers fact sheet \(DOCX 59.3KB\) \(www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-problem-solving-with-your-workers.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-problem-solving-with-your-workers.docx.aspx) (PDF 5.1MB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-problem-solving-with-your-workers.pdf.aspx) and message card (DOCX 57.4KB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-key-message-card-problem-solving.docx.aspx) (PDF 2.4MB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-key-message-card-problem-solving.pdf.aspx)
- [Supporting workers during Sorry Business fact sheet \(DOCX 58.1KB\) \(www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-sorry-business.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-sorry-business.docx.aspx) (PDF 2.4MB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-fact-sheet-sorry-business.pdf.aspx) and message card (DOCX 54.1KB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-key-message-card-sorry-business.docx.aspx) (PDF 2.5MB) (www.fairwork.gov.au/ArticleDocuments/1106/atsi-key-message-card-sorry-business.pdf.aspx).

You might also be interested in

- [Our Reconciliation Action Plan \(DOCX 1.4MB\) \(www.fairwork.gov.au/ArticleDocuments/252/FWO-Reconciliation-Action-Plan.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/252/FWO-Reconciliation-Action-Plan.docx.aspx) ([PDF 4.5MB\) \(www.fairwork.gov.au/ArticleDocuments/252/FWO-Reconciliation-Action-Plan.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/252/FWO-Reconciliation-Action-Plan.pdf.aspx)

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Contact us

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Fair Work Infoline: 13 13 94

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For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

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