Working with Women Alliance

Education and Employment Legislation Committee

Via Email: eec.sen@aph.gov.au

Inquiry into the Fair Work Amendment (Right to Work from Home) Bill 2025

To the committee,

The Working with Women Alliance (WwWA) welcomes the opportunity to provide feedback on the Fair Work Amendment (Right to Work from Home) Bill 2025. The insights provided are informed by our ongoing work to advance gender equality, with a particular focus on improving outcomes for women and gender-diverse workers across Australia.

The proposed amendment represents an important step in recognising the diverse realities of Australia's workforce, particularly the large number of workers who are also carers. Flexibility, when implemented equitably, can expand opportunities for women and enhance economic participation. HILDA data shows that working from home improved job satisfaction among women, particularly mothers who shifted to a two-day or three-day remote arrangement.[i] However, the intentions of this amendment only succeed if it is the norm rather than the exception. To achieve lasting change, flexibility must go beyond working from home and empower workers to shape their patterns of work, supported by practical approaches that reflect the different needs of industries and roles.

For these reasons, we believe there are four areas where the proposed amendments could be further developed to encourage and facilitate women's participation in the workforce.

Clear and consistent definitions

It is unclear what the definition of *reasonable adjustments* will be in relation to this legislation. While larger corporations often have the resources to provide remote working arrangements, smaller and nonprofit organisations will likely face unique challenges in providing adjustments. Providing equipment to support a work-from-home request - such as computers, monitors, software, and security systems – can impose substantial costs[ii] that are prohibitive for organisations on limited budgets. Ideally, the cost of these

adjustments should be shared between Government and sector-based support. Providing clarity on what is *reasonable*, *impractical*, or *impossible* will help balance the needs of employees with the operational capacity of employers. Establishing a standard for reasonable adjustments, along with financial assistance for smaller organisations, would promote fairer and more equitable outcomes across sectors.

Workplace surveillance and employee protections

Currently, workplace surveillance is inconsistently regulated across jurisdictions. Nationally, there is no requirement for employers to disclose the type or extent of workplace surveillance technologies they use, resulting in many workers being completely unaware of the scope of monitoring occurring within their work devices. While accountability in the workplace is important, it should not come at the expense of employee privacy or wellbeing. A 2021 survey found that 90% of Australian employers monitor employee locations - well above the global average.[iii] The increasing adoption of monitoring technologies, particularly those powered by artificial intelligence, blurs the boundaries between oversight and intrusion. As remote and hybrid work expand under this amendment, surveillance is likely to increase as employers seek to replicate in-office oversight in home settings. Employers often benefit from existing legal frameworks, securing consent for surveillance through standard employment contracts or policies. For employees - especially women in low-paid, casual, or insecure work – refusing such terms can jeopardise their employment. Studies have shown that women are more likely to be subject to ongoing monitoring[iv] yet feel less comfortable with it than men.[v] These practices can heighten anxiety and stress among employees, ultimately undermining productivity and trust in the workplace. This amendment provides an opportunity to establish clear national standards for surveillance, ensuring that accountability measures are transparent, proportionate, and uphold worker dignity.

Equitable access to flexible work

It is important to recognise who this bill will not benefit. Many frontline, casual, and insecure roles - such as those in early childhood education, community services, healthcare, and retail - are predominantly held by women and cannot reasonably be performed from home. At the lowest income levels - under $6,000 annually - just 25% of employees work from home,[vi] while higher-income roles, often male-dominated, can more easily accommodate remote work[vii] and hence will gain most from these policy changes. Without deliberate measures, this amendment risks widening existing gender and income disparities across the workforce. Flexibility policies are needed that recognise and address the needs of employees who cannot work from home. For example, we consistently hear that front-line workers want better access to secure part-time work. Small businesses and nonprofit organisations, which make up a large portion of Australia's frontline workforce,

would benefit from clear and practical support to implement flexible work arrangements in ways that suit their operational needs.

Attitude and cultural change

These amendments present an opportunity to reshape workplace attitudes towards flexible work, but caution should be taken to ensure that working from home does not inadvertently reinforce traditional gender roles by becoming the default for managing childcare and housework. Expanding the right to request flexible work to all employees could encourage greater male participation in domestic responsibilities, supporting women's sustained engagement in the labour market. However, without intentional shifts in workplace culture and broader gender norms, working from home may risk entrenching existing divisions of household and workforce inequalities. Research suggests that employees who are physically present in the workplace are more likely to be promoted and offered new responsibilities.[viii] Consequently, if working from home becomes disproportionately "feminised," it could limit women's access to career progression and reinforce long-standing inequalities in pay and leadership opportunities. Genuine equity requires both organisational and societal change, encouraging a balanced uptake of remote work among men and women and ensuring that remote employees remain visible in decision-making, leadership development, and recognition processes. Working from home should be viewed as one component of a broader strategy to promote gender equality and workplace flexibility, not as a standalone solution.

We thank the Committee for the opportunity to provide input and look forward to continued engagement on these important reforms.

Yours sincerely,

Working with Women Alliance

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[i] Mark Wooden, Esperanza Vera-Toscano, Inga Lass, 2022, *HILDA finds working from home boosts women's job satisfaction more than men's, and that has a downside*, The Conversation, https://theconversation.com/hilda-finds-working-from-home-boosts-womens-job-satisfaction-more-than-mens-and-that-has-a-downside-195641

[ii] Small Business Finance Insights, 2025, *Remote Work Equipment: The $5,000 Per Employee Technology Investment*, https://sb-fi.com/remote-work-equipment-the-5000-per-employee-technology-investment/

[iii] Herb Smith Freehills, 2021, *Remote Controlled: The Future of Work Report 2021*, https://insights.hsfkramer.com/fow2/p/1

[iv] Institute for Public Policy Research, 2023, *'Dystopian' worker surveillance techniques likely to disproportionately affect young people, says IPPR*, https://www.ippr.org/media-office/dystopian-worker-surveillance-techniques-likely-to-disproportionately-affect-young-people-says-ippr
[v] Working Women Queensland, 2025, *Working under the lens: protecting workers' rights with AI powered workplace surveillance on the rise*, https://brq.org.au/wp-content/uploads/2025/10/WWQ-AI-Project-Report-Workplace-surveillance-2025.pdf
[vi] Roy Morgan, 2025, *More than 6.7 million Australians 'work from home'*, https://www.roymorgan.com/findings/9981-work-from-home-june-2025
[vii] ibid.
[viii] Executive Pa Media, 2025, *Are you visible enough to be promoted*?, https://executivepa.com/are-you-visible-enough-to-be-promoted/