



DIVERSITY
COUNCIL
AUSTRALIA

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Media Release

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Proposed religious discrimination law would challenge employer progress on workplace inclusion and erode culture

Religious discrimination legislation proposed by the Australian Government would stop employers from fostering inclusive workplace cultures and erode the business benefits of inclusivity, Australia's leading workplace diversity adviser warns.

Diversity Council Australia backs protections for individuals from discrimination and harassment for their religious beliefs or no beliefs but said the Religious Discrimination Bill 2021 goes too far in its current form.

As drafted, the legislation would interfere with the ability of Australian employers to create safe and inclusive work environments for everyone within their organisation.

"We strongly support protections for individuals from discrimination and harassment because of their religious belief or no belief," DCA CEO Lisa Annese said.

"We proactively support Australian employers creating workplaces where religious belief is afforded the same dignity and respect as other attributes of a person's identity.

"However, we believe the Bill goes beyond protecting people from discrimination based on religion and undermines protections afforded under other anti-discrimination legislation.

"The Bill overrides federal, state and territory anti-discrimination law to make 'statements of belief' immune from legal consequences under those laws.

"By exempting certain conduct from existing anti-discrimination protections, this legislation could give licence to a wide range of potentially harmful and offensive statements, contributing to hostile, unsafe or non-inclusive workplaces.

"As well as creating complex legal situations for employers, this would also have an impact on the ability of workplaces to foster inclusive cultures, which our research shows have significant business benefits."

DCA's [2021-2022 Inclusion@Work Index](#) shows that workers in inclusive teams are:

- 11 times more likely to be highly effective than those in non-inclusive teams
- 10 times more likely to be innovative
- 6 times more likely to provide excellent customer service.

On the flip side, workers experiencing discrimination and/or harassment are less likely to work effectively together, find new ways to solve problems and be willing to work hard to help their team.

They are also more likely to feel their workplace has a negative or very negative impact on their mental health, report being less satisfied, and look for another role with a different employer.

"DCA is concerned that this proposed legislation, as drafted, could stop Australian employers fostering inclusive cultures, eroding any business benefit derived from inclusion," Ms Annese said.

"Our view is that this bill should not be passed in its current form, and the structure of any laws to prevent religious discrimination should be the same as other anti-discrimination laws and not allow new discrimination against other people."

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[Access the full submission.](#)

About DCA: Diversity Council Australia is the independent not-for-profit peak body leading diversity and inclusion in the workplace. We provide unique research, inspiring events and programs, curated resources and expert advice across all diversity dimensions to a community of 1000 member organisations. Our member organisations are estimated to employ nearly two million Australians, representing more than 20% of the workforce.