

Balancing act:

Supporting working parents and carers

October 2026



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Acknowledgement of Country

The Australian Human Rights Commission acknowledges the Traditional Custodians of Country throughout Australia, and recognises their continuing connection to land, waters and culture. We pay our respects to their Elders – past and present.

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Commissioner's foreword

Caring for children and family members is a vital part of our society, our culture, and our economy. Despite this, discrimination based on pregnancy and family responsibilities remains a major barrier to gender equality and workplace participation in Australia.

The Balancing Act project was an opportunity to listen to experiences of pregnancy and family responsibilities discrimination in Australian workplaces. Through this project, we heard from workers and unions, employers and industry groups, service providers, academics and other experts. Their knowledge and experience provided us with invaluable insight into the challenges facing workers and employers, and what needs to change.

What we heard was that gendered stereotypes about parenthood and family care persist in our workplaces. While some employers create supportive environments, many workplaces treat family responsibilities as an inconvenience or disruption and penalise people with care responsibilities. Many of our workplaces are still built around the assumption that workers do not have parental or caring responsibilities. This disproportionately impacts women's economic independence, entrenches inequality and undermines the wellbeing of families.

These harms are amplified for people with disability, LGBTIQ+ communities, First Peoples, culturally and racially marginalised people, migrants, and refugees who may experience intersecting forms of discrimination. This is partly because many of these workers are more likely to be in insecure, casual work with fewer benefits of security.

Tackling these persistent problems means removing structural barriers to finding and maintaining secure employment during and after pregnancy and while raising children or caring for family. It also means addressing social attitudes and expectations around gendered contributions to parenthood and family life.

I am grateful to everyone who participated in the consultations for this project by providing their time and expertise. We hope that this report will lead to further research and reform.



Dr Anna Cody,
Sex Discrimination
Commissioner

Executive summary

You have people being told by their managers not to have children because it's a career ender.

– Cross-sector roundtable

Pregnancy, breastfeeding and family responsibilities discrimination remain common in Australian workplaces. Despite the presence of strong legal protections, the Balancing Act project found a gap remains between workers' legal rights and their everyday experiences at work.

Drawing on the expertise of 84 stakeholders and findings of a literature review, this report reflects how discrimination can occur when workers disclose pregnancy, take parental leave, breastfeed or express milk, request flexible work or manage caring responsibilities.

Stakeholders reported that workers can lose shifts and contracts, training and promotion opportunities and are excluded from work through redundancy, reduced hours or being forced to leave their jobs. Many workers do not report discrimination due to fear of retaliation, financial loss, damage to their reputation, or the stress of formal complaints process.

The discrimination faced does not affect all workers equally. First Peoples women, culturally and racially marginalised workers, migrant workers and temporary visa holders often face additional barriers due to racism, insecure work and visa-related vulnerabilities. Stakeholders reported that stereotypes about culture, parenting and caring responsibilities can further compound the discrimination they face.

People with disability and parents and carers of people with disability face additional barriers. Stakeholders reported difficulties accessing secure employment during pregnancy, parenthood and caring periods, and said disability-related caring responsibilities are not always recognised or supported in workplaces. Many workers with disability reported leaving traditional employment or moving into insecure or self-employed work because workplaces did not provide the flexibility and support they needed.

Many workplaces continue to rely on narrow assumptions about pregnancy, parenting and family life. Stakeholders reported that this can create barriers for LGBTIQ+ people, non-birthing parents, people using assisted reproductive technologies, people who experience pregnancy loss, and families that do not fit traditional models. Stakeholders reported limited understanding of these experiences, low awareness of leave entitlements and unsupportive workplace cultures.

Workers in male-dominated industries can face unique challenges during pregnancy, parenting and caregiving. In industries such as construction, where women remain underrepresented, stakeholders reported limited workplace knowledge and support for pregnancy, parental leave and flexible work.

Workers described pressure around disclosing pregnancies, exclusion from work opportunities following disclosure, and difficulties accessing flexible work arrangements. Insecure and site-based work can also make it harder to access parental leave and workplace adjustments.

Breastfeeding discrimination remains a significant and overlooked barrier to work. Stakeholders described parents returning

to work experiencing inadequate facilities, insufficient breaks, stigma and discrimination when breastfeeding or expressing, storing and transporting breast milk. Some also experienced discrimination, harassment and negative treatment in public settings outside the workplace.

The project also found that existing legal and policy frameworks do not always reflect the reality of contemporary care. Family responsibilities extend well beyond the narrow definitions currently recognised in parts of Australian law and many workplace policies. Workers are increasingly providing care across extended families, kinship networks, chosen families, transnational relationships and disability support arrangements.

Underlying many of these experiences are deeply entrenched gender norms about care. Caring responsibilities continue to fall disproportionately on women, contributing to persistent inequalities in workforce participation, pay and career progression.

At the same time, fathers and non-birthing parents continue to face barriers to taking leave and sharing care, driven by workplace cultures and stereotypes that position women as primary carers and men as breadwinners. These barriers reinforce unequal caring arrangements and undermine progress toward gender equality.

What we heard demonstrates that discrimination related to pregnancy, breastfeeding and family responsibilities remains a significant and widespread workplace issue.

Addressing it requires a comprehensive response that combines legislative reform, improving workplace flexibility and job design, more accessible pathways to justice and accessible information, and nationally representative data to better understand the prevalence and impacts of this discrimination. Without sustained action, these forms of discrimination will continue to limit workforce participation, entrench gender inequality and affect the wellbeing of workers and their families.



1. Introduction

Pregnancy and family responsibilities discrimination remain a significant barrier to gender equality and women's workforce and economic participation in Australia. Despite legislative protections and workplace policies, discrimination during pregnancy, parental leave, and return-to-work continues to be widespread.

In 2014, the Australian Human Rights Commission (Commission) did a National Review into discrimination related to pregnancy, parental leave and return to work (National Review).¹

Nearly 1 in 2 (49%) mothers reported experiencing pregnancy discrimination at some point during pregnancy, parental leave or on return to work.² This included being made redundant/restructured, being dismissed, contracts not being renewed, and discrimination related to pay, conditions, duties, health, safety, performance assessment and career advancement opportunities.³

One in 5 (20%) fathers and partners also reported experiencing discrimination when requesting or taking parental leave.⁴ This included negative comments and attitudes from colleagues and/or their employer, and discrimination related to pay, conditions, duties and flexible work.⁵

In 2024, the University of South Australia undertook a survey, which looked at work conditions and discrimination for pregnant and parent workers (the 2024 review). Of the 1,048 workers who completed the survey, 91.8% reported experiencing discrimination when returning to work, 89% reported experiencing discrimination during pregnancy, and 84.7% reported experiencing discrimination while on parental leave.⁶

These findings show that, despite significant legislative and policy change since 2014, reports of pregnancy, breastfeeding and family responsibilities discrimination remain high and barriers to sharing care persist.⁷

In response to this ongoing discrimination, the Commission undertook this project to identify current gaps in research and policy relating to pregnancy discrimination, family responsibilities discrimination and barriers to shared care.

Between 27 March 2026 and 15 April 2026, the project team held 5 roundtable discussions, engaging 71 stakeholders. The team also held 13 one-on-one meetings with stakeholders. Participants included representatives from community, advocacy and non-profit organisations, the community legal sector, unions, academia and industry.

One roundtable was cross-sectoral and included experts from various backgrounds and organisations. The other four roundtables were community-specific, focusing on:

- people with disability
- culturally and racially marginalised communities
- First Peoples
- LGBTIQ+ communities.

This report is informed by stakeholder perspectives, a literature review, and an evidence gap analysis of academic, legal and policy sources. It identifies key challenges, areas for inquiry and emerging priorities relating to pregnancy, breastfeeding and family responsibilities discrimination and barriers to shared care, and provides a foundation for future policy, research and reform efforts.

2. Pregnancy discrimination

2.1 Pregnancy discrimination in Australia

Case study from the culturally and racially marginalised communities roundtable

Luisa⁸ was an experienced HR manager in the healthcare industry. She was a permanent resident, performed strongly in her position, and felt secure in her job. A month after telling her employer she was pregnant, Luisa was made redundant.

Her employer questioned who would support Luisa after the baby was born, because her family lived overseas. Luisa explained that her husband would take parental leave and that she planned to return to work soon after the birth. Luisa also offered to continue working on a part-time basis, but the redundancy went ahead.

At the time, Luisa was almost halfway through the pregnancy. She was worried she would not be able to find another job, leaving her family in a financially vulnerable position. Her husband had previously thought pregnancy discrimination was only an issue that affected women, but this experience made him realise it impacts the whole family. Luisa considered making a complaint for the redundancy, but decided not to due to concerns about the cost, possible damage to professional relationships and any impacts on her career.

In the 12 years since the National Review, pregnancy discrimination has remained widespread and systemic. This is despite prohibitions on pregnancy and potential pregnancy discrimination under the *Sex Discrimination Act 1984* (Cth), the *Fair Work Act 2009* (Cth) and state and territory anti-discrimination legislation.

While there have been some positive policy and legislative reforms, they have not been sufficient in addressing the scale of discrimination experienced by pregnant and parent workers.

In particular, reform efforts have largely focused on improving the paid parental leave system, rather than preventing and responding to discrimination across pregnancy, parental leave and return to work. For example, the *Paid Parental Leave Act 2010* (Cth) has been amended to increase the maximum period of government-paid parental leave to 26 weeks and to add superannuation payments to government-paid parental leave.⁹

While this report discusses discrimination based on pregnancy, breastfeeding and family responsibilities separately, in practice these forms of discrimination are often interrelated. For this reason, much of the discussion below is not unique to pregnancy discrimination and is relevant to the different forms of discrimination experienced when workers are starting or growing their families, taking parental leave or returning to work.

2.2 Underreporting and barriers to complaints

The Commission’s National Review surveyed more than 2,000 working mothers and 1,000 partners.¹⁰ It also received 447 written submissions.¹¹ It found that nearly 1 in 2 mothers reported experiencing discrimination during pregnancy, parental leave and/or return to work, and 1 in 5 partners also reported discrimination.¹² Despite this, 91% of mothers did not lodge a formal complaint, citing fear, stress and/or lack of awareness.¹³

AHRC complaints received alleging pregnancy discrimination 2023-2025

2021	2022	2023	2024	2025
54	51	52	61	72

From recent statistics of complaints lodged at the AHRC, it is clear that pregnancy discrimination remains a persistent issue. In 2022, Monash University published a pilot study of Victorian women’s experiences of pregnancy discrimination at work, based on administrative data from 71 JobWatch callers.¹⁴

Consistent with the National Review, the pilot study found pregnancy discrimination commonly appears as employment insecurity following the disclosure of a pregnancy.¹⁵ This could include contract changes, redundancy, or a reduction of hours or shifts. The study also indicated that complaint and litigation data significantly underrepresents the real prevalence of pregnancy discrimination, highlighting the persistent power imbalances within workplaces.¹⁶ Most women avoided litigation, and chose informal resolution due to fear of retaliation, job loss, financial pressures and stress. JobWatch also reported that calls relating to pregnancy and breastfeeding discrimination doubled between 2022 and 2025.¹⁷

While the survey sample was around half

the size of the National Review, the 2024 review provided recent data on workplace discrimination across pregnancy, parental leave and return-to-work stages.¹⁸

The study’s findings indicated a very high prevalence of discrimination experienced by pregnant workers, with 45.7% of respondents reporting that they were ordered to do work below their level of competence, 35.9% experienced excessive monitoring of their work and 23.3% received hints or signals from others that they should quit their job due to their pregnancy.¹⁹ In line with the National Review, many experiences appeared to involve breaches of existing legal obligations.²⁰ The findings reinforce that discrimination remains systemic and ongoing, with a significant implementation and enforcement gap between legal protections and workplace practice.

2.3 Common patterns in workplace pregnancy discrimination

The evidence suggests limited progress has been made to prevent workplace pregnancy discrimination over the past decade. Structural workplace practices, gendered assumptions about caring roles, and weak enforcement mechanisms continue to undermine pregnant workers’ rights and participation in the workforce. This was reflected in what stakeholders from the community legal sector, unions, academia, industry bodies and advocacy organisations told the Commission.

Stakeholders described recurring patterns of discrimination such as:

- “sham” redundancies (an unlawful dismissal where an employer claims a role is no longer needed to hide the real reason, like discrimination) and job loss during pregnancy or parental leave
- performance management or adverse treatment following pregnancy disclosure

- loss of role, diminished duties or shifts, or changes to role without prior communication on return from parental leave
- refusal of flexible work arrangements and/or reasonable adjustments during and after pregnancy, or for pregnancy related illness
- withdrawal of career development opportunities and other impacts on progression.

Case study: Fitness to work assessments

Under the *Fair Work Act 2009*, employers have an obligation to provide a safe role for pregnant workers where possible. Employers also have legal obligations under state and territory law to manage health and safety, which can include reviewing and adjusting duties for pregnant workers.

While the health and safety of pregnant employees is critical, and fitness to work assessments can play an important role in ensuring a worker can safely perform their duties, they must not be misused. Stakeholders reported that some employers use fitness to work assessments as a pretext for exclusion and discrimination against pregnant workers rather than a basis for reasonable adjustment. Stakeholders reported that, in practice, some employers refuse to make reasonable adjustments and instead exclude pregnant employees from work through the misuse of fitness to work assessments, resulting in health issues and psychosocial distress.

We had one woman who was very concerned about the noise of a factory that she was concerned it would affect not only her hearing, but the baby's hearing. When women request those alternative duties, they are then issued with assessments of their fitness to work, and not necessarily given appropriate alternative duties, but often effectively demoted or paid less or given casual schedules.

– Cross-sector roundtable

We also see the compounding effect of these sorts of assessments of fitness to work and performance improvement plans on women during their pregnancies that often results in stress, in trauma, in physical manifestations of health issues.

– Cross-sector roundtable



2.4 Experiences of discrimination in male-dominated industries

Case study from the cross-sector roundtable

Li worked as a project manager in a construction company. Her boss believed she was pregnant and directly asked her if she was. Li felt that she had no choice but to disclose her pregnancy, despite not being comfortable with this. Management removed Li from all client-facing work, because they didn't want the clients to know she was pregnant. They also removed her from high value project experiences and training opportunities. Li felt excluded from her workplace and started to become anxious and stressed at work. Management then informed Li they were terminating her contract as they felt she was "no longer engaged" and not a "good fit" for the company.

Stakeholders reported that in male-dominated industries and in sectors such as technology and finance where constant visibility and availability are expected, pregnancy and family responsibilities discrimination remains common. This aligns with research from the Victorian Trades Hall Council which found that more than half of women in male-dominated industries had experienced gender discrimination.²¹

Gender segregation is a feature of many Australian workplaces, with more than half of Australian private sector workers in male- or female-dominated industries.²² For example, women make up only 13% of the construction workforce,²³ and many are the first in the organisation to take parental leave.²⁴ As a result, they often face limited support from managers, making an already stressful time even more difficult.²⁵ Stakeholders reported

women in construction can feel pressured to tell their employer they are pregnant earlier than they wanted, or are encouraged to hide their pregnancy. They may also hide their pregnancy to avoid negative reactions or reinforcing stereotypes.²⁶

Stakeholders also said that after disclosing their pregnancy, workers can face negative consequences, such as losing their job, cancelled contracts, and missing out on important projects, experiences and training opportunities. This is despite clear legal prohibitions on pregnancy discrimination at work.

These experiences are made worse by the lack of clear and consistent parental leave policies across the construction industry, with women often having to push for these policies themselves.²⁷ The nature of construction work – long and inflexible hours, weekend work, and site-based roles – also makes it difficult to access flexible work arrangements, which can impact transitions into and out of parental leave.²⁸ This is difficult for men and women who have caring responsibilities.

Despite these challenges, some employers are adopting good practice strategies to promote gender equality in historically male-dominated industries. We heard from industry stakeholders how some employers are making positive changes to improve their workplaces.

Given the nature of many of our members in manufacturing and construction, you know, we have a big skills problem and we want to get women in and we want to keep them. So a lot of our members are doing good things in this space.

- Cross-sector round table

Good practice examples have also been showcased by the National Association of Women in Operations Case Study series in partnership with the Victorian Government Office for Women in the Department of Families, Fairness and Housing.²⁹

2.5 Job insecurity and visa dependence can make it harder to speak up

Research indicates that pregnancy discrimination is particularly prevalent in industries that rely on shift work and a casualised workforce.³⁰ Stakeholders noted disproportionate impacts on cohorts overrepresented in insecure work, including culturally and racially marginalised people, migrant and refugee communities, LGBTIQ+ people, First Peoples, and people with disability. However, these impacts remain underexamined in the evidence base, representing an ongoing research gap.

Stakeholders told us that insecure work disincentivises workers to speak up about pregnancy discrimination or enforce their rights. This may be because of fear of losing their employment and the challenges involved in finding work.

I think particularly trans and gender diverse folk can have more difficulty finding jobs and then feeling secure in those jobs. I think particularly that cohort is quite vulnerable to that. But there is something about having a job and not feeling then like you can rock the boat ... do you prioritise perhaps not rocking the boat, keeping a job and trying to keep that sort of security in your work that you have and not speaking out because you're in a more vulnerable position in the jobs market.

- LGBTIQ+ roundtable

Some stakeholders described concerns that disclosing plans to conceive or grow their families could result in contracts not being renewed.

Things that I've heard in workplaces from colleagues ... is if they were to share that they are planning to conceive or grow their family, that contracts may not be renewed. There may be reasons found for not continuing employment with varied levels of shadiness.

- LGBTIQ+ roundtable

We heard that migrants, especially migrant women, are more likely to be in insecure work and that securing employment can be a significant hurdle, often compounded by limited recognition of overseas skills and qualifications.

So when they come in, there's skills recognition barriers, there's discrimination, there's a lot of struggle to get into the industry. So some of the people that I spoke to mentioned that after all of these hurdles, when they're finally able to get a job, there's a real fear of disclosing when they're pregnant ... So this gender discrimination is sitting within a larger structure where they're facing compounded disadvantage.

- Culturally and racially marginalised communities roundtable

[For] people seeking asylum or on temporary visas there's so many barriers to actually find[ing] employment that they don't want to then speak up in the workplace when they become pregnant or when they want to return to work because they're sort of grateful that they've just got a job. And so we're talking about putting up with sort of repeated instances in the workplace of discrimination because of that as well.

- Culturally and racially marginalised communities roundtable

Stakeholders in the refugee and asylum seeker sector also reported that many migrant and refugee women do not feel confident seeking work while pregnant, particularly where work is insecure and protections are poorly understood. They also described instances where male clients had job offers rescinded after being asked about upcoming leave and disclosing that their partner was expecting a baby.

I did speak to one gentleman, a father, who said that he was very sure that he was at a couple of ... final interviews for a really good job. He read the message that he was rejected once they said, are you planning to take any leave? And he said, only when my wife has her baby. And he sensed this kind of, 'oh' moment.

- Culturally and racially marginalised communities roundtable

For migrant and refugee women in casual work, stakeholders noted that many do not have access to employer-funded paid parental leave, and that roles can be rigidly structured, limiting access to flexibility more generally. This is compounded by the fact that many visa holders are excluded from government-funded parental leave under the *Paid Parental Leave Act 2010*. Migrant workers may also be dependent on their employer for their visas and this can further disincentivise these workers to disclose pregnancy or advocate for their rights at work, driven by fear of losing income or having to leave Australia due to visa cancellation.

[Y]ou're here working for us, you're on a visa, you don't like it, we just cancel your visa and you're gone.

- Culturally and racially marginalised communities roundtable



Stakeholders noted that some employers exploit this dependence, using it to discriminate against workers and to discourage or prevent them from becoming pregnant:

You know, we hear of reports that they [PALM Scheme workers] have contracts that say they specifically can't get pregnant and if they do get pregnant, they lose their jobs and they get sent back to their home country.

- Cross-sector roundtable

Stakeholders also told us that insecure work, such as contract-based employment, impacts workers' ability to understand their rights.

There's a lack of knowledge about what workplace protections apply to you in contract-based work. You know, as an LGBTQ person working in the not-for-profit sector, we're working often in project funding-based roles. And so, when taking leave ... is that funding going to be kept around waiting for you to come back and will you still continue to roll until the end of that?

- LGBTIQ+ roundtable

Flexibility and access to healthcare

Insecure work and fear of job loss can lead people to delay care or continue working in ways that compromise their health, and this risk is exacerbated for workers who are pregnant. Under the *Fair Work Act 2009*, workers are entitled to request flexible working arrangements when they are pregnant or have family responsibilities, however many workers do not feel comfortable requesting flexibility or think that their request will be accommodated.

Stakeholders reported that workers in casual and insecure employment may feel unable to attend antenatal appointments or seek reasonable adjustments that prioritise their

health. This is compounded for culturally and racially marginalised and First Peoples mothers who are overrepresented in insecure work and face a significantly higher risk of pregnancy-related complications than white mothers. These inequalities are caused by racism embedded in Australian laws, policies and cultural norms which prevent equal access to opportunities (sometimes referred to as structural racism). For example, visa conditions can create power imbalances which trap migrant workers in exploitative jobs,³¹ while discrimination, neglect and stereotyping in the healthcare system has led to distrust and poor health outcomes.³²

2.6 The intersection between racism and pregnancy discrimination

We also heard from stakeholders about the intersection between pregnancy discrimination and racism. As discussed above, culturally and racially marginalised communities are more likely to be in insecure work and may find it harder to find employment. Culturally and racially marginalised workers are less likely to complain about experiences of discrimination due to this insecurity and fear of losing their jobs.

First Peoples stakeholders discussed the compounding impact of racism at work alongside pregnancy discrimination, and the significant flow-on effects this can have for First Peoples families.

You're not getting questioned just because you're pregnant or got a family, you're getting questioned because of your ethnicity.

- First Peoples roundtable

First Peoples stakeholders described reluctance to discuss their families during recruitment, for example, removing engagement rings for interviews, due to fears of discrimination or having job offers rescinded. They reported concerns that employers may assume they will take time off to have children, and that it can feel safer to disclose family circumstances only after their probation period has ended.

The second that I got engaged, because of the stories that I've heard ... I would take my engagement ring off and not talk about my family during the recruitment process because I don't want that to be discriminated against. Again, workplaces can then go and choose somebody else anyway and say it was for a different reason ... [W]hen you're young and you're around that age of getting married and things like that, they know the next steps are usually children and they don't really want to hire people when they know that.

– First Peoples roundtable

First Peoples stakeholders also noted the impact of living in rural and remote settings on access to essential healthcare services.

The in-between the fly in, fly out people [healthcare professionals], so the care may not be so good, so therefore they [pregnant workers] have to leave again and come back into [the community location] or go further south, depending on what their situation is. And a lot of people do go south to have their babies because they're just not set up here adequately to be able to deliver high risk pregnancies and feeling pressured to come back to work.

– First Peoples roundtable

The need to leave a community to give birth also makes maintaining paid employment much more difficult.

2.7 Employer understandings of reproductive needs and family formation

Stakeholders emphasised that while greater understanding and recognition of family diversity is particularly relevant to LGBTIQ+ communities, it would also benefit other workers who may be forming a family in non-typical ways.

Participants also identified challenges in accessing leave for assisted reproductive treatments. These processes are often categorised under personal, sick, or broader reproductive health leave, which is typically limited. Given that assisted reproductive treatments can be time-intensive, unpredictable, and resource-heavy, existing leave provisions were frequently described as insufficient.

LGBTIQ+ workers highlighted a broad need for employers to develop a better understanding of the experiences and needs of rainbow families, particularly in relation to conception and family formation. For example, some non-birthing parents may undergo induced lactation to support their partner or a child within a chosen family. While this experience may be relatively unique to the LGBTIQ+ community, it is often poorly understood or recognised in workplace settings.

This lack of understanding from employers was also reflected in discussions around workplace culture, particularly for trans and gender diverse parents, who described a significant difference in the reception and treatment at work after they announced their pregnancy:

[W]hen someone is pregnant, they usually do a very big team fundraiser and they buy presents for the person who is expecting or even the partner who isn't expecting, but they will actually get a gift for that person. I didn't get anything. I think it was kind of those things where I questioned whether it was because my

topic is a little bit too hard to talk about. But it was something that made me feel like my pregnancy journey was very invisible, just from a workplace cultural thing. I think it's just from a sense of belonging aspect.

- LGBTIQA+ roundtable

2.8 Understanding experiences of pregnancy loss

Stakeholders also spoke about pregnancy loss, including instances of still birth or miscarriage as well as early pregnancy loss. Stakeholders noted the importance of recognising the experiences of workers going through IVF treatment. For example, when IVF treatment isn't successful, the need to recognise this as a loss and to provide access to appropriate leave. Stakeholders also stressed the importance of employers proactively telling workers what their leave entitlements are in these circumstances. Non-birthing parents shared how challenging it was for them, in particular, to access leave entitlements.

Many LGBTIQA+ families experience compounded stigma during pregnancy loss where workplace policies and entitlements are not inclusive and make harmful assumptions about parenting and family formation.³³ LGBTIQA+ families who have experienced pregnancy loss have described a lack of support, exclusion from workplace policies, being forced to disclose their sexuality or gender identity, feelings of shame and being misunderstood.³⁴ This was reflected in our roundtables, with stakeholders noting the gendered nature of services that respond to people who have experienced pregnancy loss or early childhood loss.

[W]hat if you can't access those services? What if you can't access those early years services because the parenting programmes are not written for families like yours or there's no understanding or what if you don't even have the energy to try and interact with those systems right now because you can't advocate for yourself anymore.

- LGBTIQA+ roundtable

LGBTIQA+ workers often use 'self-protection'³⁵ at work, which often involves being silent about what is going on, to prevent any potential negative reactions or lack of empathy towards them in the workplace. They may do this to protect their experiences of family formation, surrogacy, adoption, pregnancy and pregnancy loss. These self-protective measures can create increased feelings of isolation for LGBTIQA+ workers.



2.9 Challenges to accessing justice

Stakeholders told us that workers face barriers when seeking to make complaints about pregnancy discrimination. In particular, stakeholders raised workers' lack of awareness of their rights.³⁶ The Commission heard that workers do not always know that their experiences of discrimination are against the law.

Pregnancy, discrimination and attempting to return to work and losing your job are very common issues that we see across our practice ... I think a lot of our clients are not aware of their rights, or even that they have a legal issue. So they might come to us at the point of losing their job, and not realise that there are a whole lot of other things that happened beforehand. Or they might have a sense that something was really unfair, but not realise that it's unlawful behaviour.

– Cross-sector roundtable

This is made worse by a lack of accessible information and advice. Where resources and policies are available, they may not use language that is relevant, accessible and appropriate for all workers.

One of the things that we hear time and time again from our culturally and linguistically diverse community and callers is around access to information. And I know that we have lots of instances where people feel that they weren't given any information that was accessible and usable around their rights and around employer rights and responsibilities.

– Culturally and racially marginalised communities roundtable

Similarly, we heard that even where workers know their employer has done the wrong thing, they are not always aware of where to seek help or how to make a complaint.

Stakeholders also described the burden of self-enforcement, which is heightened for new parents, workers in insecure employment, people facing language barriers and those navigating intersectional discrimination.

The legal protections are there. The big issue we've got is it relies on women pushing for them at the time when they are the most vulnerable, going through the biggest life changes and often very unwell in various times as well.

– Cross-sector roundtable

You're also trying to deal with being a young mum as well as enforcing rights ... A lot of our clients are in insecure work. They might be facing language barriers. And just a compounding harm and complexity of intersectional discrimination.

– Cross-sector roundtable

Legal assistance organisations told us that even where federal discrimination law could provide better outcomes or processes for clients, lengthy wait times for complaints to be conciliated deter clients from making complaints under the *Sex Discrimination Act 1984*. We heard that this was compounded by legal complexities in the *Sex Discrimination Act 1984*, the absence of penalties for employers and low compensation awards in some cases.

Obviously, a lot of our clients are put off by the delays in actually getting a conciliation for discrimination claims.

– Cross-sector roundtable

We found generally waiting for over 12 months for a conciliation can be a real barrier.

- Cross-sector roundtable

While complaints made under the *Fair Work Act 2009* were generally resolved more quickly, stakeholders raised concerns about processes in the Fair Work Commission. This included some clients not having an opportunity to tell their story during conciliations and not being granted permission to have legal representation.³⁷

We're seeing a lot of problems with the way conciliations are being run at the Fair Work Commission, such as the Commission denying our clients the opportunity to make opening statements to actually tell the story of what's happened to them and members refusing people's applications for legal representation. These restrictive practices disproportionately affect marginalised workers and reinforce existing power imbalances. For many workers, particularly those subjected to workplace sexual harassment or discrimination, the opportunity to tell their story is profoundly important for conveying the impact of the actions of their employer or former employer.

- Cross-sector roundtable

Another participant observed that resource constraints driven by a sharp increase in self-represented applicants has contributed to these issues as the Fair Work Commission and conciliators respond to their growing workload.

The Fair Work Commission can often provide a much quicker route or conciliation or remedy, but the remedies might not be as good or ... sometimes the

conciliators take a certain approach, which is wrapped up, I think, in the Commission being completely overwhelmed by AI generated general protections complaints. So unfortunately, that is affecting the types of justice and remedies people can seek ... it's very complex and no jurisdiction offers, you know, a perfect solution, which is a shame.

- Cross-sector roundtable



3. Breastfeeding discrimination

Case study provided by a lived-experience stakeholder

Emily worked in a tech start-up company. She was one of the few women working in her company. She was still breastfeeding when she returned to work after taking parental leave. Her office had a clean, accessible and secure breastfeeding space available to employees. However, the culture in her workplace did not encourage or support lactation breaks. Emily was expected to work uninterrupted, long hours and was unable to take her lactation breaks. Despite the available space and policies, the culture and attitudes in her workplace made Emily feel unsupported and led her to stop breastfeeding her child earlier than she wanted to.

Balancing breastfeeding, work and family life can be overlooked in workplace settings, particularly during the critical period when parents return to work after childbirth.³⁸ Mothers (and others) face the emotional and physical demands of feeding, expressing, storing and transporting breast milk, combined with often inadequate workplace facilities and gender discrimination.³⁹ This can add to the pressure parents feel in the return to work process. The 2024 review found that 26.9% of respondents were not provided with appropriate breastfeeding or expressing facilities at work.⁴⁰

It is illegal to discriminate against a person because they are breastfeeding under the *Sex Discrimination Act 1984*, the *Fair Work Act 2009* and state and territory anti-discrimination law. Employers also have

obligations under workplace health and safety laws to provide appropriate breaks and facilities for people to express milk while they are at work.

In an Australian citizen science pilot study, community members provided data on breastfeeding support and facilities available in their workplace.⁴¹ The study participants shared photos, comments and/or demographic information about the breastfeeding facilities available to them in their workplace. These breastfeeding spaces varied from non-existent, to toilets, shower cubicles, first aid rooms, multipurpose rooms and dedicated parents' rooms.

They reported key barriers to breastfeeding at work as unavailability of lactation breaks, lack of flexible working arrangements, poor communication around the return to work process and management being unresponsive to feedback about breastfeeding spaces.

These findings suggest that while some employers have taken steps to support breastfeeding parents in workplaces, there is still room for improvement. This was reflected by stakeholders, particularly in male-dominated industries.

We heard that [women in construction] often had very short periods of parental leave, returned with a young baby and then had very inadequate breastfeeding facilities...being put in a tiny office with no air conditioning, with no privacy. We spoke to a [woman] who had told us that her manager bought her a tent and asked her to erect it on the construction site every time she needed to breastfeed.

- Cross-sector roundtable

LGBTIQA+ stakeholders described challenges faced by workers who have non-traditional breastfeeding arrangements. One told us about her experience as breast milk donor and how this is not well understood by employers.

I induce lactation to support a friend of mine who is unable to produce breast milk themselves as they've had top surgery ... Not to say it's exclusively for queer communities, but people who are trans women, people who have a partner who has birthed and carried a baby and have the ability to produce milk themselves may induce lactation. That experience of ... producing breast milk and needing to pump or feed whilst either feeding your own child, if your partner was a birthing parent, or your chosen family's child ... That is not well understood within a workplace setting, specifically around like accommodations and how to facilitate that.

- LGBTIQA+ roundtable

Stakeholders also shared their experiences of breastfeeding discrimination in public settings. One stakeholder shared her experience of verbal abuse while breastfeeding on public transport during her commute to childcare and her work.

I was on public transport with my two young children to take them to their childcare before heading to my shift. One of my babies became unsettled and started crying. An older male passenger aggressively told me to "shut the baby up." I was so upset and visibly shaken. To help my baby settle, I discreetly began breastfeeding him when the same passenger verbally abused me again. He shouted that breastfeeding in public was "disgusting and inappropriate." This verbal

abuse made me feel embarrassed about my baby crying and then shamed for breastfeeding my baby in public.

- Stakeholder engagement



The recent case of *Duarte v United Arab Emirates Ministry of Foreign Affairs*⁴² provides a stark example of the kinds of discrimination faced by breastfeeding workers in Australia. In 2020, Ms Tatiana Duarte became pregnant while working as a waiter at the Consulate of the United Arab Emirates in Melbourne. Her employer denied her unpaid parental leave and flexible work arrangements, and she was not supported to breastfeed when she returned to work. Ms Duarte was forced to breastfeed in a storeroom and store her breastmilk in a suitcase filled with ice. After she was fired from her job in 2021, Ms Duarte was supported by Victorian Legal Aid to take her former employer to court alleging discrimination on the grounds of pregnancy, breastfeeding, family or carer responsibilities, and sex under the *Fair Work Act 2009*. Ms Duarte was awarded approximately \$173,000 in damages in 2026. While Ms Duarte eventually received compensation, cases like this are rare because of the significant costs, delays and other barriers to bringing legal action.



4. Family responsibilities discrimination

4.1 Family responsibilities discrimination in the workplace

Case study from the disability roundtable

Michelle cares for her two young children and her terminally ill father. She works casually as a barista at a café. To balance her caring responsibilities and commute time, she requested to work longer shifts rather than multiple shorter shifts. Her workplace responded to her request by no longer offering her any shifts and dismissed her from her role.

In Australia, it is unlawful for employers to discriminate against a person because of their family responsibilities under the *Sex Discrimination Act 1984*, the *Fair Work Act 2009* and state and territory anti-discrimination laws. Under the *Sex Discrimination Act 1984*, ‘family responsibilities’ are defined as responsibilities to care for or support a dependent child or a member of the person’s immediate family in need of care and support.⁴³ However, this definition does not reflect the broader reality of care. Many people have diverse and complex family structures and responsibilities that arise from cultural expectations as well as support systems that fall outside traditional norms. These may include family or caring responsibilities for non-immediate family members, such as kinship care arrangements, supporting non-immediate relatives with disability, or caring for members of a chosen family.

In workplace contexts, family responsibilities are still sometimes misunderstood as limited to child-rearing. This is reinforced by the failure of workplace and discrimination laws and their definitions of family and care to reflect the lived realities of communities in Australia.⁴⁴

Employers haven't kept up with the nature of the modern worker and the diversity of families and caring responsibilities, it has a number of limitations, which means that it's no longer fit-for-purpose. It doesn't reflect many families and caring arrangements and excludes many workers who do have caring responsibilities.

- Cross-sector roundtable

As one stakeholder explained, care structures may also include parenting arrangements that sit outside of the nuclear family.

Something that is not specific to queer communities but is a more common experience within queer communities is that of poly and non-monogamous parents and how the expectation and legal protections around parents extends to two parents and how that doesn't afford rights and entitlements to people who have caring and parenting responsibilities within their family that is in a non-traditional structure.

- LGBTIQA+ roundtable

Consistent with global trends, Australia is experiencing a growing care crisis driven by a range of factors, including an ageing population and increasing and unmet demand for care. More workers are attempting to balance paid work alongside a broader and more complex range of caring responsibilities, many of which are irregular, urgent or long term. These experiences may also intersect with other factors, including race, culture, disability, gender identity, sexual orientation and age.

At the same time, care needs in Australia are not being adequately met by formal services and systems, including aged care, childcare, the NDIS and the broader health system. These pressures are often more acute in rural and remote areas. Instead, care is absorbed disproportionately through informal and unpaid labour, which remains highly

gendered. Around 3 million unpaid carers live in Australia, representing nearly 12% of the population.⁴⁵ Intergenerational care and the often-hidden caring burden carried by Australians were consistently raised by stakeholders and reflected in research and civil society advocacy. Demand for informal care is projected to increase by 23% by 2030.⁴⁶

Deeply entrenched assumptions continue to shape how caring responsibilities are understood, with care often treated as a temporary disruption to paid work rather than as a legitimate and ongoing social contribution. This has resulted in many workers who are managing increased, overlapping and cumulative caring responsibilities across their lifespan which are not adequately recognised.



These developments highlight the need for a broader and more comprehensive understanding of family responsibilities in workplace law, policy and practice. Existing definitions do not adequately reflect the lived reality of many workers or the multidirectional and life-course nature of care. Where workplaces fail to accommodate these realities, employees with caring obligations may face discriminatory outcomes or punitive responses. This underscores the importance of legislative, policy and organisational frameworks that recognise family and caring responsibilities as broad, continuous and increasingly shared across households and communities.

Family responsibilities discrimination remains a significant issue in Australian workplaces, including within male-dominated industries.⁴⁷ Existing evidence indicates that discrimination in employment is particularly common when workers return to work after parental leave.⁴⁸ At the same time, there is a need for current, nationally representative prevalence data to better understand the scale and nature of this discrimination across different forms of care.

There is also a need for workplaces to adopt more flexible practices and to improve understanding of both employees' caring responsibilities and employers' legal obligations. In some sectors, flexibility in relation to work location has improved since the COVID-19 pandemic, with working from home arrangements becoming more common. However, working from home does not necessarily amount to genuine flexibility, particularly where employees continue to face rigid hours, high workloads or limited autonomy.

These challenges are even worse in sectors where people can't work remotely and where work is often structured around casual employment, shiftwork or unpredictable hours, including retail, hospitality and healthcare.⁴⁹ These sectors are also more likely to have very diverse workforces and include workers from communities overrepresented in casual and insecure employment.⁵⁰ Many of these workers are

also more likely to have complicated family or caring responsibilities that are not always obvious. Because of this, they are more likely to be treated unfairly or punished at work.⁵¹ A stakeholder from the disability sector described how inflexible workplaces and discriminatory assumptions about workers with caring responsibilities can undermine career progression:

Then we've also done a lot of work with people with unpaid care responsibilities for a family member with a disability or chronic illness. And, you know, again, it's a different set of issues in the workplace in particular around kind of very rigid start finish times, kind of deeply entrenched perceptions that people with care responsibilities are unreliable, and they're not good workers because sometimes they might need to step away to take a call or, you know, so, and as a result, you know, opportunities for things like additional training opportunity, additional training are withheld or mentorship are withheld, you know, carers reporting that their managers thought they just, they wouldn't be able to fit it in so they didn't even offer it to them.

- Cross-sector roundtable



4.2 Understanding how narrow definitions of “family” compound family responsibilities discrimination

Prohibitions on discrimination on the basis of family responsibilities exist in most Australian jurisdictions. However, the scope of protection varies significantly, particularly in how “family” is defined. Under the *Sex Discrimination Act 1984*, “family responsibilities” are limited to immediate family, whereas international human rights standards support a much broader, culturally informed understanding of family, encompassing extended, nonbiological, and kinship relationships.⁵² Several states and territories have moved toward this broader approach. South Australia⁵³, the Australian Capital Territory⁵⁴ and the Northern Territory⁵⁵ explicitly protect kinship care, including Aboriginal and Torres Strait Islander kinship systems. Queensland has legislated to replace its narrow definition with “family, carer or kinship responsibilities,” although commencement has been delayed. New South Wales is considering similar reforms, with calls to better reflect diverse cultural and family structures.

There's some really significant barriers that exist in those spaces for [First Peoples] who want to take on kinship care or want to become carers for nephews, nieces, grandchildren ... from a workplace perspective, because it's pretty rare that those leave entitlements exist.

– First Peoples roundtable

Case law across Australia and comparable jurisdictions demonstrates an ongoing shift toward interpreting “family” expansively, recognising social, cultural and relational realities rather than confining protections to Western conceptions of family.⁵⁶ This trend reflects growing acknowledgement that caring responsibilities arise within a wide range of family and kinship structures, and

that anti-discrimination frameworks must adapt accordingly.

However, this shift is not always reflected in workplace policies or attitudes. Stakeholders told the Commission that many workplaces do not recognise the diverse family structures and caring responsibilities within First Peoples, culturally and racially marginalised, migrant and refugee, and LGBTIQ+ communities, or among people with disability and those who care for them. These responsibilities may include transnational care, chosen family, kinship care and other non-traditional caring arrangements.

You feel at home [with other migrants] and ... in my experience, you do become each other's family and you take it very seriously ... We will become each other's family if we have the right support.

– Culturally and racially marginalised communities roundtable

Stakeholders told us that language often used by governments and workplaces, such as “primary carer”, “secondary carer” or “non-birthing parent” does not always resonate with all workers, particularly those from culturally and racially marginalised communities.

Stakeholders reported that narrow definitions of family and limited recognition of chosen family create significant barriers for LGBTIQ+ workers seeking access to leave and other entitlements. Many said these workers often rely on personal, annual or other forms of leave to support chosen family and may need to self-advocate where workplace policies do not recognise these relationships.

Chosen family roles and family configurations that exist within queer communities that are more expansive than traditional nuclear family understanding of family ... isn't well understood within mainstream spaces.

– LGBTIQ+ roundtable

Stakeholders also described reluctance to disclose the reason for leave or the person being supported, both because of the risk of unintended disclosure of sexual orientation and to avoid homophobia or transphobia when navigating restrictive workplace policies.

Stakeholders from the disability sector also noted that caring relationships and support networks for people with disability often extend beyond traditional family caring roles. These arrangements may resemble chosen family and broader kinship structures and are frequently sustained through informal networks of support. Despite their importance, employers do not adequately recognise these caring arrangements.

Transnational care

Stakeholders from culturally and racially marginalised, refugee and migrant communities reported that employers often fail to understand the full scope of their caring responsibilities, including transnational care. Transnational care refers to the provision of emotional, financial or practical support across international borders, for example to an ageing or unwell parent in another country. This issue is particularly relevant in the Australian context, where the economy and society more broadly has benefited from an increasingly racially and culturally diverse workforce. Stakeholders noted that employers often assume workers' caring responsibilities are local and therefore do not recognise the additional time, coordination and disruption that transnational care can involve:

All of our employment settings have been designed in a way that assume that people's care responsibilities are proximate. And so, when there's a need to care for an ageing parent abroad, for example, who's had a fall, employers are not understanding of the additional time and disruption that that can create for workers.

- Cross-sector roundtable

A migrant stakeholder described their experience of this issue and expressed the need for employers to adopt a more supportive approach to transnational care responsibilities. They emphasised the importance of ensuring that workers are not placed in positions where they feel compelled to disclose their personal circumstances to access the understanding or flexibility they need from their workplace. While questions from an employer about a worker's health or behaviour may sometimes be necessary and appropriate, in some contexts the cumulative effect of repeated or targeted questions may place unnecessary pressure on a worker and could amount to discrimination.



Case study from the culturally and racially marginalised communities roundtable

Mariana is a migrant worker who cared for her father while he was very sick, while also working full time. Because her family lived overseas, she mainly provided care through late-night phone calls due to time differences. This made her tired and stressed, and sometimes she needed to check her phone during work hours.

During this time, her employer often asked her to explain why she was tired, taking extra leave or using her phone at work. Mariana felt pressured to share more personal information than she was comfortable with, instead of being able to keep some privacy and have flexibility to support her father.

When Mariana's father passed away, her manager's father passed away at the same time. Even though they were both grieving, Mariana felt her situation was not as well understood because her father was in a different country.

4.3 Limited protections against family responsibilities discrimination

The *Sex Discrimination Act 1984* prohibits only *direct* discrimination on the ground of family responsibilities. Indirect discrimination may be less visible but is often more common in practice. It arises where a workplace rule, requirement or condition appears neutral on its face, but in effect disadvantages people with family responsibilities and is not reasonable in the circumstances. This can include, for example, inflexible hours, unpredictable rostering, or expectations around full-time availability that are difficult for workers with caring responsibilities to meet.

In employment, discrimination on the basis of family responsibilities can arise across a range of decisions and conduct, including recruitment, promotion, pay, access to opportunities, workplace treatment and other adverse action. It can affect workers across sectors and occupations, particularly where workplace structures and expectations fail to account for the realities of care.

This has left a significant gap in protection, particularly given that caring responsibilities continue to fall disproportionately on women. In practice, claims relating to family responsibilities have therefore often been pursued through the indirect sex discrimination provisions of the *Sex Discrimination Act 1984*, on the basis that workplace requirements such as inflexible hours or full-time work disproportionately disadvantage women because of the unequal distribution of care.

People are only able to bring direct discrimination claims, although often the behaviour is indirect discrimination. It is not often an employer will say "I am not going to hire you because you have family responsibilities", but rather a job requires tasks that an individual can't complete because of responsibilities.

– Stakeholder engagement

This issue has been the subject of longstanding concern. The National Review heard that several recommendations from the 2008 Senate Inquiry remained current and unimplemented, including the recommendation that the *Sex Discrimination Act 1984* be amended to prohibit indirect discrimination on the ground of family responsibilities.

The current framework means that while both men and women may bring complaints of direct discrimination on this ground, only women are generally able to challenge indirect discrimination connected to family responsibilities by relying on sex discrimination provisions.

This approach risks reinforcing the assumption that caring and domestic responsibilities are primarily a matter for women, rather than supporting a more equal distribution of care. It may also discourage men from accessing family-friendly work arrangements and entrench barriers to women's full and equal participation in paid work. As patterns of care become more diverse and more gender-balanced, the need for a prohibition on discrimination on the ground of family responsibilities becomes more pronounced.

4.4 Return to work guarantee and flexible work requests

Under the *Fair Work Act 2009*, workers who are eligible for unpaid parental leave have a right to return to the role they were in before their leave. If this role no longer exists, they must be returned to an available role that is the most similar.

Unions and community legal centre stakeholders emphasised that this return-to-work guarantee exists "in theory" but does not operate "in practice", with many clients reporting redundancy and significant changes to their roles while on parental leave.

We see women when they return to work or seek to return to work after parental leave, we basically feel like it's a right to return in theory only. Many, many women who we see, their positions have been made redundant over the course of their parental leave.

– Cross-sector roundtable

The *Fair Work Act 2009* also gives workers the right to request flexible working arrangements while they are pregnant or to accommodate family responsibilities. However, employers can refuse this request on "reasonable business grounds" provided they have discussed the request with the worker, genuinely tried to reach an agreement, and considered the consequences of refusing the request on the worker.

Stakeholders raised concerns that the current "right to request" flexible work, with the scope for employers to refuse requests can be interpreted too broadly. Several argued that access to flexibility should operate as a presumptive right, rather than a request that can be readily declined.

[W]hen women request a flexible work arrangement upon return from parental leave that's very, very often refused. We believe that should be a presumptive right, not just a right to request.

- Cross-sector roundtable

One stakeholder reflected:

She needed to request more flexibility in terms of the shifts that she was being offered by the employer, and despite her long history of being an exemplary employee, when she requested that flexibility, the shifts just disappeared. So it wasn't like she was formally told that she was no longer welcome to work there. It was just that gradual reduction in hours to the point where she was no longer able to focus on that as an income source.

- Disability roundtable

Stakeholders shared that their experiences of flexibility in the workplace went beyond policies, it was also about attitudes. For many workers, their requests for flexible work arrangements when returning from parental leave are met with hostility, negative reactions or are denied.

I hear quite regularly that employers are still quite hesitant about agreeing to any sort of requests. So if it's dropping down to part-time hours or whatever, they'll agree, but they aren't happy about it, and there's all those sorts of microaggressions that aren't necessarily easy to prove in sort of a discrimination context that I hear quite regularly from clients. That they'll ask employers if they can breastfeed at work, ask for a private room, or ask for flexible work arrangements and whatever. Employers will agree, but they aren't happy about it, and it's quite clear to the client. ... So they will sort of follow the law on what they need to do, but it isn't necessarily helpful for an employee returning to work from parental leave or experiencing that sort of discrimination.

- Culturally and racially marginalised communities roundtable

Sometimes this would be in the form of unexpected performance improvement plans, close monitoring of their work or even redundancy.

If they're returning after that 12 months, going back, returning to the role that they were in prior to that, and then asking for flexible working arrangements, all of a sudden there becomes issues, many issues around discrimination and dismissal, but that is often the trigger for the what we say is the non-genuine redundancy.

- Cross-sector roundtable

4.5 Identifying racism and cultural safety barriers to family responsibilities

Racism was identified as a significant issue affecting experiences of family responsibilities discrimination for First Peoples and other culturally and racially marginalised workers. Stakeholders reported a lack of cultural awareness and competency within workplaces, with employers often making assumptions based on racial stereotypes about their caring roles outside of work. These assumptions frequently overlook the complexity and significance of cultural obligations related to care.

This issue was particularly pronounced for First Peoples, whose kinship systems and cultural responsibilities extend beyond narrow, nuclear family structures. First Peoples workers often hold extensive responsibilities within their families and communities, which are not adequately recognised or understood in workplace settings. The dominance of a limited, Eurocentric concept of family, typically confined to immediate relatives, has profound implications. It contributes to the racism experienced by First Peoples in the workplace and exacerbates the risk of family responsibilities discrimination:

There are complexities that exist with our kinship systems and our obligations as women within our families, like my obligations as the eldest daughter in the family in relation to my responsibilities for what my mum expects of me and then also my own children, plus then that broader sense of community and my role within community and caring for other people's kids and being a foster carer within the foster care system. I am navigating multiple spaces and systems but the systems don't necessarily take into consideration our roles within our family units.

– First Peoples roundtable



First Peoples stakeholders told the Commission that cultural and kinship obligations were sometimes treated as incompatible with workplace policies and procedures. In some cases, this resulted in punitive responses, like being performance managed or not being offered promotion opportunities. Stakeholders also described employers and managers dismissing or delegitimising these responsibilities. This can silence First Peoples workers and undermines cultural safety in the workplace.

If we've just started in a new job and an issue pops up that we have to react to because it's our cultural obligation ... that's not necessarily considered and that makes it difficult. And so then, performance management or, broader discussions occur because it doesn't align with policy and procedure.

– First Peoples roundtable

Stakeholders also told us that they were sometimes forced to choose between cultural safety and access to paid parental leave:

We do want identified workers to be working in [the Aboriginal and Torres Strait Islander community-controlled sector], but then when it comes to parental leave, those things don't exist ... I actually did then start looking for other opportunities in the government sector, which is one of the only sectors that do offer paid maternity leave and also reproductive leave and things like that. Just weighing out the benefits. But in all honesty, I feel most safe within my organisation culturally and to have to weigh up that aspect because I'm worried about money and finances and stability for my own child is a big thing.

– First Peoples roundtable

4.6 Impacts on employment due to family responsibilities discrimination

Stakeholders from the disability sector consistently identified structural and systemic barriers affecting the ability of pregnant workers and parents with disability to access and remain in mainstream paid employment following pregnancy and childbirth. These barriers operate irrespective of workers' qualifications, skills or prior workforce experience.

Stakeholders reported that many workers with disability are effectively excluded from secure employment during this period and are instead channelled into self-employment or casual and other forms of precarious work. This shift was characterised as something they were forced to do in response to inflexible workplaces and inadequate supports, rather than an individual choice. As a consequence, stakeholders told the Commission that parents with disability are disproportionately represented in insecure forms of work and self-employment.

It is very common for neurodivergent parents and mothers of neurodivergent children to go into self-employment because they can then create their own flexible work conditions. But with that, there is a lot of risk. Sometimes that work is less secure. It has pluses and minuses.

- Disability roundtable

[Parents with disability] are much more likely to be underemployed, casualised or in part-time employment, which gives us a lot less feeling of safety and continuity of our work life. So even though we might have some entitlements in relation to parental leave, we're much less likely to feel that we can take them because we might be overlooked for ongoing employment or promotions.

- Disability roundtable

Within workplaces, there is often limited recognition of the family and caring responsibilities of employees with disability or those who care for family members with disability. Employers may underestimate the complexity of balancing paid work with these responsibilities, particularly where pregnancy, parenting and disability intersect. In this context, disability may intensify the challenges associated with pregnancy and parenthood, including through additional or more complex support needs for both parents and children, and the need for workplace adjustments. In addition, limited availability of external supports, particularly for children with disability, was identified as placing additional pressure on parents, often mothers.

Barriers within formal education settings were also highlighted, including a lack of adequate supports for children with disability. In some cases, this results in parents withdrawing children from mainstream schooling and adopting home schooling or alternative community-based arrangements, with consequential impacts on workforce participation.

Stakeholders also raised concerns about the persistence of ableist assumptions regarding the capacity of people with disability to care for their children. These attitudes may influence workplace practices and decision-making.

There's this assumption, both in society but also in institutions, that disabled parents can't adequately look after our children and indeed that we're perhaps going to do something wrong or endanger our kids, which we know is ableism.

- Disability roundtable

5. Barriers to sharing care

5.1 Structural barriers to sharing care

Case study from the cross-sector roundtable

Jordan worked on a mining site and his workplace provided a car for him to use every day. Jordan asked his workplace many times over two years for a car that would allow him to put a child seat in. His workplace refused his request. This meant Jordan was unable to do any of the school pickups and drop offs, even though he drove past his children's school every day as part of his commute.

Care responsibilities in Australia remain highly gendered. The Workplace Gender Equality Agency (WGEA) has found that improving access to flexible work, parental leave and related supports is critical to equal workforce participation and a more balanced sharing of care.⁵⁷ The Household, Income and Labour Dynamics in Australia (HILDA) Survey found that the birth of a first child leads to a sharp shift toward a more gendered division of labour.⁵⁸ After a first birth, women's share of paid work falls from 39% to 16%, while their share of care rises to 71% and housework to 63%.⁵⁹ Overall, women spend about 18.4 hours a week on housework and 10.7 hours on care, compared with men's 12.8 hours of housework and 5.5 hours of care.⁶⁰ Men, by contrast, do significantly more paid work on average (37.9 hours a week, compared with women's 28.5 hours).⁶¹ These patterns remain entrenched for 10 to 15 years after the birth

of a first child, reinforcing traditional gender norms and assumptions about parenting.

The *Paid Parental Leave Act 2010* provides 26 weeks of paid leave at the national minimum wage and includes 4 weeks reserved for a partner.⁶² Although men's use of parental leave is rising, uptake remains low because incentives are limited and gender norms continue to shape expectations about caregiving.⁶³ More fathers want to take leave and play an active role in raising their children, reflecting the psychological and social benefits for families when fathers are present and engaged.

Movember's report *More Than a Provider: Australian Fathers on Health, Identity, and Experiences of Parenthood* supports this.⁶⁴ Based on a nationally representative survey of 1,216 Australian fathers with at least one child aged 0-10 years, it found that more than two in three fathers are more involved in daily care than their own fathers were.⁶⁵ It also found 1 in 5 do not want to parent in the same way they were parented.⁶⁶ This points to a broader shift in how parents, particularly fathers, approach raising children and sharing care.

Research consistently shows that fathers are spending more time on direct childcare, offering more emotional support and expressing affection more openly than previous generations.⁶⁷ The *Ten to Men* study found that paternal affection may help protect against intimate partner violence.⁶⁸ Men who strongly agreed that they had received affection from a father or father figure during childhood were 48% less likely to have ever used intimate partner violence than men who strongly disagreed.⁶⁹ Fathers and father figures play an important role in helping children develop secure attachment and are often boys' first male role models for

expressing love and affection. These findings suggest that policy reform supporting strong parent-child relationships, particularly between fathers and sons, could help reduce men's use of intimate partner violence over time and help break cycles of violence. Realising these benefits, however, depends on workplace systems and flexibility that support care.

The traditional image of fathers as detached providers is gradually being replaced by a model of fatherhood centred on emotional availability, active co-parenting and close relational engagement. However, work structures have not kept pace with this change. Stakeholders consistently reported that men face significant barriers to accessing parental leave and flexible work arrangements:

... men [are] finding it harder to access parental leave and flexible working responsibilities largely as a result of the stigma that unfortunately still attaches to taking these entitlements.

- Cross-sector roundtable

Despite these challenges, some industry stakeholders told us about good practice policies designed to increase uptake of parental leave by men. One stakeholder told us their company was an industry leader in providing equal parental leave to both parents and that this had helped remove bias around promotions and job opportunities.

51% of our people who took parental leave ... in the last 12 months were men. And so we've done a lot of work around doing that as a way of trying to equalise the system.

- Cross-sector roundtable

5.2 Gendered stereotypes and assumptions about caring roles

Gendered stereotypes and assumptions about care further contribute to these barriers. Women are often assumed to be the primary carers and expected to take on the bulk of caring and family responsibilities, while fathers and non-birthing parents are discouraged from taking leave and expected to be the "breadwinner". Non-birthing parents are also assumed to be less active parents, and often have to fight to overcome these stereotypes in accessing care entitlements.

And I think that's something that I would love to see more of so that people aren't, you know, foraging in the dark, which is kind of how it felt for me when I was having my kid and looking for what leave I might be entitled to as a non-birthing parent many years ago now.

- LGBTIQ+ roundtable

One trans stakeholder reflected on his experiences of seeing gendered assumptions about care play out over the course of his transition:

[T]here's a number of women in my workplace who have young children. I've got a child of a similar age to them and I've noticed that I'm not included in those discussions around what our toddlers are doing and sleepless nights and all those kind of things because it's presumed that because I'm not the birthing primary carer, that I wouldn't be as invested or as interested or as engaged with my young child. And I've really noticed that shift in what conversations I'm invited into versus before I started transitioning and I was kind of, people went out of their way to include me more in those conversations because I was perceived as, you know,

being excluded as a queer person. So I've really noticed the impact of gender and gendered roles across the time.

- LGBTIQ+ roundtable

LGBTIQ+ stakeholders also reported experiencing “less respect” for their role as a non-gestational or non-birthing parent, and the need for flexibility and ongoing caring obligations in the same capacity as birthing parents. This was especially amplified for chosen family, or non-monogamous families where more than two people are in a parenting or caring role for a child.

There really isn't a conversation in my workplace about non-birthing parents taking leave or taking sick days if your kid's sick or having that kind of workplace flexibility, especially if it is known as it is in my case that you know my partner is the stay-at-home parent. And so it's assumed that she'll take on all that labour across our relationship and across our parenting, and that I shouldn't and that I wouldn't want to.

- LGBTIQ+ roundtable

Culturally and racially marginalised stakeholders spoke of the cultural stereotyping they can experience in the workplace which can also be exacerbated, at times, by their own communities. Culturally, they may be expected to take on most of the caregiving role but concurrently, their workplace may be unsupportive of their caregiving demands or desire to progress in the workplace.

But also, they know that they're going to be applying for casual jobs, so there's going to be no parental leave, and so why would they bother if they're going to be off anyway? And I do agree that culturally, many of the women know that

their expected role is to be the major carer. So I think all those things, some of them don't even have Medicare for various reasons. So they're scared about getting sick while they're pregnant, so they'd rather stay home and protect themselves from illnesses.

- Culturally and racially marginalised communities

But then also, the men, they've got stigma, cultural stigma. They're not traditionally the carers, so they're not only facing stigma from the workplace, but then also the cultural stigma, and it's just easier for the woman to be the primary carer.

- Culturally and racially marginalised communities

5.3 Better understanding the impacts of intergenerational care

Disability advocacy stakeholders also raised concerns about intergenerational care, particularly the experiences of older people, especially older women, who are simultaneously caring for children and grandchildren with disability. These challenges reflect the pressures faced by the “sandwich generation,” caught between caring for ageing parents and supporting children, pressures that are significantly exacerbated when disability is involved.

We need to remember that sandwich generation is often ... mid-life, have foregone superannuation earlier in life, either being a parent themselves and then you know, sort of been impacted by care as they're trying to sort of work at building superannuation for retirement.

- Disability roundtable

Stakeholders from the culturally and racially marginalised communities roundtable also noted what this can look like when caring for family overseas:

Sandwich generation, yes, between caring for parents and other elders and your children, if the care is to be provided overseas, which often families are providing that care either by travelling there or by providing money for them towards that care.

- Culturally and racially marginalised communities roundtable

Stakeholders reported overlapping and compounding care roles, including caring for children with disability, managing your own disability, and supporting ageing parents. One Stakeholder described this as being the “mother behind the mother”.

I am “the mother behind a mother” which means that I have supported my daughters who have intellectual disability as mothers ... My employment opportunities have been affected by having a child with a disability. But now, if ... [my child has a] child, then that will impact on what I have developed now that they're young adults [and] I'm out working. But it'll affect me now because I will have to take over care of the children. And whilst that doesn't necessarily have to be the case, we do know that ... [it's] nine times more likely

that if you have a child with a disability who has a child that you're going to have to take up care responsibilities as a grandparent ... And also, when it comes to statutory care, the statutory authorities, the first people they'll come to is the grandmother, and say, will you take on caring for your grandchildren? And it puts you in a very compromised position when you have to say, I actually can't afford to take on my grandchildren, or actually that would mean me having to give up my job. And as a grandparent, that leaves you in a very, very difficult position.

- Disability roundtable



6. What needs to change

Legislative reform

Stakeholders identified a range of legislative and policy reforms to address gaps in protections against pregnancy, breastfeeding and family responsibilities discrimination, and to better support shared care.

1. Based on research and what we heard from stakeholders, the following amendments to the *Sex Discrimination Act 1984* and *Fair Work Act 2009* are suggested:

- a) prohibit indirect discrimination on the basis of family responsibilities
- b) place limitations on redundancies where a person has taken or applied for, or is likely to take or apply for, parental leave, for example, by placing the onus on the employer to establish that a redundancy is genuine in these circumstances. These changes must be supported by effective enforcement mechanisms and meaningful penalties for non-compliance.

2. Stakeholders proposed a range of reforms to paid parental leave and related care arrangements to support gender equality, workforce participation and the equitable distribution of unpaid care:

- a) expanding Commonwealth Paid Parental Leave to provide up to 52 weeks of leave paid at wage replacement rather than minimum wage
- b) increasing the proportion of leave reserved on a “use it or lose it” basis for each parent to encourage caregiving
- c) removing work-test and residency requirements that limit access to paid parental leave

- d) extending parental leave entitlements to foster carers, kinship carers and grandparent carers
- e) allowing leave entitlements to be shared across multiple carers, including extended family members and chosen family arrangements where appropriate.

3. Stakeholders also suggested amendments to the *Fair Work Act 2009* to better accommodate the needs of pregnant and parent workers including:

- a) changes to the right to request flexible working arrangements so that it operates as a presumptive right, making it harder for employers to reject reasonable requests
- b) eliminating the 12 month service requirement to access unpaid parental leave and other related entitlements
- c) ensuring fitness to work assessments are not used to punish or discriminate against people who are pregnant or are trying to conceive.

4. Stakeholders emphasised the need for governments and employers to recognise kinship, cultural, disability-related, transnational and chosen-family care arrangements. Suggested reforms included auditing laws and government policies to identify gaps, extending legal definitions of family and care, and aligning policy frameworks with international standards.

Flexible work and job design

Stakeholders consistently identified limited workplace flexibility and job design as significant barriers to workforce participation, return to work and shared care. Suggested measures included:

- 5.** providing greater flexibility in working arrangements, including varied shift lengths, shift-sharing arrangements, flexible start and finish times, and increased employee control over rostering
- 6.** making flexible working arrangements available to more employees in a wider range of circumstances to reduce stigma and support workforce participation
- 7.** designing workforce models that better accommodate caregiving responsibilities, including parenting, disability support and elder care
- 8.** establishing a dedicated entitlement to paid disability-related leave that is separate from personal and sick leave
- 9.** improving flexibility for casual, contract and insecure workers to attend pregnancy-related medical appointments and to meet caring responsibilities without financial or employment disadvantage
- 10.** recognising the broader kinship, caring and community obligations undertaken by many First Peoples employees, and providing workplace flexibility to support these responsibilities
- 11.** embedding cultural safety through organisational policies, leadership practices, training and workplace behaviours to support the employment, retention and advancement of First Peoples employees
- 12.** providing flexible work arrangements, leave provisions and other supports that recognise chosen-family relationships and the transnational caring responsibilities often undertaken by migrant and refugee workers
- 13.** drawing on good practice examples of flexibility, particularly in male-dominated industries.

Access to justice and information

Stakeholders identified several measures to improve access to justice for individuals who experience pregnancy, breastfeeding or family responsibilities discrimination. These included:

- 14.** additional funding for the Australian Human Rights Commission to reduce delays in complaint handling and conciliation processes
- 15.** increased investment in legal aid, community legal centres and specialist advocacy services to improve access to trauma-informed legal assistance and conciliation processes
- 16.** training, policy and process changes for the Fair Work Commission to ensure that matters involving pregnancy and family responsibilities discrimination dealt with under the *Fair Work Act 2009* are handled in a sensitive and appropriate way shaped by feedback from users where possible, including allowing opening statements and giving greater consideration to the power imbalances in these matters when determining requests for legal representation in conciliations
- 17.** funding for appropriate bodies to produce accessible guidance and information on workplace rights for people who are pregnant, breastfeeding or have family responsibilities – including in community languages.

Data

Stakeholders highlighted the need for nationally representative data on how common pregnancy, breastfeeding and family responsibilities discrimination is. In particular, stakeholders proposed:

- 18.** funding a national review examining the rates of pregnancy, breastfeeding and family responsibilities discrimination and barriers to shared care in Australia, with a focus on the experiences of people with disability, culturally and racially marginalised communities First Peoples, and LGBTIQ+ communities.

7. Legal context

In Australia, the rights of workers who are pregnant, breastfeeding or have family responsibilities are contained in various state, territory and federal laws.

This includes the *Sex Discrimination Act 1984* (Cth), state and territory anti-discrimination laws, the *Fair Work Act 2009* (Cth) and the *Paid Parental Leave Act 2010* (Cth). Federal, state and territory work health and safety laws also provide protections for workers, including those who are pregnant or breastfeeding. These laws give effect to some of Australia's obligations under international human rights law.

7.1 International human rights law

Australia is bound by several international human rights treaties which protect the principles of equality and non-discrimination and the rights of parents and people with family responsibilities at work.

This includes International Labour Organization Convention (No 156) Concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities (ILO Convention No 156), the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), International Labour Organisation Convention (No 111) Concerning Discrimination in respect of Employment and Occupation, the Convention on the Rights of the Child (CRC), the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights (ICCPR).

For example, ILO Convention No 156 requires Australia to take account of the needs of workers with family responsibilities in terms and conditions of employment,⁷⁰ and ensure that workers cannot have their employment terminated because of family responsibilities.⁷¹ CEDAW requires States to take all steps to eliminate discrimination against women in employment⁷² and encourages the provision of social services to allow parents to balance family obligations and work responsibilities.⁷³

International human rights law also requires states to protect children and the family, which is closely related to the workplace rights of people who are pregnant, breastfeeding, or have family responsibilities. For example, the CRC requires the best interests of the child to be a primary consideration in all actions that affect them,⁷⁴ and the ICCPR recognises that “the family is the natural and fundamental group unit of society and is entitled to protection by society and the State”.⁷⁵ The family has been increasingly recognised under international human rights law as taking on various forms within different cultural, social and political systems and is not limited to the ‘nuclear’ family.⁷⁶

7.2 The Sex Discrimination Act

The *Sex Discrimination Act 1984* (SDA) prohibits discrimination on various grounds including pregnancy and potential pregnancy, breastfeeding and family responsibilities. The SDA also makes it unlawful to discriminate on other grounds that may be related to a person's family or pregnancy, including their sex, relationship or marital status, sexual orientation or gender identity. These protections apply in several areas of public life, including in employment.

Protections based on pregnancy, breastfeeding and family responsibilities in the SDA have remained largely unchanged for decades despite some gaps in protection. In a 2008 Senate Inquiry into the effectiveness of the SDA, the Committee recommended that the prohibition on discrimination on the grounds of family responsibilities under the SDA be broadened, and a positive duty be imposed on employers to reasonably accommodate flexible working arrangement requests by employees.⁷⁷

The Commission reiterated these recommendations in our National Review into pregnancy discrimination at work published in 2014.⁷⁸ These recommendations have still not been implemented.

Positive duty

Under the SDA, organisations and businesses also have a positive duty to eliminate various unlawful behaviours. This includes workplace sexual harassment, sex discrimination, sexist behaviour and related victimisation.

Because pregnancy and breastfeeding are often closely related to a person's sex, preventing discrimination on these grounds forms part of the positive duty.

All employers and 'persons conducting a business or undertaking' in Australia must meet the positive duty in the SDA. This includes sole traders, the self-employed, businesses of all sizes, and government. Complying with the positive duty looks different for each organisation and guidance is available from the Commission. If an organisation does not comply with the positive duty, the Commission may commence an inquiry and require them to take action to meet their obligations.

State and territory discrimination laws

Each state and territory has laws against discrimination. These laws all provide protections against pregnancy, breastfeeding and family responsibilities discrimination, but with some variations in language and scope.

Pregnancy and family responsibilities in state and territory discrimination law

Jurisdiction	Relevant legislation	Coverage
Australian Capital Territory	<i>Discrimination Act 1991</i> (ACT)	Covers discrimination on the grounds of pregnancy, breastfeeding, and parent, family, carer or kinship responsibilities.
New South Wales	<i>Anti-Discrimination Act 1977</i> (NSW)	Covers discrimination on the grounds of sex (which includes pregnancy and breastfeeding) and responsibilities as a carer.
Northern Territory	<i>Anti-Discrimination Act 1992</i> (NT)	Covers discrimination on the grounds of pregnancy, breastfeeding and carer responsibilities.
Queensland	<i>Anti-Discrimination Act 1991</i> (Qld)	Covers discrimination on the grounds of pregnancy, breastfeeding, family responsibilities and parental status.
South Australia	<i>Equal Opportunity Act 1984</i> (SA)	Covers discrimination on the grounds of pregnancy, association with a child (including breastfeeding), caring responsibilities and parental status.
Tasmania	<i>Anti-Discrimination Act 1998</i> (Tas)	Covers discrimination on the grounds of pregnancy, breastfeeding, family responsibilities and parental status.
Victoria	<i>Equal Opportunity Act 2010</i> (Vic)	Covers discrimination on the grounds of pregnancy, breastfeeding and parental status or status as a carer. Provides specific obligations on employers to accommodate the responsibilities of workers who are parents or carers.
Western Australia	<i>Equal Opportunity Act 1984</i> (WA)	Covers discrimination on the grounds of pregnancy, breastfeeding, family responsibilities and family status.

7.3 The Fair Work Act

The *Fair Work Act 2009* (FWA) provides a range of entitlements for working parents. It also prohibits discrimination at work including on the grounds of pregnancy, breastfeeding and family responsibilities. Under the FWA, workers are entitled to 12 months of unpaid parental leave when they have been working for the same employer for at least a year.

Workers who take unpaid parental leave have the right to return to the position they were in before they took that leave. If their position no longer exists, the worker must be returned to an available role for which they are qualified and which is closest in pay to their original role. The FWA also gives workers the right to request flexible working arrangements while pregnant or to accommodate family responsibilities. Workers are also entitled to be temporarily transferred to a safe job where necessary due to their pregnancy.

In the National Review, the Commission recommended changes to the right to request flexible working arrangements under the FWA to remove the requirement for 12 months continuous service, introduce a positive duty on employers to reasonably accommodate requests, and establish a procedural appeals process through the Fair Work Commission.⁷⁹ These changes have not been made.

7.4 The Paid Parental Leave Act

The *Paid Parental Leave Act 2010* (PPLA) provides eligible parents with financial support while taking leave to care for their children following a pregnancy or adoption. Under the PPLA, parental leave is paid at the national minimum wage.

In 2023, the PPLA was amended to increase the maximum period of government-paid parental leave from 20 weeks to 26 weeks, including 4 weeks reserved for a partner where applicable.⁸⁰ These changes came into

full effect on 1 July 2026. The PPLA was also amended in 2024 to add superannuation payments to government-paid parental leave.⁸¹

While these are positive steps, government-paid parental leave still falls short of the recommendations of the CEDAW Committee. In 2018, the Committee recommended that a minimum 26 weeks of paid parental leave, as well as 4 weeks be reserved for a partner, be paid to parents at their actual wage.⁸²

Australia also remains significantly below international standards in relation to both duration and rate of paid parental leave, including OECD and European Union averages.⁸³ Countries like Estonia, Hungary, Lithuania and Slovenia provide the equivalent of more than 52 weeks at full pay (factoring in the average payment rate) at 82.1, 75.9, 52.5 and 52.1 weeks respectively.⁸⁴

Public sector employees have additional paid parental leave entitlements that vary by jurisdiction, while many private sector employers also provide paid parental leave under workplace policies or enterprise agreements. This means that parents across Australia have inconsistent entitlements depending on where they work and who their employer is.

Some workers are excluded from paid parental leave altogether due to eligibility rules which restrict payments based on residency, income and time worked. These eligibility requirements have a particular impact on migrant and refugee women, who may be unable to change employers without jeopardising their visa status and who are less likely to meet the residency requirements.

8. Conclusion

Pregnancy, breastfeeding and family responsibilities are a key part of many workers' lives. While strong legal protections and decades of advocacy have helped advance recognition of these rights, discrimination in these areas remains deeply embedded in many Australian workplaces.

Drawing on the expert advice of key stakeholders, this report demonstrates that a gap exists between rights on paper and the lived experience of workers. While care is a fundamental part of life and a contribution that benefits families, communities and the broader economy, discrimination, inflexible work practices and unequal caring expectations continue to limit workforce participation, economic security and gender equality.

In this context, governments, employers and workplaces need to work together to address the identified barriers. No worker should be forced to choose between earning a living and caring for the people who depend on them. Creating workplaces that recognise and support care in all its forms will require stronger protections, more flexible and inclusive work practices, improved access to justice and a broader understanding of Australia's diverse families and caring relationships.



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