



Fair Work
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Diversity and Inclusion Strategy 2023-28



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Acknowledgement of Traditional Owners

As the national workplace relations tribunal, the Commission acknowledges that our business is conducted on the traditional lands of Aboriginal and Torres Strait Islander peoples across the country. We acknowledge their continuing connection to Country and pay our respects to their Elders past and present.

The Commission acknowledges Aboriginal and Torres Strait Islander people as the first peoples of this nation, and we acknowledge their connection to land and country. We respect the strengths and diversity of Aboriginal and Torres Strait Islander people.

We acknowledge that history has had an impact on our First Nations people and recognise the social, emotional, economic and educational challenges faced by Aboriginal and Torres Strait Islander peoples today.





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A message from the President, Justice Adam Hatcher



In determining how best to deliver our services, we need to understand the community's diverse needs and appreciate issues from a range of perspectives.

This strategy promotes diversity and embeds inclusion. It demonstrates how the Commission will continue to build upon a culture of respect and engagement.

Supporting the Commission's Diversity and Inclusion Strategy 2023–28 is everyone's responsibility. I encourage all Members and staff to actively contribute to creating a diverse and inclusive workplace.

Justice Adam Hatcher
President



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A message from the General Manager, Murray Furlong



Murray Furlong
General Manager

I am proud to be presenting the Commission's Diversity and Inclusion Strategy 2023–28. This Strategy builds on our history of being a leading organisation that is kind, supportive, fair, accessible and inclusive to everyone. It represents our formal commitment to workplace diversity and inclusion at the Commission. It sets out how we will create and celebrate a more diverse and inclusive workplace, and why it is so essential, not just for our organisation, but for people who access our services and the broader Australian community.

We welcome people with diverse skills, experiences, perspectives and backgrounds and encourage job applications from Aboriginal and Torres Strait Islander People, people with disabilities, neurodiverse people, people that identify as LGBTIQ+, people of all ages, and people from culturally and linguistically diverse backgrounds.

Our strategy is underpinned with annual Implementation Plans that clearly articulate each of the practical actions that we will be undertaking to deliver the commitments of our strategy and improve our workplace. These Implementation Plans will be informed directly by the voices of those with lived experience and people who identify with our areas of focus. Our progress and performance will be measured against our commitments and circulated with all Members and staff in an open and transparent way.

Senior leaders will champion the strategy; however, diversity and inclusion are not the responsibility of one person or team – it will take a whole-of-organisation approach to make meaningful change. It is the responsibility of all people around the country.



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Our Aim

The Fair Work Commission's (the Commission) Diversity and Inclusion Strategy 2023–28 (the Strategy) is designed to build on our strong foundation of diversity and inclusion. The Strategy sets our commitments for the next 5 years of our diversity and inclusion journey.

Our Strategy

Our Strategy confirms the Commission's commitment to diversity and inclusion as well as planning our diversity and inclusion journey through to 2028. It has been designed with these pillars in mind:

- engage, inform, and build a culture of inclusion in our workplace
- increase organisational support and opportunities for underrepresented groups
- build our organisational capability to serve the diverse range of people who access our services.

We have also identified overarching diversity and inclusion priorities which underpin our approach to diversity and inclusion. These priorities inform the commitments set in each of our areas of focus. The priorities are to:

- provide a safe and inclusive workplace for all Members and staff
- improve education and awareness on diversity and inclusion
- gather more detailed and useful information to help inform the Commission's planning and targeted initiatives relating to diversity and inclusion
- reflect the diverse make up of Australia within the Commission.



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Areas of focus

We recognise and value that team diversity and a culture of inclusion enhances work performance and the wellbeing of everyone. We have chosen 7 areas of focus for targeted support and initiatives to deliver our strategic pillars:

- First Nations Australians
- Gender equality
- Multicultural Australia
- LGBTIQ+
- People with disability
- Neurodiverse people
- Ageing workforce.

The Commission acknowledges that the scope of issues around diversity and inclusion are wide and complex. Underrepresentation, lack of visibility and lack of awareness often cannot be confined to one specific area or group.

Why this work is important

We care about our people and want to ensure that diversity is celebrated. We place great value in a diverse and inclusive workplace where everyone can bring their whole selves to work and achieve their full potential. Our aim is for an inclusive workplace that champions:

- greater creativity and innovation
- higher employee wellbeing and engagement
- improved productivity
- reduced employee turnover.

We also have a responsibility to challenge inequality and to work to ensure a diverse, safe and inclusive working environment.



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Our People

The Commission's workforce should reflect the diverse make up of the Australian community.

Australian Average			Fair Work Commission
51%		Women	68%
35%		Women in leadership	61%
18%		People with disabilities	7%
28%		Multicultural Australians	24%
3%		First Nations Australians	1%
19%		Older workers (55+)	18%
4%		LGBTIQA+	13%
36%		Part-time employees	17%

Data sourced from Australian Bureau of Statistics, 2021-22 Annual Report and 2022 APS Employee Census

When we look at a snapshot of the Commission's workforce diversity profile as of June 2022 and compare it with Australian population data we can see strong representation in some areas, including a gender balanced and multicultural workforce. In some other areas further work needs to be done, particularly with regards to First Nations employees, people with a disability and neurodiverse people.



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Understanding our people

It is important that we better understand the diversity profile of our workplace. This understanding will assist us meet the needs of our people, to provide a safe and inclusive workplace and develop policies and processes which support our approach to diversity and inclusion.

This information will also help us to identify areas where we lack knowledge and understanding and to in turn be able to focus our attention towards improving our general awareness on diversity and inclusion. This will assist us to deliver targeted training and education to help build awareness on a wide range of topics, including in our areas of focus.

Whilst we have some information available to us, comprehensive and reliable intersectional data is not currently available. This means that we are unable to provide an accurate workplace profile of our people to understand additional barriers to equality. For this reason, we need to seek out more information, while ensuring that what we do is relevant and not what our people would consider intrusive, private or confidential.



What is diversity and inclusion?

Diversity means the **mix** of people in an organisation – that is, all the differences between people and how they identify themselves. This can include:

- **Social identity** – for example, Aboriginal and/or Torres Strait Islander background, age, caring responsibilities, cultural background, disability status, gender, religious affiliation, sexual orientation, gender identity, intersex status, and socio-economic background.
- **Professional identity** – for example, profession, education, work experiences, organisational level, team, branch, and location.

These identity elements come together in a unique way for each person and shape the way they view and interact with their world. These elements also affect how others view and treat them.

Inclusion means making sure that **every person** in that diverse mix is accepted, respected, heard and included. It means creating space for every person and their differences as well as making information and services accessible to every person.

*'An environment that is safe for people: where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience, of learning, living and working together with dignity and truly listening.'*¹

¹ Definition of cultural safety from *Cultural Safety - What does it mean for our work practice?*, Robyn Williams, Lecturer in Indigenous Health, Australian and New Zealand Journal of Public Health, April 1999.



Diversity and inclusion at the Commission

These are our **values** and **commitments**. Our values underpin what we do. Our commitments are practical things we do to uphold our values. This is how they work together.





1. First Nations Australians



The Commission is committed to increasing First Nations Australians participation in our workplace and working collaboratively towards reconciliation with Aboriginal and Torres Strait Islander peoples. We recognise the importance of reconciliation in our workplace and seek to achieve significant outcomes and momentum for reconciliation and in making our workplace a positive and inclusive place for First Nations Australians.

We aim to build on the actions that have already been taken such as:

- the Indigenous Foundation Strategy 2018-2019,
- First Nations Champion, an Aboriginal and/or Torres Strait Islander staff member to help guide us through our journey who is directly supported by an Executive Sponsor
- standards for acknowledging traditional owners, including plaques at all public counters and art by Jeannie Mills Pwerle in our Canberra office
- participation in Indigenous Australian Government Development Program.

The Commission, in partnership with local Aboriginal and Torres Strait Islander communities, is committed to:

- 1.1 listening to Aboriginal and Torres Strait Islander people, to better understand their journey and what is important to their cultural identity so that action can be taken to further support the inclusive environment in our workplace
- 1.2 developing and implementing a Reconciliation Action Plan
- 1.3 ensure Aboriginal and Torres Strait Islander people benefit from our work
- 1.4 raising awareness for our people of Aboriginal and Torres Strait Islander people, culture and history
- 1.5 increasing Aboriginal and Torres Strait Islander employment within the Commission
- 1.6 creating a culturally safe and supportive environment for Aboriginal and Torres Strait Islander employees
- 1.7 ensuring a culturally supportive and safe environment for all Aboriginal and Torres Strait Islander people who access our services
- 1.8 celebrating the achievements and contributions of Aboriginal and Torres Strait Islander people.



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2. Gender equality

Our commitment to building a diverse, inclusive workplace has yielded strong results in relation to gender diversity and as such the Commission is committed to maintaining and promoting balanced participation of people of all genders.

The Commission will continue to support diversity and engage with our people to assist us in considering new avenues to do this. We aim to grow as an organisation and be recognised as an employer which values, encourages and supports its people. We will continue to challenge gender inequality and provide a safe, inclusive working environment where every person can succeed.

We aim to continue to build on initiatives such as:

- Respect@Work, a collaboration with the Australian Human Rights Commission and Comcare to strengthen our frameworks and efforts to prevent and respond to inappropriate behaviour in the workplace.
- the Women's Network, a forum to discuss and learn about current issues and hot topics for women in the workplace as well as women's issues more broadly. Such as working with the Victorian Women's Trust who hosted information sessions about Menopause and Work.

The Commission, in partnership with employees through such forums as the Women's Network, and relevant external bodies, is committed to:

- 2.1 listening to the lived experience of our people to identify barriers to gender diversity, so that action can be taken to further support the inclusive environment in our workplace
- 2.2 supporting and promoting gender diverse employment within the Commission
- 2.3 ensuring a culturally supportive and safe environment for people of all genders who access our services
- 2.4 creating a safe and supportive environment for our people of all genders
- 2.5 further developing the Women's Network.



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3. Multicultural Australia

Our cultural diversity at the Commission is one of our greatest assets – it sparks innovation, creativity, and vitality. The Commission is strengthened by the skills, knowledge, linguistic capabilities, networks, and creativity of our diverse workforce which enhances our capability to relate to people who access our services.

The Commission will continue to support the cultural diversity of our people and engage broadly to consider new avenues to foster support and make our workplace more accessible.

We aim to continue to build on initiatives such as:

- Plain Language Standards, where all writing is to be accessible with clear correspondence that all readers can understand
- A translation service and staff language register to help assist people who access our services who speak a language other than English
- A standard that all website information is written in language that is easily translated by built-in tools in modern internet browsers.

The Commission, in partnership with employees from culturally diverse backgrounds and relevant external bodies, is committed to:

- 3.1 listening to the lived experience of our people to identify barriers to those who have culturally diverse backgrounds so that action can be taken to further support the inclusive environment in our workplace
- 3.2 supporting and promoting cultural diversity within the Commission
- 3.3 increasing cultural awareness of our people to foster a supportive and safe environment for all who access our services
- 3.4 further increasing accessibility for our people and all those who access our services for whom English is a second language.



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4. LGBTIQA+



The Commission is committed to enhancing awareness and inclusivity of the Lesbian, Gay, Bisexual, Transgender, Intersex, Queer or Questioning and Asexual (LGBTIQA+²) community within our workplace.

We are committed to being an organisation that reflects our diverse community.

We aim to build on past initiatives including our engagement in 2021 and 2022 of Pride in Diversity to deliver training to all Members and staff.

The Commission, in partnership with our people who identify as belonging to LGBTIQA+ communities, and relevant external communities, is committed to:

- 4.1 listening to lived experience of our people to identify barriers to those who identify as belonging to LGBTIQA+ communities and what is important in creating a supportive and inclusive environment in our workplace
- 4.2 supporting and promoting LGBTIQA+ employment within the Commission
- 4.3 creating a culturally safe and supportive environment for our people who identify as belonging to LGBTIQA+ communities
- 4.4 ensuring a culturally supportive and safe environment for all LGBTIQA+ people who access our services
- 4.5 establishing our own Pride network.

² LGBTIQA+ has been adopted in this Strategy to ensure inclusivity, in line with the practice of Australian organisations serving these communities. As terminology evolves, this acronym may be updated in future versions of the Strategy.



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5. People with disability

The Commission is committed to increasing participation of people with disability in our workplace. This includes increasing awareness, increasing accessibility, destigmatising disability and providing managers and teams with the tools to support employees with a disability. The aim of these commitments is to create a safe and supportive environment where people with disability want to work and existing employees who may not previously have identified as having a disability feel safe to do so.

We aim to build on the actions that have already been taken such as:

- the [Australian Public Service Disability Employment Strategy 2020–25](#) provides a foundation for building an inclusive and diverse Australian Public Service (APS)
- the RecruitAbility Scheme where applicants for externally advertised jobs, can opt into the scheme which aims to attract and develop applicants with disability.

The Commission, in partnership with employees with disability and disability employee networks, will be key allies for change and will be vital in achieving our commitments to:

- 5.1. listening to the lived experience of our people to identify barriers relating to disability or so that action can be taken to further support the inclusive environment in our workplace
- 5.2. increasing awareness of disability to assist our people in delivering services to, and working with, people with a disability
- 5.3. ensuring accessibility for employees and all people who access our services with a disability
- 5.4. increasing employment participation of people who identify as having a disability within the Commission.



6. Neurodiverse people

The Commission is committed to increasing participation of neurodiverse³ people in our workplace. This includes increasing awareness, increasing accessibility, educating on neurodiversity and providing managers and teams with the tools to support neurodiverse employees. The aim of these commitments is to create a safe and supportive environment for neurodiverse people where existing employees who may not previously have identified as being neurodiverse feel safe to do so.

We aim to elevate our focus on neurodiversity and build on the actions that have already been taken as a part of broader work such as:

- the [Australian Public Service Disability Employment Strategy 2020–25](#) provides a foundation for building an inclusive and diverse Australian Public Service (APS)
- the RecruitAbility Scheme where applicants for externally advertised jobs, can opt into the scheme which aims to attract and develop applicants with neurodiversity.

The Commission, in partnership with neurodiverse employees and networks, will be key allies for change and will be vital in achieving our commitments to:

- 6.1 listening to the lived experience of our people to identify barriers relating to neurodiversity so that action can be taken to further support the inclusive environment in our workplace
- 6.2 increasing awareness of neurodiversity to assist our people in delivering services to, and working with, neurodiverse people
- 6.3 ensuring accessibility for employees and all neurodiverse people who access our services
- 6.4 increasing employment participation of people who identify as being neurodiverse within the Commission.

³ The range of differences in brain functioning between individuals across a population, caused by variations in human genetics, producing conditions such as autism or attention deficit hyperactivity disorder (ADHD)



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7. Ageing workforce

With the proportion of APS employees aged 50 years or older steadily increasing since 2001 to around 33% of the workforce⁴ compared to 27% of our workforce⁵, the Commission is including a diversity and inclusion area of focus on providing more support and assistance for older employees who wish to remain in the workforce.

We recognise the skills, knowledge, networks and experience that older employees bring to our workplace and the importance of having representation and support for older employees, not just for their individual work but also for the critical role they play in training and developing the next generation of employees.

The Commission will continue to support older employees and will engage with our people to assist us in considering ways to foster support for older employees.

We aim to continue to build on existing initiatives such as:

- ongoing education for all employees regardless of age. As a part of our *Learning & Development Strategy 2022–25* we encourage older workers to continue to learn even when they may be looking to transition to retirement
- workplace flexibility including part-time employment, remote working and flexible hours to better facilitate a transition between full-time employment and retirement.

The Commission, in partnership with older employees, and relevant external bodies, is committed to:

- 7.1 listening to lived experience of our people to identify barriers to older employees, so that action can be taken to further support the inclusive environment in our workplace
- 7.2 better supporting older employees in adapting to new business processes and systems
- 7.3 increasing awareness of older employees and the value they bring to our organisation.

⁴ Australian Public Service Commission, *Older workers in the Australian Public Service* April 2021.

⁵ Taken from Commission internal reporting as at December 2022.



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Implementation and support

The Strategy will be championed by our Executive Management Committee.

A Diversity and Inclusion Committee will be established to provide representation of those with lived experience and/or interest within the areas of focus and lead the delivery of the Strategy through annual Implementation Plans. This Committee will also include an Executive sponsor and representative from People and Culture. Terms of Reference will be developed to further identify the roles, responsibilities, and functions of the committee.

It will take a whole-of-organisation approach to make meaningful change. We encourage all our people to take part and contribute to the delivery of the Strategy.

The People and Culture team will assist with the implementation and delivery of the Strategy.

Implementation Plans

Annual Implementation Plans will be developed for each year of the Strategy and will be key internal working documents outlining initiatives to be undertaken to achieve the commitments for the 7 areas of focus of the Strategy.

The first Implementation Plan has been prepared and will accompany the release of the Strategy.

This first plan outlines specific initiatives or actions and timeframes for the year, with a particular focus on the establishment of the Diversity and Inclusion committee. It is also our aim to add the voices of those with lived experience and/or expertise within the areas of focus to assist in the scoping for future years' Implementation Plans. This is to ensure each year's initiatives or actions are tailored to the evolving needs of our people and continue to best support the commitments and objectives for the 7 areas of focus of the Strategy.



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Measures of our success

We will communicate our success in achieving the commitments outlined in each of the areas of focus of the Strategy annually. Where relevant and applicable, specific measures will also be identified through the Implementation Plans. We will utilise key measures such as the annual APS Employee Census and people data. Other avenues such as pulse survey results and staff feedback may also be used where needed.

The measures, and our progress against them, will be shared with our people as well as with our partners. This will be done in an open and transparent way that makes clear the Commission's performance in delivering its commitments as outlined in the Strategy.

APS Employee Census

Each year all APS staff are encouraged to participate in the APS Employee Census, which is used to collect confidential attitude and opinion information from APS employees on important issues in the workplace. It gives the opportunity for agencies to make improvements where there may be gaps or to show recognition and praise for what the current agency is doing well.

The Census will be one of the keyways to gather information to understand if actions and initiatives of the Strategy are having positive impact.

