



Every IEU member deserves a workplace free from discrimination Review of special discrimination privileges for schools long overdue

All IEU members have a right to equality and deserve a workplace free from discrimination.

The IEU therefore welcomes the government's review of discrimination exceptions for faith-based schools and the [consultation paper](#) released to help guide the review.

As part of this [long overdue review](#), IEU members will share heartbreaking stories of discrimination they have endured due to sexual orientation, marital status and pregnancy.

Such treatment would be unlawful in any other workplace. The special employer exceptions that allow for these situations must end.

The federal government's review, to be conducted by the [Australian Law Reform Commission](#), is an essential first step to update these laws and better reflect modern community standards.

Australia doesn't condone blatant discrimination - except in thousands of schools

No employer should be allowed to 'lawfully discriminate' due to an employee's sex, sexual orientation, marital status or pregnancy.

IEU members accept they have a general duty of fidelity to their employer. For example, a teacher speaking openly in class against the religious ethos of their employer would be in breach of their common-law obligations and open to disciplinary action.

Such scenarios are different and separate to matters of discrimination. Faith-based schools don't need special discriminatory privileges to ensure reasonable workplace conduct by their staff.

The changes needed to protect all school staff from discrimination

Similar reviews of state and territory anti-discrimination laws are already underway in several jurisdictions that are also looking to update protections for staff in faith-based schools.

We need new federal legislation that:

- Protects all employees from discrimination in line with Australia's human rights undertakings.
- Removes the special exemptions that allow religious institutions to discriminate.
- Provides clearer parameters for the use of any 'employee preference' as they relate to the religion of an employee in a faith-based school.
- Consolidates existing federal legislation to provide for discrimination protections as part of a single, broad-based, federal human rights regimen.
- Introduces a positive duty on organisations to eliminate discrimination.
- Empowers the Fair Work Commission as a free and impartial discrimination resolution service.

Opportunity now exists for the federal government to deliver equality to all workplaces and ensure protection from discrimination regardless of occupation or place of work.