

Dear Sir/Madam,

Cotton Australia is the peak body that represents the interests of Australia's 1,500 cotton growers, supporting about 1,200 cotton farming families in NSW, Queensland, and Northern Australia. One third of the Australian cotton industry exists in Queensland. While our production can vary significantly from year to year, dependent on rainfall and water availability, it is worth on average \$2 billion in annual export earnings and employs approximately 12,000 people nationally.

From an employer's perspective, especially in the agricultural and small business sectors, the mandate to prepare a written prevention plan to manage the risk of sexual harassment presents a considerable administrative burden. While it underscores the critical importance of proactively addressing sexual harassment, it introduces a new compliance requirement that could be particularly taxing for business owners already managing extensive responsibilities. Employers will need to allocate significant time to develop a comprehensive plan that aligns with legal requirements, which may necessitate the engagement of experts, a daunting task for small farming businesses with limited resources.

The necessity of a written plan is paramount for accountability and reference, however, it also imposes an additional layer of administrative duties. This requirement involves meticulous documentation and record keeping, consuming valuable time that business owners could otherwise allocate to core operations. Many small business owners may not even know how to conduct a basic risk assessment. Conducting a thorough risk assessment to identify specific risks within the workplace and ensuring continuous monitoring are both time intensive processes. The government will need to provide assistance in educating business owners on how to effectively carry out these assessments.

Detailing control measures to address each identified risk adds further complexity, requiring employers to invest time in critically evaluating effective interventions and potentially implementing new practices or policies. Including considerations under sections 55E(2) and 55D(2) ensures a holistic approach but broadens the scope of considerations, making the process even more detailed and time-consuming.

Employers must also outline the consultation process with workers, promoting transparency and involvement. This necessitates structured and documented engagement processes that further stretch their schedules. Establishing a clear complaint procedure is essential for fairness and clarity, ensuring all workers understand the steps involved in handling complaints. However, this might involve setting up new systems or training programs, again demanding significant time and attention.

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Ensuring the plan is accessible and comprehensible to all workers is vital for its effectiveness, which may require additional efforts such as translating documents or providing extra training sessions. The implementation of the prevention plan is not solely about drafting it but also about its practical application, involving ongoing training, enforcement, and monitoring, which necessitates a continuous investment of time and resources.

Regular reviews are essential for maintaining the plan's relevance and effectiveness. Specific triggers for review, such as complaints, requests from health and safety committees or representatives, and a mandatory review every three years, ensure the plan remains current but also imply continuous oversight and potential adjustments. This requirement can be particularly burdensome for business owners already pressed for time.

While these amendments aim to foster safer and more respectful workplaces, they impose significant time burdens on employers. Compliance will likely involve considerable effort in creating detailed and specific plans, engaging in ongoing consultations, ensuring widespread awareness, and maintaining rigorous documentation and review processes. For larger organisations, this may extend existing practices, but for smaller businesses, these requirements could represent a substantial additional time commitment. Employers must balance the intent of these regulations with practical implementation strategies to ensure both compliance and the creation of a genuinely safe work environment.

Cotton Australia would like to propose that small businesses should be exempt from the new legislation's onerous administrative duties associated with preparing a written prevention plan to manage the risk of sexual harassment, while still being required to abide by the proposed legislative changes. Recognising the significant time and resource constraints faced by small businesses, especially in the agricultural sector, this exemption would alleviate the administrative burden without compromising their responsibility to maintain a safe and respectful workplace. This approach balances the need for compliance with the practical realities of small business operations in the agricultural sector, ensuring that legal obligations are met without imposing undue hardship.

In addition, it will be crucial for the government to ensure businesses are appropriately educated about their requirements under the legislation, providing guidance and support to facilitate compliance and help manage the increased time demands on business owners. Regrettably, the Office of Industrial Relations afforded the industry a mere 2.5 days notice to provide feedback, which is profoundly inadequate and demonstrates a significant lack of consideration for the extensive impact these requirements will have on small businesses and farmers. Such insufficient notice undermines the ability of stakeholders to contribute meaningful feedback and places additional strain on already overburdened business owners.

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Thank you for the opportunity to provide feedback on the proposed changes to the workplace sexual harassment regulations. If you would like to discuss any part of this letter of support, please call me on 0448 094 883 or by email on pauls@cotton.org.au

I look forward to hearing the outcome of this application.

Kind Regards,

Paul A Sloman

Paul Sloman
Policy Officer
Cotton Australia

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