



18 February 2025

Protecting Reproductive Health in the Workplace

An independent statutory review of the [Fair Work Legislation Amendment \(Secure Jobs, Better Pay\) Act 2022](#) is being undertaken by an expert Review Panel to assess the impact of the legislation and whether further amendments are needed to improve its operation.

Our union has appeared before the Review Panel and also provided a [detailed submission](#) on the operation of the legislation given the impact of the laws on IEU members.

One key reform under the SJPB Act was expanding protections against discrimination to include breastfeeding, gender identity, and intersex status.

The [Review Panel's draft report](#) includes 19 recommendations, concluding that the reforms are generally working as intended.

Draft Recommendation 15 suggests that the Australian Government should conduct further research to determine whether protections under the Fair Work Act should be extended to cover perimenopause, menopause, and other reproductive health issues.

The IEU strongly supports this recommendation. Extending workplace protections to include reproductive health—such as perimenopause, menopause, and IVF—is essential. Lack of support in this area contributes to gender inequality, economic disadvantage, and workplace discrimination.

Unions have long advocated for [paid reproductive health leave](#) and paid miscarriage leave and have won these entitlements in some enterprise agreements. However, legislative changes are needed to ensure all workers have fair and equitable support throughout their careers and that there is a minimum entitlement that employers must provide.

The IEU welcomes the proposed recommendation to conduct research in this area as a positive step toward including reproductive health protections from discrimination in the Fair Work Act. We will also continue working towards:

- Recognising reproductive health as a valid reason for requesting flexible work arrangements under Section 65 of the Fair Work Act.
- Including paid reproductive health leave in the National Employment Standards.

By making these changes, we can create a more inclusive and supportive workplace for all workers.