

IT'S FOR EVERY BODY

Delegates Pocket Guide



Understanding Reproductive Health as a Workplace Issue

**WE ARE
UNION**

Australian
Unions

Acknowledgment of Country

Trades Hall stands on the lands of the Wurundjeri people of the mighty Kulin nations. We acknowledge and pay respects to their elders, past and present. This land was stolen, never ceded, always was and always will be Aboriginal land.

Solidarity Statement

We are union.

We stand united as part of a great movement of workers.

Our diversity is our strength.

Our solidarity is our power.

We respect and take care of each other.

Prejudice and discrimination – including misogyny, racism, homophobia, and all other hatreds have no place in our movement. We rise together.

Today and every day we commit ourselves to achieving justice, fairness, equality, and dignity for all workers.

Solidarity forever.

Using the *It's For Every Body* Delegates Pocket Guide

This Delegates Pocket Guide is a resource for delegates based on the *It's For Every Body* Campaign Kit. Is intended to provide a snapshot to improve understanding of reproductive health as a workplace issue.

We encourage delegates to consult the Campaign Kit for further, detailed information.

It is impossible to plan or understand every scenario or individual workers' needs. This guide looks at overarching issues, principles and common themes.

We Are Union **- commitment to safety, respect and equality**

All workers, regardless age, sex or gender, will experience reproductive health issues at some point in their working lives.

Many of these health issues can take a serious physical and mental toll on workers and can inhibit their ability to work. *It's For Every Body* is about supporting workers to be safer and healthier and to create more inclusive workplaces.

The union movement is committed to ensuring safety, respect and equality for all workers. That means we're committed to ending gender inequality. Victorian Trades Hall Council will work in partnership with unions and workplaces to ensure they have the tools to understand and implement reproductive health leave, flexibility and better support for all workers.

The Victorian union movement joins with the Australian Council of Trade Unions to advocate for reproductive health to be understood as a workplace issue and for paid reproductive health leave to be included in enterprise agreements, awards and the National Employment Standards.

Reproductive health leave, and related forms of leave such as menstruation, menopause and pregnancy loss leave have already been achieved by the Victorian union movement in Victorian workplaces and we acknowledge those unions and their members for taking up this fight.



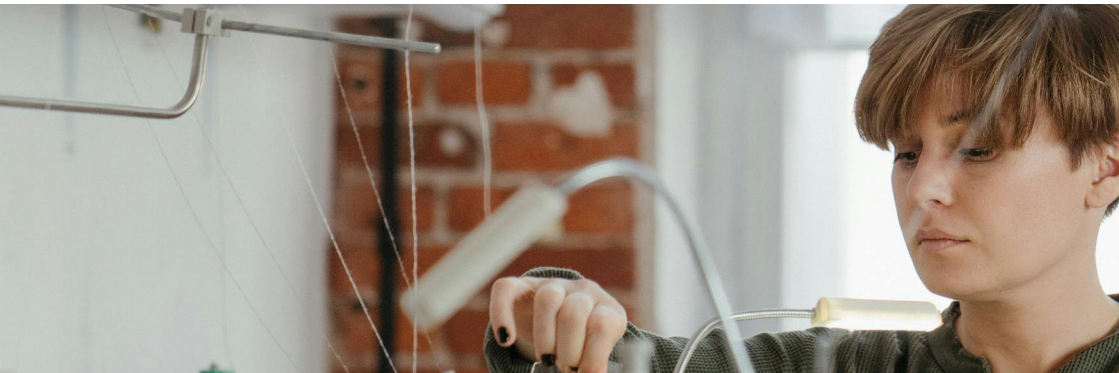
What is *It's For Every Body*?

IT'S FOR
EVERY
BODY

It's For Everybody is a union campaign to win paid leave and flexibility and entitlements in enterprise agreements and the National Employment Standards for workers experiencing a range of reproductive health issues.

The purpose of paid leave and flexibility is to support workers to manage and treat those issues. It recognises:

- All workers, regardless of age, sex or gender, will experience reproductive health issues at some point throughout their working lives
- Reproductive health issues can take a serious physical and mental toll on workers making it harder for them to work
- Access to reproductive health paid leave and flexibility entitlements will help to address stigma associated with reproductive health
- These rights will support workers to be safer and healthier at work and to create more inclusive workplaces



What does reproductive health leave cover?

Reproductive health is wide-ranging and its impacts on work are significant.

The proposed entitlement would cover a broad range of issues including but not limited to:

- Menstruation
- Pregnancy
- Breastfeeding and lactation
- Miscarriage and pregnancy loss
- Perimenopause and menopause
- Chronic conditions such as poly-cystic ovarian syndrome, endometriosis and PMDD
- Hormone therapy
- Fertility treatments, IVF and assisted reproductive health services
- Vasectomy
- Hysterectomy
- Termination
- Preventative health care such as screenings for breast, cervical and prostate cancer

A glossary of these and other common terms are found in the *It's For Every Body* Campaign Kit



Why is reproductive health a workplace issue?

Reproductive health issues impact our work, our families and our financial security. Reproductive health issues are far more common than we might think.

On average, women are retiring **7.4 years** before men costing them **\$112.2 billion** in lost earnings and super or \$15.2 billion each year

1 million Australian women are estimated to have **endometriosis**, with around **70% taking time off work** to manage symptoms

Fertility issues impact about **1 in 6 couples** trying to become pregnant and **1 in 18 babies** is born as **a result of IVF** or assisted fertility procedures

Preventative health care saves lives. Around **8 deaths are prevented for every 1,000 women** screened every 2 years

It is estimated the **1 in 5 pregnancies ends in miscarriage**. Pregnancy loss is estimated to impact between **100k to 150k couples** every year

1 in 7 Australian men will experience prostate issues and early diagnosis and treatment is key.

Research shows that not providing universal paid reproductive health leave is costing our society **\$26.5 billion annually**



Reproductive health is union business

The union movement has a long, proud history of advancing gender equality and our rights and safety at work.

Reproductive health impacts the lives and economic security of Victorian workers and prevents us from fully participating in work. Union members have always taken on the fight for new rights and entitlements to combat inequity, support fellow workers and improve the lives of their workmates.

Unions play a key role in driving workplace and societal change. Unions advocate for action to reduce the gender pay gap, and take action to support gender equality and the participation of women in good, secure jobs.

Unions fight to eliminate gender-based discrimination and unfair treatment, challenge attitudes and behaviours that lead to gender-based violence and fix inequities. We hold employers to account to ensure the rights and safety of our members.

Unions have led the way in gathering data, surveying members, raising awareness, developing resources and bargaining for reproductive health leave and associated entitlements in workplace agreements.

The substantial interest in the *It's For Every Body* campaign among workers shows this is an issue that is widely and deeply felt among the workforce. It is a crucial opportunity for union delegates to engage with workmates on an issue they have identified is extremely important to their working lives.



What will reproductive health leave do?

It will support the quality of workers' lives:

Reproductive health leave will be life changing for Victorian workers. It will provide allocated time and flexible work options to manage issues arising from reproductive health. It will allow workers to access preventative health screenings and will mean increased wellbeing, participation in work and economic security for workers. This will lead to a better quality of life and increased early detection of health issues for workers and their families.

It will benefit employers:

The benefit to employers of this leave includes increased productivity, as workers will be empowered with transparency to plan and manage reproductive health issues and appointments. Employers can also manage and meet their duty of care to eliminate sex discrimination, to ensure workers' health and safety while at work, and help to reduce their organisations' gender pay gap and meet gender equality targets.

It will benefit our community:

It will break down stigma related to reproductive health, increase gender equality, close the gender pay gap between men and women workers and increase the participation of women in the workplace.



What have workers told us?

In November 2024, Victorian Trades Hall Council launched a Reproductive Health and Work survey to better understand the experiences of Victorian workers.

More than **800 workers** shared their stories. **97% believed that employers should be required** to provide paid reproductive health leave and flexibility support for their workforce. Key findings from survey: *(For full details please consult the Campaign Kit)*

85% of workers used or **exhausted** other paid **leave entitlements** (sick, annual, long service) to manage their reproductive health

45% of workers had **lost pay** because of a reproductive health issue

36% of workers had **supported a partner or family member** with a reproductive health issue

91% of workers **did not have** or were not aware of a reproductive health, menstruation or menopause policy or **entitlements** at their workplace

66% of workers **had not discussed** their reproductive health issue **with their employer**

18% of workers or nearly **1 in 5** reported experiencing **pregnancy loss**

Paid leave (**79%**), access to flexible work arrangements (**62%**) including work from home (**66%**) and ability to rest or access a quiet area during the day (**52%**) were highlighted as key – along with other adjustments including reasonable changes to the work environment eg. temperature, uniforms, facilities (**37%**), longer and more frequent breaks (**32%**).

The point is, we need a flexible approach to assist people to manage their health and workers know best what works for them.

Key findings:

- Workers experience a wide range of reproductive health issues that can inhibit their ability to work – a flexible approach that suits individual circumstances is needed
- Too many workers are exhausting paid leave and losing pay to manage their reproductive health
- Access to paid leave would be a game-changer
- Right to flexible work, including work from home and improved amenities is essential
- Reducing stigma is key
- Far more support is needed for workers and their partners who experience pregnancy loss

Notes:

Role of union delegates:

Union delegates have an important role supporting the introduction and effectiveness of reproductive health leave and flexibility. Some strategies that union delegates should consider include:

- Actively understanding this issue and starting conversations with co-workers
- Working with your union to develop a survey or other tools to understand how this issue impacts people in your workplace (having regard to sensitivity and privacy)
- Forming a working group of union members who want to get involved and work on this issue together
- Seeking additional training or advice about reproductive health issues and work
- Understanding common misunderstandings and resistance from workers and employers, and practicing objection handling
- Reviewing your existing policies and enterprise agreement to identify gaps or opportunities
- Sharing wins your workplace has with other workers and union members to grow momentum, overcome issues and share what's working
- Keeping a copy of the *It's For Every Body* Campaign Kit and this Pocket Guide handy

Please review the *It's For Every Body* campaign kit for further details on the following conversation starters and common misunderstandings.

Conversation starters:

Conversations at work, at home and in the community are important to improve understanding of reproductive health as a workplace issue.

**“Ten days of sick/
carer’s leave is
not enough!”**

**“We need to reduce
the stigma around
reproductive health”**

**“We should have
a right to request
flexibility to suit our
individual needs”**

**“All workers can
experience a
reproductive
health issue at
any time in their
working life”**



Common misunderstandings and resistance:

With any new entitlement, objections and resistance are to be expected. Often this is because of lack of understanding rather than unwillingness to engage.

“Isn’t this unfair?”

“I didn’t have access to this”

“Won’t people misuse it?”

“I just can’t see my employer/work mates getting on board with this”

“Isn’t this covered by sick leave? Shouldn’t we just ask for more personal/carer’s leave?”



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Attachment A: Template Enterprise Agreement Clause

Note:

The *It's For Every Body* campaign is campaigning for paid leave and flexibility to be included as a universal right in the National Employment Standards and enterprise agreements.

These are recommended minimum reproductive health leave entitlements for enterprise agreements. Unions may seek to achieve other related entitlements separate and/or in addition to those set out. For example, additional paid leave for pregnancy loss, miscarriage and still birth. Please review the Campaign Kit for guidance.

x. Reproductive Health and Wellbeing Leave and Supports

X.1 Introduction

- (a) The Employer recognises the importance of employees being able to manage and maintain their reproductive health and wellbeing at different stages of their life.
- (b) The employer is committed to providing support to staff for matters relating to their reproductive health. The employer recognises that reproductive health and wellbeing leave and workplace supports are important entitlements that provide time, flexibility and support for workers to address reproductive health matters that impact on their capacity to work or to take preventative health care measures.
- (c) The employer recognises that reproductive health can impact all workers, at all stages of their working lives.
- (d) The employer recognises that reproductive health impacts on work are particularly significant in affecting women's workforce participation, workplace health and safety, career progression, and the gender pay gap.

X.2 Definition

- (a) For the purpose of this clause, reproductive health is defined as including (but not limited to) any condition, illness or issue (including any experience of pain or discomfort), whether temporary or permanent, relating to menstruation, pregnancy, breastfeeding and

lactation, contraception, miscarriage and pregnancy loss, perimenopause, menopause, chronic conditions such as poly-cystic ovarian syndrome and endometriosis, hormone therapy, fertility related issues, genetic carrier screening, In Vitro Fertilisation (IVF) and other forms of assisted reproductive health services, vasectomy, hysterectomy and terminations, and preventative health care such as breast, cervical and prostate screening.

X.3 Entitlement to Reproductive Health and Wellbeing Leave

- (a) An employee, including a casual employee or a fixed term employee is entitled to up to twelve (12) days per year of paid reproductive health and wellbeing leave for matters relating to their reproductive health as defined by this clause.
- (b) Reproductive health and wellbeing leave is in addition to existing leave entitlements. It may be taken as consecutive, single or part days, or as a fraction of a day. It can be taken without prior approval.
- (c) Employees do not need to have exhausted other forms of paid leave prior to accessing reproductive health and wellbeing leave.
- (d) All employees are entitled to the full ten days paid leave, including (but not limited to) full-time, fixed term, part time and casual employees, without distinction.
- (e) The leave will be available in full at the commencement of employment and subsequently in full at the start of each 12 month anniversary of the employee's employment.

X.4 Notice and Evidentiary Requirements

- (a) The employee shall give the employer notice as soon as reasonably practicable of their intention to take leave under this clause. This may be a time after the leave has commenced.
- (b) If required by the employer, the employee must provide evidence that would satisfy a reasonable person that the leave is for the purpose as set out in this clause. Such evidence may include a statutory declaration; or a document issued by a medical practitioner or registered health practitioner (as defined by the national law) including a medical certificate; or other evidence that would satisfy a reasonable person. Such evidence does not need to detail the precise nature of

- any medical condition, illness, issue or procedure.
- (c) Enduring forms of evidence will be accepted and evidence does not need to be provided on each occasion leave is requested (for example, where there are recurring, ongoing or chronic symptoms, conditions or issues).

X.5 Flexible Working Arrangements and Workplace Adjustments

- (a) In order to provide support to employees and to provide a safe work environment, the employer will approve any reasonable request from an employee for reasons relating to their reproductive health, including but not limited to:
- (i) The right to work from home;
 - (ii) Access to flexible working hours and arrangements (such as a change in hours, patterns, days, duties and location of work);
 - (iii) Reasonable changes to the work environment, including facilities, to provide comfortable and safe working conditions (for example, which alleviate symptoms or facilitate treatment);
 - (iv) Provision of longer or more frequent breaks;
 - (v) The ability to rest in a quiet area in the workplace;
 - (vi) Job sharing arrangements or job redesign;
 - (vii) The right to access reasonable unpaid leave; and
 - (viii) Any other change requested by an employee.
- (b) Such arrangements may be temporary, or employees may request ongoing flexible working arrangements and workplace adjustments to accommodate recurring, ongoing or chronic symptoms, conditions or issues.

X.6 General Measures

- (a) The employer must ensure that any personal information concerning an employee's reproductive health will be kept confidential and is not used for any purpose other than satisfying the employer in relation to the employee's entitlement to take reproductive leave. No information will be kept on an employee's personnel file without their express written permission. This does not prevent the employer from keeping leave records as required by the Fair Work Regulations.
- (b) Understanding the impact reproductive health can

have, the employer will support employees if they have difficulties with work attendance or performance. No adverse action will be taken against an employee if their attendance or performance at work suffers for reasons related to their reproductive health. An employee will not be discriminated against, victimised or have adverse action taken against them because of their disclosure of; experience of; or perceived experience of; matters relating to their reproductive health.

- (c) The employer will nominate contact(s) in the workplace who an employee can contact if they are experiencing matters relating to their reproductive health. The employer will ensure the nominated contact people have training to handle such requests with compassion and confidentiality.

Contact us:

Facebook: /unionwomen
Instagram: @union.women
weareunion.org.au
women@vthc.org.au

This resource is regularly updated and available online at:
weareunion.org.au/repro_health

Support:

If you need to access support, you can contact:

- Lifeline: 13 11 14 | lifeline.org.au
- WIRE Women's Information and Referrals:
1300 134 130 | wire.org.au
- Pink Elephants Support Network:
pinkelephants.org.au
- Griefline: 03 9935 7400 | griefline.org.au

Additional resources:



Use the QR code to access additional resources and those referred to in this Guide.

With special thanks to:

With special thanks to the Australian Council of Trade Unions, the Queensland Council of Unions, the Finance Sector Union and the Health and Community Services and Health Services Union for access to their resources and guidance.

Notes:

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