

## PRESS RELEASE

“The federal government’s proposed changes to the law governing unfair dismissals are likely to increase the number of complaints to the NT Anti-Discrimination Commission (ADC)” Mr Tony Fitzgerald, the Anti-Discrimination Commissioner, said today.

The proposed changes, which affect small businesses employing less than 100 staff, will apply to just about every small business in the NT. The changes will permit employers to dismiss employees without just cause and prevent employees from lodging claims for unfair dismissal with the Australian Industrial Relations Commission.

According to Commissioner Fitzgerald, under the new measures, employees who are dismissed on grounds that appear to be discriminatory, and who are prevented from seeking redress through other means, may have no alternative but to lodge a complaint at the ADC.

Commissioner Fitzgerald believes that vulnerable employees under the proposed legislation are carers whose caring responsibilities compete with work demands, workers whose family/child caring responsibilities clash with work demands, pregnant women, older and younger workers, and workers who have disabilities or who suffer from illness.

“Generally speaking, those employees at risk are the ones whose unequal bargaining power makes it difficult to negotiate a fair workplace agreement with their employer” the Commissioner said.

“Aggrieved employees may decide to approach the ADC because the NT *Anti-Discrimination Act* potentially covers workplace discrimination based on characteristics such as sex, age, marital status, pregnancy, parenthood, breastfeeding, impairment, carer’s responsibilities, trade union activity and irrelevant medical record.”

The Commissioner stated that subsequent to the introduction of the new legislation, the ADC plans to monitor complaints received to assess whether they are related to unfair dismissal.



**TONY FITZGERALD  
ANTI-DISCRIMINATION COMMISSIONER**

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