

# National Carer Network Submission to the National Employment Standards inquiry



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## About the National Carer Network and our submission

The National Carer Network (NCN) welcomes the opportunity to provide a submission to the House of Representatives Standing Committee on Employment, Workplace Relations, Skills and Training inquiry into the *National Employment Standards*.

Carers Australia and the peak carer organisations in each state and territory<sup>1</sup> collectively form the NCN, representing the views of carers nationally. The NCN's submission, prepared by Carers NSW, Carers WA and Carers Australia on behalf of the Network, draws on the insights and lived experiences of carers juggling paid work and care, and puts the case for making amendments to the National Employment Standards relating to carer leave entitlements. The Network's recommended amendments cover:

- the definition of 'carers' and 'caring'
- the design and scope of personal/carer's and unpaid carer leave
- evidence requirements for carer leave.

Our submission also includes recommendations for improving evidence requirements, carer leave data collection, addressing discrimination associated with the use of carer leave and investing in carer-inclusive workplace initiatives.

The amendments proposed by the Network will make the National Employment Standards better reflect the realities of contemporary caring and employment and better support more carers to remain in employment, with benefits for carers' health and financial, social and emotional wellbeing. The benefits for businesses include better engagement and retention of employees with caring responsibilities, lower recruitment costs and improved productivity. Improved carer attachment to the workforce also has the potential to improve gender equity, and ensure sustainment of carers' economic contribution, including offsetting the increasing costs of our health, aged care and disability systems.

The Network's recommendations align with Carers Australia's vision for an Australia that values and supports all carers, where all carers have the same rights, choices, and opportunities as other Australians to enjoy optimum health, social and economic wellbeing and to participate in family, social and community life, employment and education. They also align with the objectives of the *Fair Work Act* of promoting social inclusion and national economic prosperity and the vision of the *National Carer Strategy 2024-2034* of:

*An Australian community in which all carers are recognised, valued and empowered with the support they need to participate fully in society and fulfil their caring role.*<sup>2</sup>

## The invaluable contribution of our 3 million informal carers

There are over 3 million carers in Australia<sup>3</sup> providing more than \$2 billion of informal care<sup>4</sup> each week to family members and friends who live with disability, chronic illness, mental illness, terminal illness, an alcohol or other drug problem or who are frail aged. Family and friend carers are the main source of care for people with disability and older Australians.<sup>5</sup> They are critical to the sustainability of our health, aged care, disability and community care systems.

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<sup>1</sup> The National Carer Network is made up of Carers Australia, Carers NSW, Carers WA, Carers Tasmania, Carers ACT, Carers Victoria, Carers NT, Carers QLD and Carers SA.

<sup>2</sup> [National Carer Final Strategy](#), p. 9.

<sup>3</sup> [Disability, Ageing and Carers, Australia: Summary of Findings, 2022 | Australian Bureau of Statistics](#)

<sup>4</sup> Deloitte Access Economics estimated that in 2020, Australia's unpaid carers provided almost 2.2 billion hours of informal care; care that would otherwise require government-funded formal services with a replacement value of \$77.9 billion each year or currently valued at an estimated \$2 billion per week. Deloitte Access Economics. 2020. The Value of Informal Care [The value of informal care in 2020 | Deloitte Australia](#)

<sup>5</sup> [Disability, Ageing and Carers, Australia: Summary of Findings, 2022 | Australian Bureau of Statistics](#)

With the population ageing and many Australians having a preference to age at home, the need for family and friend carers is growing. In 2020, Deloitte Access Economics forecast that demand for informal care would increase by 23% by 2030 and the supply of informal care would increase by 16% resulting in a care gap.<sup>6</sup>

## Caring and paid work

Caring affects participation in paid work. It also affects the type of work undertaken, the quality of employment and a person's capacity to earn income (box 1). Carers report leaving the workforce to care, opting for lower-skilled and lower-paid positions and choosing part-time, casual or contract work to fit into their caring schedules and/or allow for more flexibility to juggle the demands of work and care. For many carers, reduced participation in work reflects the intensity, unpredictability and cumulative impact of caring, not a preference to do less paid work.

While most carers of working age (15-64) are in the labour market (75% in 2022), they have lower employment rates than people without caring responsibilities (70% compared to 79% in 2022)<sup>7</sup>. Primary carers<sup>8</sup> are also less likely than other carers to be in the labour force (65% compared to 80% in 2022) and non-carers (82%). The employment status of primary carers also varies depending on the number of hours they care for each week — just 45% of primary carers who provided more than 40 hours of care each week were employed in 2022, while 72% of carers providing less than 20 hours each week were employed.

With women more than twice as likely to be primary carers than men (68% compared to 32% in 2022)<sup>9</sup> caring affects the workforce participation of women more than men. 67% of female carers and 75% of male carers were employed in 2022.<sup>10</sup>

Only 22% of informal carers responding to the Carers NSW 2024 National Carers Survey reported that caring had *not* impacted their employment.<sup>11</sup>

- More than one in five carers in the paid workforce reported that they had stopped working either temporarily or permanently because of the demands of their caring role.
- Two in three reduced their working hours to meet the requirements of their caring role.
- 45% of those in employment reported missing out on career opportunities or promotions.
- Of carers in employment, almost one in three worked in more flexible, but often also more precarious employment, either on fixed-term contracts (11%), in casual jobs (18%) or as independent contractors ('gig-work', 3%).

There is some evidence to show that working part-time reduces promotion opportunities<sup>12</sup> and part-time employment is less likely to be available in senior management roles<sup>13</sup>. Caring is also more common later in life when workers are most skilled and experienced (the average age of an informal carer in 2022 was 50 years<sup>14</sup>). Taking long periods away from the workforce can result in skill loss (which can make it difficult to return to the workforce) and affect carers' employment trajectories.

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<sup>6</sup> Deloitte Access Economics 2020, The Value of Informal Care in 2020. [The value of informal care in 2020 | Deloitte Australia](#)

<sup>7</sup> [Disability, Ageing and Carers, Australia: Summary of Findings, 2022 | Australian Bureau of Statistics](#)

<sup>8</sup> The ABS defines primary carers are people aged 15 years and over who provide the most informal assistance to a person with disability for the core activities of mobility, self-care and communication.

<sup>9</sup> [Disability, Ageing and Carers, Australia: Summary of Findings, 2022 | Australian Bureau of Statistics](#)

<sup>10</sup> [Disability, Ageing and Carers, Australia: Summary of Findings, 2022 | Australian Bureau of Statistics](#)

<sup>11</sup> Carers NSW, 2024 National Carers Survey, unpublished data.

<sup>12</sup> Tomlinson, J. & S. Durbin (2010). Female part-time managers: Work-life balance, aspirations and career mobility. *Equality, Diversity and Inclusion*, 29 (3), 255-270.

<sup>13</sup> Workplace Gender Equality Agency, Unpaid care work and the labour market, Insight Paper.

<sup>14</sup> More than one-third (34% or 1.05 million people) of informal carers were aged 35-54 in 2022. [Disability, Ageing and Carers, Australia: Summary of Findings, 2022 | Australian Bureau of Statistics.](#)

With an ageing population likely to increase the reliance on informal care, it is paramount that employment policy effectively meets the needs of carers and supports them to sustain employment.

### **Box 1 Caring negatively affects carers' employment, income and superannuation**

In 2022, the median gross personal income of carers aged 15–64 years was \$900 per week and \$1,000 for non-carers. Primary carers were substantially more likely to live in lower-income households. Of primary carers aged 15–64 who reported their income, 47% lived in households in the lowest two equivalised household income quintiles, almost twice the proportion of non-carers (26%).<sup>15</sup>

Primary carers were more than twice as likely to rely on a government pension or allowance as their main source of income (30%) compared with other carers (12%) and non-carers (7%).

Caring affects lifetime earnings and retirement savings. Modelling of the economic impacts on lifetime earnings and retirement savings of unpaid carers commissioned by Carers Australia<sup>16</sup> found that primary carers lose an average of \$392,500 in lifetime earnings and \$175,000 in superannuation by age 67.

## **Paid work and wellbeing of carers**

For carers of working age, remaining employed has positive health and financial wellbeing effects. Working can also help carers maintain social connections. Some carers describe work as a form of respite because of the positive effects it has on their wellbeing.

Carers responding to the 2025 Carer Wellbeing Survey who were in paid employment generally reported more positive wellbeing outcomes than the average carer. For example:

- carers in paid employment reported better household finances than the average carer and carers who were more financially comfortable were more likely to report healthy levels of wellbeing (81%) than those reporting being poor or very poor (10% had healthy levels of wellbeing)
- carers in paid employment were less likely to be lonely compared to other carers and carers who reported rarely or never being lonely were more than three times as likely to have healthy levels of wellbeing (83%) compared to carers who were often or always lonely (13%).<sup>17</sup>

These points highlight the importance of leave entitlements and other measures to support workforce attachment of carers and carers choices about caring and paid work (to make the choice to care less of a constrained choice).

## **The National Employment Standards and carers**

The National Employment Standards, by providing a legislative safety net for employees covering carer leave entitlements and flexible working arrangements, help carers better balance paid work and care. Flexible working arrangements are highly valued by working carers. There is also evidence to show that carer leave entitlements can have a positive impact on employment outcomes, particularly when combined with paid leave and flexible working arrangements.<sup>18</sup>

However, some carers are excluded from accessing the carer leave entitlements and many report that they continue to find it difficult balancing paid work and care. Many carers argue that the

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<sup>15</sup> [Disability, Ageing and Carers, Australia: Summary of Findings, 2022 | Australian Bureau of Statistics](#)

<sup>16</sup> Furnival, A. and Cullen, D. 2022, *Caring costs us: The economic impact on lifetime income and retirement savings of informal carers*, Report prepared by Evaluate on behalf of Carers Australia.

<sup>17</sup> Carer Wellbeing Survey 2025 Report.

<sup>18</sup> Pavalko and Henderson 2006, Combining care work and paid work: Do workplace policies make a difference?, *Research on Aging*.

existing leave entitlements in the National Employment Standards, while helpful, are simply inadequate for their caring responsibilities.

Ensuring that the National Employment Standards are reflective of the needs of carers in a changing demographic and economic landscape will ensure that carers are better supported to balance work and care. Where the National Employment Standards do not meet carer's needs, they will limit the effectiveness of the Fair Work Act in ensuring adequate support and entitlements to enable economic participation and this will come at a cost to the economy.

## Carer's and sick leave

### Extend the definitions of 'carers' and 'caring'

One of the main barriers to carers accessing employment entitlements is the restrictive definition of 'carers' and 'caring' in the National Employment Standards<sup>19</sup>. Currently, an employee can take paid carer's leave to care for or support '*a member of their immediate family or household who is sick, injured, or has an unexpected emergency*'.

While most primary carers care for parents, partners or children (just over 91% in 2022)<sup>20</sup>, the restrictive definition to employees providing care for an immediate family or household member means people with care relationships outside their immediate family or household – such as extended family members (aunts, nieces, cousins) or friends and people with Aboriginal or Torres Strait Islander kin relationships – are not able to access the leave to provide care.

Limiting the eligible occasion of care to care for a sickness, injury or an unexpected emergency allows carers to respond to short-term or acute caring needs but it also means that carer leave is not available to employees for regular, ongoing caring responsibilities, such as organising formal care or helping with activities of daily living.

The *Carer Recognition Act 2010* (Cth) defines a carer as an individual who provides personal care, support and assistance to another individual who needs it because that other individual has a disability, medical condition (including a terminal or chronic illness), or has a mental illness or who is frail and aged. This definition recognises caring as an ongoing and diverse role that extends beyond episodic or emergency situations. The definitions of carers and care in the *Carer Recognition Act* are generally applied to carer policies and programs. And of note, the National Employment Standards as they relate to 'Requests for flexible working arrangements' reference the definition of carers set out in the *Carer Recognition Act 2010*.

Different definitions of carers and caring between the National Employment Standards and carer recognition legislation creates confusion, making it more difficult for carers to understand their entitlements. On this point, the Productivity Commission noted that 'consistency in the NES is important for providing both employers and employees with clarity around their minimum rights and obligations and reducing administrative burden'<sup>21</sup>.

The Productivity Commission<sup>22</sup> inquiry on extended unpaid carer leave recommended that the Australian Government review the eligibility restrictions in the National Employment Standards which limit access to carer leave based on strictly defined relationships between the employee and the person they care for. The Commission recommended the review look at how to amend the eligibility restrictions so that they better reflect the diverse caring relationships of Australian families, friends and communities, and reduce the extent to which carers are excluded from

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<sup>19</sup> The definition of 'carer' is used for both paid and unpaid carer leave in the National Employment Standards.

<sup>20</sup> In 2022, 83% of primary carers also resided in the same household as the person they were caring for. ABS 2024, [Disability, Ageing and Carers, Australia: Summary of Findings, 2022 | Australian Bureau of Statistics](#)

<sup>21</sup> Productivity Commission 2023, p. 45. [A case for an extended unpaid carer leave entitlement?](#)

<sup>22</sup> The Senate Select Committee on Work and Care also recommended broadening the definition of immediate family in the Fair Work Act 2009 for the purposes of an employee accessing carer's leave, recommendation 17. [Final Report](#)

accessing key workplace supports. The Commission also recommended a review of the eligible occasion of care in the National Employment Standards.

### Recommendation 1

In line with recommendations by the Productivity Commission, the Australian Government should review the eligibility restrictions in the National Employment Standards which limit access to carer leave based on narrowly defined relationships between the employee and the person they care for and the eligible occasions of care. The Network recommends the definition of 'carer' and 'caring' under the National Employment Standards be aligned with the *Carer Recognition Act 2020* (Cth) to reflect the diverse caring relationships of Australians and reduce the extent to which carers are unable to access carer leave.

## Separate out sick and paid carer leave

Paid carer leave is combined with sick leave entitlements in personal/carer's leave in the National Employment Standards. Carer leave was initially introduced by expanding the purposes for which sick leave could be used and was designed to assist employees to balance work and care while also minimising costs to businesses.<sup>23</sup> While the personal/carer leave entitlement does help employees better balance work and care, there is an unintended consequence – many carers report using all their sick and carer leave<sup>24</sup> entitlements to provide care which means they are left with no sick leave to meet their own health needs.

This results in poorer health and wellbeing outcomes for carers. The significant emotional investment and physical activity of caring, when combined with minimal breaks<sup>25</sup>, takes a further toll on carers' physical and mental health. Carers also tend to neglect their own physical and mental health to prioritise that of the person they care for.<sup>26</sup> They have higher rates of long-term illness and disability and experience considerably higher emotional distress than non-carers.<sup>27</sup>

Australia is an outlier as one of only a few countries that combines sick leave and carer leave.<sup>28</sup> Separating carer leave entitlements from sick leave would help address the problem of carers not having leave for themselves when they become unwell. With 44% of primary carers reporting disability themselves in 2022<sup>29</sup>, carers may be forced to choose between managing their own health and supporting the person they care for. Poorer health outcomes for carers will ultimately limit carers' capacity to sustain both employment (poor health is one of the main reasons for caring leaving paid employment) and caring responsibilities.

*'I found I was taking more and more time off work to attend appointments, and had no personal leave left when I actually got sick.'* Carers NSW 2022 National Carer Survey

<sup>23</sup> Productivity Commission 2023, [A case for an extended unpaid carer leave entitlement?](#)

<sup>24</sup> 'Sick and carer's leave' entitlement is referred to as 'sick and carer leave' within this submission to ensure consistency of language with the current Productivity Commission inquiry into 'Carer leave'.

<sup>25</sup> Unlike paid care workers performing similar tasks, health and safety protocols, injury insurance and break entitlements are not available to family and friend carers. Carers NSW (2017), *A just reward? A comparison of paid and unpaid care*, available online at: <https://www.swslhd.health.nsw.gov.au/Carers/content/pdf/AJustReward.pdf>.

<sup>26</sup> Keesing, S., Rosenwax, L. and McNamara, B. (2011), "'Doubly deprived': a post-death qualitative study of primary carers of people who died in Western Australia", *Health and Social Care in the Community*, 19 (6): 636-644.

<sup>27</sup> ABS (2019); Carers NSW (2020b).

<sup>28</sup> Productivity Commission 2023, [A case for an extended unpaid carer leave entitlement?](#)

<sup>29</sup> [Disability, Ageing and Carers, Australia: Summary of Findings, 2022 | Australian Bureau of Statistics.](#)

Both the Senate Select Committee on Work and Care and the Productivity Commission recommended considering potential improvements to leave arrangements, including separating out carer's leave to address the problem of carers not having leave for themselves. The Productivity Commission set out several ways existing entitlements could be redesigned and suggested a review of the options looking in detail at the potential costs and benefits of making such changes.

### **Recommendation 2**

The Australian Government should separate paid carer leave from personal (sick) leave in the National Employment Standards so that carers are not required to choose between meeting their own health needs and supporting the person they care for. Options for redesigning personal leave should be reviewed to inform the best way (maximising benefits for carers and minimising costs to employers) to separate out paid carers leave from personal (sick) leave in the National Employment Standards.

## **Extend paid carer leave entitlements to casual employees**

As noted earlier, many carers are engaged in casual or contract employment as this is the only way that they can access adequate flexibility to reconcile work with their caring role. Women are also more likely to be in casual employment than men. Carers are also more likely to experience job insecurity or be in multiple jobs. A report by the NSW Council of Social Services<sup>30</sup> found that of people with 2 jobs, 25% were carers. It also found that in the past 12 months, carers had experienced significant negative changes to employment, with 39% experiencing less job security, 16% having lost their job and 40% having experienced reduced hours.

Access to paid carer leave entitlements under the National Employment Standards are only available to full- and part-time employees. What this means is that casually employed carers, who are already more likely to experience insecure income due to the nature of casual employment, are required to forgo income when they access leave to attend to their caring responsibilities. While some Governments have in recent years established initiatives to provide paid carer leave for casual employees, these are currently geographically and situationally based.

### **Recommendation 3**

The Australian Government should amend the National Employment Standards to extend paid carer leave entitlements to casual employees. This amendment recognises that many carers use the flexibility of casual work to help balance caring responsibilities and they should not be excluded from essential workplace protections.

## **Improve access to unpaid carer leave**

The entitlement in the National Employment Standards to two days of unpaid carer leave per occasion is only available to employees who have used up their personal leave (paid carer leave). Carers want more flexibility around this entitlement, including being able to take unpaid carer leave when it suits their circumstances.

Carers also want more flexibility around how unpaid carer leave can be used (taking the leave on consecutive days does not always align with the needs of the person they care for). Unpaid leave should be available as single or half days to allow carers to use the leave for short-term caring responsibilities and to provide care in a way that supports their own health and wellbeing. More

<sup>30</sup> [Tough Times, Hard Choices: Struggling households and the rising cost-of-living in NSW - NCOSS](#)

flexibility around how the leave can be used could mean less financial burden for carers because the unpaid leave can be spread over time rather than used as a block of two full days. And shorter periods of unpaid carer leave could be easier and less costly for businesses to cover.

The Productivity Commission's inquiry into extended unpaid carer leave said there did not seem to be any recorded rationale for requiring paid carer leave entitlements to be exhausted before unpaid leave could be taken and that the costs of increased flexibility in the use of the two days unpaid carer leave were 'likely to be small and consistent with the costs businesses incur managing other workplace absences on a day-to-day basis'.<sup>31</sup> The Network agrees with the Commission's recommendation that the National Employment Standards should be amended to allow employees to choose whether to take leave that is unpaid or paid when they are using the entitlements to provide care. Carers should also have the flexibility to take the unpaid leave days non-consecutively and for shorter periods.

#### **Recommendation 4**

The Australian Government should amend the National Employment Standards to remove the requirement that unpaid carer leave can only be taken when an employee's paid carer leave entitlement is exhausted. The Australian Government should also amend the National Employment Standards to remove the consecutive days rule for unpaid carer leave and allow the leave entitlement to be used in smaller blocks (as single or half days or a few hours).

### **Increase carer leave entitlements**

The existing leave entitlements are inadequate for some carers to fulfil their caring responsibilities. Some carers report that when they have exhausted their sick and carer leave they use their annual leave to provide care. This leaves carers with limited opportunities to take breaks or holidays to recuperate. Others report finding they have no leave left and having to make a choice between employment and financial security or taking care of their loved ones.

*'In the past I have used up all my annual leave and sick leave providing care for others. I have not had enough time or energy to undertake study to put myself in a better position. I have suffered Carer burnout a few times which has made it extremely difficult at work.'* Carers NSW 2022 National Carer Survey

Carers responding to the 2022 Carers NSW National Carer Survey<sup>32</sup> reported that workplaces are generally supportive of carers' caring role, but the majority (50%) said they did not have enough paid leave available and had to use unpaid leave for their caring responsibilities. 47% of carers said they were not satisfied with their balance between paid work and their own time, and more than half (54%) had considered quitting their job in the past six months to provide care.

The Senate Select Committee on Work and Care recommended that the Australian Government consider the adequacy of existing leave arrangements for carers (recommendation 18).<sup>33</sup> Ten days of personal leave (sick/carers leave) each year are available to all eligible employees – this does not recognise the increased challenges employees who are carers face reconciling work and caring. The National Employment Standards, on the other hand, provide separate (additional) leave for working parents and for people experiencing family and domestic violence. This again points to inconsistency

<sup>31</sup> [A case for an extended unpaid carer leave entitlement?](#), p. 80.

<sup>32</sup> [2022 National Carer Survey: Full Report](#)

<sup>33</sup> The Senate Select Committee on Work and Care 2023, [Final Report – Parliament of Australia](#)

across the National Employment Standards, but more importantly, it fails to adequately recognise what caring for someone can entail.

Internationally, the duration of care leave varies, however unpaid leave entitlements are generally for longer periods than paid leave entitlements. Australia, with two days unpaid carer leave entitlements, has the shortest duration of unpaid carer leave among the OECD countries.<sup>34</sup> The United Kingdom recently introduced a new leave right entitlement which gives unpaid carers balancing care with paid employment the right to five days of unpaid carer's leave (up from two days unpaid leave). An impact assessment conducted for the extending carer leave pointed to benefits to carers as well as society from the change.

*Government intervention to provide a minimum standard provision for carer's leave would see societal benefits in carers being able to maintain their caring commitments, whilst maintaining their attachment to the labour market.*<sup>35</sup>

Increasing the amount of unpaid carer leave (and allowing carers to use it when it suits them, not after other leave has been exhausted) would help carers keep their personal and annual leave for when they are unwell or need a break from paid work.

Increasing the amount of leave available to carers under the National Employment Standards would also provide a signal that caring is valued by the community. It also has the potential to change attitudes in the workplace, and those of Australians more generally, about the value of caring.

#### **Recommendation 5**

The Australian Government should amend the National Employment Standards to extend unpaid carers leave from 2 to 5 days and increase paid carer leave by 2 days each year (over and above the 10 days personal leave).

## **Evidence requirements**

Carers are required to provide a medical certificate or a statutory declaration as evidence of their caring role to access carer leave or flexible working arrangements. Carers report that this can be expensive with GP gap payments increasing.<sup>36</sup> Also, with many GPs at capacity, especially in rural and regional areas, getting a medical appointment can be challenging. Obtaining medical evidence also relies on the willingness of the person receiving care consenting to medical review or treatment.

While some states and territories have a 'carer card' which may provide evidence of caring, this is not consistent across Australia. Sometimes evidence of receipt of Carer Payment or Carer Allowance may be accepted by employers as evidence of caring, however, the number of carers in employment receiving the Carer Payment only represents a small minority of carers, and those carers may be unwilling or uncomfortable disclosing income supports to their employer due to associated stigma.

#### **Recommendation 6**

The National Carer Network recommends that carers only be required to provide evidence of caring on one occasion or where there is a change of circumstances (for example, a more intense caring role) requiring changes to working arrangements.

<sup>34</sup> Productivity Commission 2023, [Inquiry report - Carer leave | Productivity Commission](#)

<sup>35</sup> Department of Business, Energy and Industrial Strategy, 2022, Impact Assessment, July, Carer's Leave, Government of the United Kingdom.

<sup>36</sup> Australian Broadcasting Corporation (ABC) (2022) *It's getting hard to find a GP – these doctors explain why*, available online at: <https://www.abc.net.au/news/2022-08-20/doctor-nurse-shortage-medicare-rebate/101352684>, viewed 25 August 2022.

## Address discrimination with the use of carer leave

The National Employment Standards, and other several anti-discrimination laws, such as the NSW *Anti-Discrimination Act 1977*, the *Sex Discrimination Act 1984* (Cth), and the *Disability Discrimination Act 1992* (Cth), provide important protections for carers against discrimination in the workplace. These laws protect carers—including people providing care to dependants or those associated with a person with disability from discrimination linked to their caring responsibilities, including accessing entitlements and support.

While legislation recognises employees' rights to manage family responsibilities — the practical experience of carers often differs. But it is difficult to measure how frequently carers face discrimination in recruitment, career progression, or flexible work requests, partly because many are reluctant to disclose their caring role. However, carers frequently report concerns anecdotally, that disclosing their caring role or seeking carer supports negatively affects how they are perceived or treated at work. Even where discriminatory behaviour occurs, it can be subtle and can be challenging to prove.

Carers as a group experience greater disadvantage than non-carers, however, some 'hidden' carer cohorts face compounded barriers due to intersecting forms of discrimination and limited access to workplace supports (including, for example, Aboriginal and Torres Strait Islander carers, LGBTQI+ carers and CALD carers who often support extended family members). Further research is needed to ensure the carer leave framework is inclusive and responsive to the diverse needs of carers who experience complex disadvantage.

Such carers may face heightened stigma and discrimination in the workplace, while also being less aware of their workplace rights or willing to seek redress. This reduced awareness and bargaining power can further limit their ability to access available carer entitlements.

The *Gari Yala (Speak the Truth)* report highlights the intersectional disadvantage faced by Aboriginal and Torres Strait Islander women carers, who often experience a 'triple jeopardy' in the workplace due to the combined impacts of gender inequality, racial discrimination and caring responsibilities.<sup>37</sup> As a result, they are more likely to be employed in culturally unsafe and unsupported workplaces and may face additional barriers accessing existing or future carer entitlements.

### Recommendation 7

The Australian Government should ensure that amendments made to the National Employment Standards consider equity and intersectionality and should not reinforce gender inequality or workforce exclusion.

## Improve data collection on carer leave

There is limited data on the use and unmet need for carer's leave. The use and uptake of carer's leave is not collected in key national workforce data sets, such as the Workplace Gender Equality Agency reporting, which focuses on implementation of carer policies in the workplace.

The combination of sick and carer leave often limits the ability to collect data and report on carer leave within organisations and enable evaluation of the adequacy and effectiveness of paid carer leave provisions. Carers NSW has heard from employers engaged in the Carers + Employers

<sup>37</sup> Evans, O. (2021) *Gari Yala (Speak the Truth): gendered insights*, WGEA Commissioned Research Report in partnership with the Jumbunna Institute of Education and Research and Diversity Council Australia, available online at: <https://www.wgea.gov.au/publications/gari-yala-speak-the-truth-gendered-insights>, viewed 25 august 2022.

program,<sup>38</sup> that they are unable to determine uptake of carer leave as this is often reported internally under ‘personal leave’, which also includes sick leave.

#### **Recommendation 8**

The Australian Government should improve data collection, monitoring and reporting on carers’ access to and use of National Employment Standard entitlements, including disaggregated data to better understand the experiences of women, First Nations carers, carers with disability, CALD carers and LGBTQI+ carers.

### **A holistic approach is required for supporting carers in paid work**

International evidence shows that effective support for working carers requires a comprehensive and integrated approach, not just reliance on leave entitlements. The ISO 25551:2021 Ageing societies General requirements and guidelines for carer-inclusive organisations provides an internationally recognised framework for supporting employees with caring responsibilities. The standard outlines key organisational practices including: formal recognition of carers through workplace policy; leadership accountability; consultation with carers in policy design; confidential mechanisms for carers to disclose their role; manager training to reduce stigma; access to flexible working arrangements and leave; and regular monitoring and review of carer supports. Importantly, the standard emphasises a gender-responsive and intersectional approach, recognising that caring responsibilities disproportionately affect women and are shaped by cultural, social and economic factors.

This framework highlights that statutory leave entitlements, while important, are insufficient on their own to enable carers to remain in paid employment. Without complementary measures such as workplace culture change, flexibility, awareness, enforceability and tailored supports, carers may remain unable or unwilling to access available entitlements. Ongoing investment is required in:

- programs such as the Carer Inclusive Workplace initiative and Carers + Employers, which focus on educating and supporting employers to create carer-friendly workplaces
- carer education and awareness regarding their entitlements and redress pathways
- a robust care and support system that enables access to adequate formal replacement care while carers are participating in employment.

Aligning carer leave reform with internationally recognised best practice would strengthen the effectiveness, equity and sustainability of Australia’s approach to supporting working carers.

#### **Recommendation 9**

The Australian Government should promote carer-inclusive practices, drawing on international best practice such as ISO 25551:2021, including employer education, manager training, stigma reduction and leadership accountability.

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<sup>38</sup> <https://carersandemployers.org.au/>.

## About Carers Australia

Carers Australia is the national peak body representing the diversity of the three million Australians who provide unpaid care and support to family members and friends with a disability, chronic condition, mental illness or disorder, drug or alcohol problem, terminal illness, or who are frail aged.

In collaboration with our members, the peak carer organisations in each state and territory, we collectively form the National Carer Network and are an established infrastructure that represents the views of carers at the national level.

Our vision is an Australia that values and supports all carers, where all carers have the same rights, choices, and opportunities as other Australians to enjoy optimum health, social and economic wellbeing and participate in family, social and community life, employment, and education.

Our carers are diverse and include those who:

- have their own care needs
- are in multiple care relationships
- have employment and/or education commitments
- are under 25 years (young carers)
- are 65 years and over
- identify as Aboriginal and/or Torres Strait Islander
- are from culturally and linguistically diverse backgrounds (CALD)
- identify as Lesbian, Gay, Bisexual, Trans and gender diverse, Intersex, Queer, Questioning and Asexual (LGBTIQA+)
- live in rural and remote Australia
- are former carers (no longer in a caring role), and
- have a disability.

## Acknowledgment of country

Carers Australia acknowledges Aboriginal and/or Torres Strait Islander peoples and communities as the traditional custodians of the land we work on and pay our respects to Elders past, present and emerging.

## For information contact:

### Carers Australia

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