

In reply please quote Ref. No: 2003/10125

Ms Monica Bienlenberg  
46 Cane Street  
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Dear Ms Bielenberg

Thank you for your recent correspondence regarding the *Discrimination Law Amendment Bill 2002*. I appreciate the issues you have raised in relation to religious employers.

The aim of the Bill is to ensure our state remains a fair and tolerant place to live. The changes are designed to protect the fundamental human rights of all Queenslanders, no matter who they are. It is designed to reinforce the social diversity of our vibrant, contemporary and just society.

Our Government did not decide to amend this legislation lightly, or without due regard to concerns and needs of all Queenslanders.

The Bill is not intended to endorse, condone or encourage any particular lifestyle. Nor does the Bill impact on the free practice of religion in our society.

I know that the practical implications of the Bill have caused some concern amongst religious employers, particularly religious schools.

Religious employers have in the past had a "blanket exemption" from discrimination laws. The Bill simply sought to ensure that religious employers, like other employers, can not discriminate without legitimate justification.

However, in light of the concern raised, the Premier and I met with Church leaders and religious school organisations to discuss the issues involved. We also held a public forum to canvass the various viewpoints of Queenslanders on this issue.

I am pleased to let you know that out of that process, agreement was reached on an amendment to the Bill which accommodates the desire of religious employers to preserve the religious character of their workplaces whilst ensuring employees are protected from harsh or unreasonable discriminatory action.

There will now be an exemption from discrimination laws for two types of work, namely, all work in religious educational institutions (i.e. schools) and work where employees are required to adhere to and communicate religious beliefs.

Religious employers can take action which might otherwise be discriminatory to address concerns about an employee's behaviour; however the actions employers take to deal with the behaviour must be reasonable.

This amendment is consistent with the Government's original intention behind the Bill – to protect people's human rights – whilst giving greater certainty to religious employers when enforcing appropriate codes of behaviour.

The amendment was debated and passed with the rest of the Bill on 29 November 2002. It was supported by the Liberal Party and the Independent Member for Nicklin, Mr Peter Wellington MP.

Our Government would like to thank you and other Queenslanders for your valuable input on this issue.

Yours sincerely

**Rod Welford MP**