

# **Selling it in safety**

## **By David Edler**

**In the dark, windowless room the stifling, moist atmosphere seemed to hold Dolores down on the fetid sheets, broken springs from the ancient mattress poked her in the back like accusing fingers. Drops of water from the broken tap falling into the scum-grown basin measured out the time before the next customer climbed the broken stairs to impress his bourbon drenched fantasies upon her.**

**It was just another night shift at One Eyed Joe's.**

**Dolores closed her eyes and thought, "it shouldn't be this hard to earn an honest buck".**

**Dolores was right!**

Not just a snippet of pulp fiction, the preceding passage also constitutes an inditement of the owner/operator of One Eyed Joe's as being in major breach of existing Australian Occupational Health and Safety (OHS) legislation.

Pulp fiction stereotypes aside, many workers in the Australian sex industry labour under conditions that are totally unacceptable in terms of the negative impact on their health that would not be tolerated in other industries. In a largely as yet unregulated industry, convincing sex industry business owner operators to ensure minimum acceptable standards of workplace health and safety will be a major component of any push for law reform and general acceptance of the industry.

Occupational Health and Safety is a broad term used to refer to any issue, task or condition in the place where work is carried out that may have either a positive or negative impact on the health of the people who are working there.

Most industries in Australia have moved towards developing a set of Occupational Health and Safety (OHS) guidelines that outline what is necessary to ensure the safety and health of workers involved in that industry.

The sex industry had no such documented standards until recently. OHS standards have now been developed in several jurisdictions. In the ACT, standards were developed by the Sex Industry Consultative Group (an advisory body to the ACT Attorney General, which includes a sex worker's representative.) In NSW, an inter-departmental working group developed standards with representatives from WorkCover, the NSW Health Department and the Sex Workers' Outreach Project (SWOP). Michelle Thoms of SWOP has since produced print and video material as guides to OHS issues for the sex industry in NSW. The Prostitutes Collective in Victoria (PCV) also has been involved in developing OHS standards for the sex industry in that state.

A Scarlet Alliance/AFAO working group has recently completed the development of a national best practice document of OHS for the Sex Industry, which builds on the positive work already undertaken and promotes best practice in the sex industry OHS nationally.

The information in the best practice document is intended for sex industry employers and employees, regardless of their gender identification or the legal status of their work, to assist them in developing OHS standards in their own workplaces. It is anticipated that local councils will use them to inform their policies for assessing sex industry development applications.

This document covers a broad range of topics and is relevant to all sex workers in the country, regardless of their geographic location or mode of work. However, because OHS is defined by employer and employee responsibilities, the information in the document follows this pattern. Concerns of self employed street based sex workers, in-house private workers, solo operators and independent escorts who are self employed, are therefore not specifically addressed by this document however the document and accompanying fact sheets are useful to independent workers in formulating their own health and safety practices.

The frameworks of best practice and natural justice are reflected in the OHS document, although the standards it proposes are not necessarily legally enforceable. Enforcement by bodies outside of the sex industry itself will depend on the legal status of sex work in various states and territories.

OHS doesn't just mean paying attention to cleanliness, fire extinguishers, repairing faulty electrical equipment. It is also about being aware of working conditions, which over time will have an impact on a person's health and well being.

OHS as it applies to the sex industry is also about:

- making sure that beds and other equipment are in good repair and give proper support;

- ensuring that outfits worn by workers when seeing clients are comfortable, and don't restrict circulation or affect posture if worn for long periods without regular breaks, for example high heels;

- supplying lubricants and massage oils which are non-allergenic;

- Ensuring that workers have comprehensive information regarding sexually transmitted infections and other sexual health issues;

- provision of necessary safety equipment such as condoms, lubricant, alarm buttons in work rooms and in the case of escort work mobile phones;

Many of the guidelines refer to employer and employee and have relevance to sex work carried out in a brothel, parlour, house or, in the case of escort work, outside of business premises.

In states and territories where sex work has been decriminalised/legalised, the standards in the document are designed to complement guidelines developed by the state, territory or local government. In states and territories where sex work is still illegal, the standards are intended to assist both owners and workers in the sex industry to maximise their well being and satisfaction, as well as being a useful lobbying tool in working towards decriminalisation.

At present legislation affecting the Australian sex industry is under review in a number of states and territories, it is vital that any changes to laws regarding sex work incorporate standards of OHS to protect workers, employers and clients of the sex industry. It is anticipated that this best practice document will assist politicians, lobbyists, health practitioners and sex worker organisations involved in formulating and changing laws and legislation pertaining to the industry in Australia.

### ***It makes good business sense!***

In an effort to convince business owners/managers to adopt OHS best practice it is necessary to highlight all the benefits to be had. Aside from basic concern for their employee's health, and in some cases legislative requirements, there are many good reasons for sex industry owners and managers to consider OHS issues in their workplaces. Such reasons include:

when workers are being exposed to unhealthy conditions the chances of them needing time off work through illness or injury are greatly increased. This results in loss of income for the individual and reduced business profit;

a work environment that is free from unsafe or unhealthy conditions is more attractive to clients and will result in increased business.

Displaying a commitment to recognised legitimate business practices and systems strengthens the sex industry's image as a well managed, legitimate section of the business community. It also assists in gaining recognition from existing legislative bodies such as the Workers Compensation Tribunal or Occupational Health and Safety Authorities. This is particularly important in jurisdictions where decriminalisation is yet to occur.

The OHS document is currently being produced and will be available through any Scarlet Alliance member organization and from AFAO at the end of February.

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**“Best Practice of Occupational Health & Safety in the Australian Sex Industry” compiled by David Edler, Policy Officer, AFAO**