

# National Strategy to Achieve Gender Equality: Consultation – Unions – Meeting Summary

6 December 2022

*The government is developing a new* [*National Strategy to Achieve Gender Equality*](https://www.pmc.gov.au/office-women/national-strategy-achieve-gender-equality)*. The National Strategy will guide whole of community action to help make Australia one of the best countries in the world for equality between women and men.*

*Consultation with diverse stakeholders is key to developing a strategy that speaks to the experiences and ambitions of women and girls around Australia. The first phase of consultation took place in late 2022 and summaries of these discussions are shared to support further consultation and input into the development of the National Strategy.*

*This note summarises a consultation meeting held on 6 December 2022 focused on unions, which included representatives from numerous union organisations. The consultation drew on a*[*discussion paper*](https://www.pmc.gov.au/sites/default/files/2023-02/Roundtable-Discussion-Paper_Unions.docx) *prepared by the Office for Women. This summary note reflects the discussion amongst the participants. These are not the views of Department of the Prime Minister and Cabinet.*

### Summary of key points raised by participants:

1. There are a number of measures working well to create gender equality in workplaces, including: flexible work arrangements, gender neutral paid parental leave, domestic and family violence leave, and equal pay.
2. There needs to be better mechanisms for accountability and enforcement of gender equality in the workplace. This could include mandating gender equality audit/reviews, gender equality action plans and involving unions more frequently (similar to the Victorian Public Sector Gender Equality Act).
3. Participants suggested changes to commonwealth procurement rules, child care, and to provide secure jobs and better pay for women, including defining casual employment, limits on fixed term contracts, rules around sham contracting, greater protections for gig work, and same job and pay for labour hire contractors.
4. Bargaining hasn’t been effective in female dominated industries due to a lack of power. The lack of power can be partly attributed to the high proportion of insecure work types in these industries. A way to improve this could be through multiagency bargaining.
5. There needs to be greater transparency on how funding is provided to feminised sectors. These sectors often have short-term funding profiles and are underfunded, which ultimately has a negative impacts for the workforce, including enforcing casualisation and the underpayment of staff.
6. There needs to be more done to eliminate occupational violence and harassment, noting it’s a significant workforce participation barrier. Work, Health and Safety regulators in jurisdictions are not operating properly to investigate such matters; we could consider union members as an authorised body to enforce relevant laws.
7. Changes need to happen ground up, rather than top down. There’s not enough mechanisms for workers to enforce change; it relies on senior management to enforce equality in the workplace – not workers. Policy initiatives need to give workers the capacity to enforce collectively.

### Discussion at this roundtable focused on four questions.

### What is working around creating gender equality in industry settings?

Employers offering paid reproductive health and wellbeing leave, to accommodate for women taking more paid and unpaid leave than men to care for family members, or because of reproductive health. This leave type has been introduced in a number of settings and is available to all genders but is predominately used by women.

* Further consideration should be given to employers offering gender affirmation leave and fertility leave. Both leave types would come at a low cost, noting a small cohort of people would use such leave. Fertility leave should be available to both men and women.
* Changing employer paid parental leave (PPL) policies to be gender neutral – specifically removing primary and secondary carer terminology and making sure all genders are entitled to the same amount of PPL in all settings, including in kinship, adoption and surrogacy settings.

Equal pay and wage increases are a key step towards gender equality. This step must also be followed by equal employment conditions, such as portable entitlements across jobs or training entitlements.

It was noted that the Victorian Gender Equality Act 2020 (Act) has made a great impact, however also provides some takeaways for development. The Act mandates that entities undertake a gender equity audit and develop a gender equality plan to address short comings, with unions involved in relevant discussions.

Another example of policy reform raised was the reform to Victorian procurement rules to support getting women into male dominated industries, such as the construction industry. In order to be effective it is crucial that real consequences and enforcement mechanisms are built in for instances of non-compliance.

Not having to deal with federal bargaining systems is much easier for organising and building power to pursue industrial instruments. It means that enterprise agreements can be enforced at the workforce level. For example, clauses for good rostering and part-time can be enforced. It also makes it easier to set up mechanisms whereby workers can pursue action with a collective or individual voice – for example through consultative committees.

### What are the barriers to achieving greater gender equality in Australia?

Occupational violence and harassment is a considerable barrier for workforce participation of women, particularly in feminised industries.

* Work, health and safety regulators in jurisdictions are not operating properly to investigate such matters.
* The Government should consider including union members as an authorised body to enforce relevant laws.
* Occupational violence and harassment in care industries can also come from patients.

### What are some concrete policy options that should be considered as part of this Strategy?

Programs aimed at getting women into male dominated industries - for example, the Women on Site program in Victoria. One thing that works well in this program is giving women tools of the trade and investing in them, rather than investing in the employers.

There needs to be better mechanisms for accountability and enforcement of gender equality in the workplace. This could include mandating gender equality audit/reviews, gender equality action plans and involving unions more frequently (similar to the Act).

Ensuring that funding for the Aged Care Work Value Case, and other similar cases that are geared at addressing gender inequality, are funded properly and transparently. Given recent changes in secure jobs bills, there should be more cases going before the commission on equal remuneration and work value. The funding model adopted in this instance may set precedence for future decisions and will have long lasting impact. Where possible, there should be transparency around how the pay increase goes towards wages, and if the policy for funding can be linked to enterprise agreements to drive wage growth across low paid sectors.

There should be policy options to increase pay transparency and pay inequities. This should include: a dispute procedure outside of the employer; measures to ensure workers understand how pay systems work to empower them to challenge pay inequities when they arise; and publishing gender pay gaps at an organisational level for accountability.

Boards have little visibility and accountability of gender inequality matters and sexual harassment matters. Increased mandated accountability of decision makers could increase the visibility of such issues and ensure actions are meaningfully taken.

The Government needs to have a focus on single mothers and providing extra/wrap around support for them, and support for women returning to the workforce.

There needs to be more done to eliminate occupational violence and harassment, noting it’s a significant workforce participation barrier.

* Work, Health and Safety regulators in jurisdictions are not operating properly to investigate such matters; Government could consider union members as an authorised body to enforce relevant laws.
* Ban non-disclosure agreements in sexual harassment cases apart from if the victim survivor approves it.
* Strengthen the role of unions in these cases so that workers have additional support avenues, and the compliance burden can be shared.
* Better regulation for cases where a patient is the perpetrator of sexual harassment or violence.

Ensuring the education sector is properly funded and resourced, especially considering its workforce delivers primary prevention education. A lot of the workforce are victim survivors themselves, so it’s essential they are funded and resourced adequately.

Price floors should be considered for government grants that set minimum standards and pay, as competitive tendering enforces underpayment of staff.

There needs to be policies to remove workforce barriers for remote caring jobs. This includes ensuring local training is available to people who are best suited to care for those in remote areas. Currently there is a portion of the care workforce that can only access this training internationally.

More effort to lift minimum wage and award wages to ensure they provide a living wage.

To support women’s workforce participation, further reforms are suggested to PPL and government PPL schemes, with the objective of increasing women’s workforce participation. Child care reform is needed so that it is free and universal, and delivered by a highly skilled and properly paid workforce.

There needs to be more secure jobs and better pay for women: reform options include casual employment, including a proper definition of employment, more effective limits on the use of fixed term contracts; address sham contracting; greater protections for gig workers; and same job and pay for labour hire contractors.

Further reforms to flexible work arrangements, including strengthening provisions. For example, replacing the ability for employers to refuse the request for flexible work arrangements on reasonable business grounds with a requirement that the request be granted unless it causes the employer significant hardship, which would align with anti-discrimination law.

Reforms to protect rights of working parents and carers, for example recognition of periods of unpaid parental leave as active service to ensure entitlements continue to accrue, paid breastfeeding breaks at appropriate breast feeding facilities, and other forms of leave such a reproductive health leave and caring for elderly parents leave.

More work on protecting women’s safety, for example having a broad prohibition on all forms of workplace discrimination and harassment in the Fair Work Act; and harmonisation of anti-discrimination legislation so that all relevant laws contain strong positive duties.

Employers should step up by introducing key measures to address gender inequality, for example generous and gender neutral parental leave, or topping up the commonwealth scheme, and gender neutral flexible working practices, and modelling this from senior management level.

There needs to be policies and programs to improve workplace tools available to workers, for example a diary to record incidents, with the objective to empower and set workers up for success when recording incidents in the workplace.

Champions of Change programs are not effective - they do not make changes for people on the ground and should not be considered. Similarly, diversity training for executives does not make meaningful change. It is often advertised at making a company more money, and we should move away from this.

### What will success look like and how can that be measured?

The Victorian Gender Equality Commissioner’s website was cited as an example of what key performance indicators have been used to measure gender equality.

While closing the gender pay gap (GPG) is a measure of success, the GPG only reflects full-time workers and is therefore not accurate of all women in Australia. GPG analysis should include measurement at an intersectional level, include First Nations people, culturally and linguistically diverse people and people with disability.

Participants called for strengthened data collection, including on whether having more women in leadership positions improves gender equity outcomes in organisations, and for collaborative efforts to improve centralised data sharing between public agencies and unions.

Government should set the standard for all employers, for example by strengthening procurement and grants regulations and limited labour hire contracts.

Women should not have to choose to live with violence over poverty. Income support payments are one option to improve this.

Other potential indicators raised include:

* Reduction in violence against, and harassment of, women should be a key measure of success. A start to achieving this is to strengthen reporting and accountability.
* What proportion of the workforce is permanent, and the proportion of labour hire contractors.
* A reduction of fixed term contracts.
* Greater equal take up of flexible work and parental leave.
* The retirement income gap closed, and lower rates of homelessness in older women.
* Increase in government services and access to those services, and a decrease in privatisation will lead to gender equality.