

**House of Representatives Standing Committee on Family and
Human Services
Inquiry into Balancing Work and Family**

BACKGROUND

The Working Women's Centre of South Australia Incorporated (WWC SA Inc) provides information, support, referral, advice and advocacy to women on work related issues. The Centre has operated since 1979. Issues that are commonly dealt with by the Centre include pregnancy and sex discrimination, discrimination on the basis of family responsibilities, child care, marital status, maternity leave entitlements, re-entry to the labour market and managing work and family responsibilities.

Currently the Centre's three Industrial Officers are managing a case load of 86 and 15% of these cases are either pregnancy or sex discrimination cases based on family responsibilities.

In the 6 months from 1 July 2004 until 31 December 2004 the Centre answered 1358 calls for specialised assistance. Approximately 10% of these calls were related to the issues outlined in paragraph one.

The Centre believes it is in a unique position to provide comments to this Inquiry into Balancing Work and Family and is pleased to have the opportunity to do so.

INTRODUCTION

This submission summarises the experience of the WWC by identifying common issues that women workers have raised relevant to the terms of reference of this Inquiry. Issues relevant to this Inquiry consistently raised by our clients include:

- Paid parental leave
- Return to work after pregnancy
- Family friendly workplaces
- Pregnancy discrimination
- Child care
- Family responsibilities
- Unsupportive work environments
- The economic imperative for many women to have paid work
- Women's unpaid work
- The impact of taxation and other matters on families

The comments offered are drawn from the information that we receive from the stories, experiences and life situations of working women in South Australia. We are informed also by the considerable body of relevant research work relating to work and family issues.

CONTACT

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Discussion

1 The financial, career and social disincentives to starting families

The Working Women's Centre SA Inc wishes to highlight that it is not just the starting of families that creates pressures. There are disincentives to women trying to manage the families they already have whilst also trying to work. This applies especially in the case of teenage children and elderly parents who have increasing needs to attend to.

Helen is a teacher's aide in a private school. She works casual hours and relies on work during school terms as she does not get paid during vacations. Helen's mother who lived in a small rural town was diagnosed with a brain tumour and needed to be airlifted to a metropolitan hospital. Helen's father also needed low level care which Helen's mother had provided. He could not stay at home alone, nor could he cope on his own in the city. As the only daughter and the eldest in the family Helen felt it was her responsibility to care for her parents. After major surgery Helen's mother was bedridden and flown back to the closest rural hospital to her home. Given a matter of weeks to live, the family made the decision to bring their mother home and care for her there. The burden of this work fell to Helen. Her mother lived for 12 more weeks. Helen forfeited a term's work with no pay and was unsure whether her position would be available when she was ready to return. Also during this time she left her son, who was studying for his final high school exams, in the care of a friend.

HECS - Many women feel they cannot afford to start having children until they are debt free. Many women who have studied begin their working lives with a HECS debt which they feel puts them at a financial disadvantage. It is not uncommon for women to state that they wish to pay off their HECS debt before considering having children and are keen to do that as quickly as possible.

Superannuation – Periods of time out of the workforce means a loss in superannuation benefits further down the track. Women who take time out to have children feel they have to work longer to make up for lost benefits. This puts them at a financial disadvantage compared to male colleagues.

Loss of training and promotional opportunities – Taking time out to start a family means that women are often overlooked for promotions as their eligibility to apply for higher positions may be linked to length of service and the range of skills gained from attending training courses.

Loss of income – Women on low incomes who are supporting families on their own or whose partners are also on low incomes simply feel that they cannot afford to take unpaid leave. Women in precarious employment fear that if they leave their already tenuous positions they will not get back on the roster after they have had time off to have a baby.

The burden of care, the loss of leisure and opportunities for self – It is well established that the burden of the caring work in Australian families still falls disproportionately to women. Women now know that the 'supermum'

syndrome leaves you exhausted. Women value not only their careers but time for their own activities and are increasingly questioning why they should give these up to have children.

The costs of providing for babies, child care and education costs – Despite some relief provided by the baby bonus the costs of choosing to start a family and continuing to provide for children have to be weighed up. This is nothing new perhaps – what is different is the expectations of modern families to have homes and material possessions and to be consumers at unsustainable levels.

Lack of paid parental leave - As is well known, Australia is one of only two OECD countries without a national paid maternity leave scheme. This is felt deeply when working women are planning families. It is the common practice of the WWC SA Inc to speak with women who will be financially disadvantaged for having to take unpaid leave for the purpose of having a baby. Having unpaid leave may not be the deciding factor when planning families, but having paid leave may be. Anecdotally, the Centre has been privy to comments from young woman who openly stated that having paid maternity leave would indeed influence their decisions on having families as it would mean financial support during a very challenging period.

Hostile work environments/ Pregnancy discrimination - WWC SA Inc still receives reports from women who are asked at job interviews about their intentions to have families. The underlying message is that if they indicate they are going to have children they won't be offered the position.

Aleisha is a young woman who was asked by her boss when applying for a promotion if she planned to have babies in the future. This question made her feel that it would not be looked upon favourably if she were to choose to have children. She contacted the WWC SA Inc for advice.

If women do get the position and then later on inform their employer when they are pregnant, it is at this point that many women experience discrimination on the basis of their pregnancy.

Mary worked for a small travel business that had operated in a suburban shopping centre for many years. With the downturn in the travel industry Mary became aware that her employer was experiencing financial difficulties. She and the other part time worker agreed to cut back their hours but work hard on their targets so that the business would survive. About this time Mary became pregnant with her second child. She had taken unpaid leave with her first child and her employer was happy to allow her to come back part time with a lot of flexibility to cater for child care arrangements as he didn't want to lose her. He welcomed Mary's child at work and took on the role of 'father figure' to the child. With the second pregnancy things were different. The employer began to give all the business to the other worker and then criticised Mary for not meeting targets. It became obvious that he wanted Mary to leave, seeing this as a solution to his financial worries. What had been a wonderful working and personal relationship deteriorated, with her employer making uncharacteristic remarks about working mothers. Mary was financially dependent on her job but her chances of securing work elsewhere in the

travel industry were not high.

Anne-Marie worked in a small business where she was the only employee. She had worked for her boss for 10 months when she informed him in writing, as required that she was pregnant and that she would require time off (which would happen after she had been working there for 12 months). The employer responded in writing by saying that because she hadn't been there for 12 months at the time she informed him of her pregnancy then he was not obliged, in his opinion, to grant her leave. The WWC SA Inc informed Anne-Marie of her rights and assisted her to write to her employer.

2 Making it easier for parents who so wish to return to the paid workforce

Lack of flexible working arrangements – Many of the women who seek assistance from the Working Women's Centre SA Inc work in low paid, low status positions with little opportunity for advancement. Sometimes the starting and finishing times of these jobs are highly regulated. Sometimes the job is in a small business where the woman may be the only worker apart from the business owner. These jobs offer little or no flexibility for women to fit in their family responsibilities once they have had children. Many women find that it is at the point where they wish to return to work that they experience discrimination or workplace harassment and where there is no option to negotiate flexibility with their employer.

Shelley returned to work after 12 years out of the paid workforce. The arrangement she made with her employer was that she didn't have to go on the normal roster as to do so would not allow her to pick up her children from care on time. A new workplace agreement was certified and the employer said that he was no longer able to be flexible. He wouldn't negotiate suitable hours with Shelley. She felt compromised each day worrying if she would get to the child care centre before the extra charges applied. She felt embarrassed to ask questions as she had no skills and lacked the confidence to negotiate a workplace agreement. Shelley didn't know her rights or even the correct words to use but moreover she didn't want to appear to be arguing with the boss as she desperately wanted to hang on to her job if she could. She resigned as she could not organise alternative child care.

Return after maternity leave is often when women feel judged. One of the most common stories that we hear at the Centre are the difficulties that a woman has in returning to her workplace after she has had a baby. This can be due to inflexible work arrangements or restructuring whilst the woman has been on leave.

Our current industrial legislation allows for return to work to the position held before taking parental leave. Negotiations to return to work in a different capacity are entirely up to individual workplaces. It is our experience that once she has had her baby, a woman may find that her previous work arrangement may no longer be conducive to balancing her new responsibilities. Unless she is able to negotiate a more flexible work arrangement she may then have no other choice but to resign. This limited option makes it difficult for women who

wish to return to the workforce after giving birth. The Working Women Centre SA Inc would therefore suggest that either legislative reform or adoption of family friendly policies would make it easier for parents to return to the workforce.

The WWC is able to provide many stories of women whose positions have been made redundant whilst they have been on maternity leave, thus not having a job to return to after their leave

Employers unsupportive to the needs of their employees - Women often feel that they are expected to not have lives and commitments outside of work. Stereotyping of 'the working mother' is alive and well in many workplaces. There is a sense for many women that it's OK to have kids as long as you never talk about them and they don't get in the way of you doing your job. Some of these views are entrenched and do little to recognize the realities of the new economy and contemporary labour markets and economies.

Lee is a single mother who supports her 3 children by working casual hours in a shop. Lee's boss expanded the business and opened another shop in another suburb. This meant that he wanted Lee to work on Saturdays. Lee was not able to arrange child care for weekend work. Her boss told her that he would have to let her go as he did not want to employ another casual just to work Saturdays. He argued that it would be easier if he took all her hours off her and gave them to someone who could work on Saturdays.

Pressure from work colleagues. In workplaces where there are some women who have children and some who don't, the women with children report that they are made to feel guilty by their colleagues if they take time off to attend school functions or to care for sick children. This is particularly so in areas where there are skill shortages and/or where the employer does not organise replacement workers. Resentment at what some women perceive to be special privileges erodes the working environment and often supports bullying practices.

Similarly where there are large numbers of women workers with children there is often tension at school holiday time as women strive to 'get in first' to take leave to care for their children. Again resentments arise and bullying practices often ensue.

Lack of availability of suitable child care. Women who wish to return to work need to have access to good quality and affordable child care. Lack of care when children are sick and not able to attend child care centres is often reported by women as one of their major problems in juggling their work and family responsibilities. Many women use their own sick leave or annual leave to care for sick children and just hope they themselves don't get ill. Many women talk about the guilt they feel at having to choose between their child and their job and also in not being truthful about their reason for leave. Women in small regional or rural communities where lives are lived more under the spotlight than large cities fear being 'found out'. One woman reported that if she phoned in sick, her employer would phone back several times during the day to check up on her. If he heard the child's voice he

would want to know why they weren't at school.

Working the double shift of paid and unpaid work. Women report difficulties keeping up the intensity of their paid and unpaid roles. They fear their performance suffers if they don't get adequate rest and worry about the security of their positions. Women report that they take on night shifts thinking that child care will be easier to manage if their partners can look after the children at nights. They describe relationships where they rarely spend time together and worry about the impact of this on their children.

Exhaustion. Women who work and have children consistently discuss how tired they are. Again this is well documented in the Women's Longitudinal Health Studies conducted by Lois Bryson. To make work economically rewarding, women often have to take on more hours than suitable. If part time work gave women an income that adequately compensated for the costs of working – clothing, travel, child care, etc perhaps more suitable arrangements would ensue, allowing women to return to work and keep their skills, knowledge and experience up to date.

Nadia is a young mother with 3 children aged 2, 3 and 5. She is from a non English speaking background and has no other relatives in Australia. In order to supplement the family's finances she works night shifts in food preparation, making sandwiches and lunches for a food van which visits work sites. She works at night so that she can look after her children during the day while her husband is at work. She starts at 10.00pm and works until 3.00am. She sleeps for 3– 4 hours each day after her husband gets home from work. Her job is casual. When she started work she was promised regular hours and was told she could finish in time to get home before her husband left for work. The employer later expressed his disappointment that she wouldn't stay longer to help out when they were busy. The boss started making remarks about Nadia's nationality and the number of children women from some countries have. Over time the bullying increased but she put up with this as she was desperate for income. She tried to stay for half an hour to 1 hour longer but at home Nadia's husband had certain expectations about her as mother, carer, income earner and housewife. Eventually Nadia was dismissed, the employer claiming that she wasn't flexible enough. Nadia called the Centre totally exhausted and distressed, afraid of what her husband would do when he found out that she had been sacked.

Skills refreshment. Adequate numbers of places in suitable courses that take into account the need for confidence and skill development would make the life to work transition much less daunting for many women. Access to appropriate courses is an issue for many women who contact the Centre.

Guilt. Society's views about women who work have changed significantly over the 26 years the Centre has been operating but women still report high levels of guilt about working and feeling like they are not there for their kids. Conversely, women who don't have paid work express guilt about not being able to provide the material possessions that their children believe they need.

Transport. Public transport systems that cater to the needs of working families would do much to assist in the return to work options and assist

business by providing labour that can easily get to their workplaces. There are labour shortages in many areas of high unemployment in Australia, often because workers cannot get to worksites.

Teresa works in an administrative role for a large organisation. She has a child with a severe disability. The only appropriate and available child care for her child is 20 minutes from her workplace on the other side of town to where she lives. Because of the amount of travel and the opening times of the child care centre Teresa had to negotiate different start and finish times. Her workplace was not willing to investigate suitable options for her. The WWC SA Inc assisted by writing letters and negotiating workable arrangements.

Lucy wanted to return take up work in a packing facility in the northern suburbs near where she lived. She knew the workplace was always looking for people. Lucy has 3 children, one who is at school, one who is at pre-school and a young baby. Lucy could organize family day care for the baby and extend pre school hours for the second child if she got work. Lucy does not have a car and relies on public transport. She felt sure she would be able to arrange lifts to the workplace but was not able to organise to drop the 3 children off in the mornings and pick them up in the afternoons using public transport. She had to forfeit the position.

Concern for safety. Increasingly schools are reporting increased levels of violence and abuse from parents who are seeking to have unsanctioned access to children where there may be court orders preventing this. Stress levels amongst teachers are very high. Women and children who have experienced violence and abuse need to be safe in all areas of their lives.

Jacqui has recently divorced her abusive partner and left a remote town in another State with her 2 girls in order to improve her chances of getting work and also to ensure the future safety of her family. This was to be a new start. Jacqui has no family or friends at the new location to support her or to provide care for the girls. Jacqui got work in the aged care sector which meant early starts or late finishes. Her girls at 8 and 10 are too young to be on their own but too old for conventional and available child care. Jacqui needed to have paid work. She either has to get the girls up and going very early in the mornings to get them to out of school hours care which is not available at the school closest to where they live or when she is on afternoon shift make sure they go to after school care. Jacqui spends a lot of time feeling guilty and agonises about whether her girls are safe in their care arrangements.

3 The impact of taxation and other matters on families in the choices they make in balancing work and family

Financial incentive to stay at home. Under current taxation arrangements there is more incentive for one partner in a relationship to stay out of the full time paid workforce after the birth of a child but this is not the case for single income families. Many women report to WWC SA Inc that it is not financially rewarding for them to take up part time work, even though this allows them to keep their skills up to date and to remain confident about their future chances in the labour market.

Superannuation - As mentioned already in this submission, time taken out of the paid workforce to have children not only impacts on immediate income but can put women at a financial disadvantage for many years. Women take these financial disincentives to starting families very seriously.

Much can yet be done to fully utilise women's skills in contributing to Australia's economic future and to support their choices to start families.

Further, WWC SA Inc commends the HREOC project 'Striking the balance: Women, Men, Work and Family' announced by the Federal Sex Discrimination Commissioner in February 2005. Unpacking all of the intricacies around this complex issue of balancing work and family requires sound analysis of all factors that have bearing on this issue. Solutions to the skills and population shortages need to be multifaceted and well thought through. It is the view of the Working Women's Centre that paid maternity leave would go a long way to demonstrating Government commitment to Australian families.