



## **Inquiry into pay equity and associated issues related to increasing female participation in the workforce -**

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### **The adequacy of current data to reliably monitor employment changes that may impact on pay equity issues**

When writing my thesis on pay equity I found that there were problems with two main sources of data:

1) historical data on Industrial Relations Commission cases – particularly during the period 1990 to 1996 and in the Australian Industrial Relations Commission. I found that some early EBA decisions failed to give details of wage changes – instead talked about % changes but did not give the original wage rate; also some decisions were simply missing from the database.

2) data on coverage of different types of wages – it is clear that there is a major problem about the way the ABS has structured its questions on coverage by awards, agreements – formal and informal. The current method downplays the influence of award wages when to the casual observer, never mind those actually interviewing employer and employee representatives (as I did) it is clear that many (particularly small) businesses continue to refer to awards and then give a small top up – ABS classifies this as an informal individual agreement – yet it is really what we used to term an over award payment.

### **The need for education and information among employers, employees and trade unions in relation to pay equity issues;**

It was clear when interviewing 39 employers/employer representatives, commissioners and union officials for my thesis that the majority of employers and even of employer representatives were unaware that Western Australian women were still paid a great deal less (25% less) than Western Australian men. They also put this difference down to part time work when it is very clear that this is not the only cause. Even trade union officials interviewed and a Chief Commissioner were surprised at the magnitude of the gap between full time women and men working in WA. Education and information provision on equal pay issues is imperative when wanting to effect change in our society. This is supported by the findings of my thesis which showed that key stakeholders in industrial relations, both in WA and federally, felt that the continuing pay gap between men and women working full-time was due mostly to slowly changing social values. Change in social values can only be effected when awareness of the issue is also high.

### **Current structural arrangements in the negotiation of wages that may impact disproportionately on women;**

The results of my thesis show that current structural arrangements in the negotiation of wages have a largely negative effect on gender wage inequality. It was clear that even when female dominated occupations actually achieved enterprise bargaining agreements, they did not receive as large increases as men in the 9 occupational areas studied (builders' labourer, metal tradesperson, miner/dump truck operator, truck driver, child carer, teacher, clerk, salesperson). However, only teachers and to some extent salespersons had actually achieved EBAs during the period 1990 to 2003. Women tend to work in areas where there are a large number of employers and where they are not present in a workplace in large numbers making collective bargaining agreements very difficult to achieve. This leads to a need to have wage increases for award that are more realistic – not less than inflation and leading to a situation where in my sample of wages studied in WA women achieved 50% of the wage increase than WA men did over the 13 year period studied. I believe we need a new form of adjustments to awards to bring their rates closer to the rest of the marketplace.

### **The adequacy of recent and current equal remuneration provisions in state and federal workplace relations legislation;**

The only state that I found around Australia with something like an adequate equal remuneration provision was Queensland. No other state or federal legislation is sufficient. In particular it is important that comparisons can be made outside the agreements being monitored by the Commissions and that Commissions can investigate pay equity in awards and agreements in their own right and for Equal Opportunity Commissions to also bring cases on behalf of workers in the commission. Unions cannot be relied upon to take on cases for women who are often part time or casual and not unionised.

### **The adequacy of current arrangements to ensure fair access to training and promotion for women who have taken maternity leave and/or returned to work part time and/or sought flexible work hours**

The key stakeholders I interviewed certainly felt women did not receive fair access to training and promotion. The research I reviewed confirmed this opinion. Again this is an insidious effect of what is termed “doing gender” – society consciously or not feeling women who are also mothers should have their children as their main focus and do not belong in the workplace except in peripheral part time jobs. Current EEO legislation puts the onus on individuals to bring cases against powerful employers and it is only the rare brave individual that puts themselves through the process. What we need is legislation that puts the onus on employers to show that they are providing as equal access to training and promotional opportunities to women as they do to men.

### **The need for further legislative reform to address pay equity in Australia.**

I would like to see large companies required by legislation to conduct pay equity audits – not just of wages but also promotional opportunities, training provided and recruitment results.

I would like to see it be a legislative requirement that workplace agreements be true workplace agreements – always cover every employee not just the men working outside and missing out the women working in the office.

I would like to see Commissions able to do more than give minimum increases to awards.