



1. Background

BPW Australia is committed to obtaining equal opportunity for women in the economic, political and social life of Australia. It represents the interests of working women across Australia and takes the voices of women to government policy makers. Nationally our members include employers, employees and the self employed, giving the organization a unique position when lobbying government. As an international organization BPW enjoys consultative status at the United Nations.

2. Submission

The following information addresses the terms of reference of the enquiry.

2. 1. The adequacy of current data to reliably monitor employment changes that may impact on pay equity issues.

(i) More thorough data needs to be collected so that we can better understand the employment needs and choices for working women at different stages of their lives. Those seeking a career, and/or choosing to remain childless may require different options to those planning to have a family from the outset, but all need the opportunity to be fully engaged in the work place; some mothers of young children may require full time or part time work with a high degree of flexibility, while those with older children will make different choices again. Data needs to be available that better tracks lifetime earnings from women themselves, rather than the companies or organizations they may have worked for, to identify where the greatest impediments to opportunity and equity lie. This would enable women to better plan their engagement with the workforce over their lifetime.

(ii) More thorough data needs to be collected that shows the amount of unpaid work performed by women. The census and ABS surveys do not adequately record the actual hours that people work. The census only asks people what hours they are paid to work. Surveys ask employers what hours their staffs work, but many would not know what hours they really do. Unpaid overtime goes largely unrecorded and unreported. Increasingly, Australians take work home in an attempt to seek some work-life balance.

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

(i) Better collection and reporting of information on women's employment conditions and remuneration will allow for better education of everyone involved. Whilst some data is available through EOWA this only applies to companies with more than 100 employees. There are vast numbers of businesses that are not required to share any information so how can we know what

is best practice? Statistical reports from ABS are often old, and do not reflect the diversity of employment and working conditions for women. The comment from one of our members reflect the isolation that many women work in. "I don't know if this is the sort of feedback you need but my example is that I get approx \$5,000 less per year as a Manager than a Male Supervisor (which is under me); I also get approx \$10,000 less per year than my male equivalents, and drive a "lesser" vehicle (I drive a Barina whereas the Male Managers in the company drive Falcons). Contrast this with another member who comments that her wages are fair and in keeping with her industry; that her company invests in training, offers flexible employment conditions including maternity leave and does its best to negotiate wages to accommodate different employees' needs. All this is because "of the great working relationship with management which is essential to the give and take in the work force of today". Greater education and information sharing will allow all parties to negotiate for more equitable workplaces leading to greater participation and productivity.

2.3 Current structural arrangements in the negotiation of wages that may impact disproportionately on women

(i) BPW is concerned at the high levels of casual and part time employment where women are disproportionately represented (44 per cent) Competition for limited, flexible employment to suit working mothers with caring responsibilities can lead to unfair pay and working conditions. Structural arrangements must recognize and value the role of part time and casual workers. Studies done by Barbara Pocock (Work Life Intersections 2007) show there is a need for policies that reflect the quality of part time work. The study recommends giving employees the right of request to changes in their working time, and confers upon employers a duty to reasonably consider such requests. This should be a general right for all employees with care responsibilities for children and adults

(ii) The trend towards more unpaid overtime and less paid overtime may also be affecting women more that it used to. Overtime payment has declined since the 1990s and staff are increasingly required to take time off 'in lieu' of worked overtime. Increasingly, workloads make it impossible for staff to take the time off that is owed to them. The expectation of unpaid overtime as part of a contract that pays a high salary now extends to include low wage earners, and increasingly affects working women. Meetings are planned for times that previously would have been regarded as non-working hours; lunchbreaks disappear. For many women the expectation of long hours of work complicates their life, especially if they have dependents, are sole parents, or their partners work away, travel a lot or work shifts. Women carry more responsibility for children and elders, and it costs many women to work back – in car parking, childcare and worry. It steals time from their children, families and relaxation time and contributes to their already significant 'time poverty'. Pocock suggests that recognition of such impacts must be taken into account in negotiation of wages and working conditions.

2.4 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

(i) As long as flexible work arrangements depends on an individual woman's ability to negotiate then it is unlikely that pay equity or equitable working conditions will be obtained. The ability to negotiate can be diminished by numerous external factors such as the availability and affordability of childcare, after school care provisions as well as individual personal communication skills and knowledge.

(ii) EOWA statistics reveal the appalling lack of women in CEO and executive positions, and very few organizations have been able to embrace part-time management roles. In a recent Australian Human Resources Institute publication (September, 2008) nearly one in three respondents (28 per cent) observed that the career opportunities of employees in their organisation have at some stage been negatively affected by being a new parent or expecting a child. A total of 40 per cent of the sample reported unenthusiastically on practical return-to work arrangements for new mothers in their organization, while 28 per cent reported fair and a further 6 per cent said arrangements were non-existent. The survey showed that return to work practices varies significantly within an organisation depending on the relative enthusiasm of particular bosses. There are few requirements for employers to offer equal opportunity to women in these situations.

(iii) Women need to know that employers may offer different options and that they are not trapped in unfair or unsatisfactory work places. One member volunteered that her business is very successful because it concentrates on good communication between all members of staff; they celebrate personal milestones; the staff organize their hours under her guidance so job sharing plays a big part. "We feel that job sharing rather than one person for the whole week is better as all our staff have families and want flexibility. Education in their job is done either by us at staff meetings or we send them to courses – we pay for the course but not their time doing the course. We have staff bonuses that we strive to reach on a monthly basis and that helps keep us all motivated and we pay them all above award wages as standard. We feel that if we provide a nice place to work productivity will be enhanced and everyone will give and take a little on the small things – including us as the employer".

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

(i) Australia legislates for equal pay for equal work but we still lag behind other countries in the implementation of equal pay for work of equal value. While women dominate the caring and service industries, and this work continues to be under valued in comparison to more traditional male employment, a gender pay gap will continue. We should heed ILO recommendations (2008) so as to provide not only for equal remuneration for equal, the same or similar work, but also to prohibit pay discrimination that occurs in situations where men and women perform different work that is nevertheless of equal value. One of our members comments highlight the need for review: "The big thing I see working in a male-dominated trade environment, is what the general populace is willing to pay for particular services. And often people that complain how much the cost of living is hurting are the ones demanding higher wages, which contributes

to the cost of living increases! Why do we demand cheap, yet quality child care (and cheap equates to the wages paid to workers, because where-else does the money to pay them come from), yet we don't demand cheap, yet quality plumbing, mechanical etc services (and hence, their earning capacity is very high in the current global trade shortage)? Wage rates for child care assistants are some of the lowest paid in the country, yet they perform an essential service for the community. The Australian Qualifications framework and Certificate levels need to reflect equal pay for work of equal value if we are serious about true pay equity.

2.6 Other issues identified by our members that affect female participation in the workforce are:

(i) Access to work for older women

“Despite laws to the contrary, I can say as a woman of 64 years that no one wants to *hire* a woman who is over 50 years old, regardless of experience, background, or education. In many ways this is illogical, as by 50 a woman usually has grown children, is more confident, has less home ties, and is more reliable. I was fortunate enough to work in my industry, in a casual position, until last year when I chose to retire, but I know so many women in the corporate world who would not be able to find another job if they were retrenched from the position that have. Yes, it is discrimination, but if a woman complains she is "sour grapes", because she wasn't good enough for the job.

(ii) Unfair share of housework

Women continue to do a higher share of housework (up to 70%) than their male counterparts, regardless if they are working or not. The same statistics from ABS show that working women do a greater proportion of volunteer work in the community.

(iii) Recognition that some women are forced to return to work when children are of school age because the basics of daily living are out of proportion to basic wage.

“Oddly enough, I find one of the biggest problems today is not just with women who want to work, but with women who don't particularly want to work, but have to work. One instance in my family is a single Mum who has worked part time since her daughter was born, as the husband of three years couldn't cope with the responsibility of parenthood. The Mum in this instance decided that she didn't want to be a "single Mum" on a pension, so worked at whatever was available to supplement her pension, and give her daughter a decent life. She mostly worked in part time positions that meant she was home at the same time as the daughter got home from school. However, now that daughter is 16, her pension is cut off, right at the time that her daughter is in Year 11, and preparing for her HSC. Previously she was at home to support, and encourage, and help with homework etc, but the daughter now has to come home to an empty house, she can't drive yet, so has to wait until Mum can take her to the Library at night or Saturday, as it is two suburbs away” To me, this is simply one case where a Mum should be supported, even if it was just until the daughter finishes high school, after completing the HSC. At 16, I believe that a student still needs support and encouragement for this time at school.