

AUSTRALIAN CENTRE FOR
LEADERSHIP FOR WOMEN

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Workplace Gender Equality Act 2012 Consultation on reporting matters

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Introduction

That the Workplace Gender Equality Act 2012 (WGE Act) comprises the Affirmative Action (Equal Employment Opportunity for Women) Act commenced on 1 October 1986 and its subsequent amendments up to 2011 as indicated in Table A of the WGE Act (pp 31-33), is a reflection of the growing awareness of issues inhibiting equality for Australian women and the significance of addressing these issues through legislative frameworks.

The objects of the WGE Act, however, are unprecedented in the history of gender equality legislation in Australia aiming to promote and improve gender equality in the workplace, and specifically recognise equal remuneration and family and caring responsibilities as issues central to the achievement of gender equality.

The WGE Act introduces a new evidence based transparent reporting framework to the renamed Workplace Gender Equality Agency (WGEA) strengthened by its new functions to develop benchmarks in relation to gender equality indicators, collect, analyse and advise the Minister in relation to legislative instruments made under this Act.

As indicators on the situation of women and men in workplaces are an important tool in assessing, monitoring, promoting and improving the progress towards equality, it is commendable that the WGE Act has introduced Gender Equality Indicators (GEIs) and requires that reporting matters be under the GEIs.

It is noted that The WGE Act outlines five Gender Equality Indicators (GEIs) against which Private sector employers of 100 or more employees will need to provide information:

- The gender composition of the workforce
- Gender composition of governing bodies

- Equal remuneration between women and men
- Availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees, and to working arrangements supporting employees with family or caring responsibilities
- Consultation with employees on issues concerning gender equality in the workplace.

The sixth GEI in The WGE Act 2012 is:

- Any other matters specified by the Minister in a legislative instrument.

The following discussion is for the Australian Government's consultation on reporting matters under the Gender Equality Indicators.

1. Do Key outcomes of the GEIs reflect the intent of the Act?

The stated five key outcomes are:

- To improve women's workforce participation across Australia
- To improve women's representation in leaderships positions in workplaces and on governing bodies
- To improve equal remuneration for work of equal value, between women and men
- To increase flexible working for both women and men, particularly those with family or caring responsibilities
- To promote employee and employer engagement on gender equality.

The above key outcomes focus on achieving workplace gender equality specifically through enabling greater participation of women in the workforce and in leadership positions; equal remuneration, and support for family and caring responsibilities.

These key outcomes of the GEIs reflect the intent of the WGE Act. It would be good, however, if they could also include as an outcome, 'to identify causes for inequalities as they relate to specific industry sectors.'

Identifying causes for inequalities would enhance efforts for the ongoing effectiveness of the GEIs and contribute to the most pressing issues relevant to specific sectors. This information can be used as a basis for "any other matters specified by the Minister in a legislative instrument" (sixth GEI).

Identifying causes for inequalities will enable one of The WGE Act's principal object to be realised as barriers are identified:

"To support employers to remove barriers to the full and equal participation of women in the workforce, in recognition of the disadvantaged position of women in relation to employment matters"

It will also bring to the fore underlying issues for workplace consultation between employers and employees, moving beyond symptomatic considerations and supporting another principal object of The WGE Act:

"To foster workplace consultation between employers and employees on issues concerning gender equality in employment and in the workplace"

2. What are the priority measurable outcomes and priority process indicators in terms of each key objective?

The Table below outlines priority measurable outcomes and priority process indicators for each key objective.

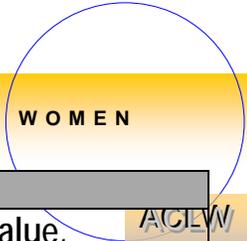
OUTCOME: Improve women’s workforce participation across Australia	
Priority Measurable Outcomes	Priority Process Indicators
Making visible women's unpaid work activities associated with household maintenance, provisioning and reproduction that impacts on quantity and quality of workforce participation by measuring hours involved (Time Use) and qualitatively measuring the influence of family commitments on female participation.	Strategies to obtain data through surveys for women and men that relate to Time Use and impact on work engagement Strategies to improve organisational cultural attitudes and confront prejudices against valuing women and the choices they make
Measure the discrepancies between actual and preferred participation patterns for women; specifically for child-bearing aged females (25 to 44 years) and women in the 55 to 64 age group. Much of the gap between Australia and OECD countries with high female participation rates reflect relatively low participation rates among this group of women.	Strategies to obtain data through surveys for women that relate to actual and preferred work participation and underlying reasons Strategies to encourage women to voice their needs so that a mutual satisfactory arrangement can be arrived at for the organisation and the woman
Recording levels of education among women and men and its impact in workforce participation	Strategies to formally recognise women's educational achievements , provide training and financially support women to gain further training/education Strategies to identify and address discrepancies in the



	valuing of women and men’s educational qualifications
Recording number of women with children who are and who are not accessing child care services; reasons for this; its impact in women’s workforce participation	Strategies to understand child care concerns to do with access, affordability and flexibility, and identify key barriers. This can be done through surveys and face-to-face discussions.
Number of women in the uptake of paid maternity and parental leave, and arrangements facilitating this	Strategies to evaluate arrangements facilitating paid maternity and parental leave and create a positive culture for the uptake of these.
Number of women returning from parental leave	
Recording number of women who are experiencing domestic violence	Strategies to understand the impact of domestic violence in women’s workforce participation and identify ways to assist women
Record composition of workforce to indicate levels of diversity for men and women	Strategies for employment support and training for women with disability
	Indigenous Employment strategy
	Older worker and migrant worker employment strategy; Strategies to identify and address discrepancies in employment of women and men from different backgrounds
Number of women encouraged into non-traditional roles	Advertise women in non-traditional roles and provide their feedback in verbal and written company information
Number of women and men supported for career development within the organisation	Performance management schemes need to include Individual development plans and pathways for how the organisation can facilitate this
	Strategies to identify and address discrepancies in career development opportunities offered for women and men
	Strategies to use exit interviews to identify the issues so that they can be addressed
Level of pay equity	(see below for strategies)

OUTCOME: Improve women’s representation in leaderships positions in workplaces and on governing bodies

Priority Measurable Outcomes	Priority Process Indicators
Number of women in and promoted to all levels of management and advisory positions	Implementation of recruitment, retention and development strategies that recognise potential in the context of constraints experienced and advance women to leadership positions.
	Implementation of transparent and open recruitment strategies for leadership positions in line with a code of conduct
	Strategies to ensure recruitment and retention of women includes gender sensitive criteria to achieve greater gender equality
	A Mentoring and coaching management approach to develop women
	Strategies to improve organisational cultural attitudes to women in leadership
	Strategies to assess the effectiveness of existing schemes and evaluate areas for improvement
Number of women from all levels of the workforce accessing internal development programs provided by the organisation or external programs that are subsidised	Strategies to improve the dissemination of information to do with training/ assignment placement/ and recruitment opportunities
Number of women invited to shadow those in leadership positions (male and female) and be mentored/coached	Strategies for assessing needs and wants in performance management so that career development is enabled through mentoring and coaching between employees at a vertical and lateral level
Estimates of the cost of underutilisation and promotion and retention of women	Strategies to enable the executive to evaluate the business case of underutilisation and promotion and retention of women



OUTCOME: Improve equal remuneration for work of equal value, between women and men	
Priority Measurable Outcomes	Priority Process Indicators
Using WGEA's Payroll analysis tool to assess pay equity to ensure women and men are paid equally for work of equal or comparable value	Strategies to use gender-neutral and gender-inclusive criteria to determine the value of job components such as skill, responsibility, qualifications and working conditions.
	Ensuring that records are up-to-date to enable the calculation of full-time equivalent (FTE) employee numbers, for example, actual hours employees work and full-time ordinary contract hours for the positions
	Ensuring that records are up-to-date to enable calculation of total annual FTE remuneration, for example, base pay, allowances, higher duties, superannuation, bonuses and so on. The more aspects of total remuneration included, the more comprehensive the analysis can be
	Ensuring that records are up-to-date for Job title/classification that corresponds to a sound analysis of the required elements of work value (skill, responsibility and working conditions), and the extent to which the evaluation of work is free of gender bias.
	Strategies for management to review pay equity issues eg. Review roles where grading inequity is a potential issue and identify reasons eg historical factors
	Strategies to improve job design and job analysis

OUTCOME: Increase flexible working for both women and men, particularly those with family or caring responsibilities

Priority Measurable Outcomes	Priority Process Indicators
<p>Number of flexible working positions for women and men eg part-time; job-share; flexi-place (home, interstate)</p>	<p>Strategies to ensure managers and staff assess needs and develop strategies. Managers at all levels must find out what's needed by engaging with employees.</p> <p>Strategies to identify and address discrepancies in the number of flexible working positions for women and men</p> <p>Strategies to include Internal staff surveys/ blogs to consider staff perspectives of the initiatives offered</p> <p>Strategies to ensure high level commitment from senior and line management for job flexibility arrangements and uptake. This might need investment in training managers to support cultural change.</p> <p>Ongoing strategies to analyse, monitor, evaluate and report on the program and consult with employees to resolve challenges</p> <p>Strategies to develop workplace culture to value, accept and respond to individual needs. This needs to be expressed in the values statement of the organisation.</p> <p>Strategies to recognise and support the different nature of employees' needs by involving the people directly affected</p> <p>Strategies to adapt business practices to enable productivity within a flexible working environment</p> <p>Strategies to keep staff informed of the various flexibility options which can also be promoted outside the organisation eg during recruitment</p>
<p>Parental leave policies and practices</p>	<p>Strategies to consider establishing new schemes or enhance existing paid parental leave schemes to complement the Government's scheme.</p> <p>Strategies responding to employee needs to tailor PPL when, for how long etc</p> <p>Strategies responding to employee needs to enable return to work after parental leave.</p>
<p>Diversity audit of the whole company</p>	<p>Diversity Audit report to be considered by Board and Executive to inform policies and practices to address identified issues</p>
<p>Investment in technologies used to connect home based women staff</p>	<p>Strategies to fund home based technologies and training for women</p>

OUTCOME: Promote employee and employer engagement on gender equality.

Priority Measurable Outcomes	Priority Process Indicators
Creation of male and female champions advocating equality in all levels of management	<p>A process to establish the criteria for selection of champions</p> <p>Involvement by employees and employer in joint conference / workplace/ public forum presentation in gender equality issues related to the industry and across sectors</p>
Number of open meetings to discuss issues between the employer and the employees	<p>Strategies for open, non-threatening discussions and collaborative efforts to resolve issues that are recorded and have accountability conditions</p> <p>Using a variety of meeting formats to include employees in decision making - small group / large group / junior/executive/ virtual</p> <p>Dissemination of meeting minutes to the whole company and stakeholders and regular communication eg a newsletter / blog</p> <p>Strategies for an accountability mechanism so that matters are followed up by allocated persons</p>
Number of employees in attendance at the meetings should reflect all of the women employed, senior and executive staff	Recording numbers attended/ position/department etc
Collation of issues on the agendas every 3 months- eg child care / promotion	Strategies to identify patterns, key issues of concern and resolutions. This can be used to steer company direction, promote the company and used as best practice for others in the industry.

3. Which outcomes or process indicators are likely to be most useful for employers / expensive / phased in?

All of the above outcomes and process indicators will be useful for employers if they are serious about addressing the long term challenges Australia is facing and want to lead the way in assessing, monitoring, promoting and improving the progress towards equality in Australia.

The increase in dual earner and sole-working parent households; the increasing participation of women and carers in paid employment; the demand for work life balance and its impact on those women and men care for and on the productivity of the nation form the backdrop which renders the significance of the GEI's as business priorities.

Achieving the outcomes of the GEIs will involve costs for workplaces in the short term. However, in the long term they will achieve productive and sustainable workplaces in which women and men thrive, are valued, listened to, and play a vital role in shaping the future of the industry, the sector and the nation.

Picking and choosing outcomes and process indicators diminishes the impact of the WGE Act 2012, and its potential to operate as a comprehensive framework to address and achieve gender equality in Australian workplaces.

Given Australia's present status in workplace gender equality issues and the unprecedented actions of the Australian Government to establish a legal framework for gender equality and undertake and analyse data collection around gender indicators, phasing in certain outcomes and measures will prolong and delay what can be achieved for Australian women. There are already examples of Australian organisations that have successfully adopted a range of strategies to promote women and implement better work and life arrangements (EOWA / WGE Employer of

Choice organisations; McMahon & Pocock, 2011, Case Studies of Work-Life Innovation in Six Australian Workplaces).

To promote gender equality action, inform policies and monitor changes, statistics that reflect gender issues is critical for policies, plans and programmes. As such, the GEIs measurable priority outcomes will not only inform WGEA and the Minister of the 'state of play' for future policy direction, but will build understanding in workplaces as employers and managers assess the situation for women in their workplace and become aware of the issues and its impact and be inspired to change.

Assisting employers requires clear guidelines and minimum benchmarks within a framework that employers can use to guide them implement or assess existing strategies supporting the GEIs. Assistance provided to employers seeking clarification and guidance will also ensure the quality and reliability of the statistics provided against the outcomes.

The Workplace Gender Equality Act 2012 is set to achieve unprecedented advances for gender equality in Australia. This new platform is hopeful and demonstrates Australia's leadership. Its success will depend on following through in its fullest capacity to achieve the full participation of women in Australian workplaces.

Author

Dr Diann Rodgers-Healey is the Executive Director of the Australian Centre for Leadership for Women (ACLW) a virtual Centre at www.leadershipforwomen.com.au which she founded in 2000. Her academic appointments are Adjunct Professor in The Cairns Institute of James Cook University and Honorary Fellow of the Australian Institute of Business Well-Being (AIBWB) at the University of Wollongong (UOW). She is a Reviewer for the international journals of *Advancing Women* and the *Journal of Women, Politics and Policy* and is on the Committee of the Australasian Node for the Global 2015 Millennium Project.

For more info see: www.leadershipforwomen.com.au

About The Australian Centre for Leadership for Women (ACLW)

www.leadershipforwomen.com.au

The Australian Centre for Leadership for Women (ACLW) commenced in 2000. This virtual Centre holds a strong position in the landscape of women and leadership in Australia and internationally. Its distinctive identity has emerged from focusing on the mindsets and achievements of female and male global leaders, in diverse areas including business, education, not-for-profit and government; presenting expert opinions on relevant issues for women; researching and writing about pertinent issues which concern women; developing the capacity of leaders and emerging leaders through coaching and mentoring and recognising women and men who advocate for women in organisations and in the community through its national Awards Program. The Centre's name reflects its distinctive identity among national and international virtual organisations for women.

ACLW's vision is consolidated in its strategic platforms to assist women leaders and emerging leaders in their leadership and to give back to women who have a history of living with disadvantage, and in particular, economic and social disadvantage.

1. Transform

ACLW aims to transform at an individual and collective level, mindsets, attitudes and capacity related to leadership. It aims to achieve systemic change to enhance pathways for women's advancement and leadership. ACLW will continue to focus on transforming the discourse about leadership, the level of awareness and understanding of issues related to women in the workplace and in the community and, the political appreciation of the concerns of women and strategies to address them. Research, lobbying and involvement in formal evaluations will be a means adopted to transform the situation for women in workplaces.

2. Empower

ACLW aims to empower women leaders and emerging women leaders through a suite of focused resources, analysis of theory and concepts related to leadership, and coaching and mentoring for women on a range of professional and personal advancement issues.

3. Recognise

ACLW's Flagship Awards Program began in 2006 with the sole aim to value women and the contribution they make to society and organisations. Women and men, organisations both public

and corporate will continue to be recognised for their initiatives to advance the empowerment of women. ACLW's Roll of Honour features all the winners and their noteworthy achievements for women. In 2012, ACLW will continue its annual Sustaining Women's Empowerment in Communities and the Workplace Award.

4. Globalize

ACLW aims to broaden its scope in 2012 specifically towards women in the Asia-Pacific to understand their leadership experience, recognise leading women in business, government and the not-for-profit sector and build capacity for women leaders and emerging women leaders in the Asia Pacific. ACLW will be inviting leaders and advocates for women in the Pacific region to be Asia Pacific Patrons of ACLW.

5. Give Back

To assist women globally to develop their leadership, ACLW will partner with Non Government Organisations (NGO) to raise funds for programs designed to develop leadership capacity in women. This year, ACLW will be supporting the International Women's Development Agency (Inc) to raise funds for the Karen Young Women's Leadership School in Thailand. ACLW has already commenced a Women's Leadership Program at reduced fees for women in the South coast of NSW.

6. Publications

ACLW as a registered publisher will publish research and books that challenge and inspire.