



Australian Government

Department of Families,  
Housing, Community Services  
and Indigenous Affairs

## Workplace Gender Equality Act 2012

The Australian Government has introduced legislation to retain and improve the Equal Opportunity for Women in the Workplace Act ('the Act') and the Equal Opportunity for Women in the Workplace Agency ('the Agency'). This fact sheet outlines the key ways this will be achieved.

The Act and Agency are important components of the Australian Government's efforts to support and improve women's workforce participation, and to increase equality in the workplace. In March 2011 a detailed reform package was announced, and the new legislation was introduced to Parliament in March 2012.

### A new name and focus

The legislation strengthens the Act and Agency's focus on gender equality, highlighting equal remuneration between women and men, and caring responsibilities as key dimensions.

The new Act will be named the Workplace Gender Equality Act, and the Agency will be known as the Workplace Gender Equality Agency.

### Streamlined reporting

Reporting will be made simpler and more transparent.

- The requirement for organisations to develop workplace programs has been removed.
- Employers will report against a set of gender equality indicators, focussing on outcomes.

- On-line reporting will be introduced.

### Business assistance

The Government has almost doubled the Agency's funding to enhance its role in supporting and advising industry.

- The Agency will develop industry-level benchmarks and industry-specific strategies.
- It will provide advice, resources and referrals, and targeted assistance, particularly to low performing organisations.
- The Agency will have an important role in developing, maintaining and promoting the data it collects.
- Smaller organisations with less than 100 employees are not required to report, but they are able to access the Agency's education and incentive activities.

### Fairer compliance

Compliance will be made fairer and more effective.

- The Agency's improved resourcing will enable it to make sure that all employers who should be reporting are.

- The Agency will be able to conduct small-scale compliance reviews to make sure employers are fulfilling their obligations under the Act.
- Non-compliant organisations will be named in Parliament and more widely.
- Fairer and more consistent measures for ensuring the Government deals only with organisations who comply with the Act will be developed.
- CEOs will be required to sign-off on reports.

## Employee engagement

Consultation with employees will be further highlighted as a key focus of the Act.

- Consultation is acknowledged as an important component of achieving gender equality, and it is specified as a gender equality indicator.
- Employers will be required to notify employees (and shareholders) when a report has been lodged, and how they can access it.
- Employers will also be required to notify employee organisations, where they have members in a workplace, when a report has been lodged.
- Employees and employee organisations will be provided with the opportunity to comment on reports.

**Innovation** The new legislation introduces a number of significant innovations aimed at improving gender equality.

- For the first time under this Act, employers will be required to report on the composition of their boards.
- The new Act encompasses women and men, particularly in relation to caring responsibilities.
- The Minister will set industry-specific minimum standards, to

target attention to areas where improvements are most needed.

- Ongoing consultation with employers, employee organisations and other stakeholders is a key feature of the Act, including in the development of reporting matters and minimum standards.
- There will be a biennial report to Parliament relating to progress against the gender equality indicators.

## When do these changes come into effect?

This year, 2012, employers will report under the old system and in 2013 they will only be required to report on their workforce profile. First new reports will be due in 2014, relating to the reporting period April 2013 to March 2014. This will enable employers ample time to adapt to the new focus on data and outcomes.

Further communication and education activities will be undertaken to provide employers with information and support they need.

## What happens next?

The Government and the Agency will be working with business and other key stakeholder to ensure a smooth transition to the new system. The Equal Opportunity for Women in the Workplace Agency will also be contacting reporting organisations directly and regularly throughout the implementation period.

## How do I find out more

**information?** More information will be provided on the Department of Families, Housing, Community Services and Indigenous Affairs website ([www.fahcsia.gov.au](http://www.fahcsia.gov.au)), as well as the website of the Equal Opportunity for Women in the Workplace Agency ([www.eowa.gov.au](http://www.eowa.gov.au))