



EOWW Act review
c/- Health and Human Services Practice
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EOWW Act review

Background

2020women welcomes the opportunity to provide our comments on the Review of the EOWW Act issues paper. 2020women is an Australian feminist organisation established in August this year to promote the equality of women. We do this through practical means that include giving women the opportunity to voice their opinions on issues that affect them.

We do this by conducting surveys that provide opportunities for women to comment on issues that are fundamental to achieving a positive quality of life. Recent activities have included two surveys that have explored pay equity and workplace culture issues, and our comments are drawn from those surveys. The full survey reports are also attached for your information.

The response to the establishment of 2020women has been overwhelming. In our first three months of operation, our web site received over 125,000 hits and now averages over 2000 unique visitors per month. We have attracted a significant number of women to participate in our surveys; more than 700 women responded to the first survey on pay equity, which was followed up with a more detailed response from approximately 90 women.

In addition, through our use of stories and a personalised approach to our constituents, we have succeeded in attracting women who are not traditionally involved with women's organisations, or who are in the traditional age range of women's organisations. Over 500 women have registered with us as ongoing survey participants; one third of these women are under the age of 30, and the majority of the remaining two thirds are between 30-50.

2020women is also now an observer with the Government Women's Alliance, WomenSpeak, and a member of the Equal Pay Alliance.

Introductory comments on the EOWW Act review

2020women believes that pay equity is a human right, and that Australian women's participation in the workforce is significantly influenced by their perceptions of fairness and equity at work.

In the past, explanations of pay inequity have centred on the differences between the educational levels of men and women. These differences are now reversed, with a greater proportion of women now entering the workforce with tertiary qualifications, but the pay differences remain the same. Men still earn more than women. In fact, statistics now show deterioration in women's pay, to the extent that the difference now is almost at the same level it was in 1989, 20 years ago.

2020women submits that it is difficult to separate pay equity from other individual's rights to equality. Therefore, the comments in this submission should be taken in the context that we firmly hold the view that substantive equality for



women in Australia is yet to be achieved, and that the government is responsible for articulating legislation to both protect women and to pursue a substantive equality agenda that takes into account the ongoing impact of historical inequalities between men and women, and which includes:

- The provision of sex-disaggregated data;
- Eradicating all forms of gender-based violence and human trafficking;
- Gender auditing and evaluations of government programs and services to ensure that equal participation of women and men occurs in decision-making;
- Gender benchmarks to be set for employers, with publicly available reporting requirements;
- Education and reporting aimed at preventing the perpetuation of rigid gender stereotyping at schools and for the media
- Gender support from policymakers and politicians on related issues, particularly paid maternity leave;
- Funding or earmarked resources for activities related to the empowerment of women and for the strengthening of women's organisations that strengthen the voice and power of women to counteract gender bias in formal institutions;
- Building strategic alliances between government planning and accountability institutions and women's organisations;

This level of change cannot be achieved through one bill, or through one organisation.

In our submission, 2020women's focus reflects the information provided by the women who have participated in our surveys that are identified as working in organisations subject to the EOWW Act.

The following information is drawn from the second survey, which was on pay equity and workplace culture. The full report of the survey is included with this submission, along with the full report of the first pay equity survey.

Survey results from EOWW Act organisation respondents

EOWA reporting organisations are required to have in place programs to prevent discrimination and help achieve equal employment opportunity for women. They must consult with their staff, and they must identify issues in their workplace with need to be addressed in order to achieve EEO requirements. Their annual report must include information around how they achieved this and what steps they will continue to need working on to further these matters.

In the 2020women survey on pay equity and workplace culture, a group of respondents was identified as coming from the EOWA reporting group of organisations. Approximately one third of respondents were employed by EOWA reporting organisations (the EOWA group).



From the information compiled through the survey, it is clear that there are some issues which have not significantly improved for women in EOWA reporting organisations. Despite some positive responses from women engaged by the not for profit sector relating to improved strategic visions around equity, the more widespread picture is that the EOWA organisations may follow the required practice but do not always honor the intent behind the EOWA legislation.

Responses that stand out include:

- 63% of the EOWA group surveyed had been paid less than men in a similar job, as compared to 51% in the total group survey results. Comparatively, the EOWA group reported worse results than non-EOWA groups on pay equity. Comments included:

Women get to certain levels later than men and they don't negotiate when they get there but accept what's on offer...the job description is slightly differently worded for women to enable lower pay.

Women take it for granted that everyone is paid equal

Women may be less assertive when it comes to negotiating pay.

- 97% of the EOWA group agreed that women's skills are not recognized or valued, as compared to 85% in the larger group. The results show that both women and women's traditional employment roles are not valued as highly across all survey respondents' results, but the EOWA group reflects a higher perception of a devalued role. This may relate to the issues around 'in name only' thinking which shows up later in the results.

Women aren't valued as much as men.

It's harder for women to be afforded authority.'

Women are more often in caring professions, which are undervalued and have never been well remunerated

Women's work is undervalued- it makes little sense that childcare workers can be paid less than car park attendants

- 100% of EOWA reporting respondents said that women don't like to be seen as pushy compared to 92% in the wider results. This is an interesting result that may be related to training opportunities across the different survey groups, particularly training in relation to assertiveness skills. An additional question relating to this asks if women had equal access to training. 28% of the EOWA group said 'in name only' which did not reflect the weighting of the 17% 'in name only' response for the whole survey.

The 'flexible -ised' IR environment over the period of the Howard Government has meant that there are pay winners and losers and women have not been able to develop the same strategies as men using the weight of their labour market position

Women are less forthright about their own value

Many women are still not confident in negotiating salary and rises



Train more women to bargain and be more assertive

- 72% of the EOWA group said they believe that women are not seen as job oriented, compared to 60% in the broader group. Comments from the survey respondents indicate a real frustration around trying to balance work and caring responsibilities that adversely affect perceptions of work engagement by women employees.

Women often take responsibility for the childcare in families and take extra leave for less pay

Women who do have a break in their careers to raise children lose out when they re-enter the workforce as they often come back as part timers or at the same or a lower level than when they left their job

Men and governments discriminate, attitudes haven't evolved

- There was a strong view by 31% of EOWA respondents compared to 18% of the wider survey that gender balanced interview panels were 'in name only', and similarly that merit selection (52% to 40%) is not seriously represented.

Male orientated selection panel is more likely to employ another male.'

- 10% of those in the EOWA group respond that their organisation has equal numbers of men and women in senior roles, when compared to 21% of the broader group.

More women and more enlightened men in charge

Perhaps we could prepare a register of women in power and review how many women they have reporting to them? I've done that in a small way and the results are terrible

Women aren't promoted at the same rate and to the same level as male colleagues.

It is possible that these results also reflect an educated workforce, working in organisations that are dealing with the equity issues. This is borne out by the following findings:

- 59% of the EOWA group felt that there is now less discrimination than ten years ago, compared to 43% of non-EOWA employees
- When asked if they have worked in an organisation that has acted to improve equality for women, 71% of the EOWA group said yes compared to 51% of the non-EOWA group

Barriers to equal employment opportunity

Many women repeatedly mentioned that workplace practices and discrimination against women *haven't changed and can't change*. At a minimal level, this means that if there is to be any perceived improvement, something **must** change.

Organisations may believe that they meet the EOWA reporting and program implementation but have not successfully changed the internal culture sufficiently



to have a wider impact. Clearly more effort must be put into enhancing this cultural shift and embracing the role of women as equal players.

It is also clear that women do not see a real improvement in levels of senior women in spite of on-going efforts at all levels. Again the issue of workplace culture and really seeing improvements on the ground for those organisations slower to move would make a difference at many levels for the women involved.

One has to be very careful asking for flexible work arrangements if one wants to be taken seriously as a professional

More pro-active steps to help women restart their careers after maternity leave' are needed

Women have been hoodwinked into thinking that everything is now equal but there has been a real backlash about women working when they have small kids

Effectiveness of the EOWW Act

It is apparent from our surveys that Australian women expect government to play a strong role in setting the framework for equal opportunities at work.

On the question of how much should government regulate to achieve equal employment opportunity for women, 89% of respondents felt the government should do more, and 63% felt the government should do significantly more. As one of our respondents said:

There is a myth that there is equality and everyone thinks that battle is won, so limited resources are placed into this issue.

As a result of the feedback we have received, 2020women recommends that specific changes to the EOWW Act are required to ensure that it sets a clear standard for gender neutral job evaluation based on skill, effort, responsibility and working conditions.

There is no reason to continue the current situation where State legislation is more successful in advancing pay equity and equal employment for women than the Commonwealth's legislation.

It is also clear that approaches to improving equal opportunities at work that have been regarded as effective are regarded with some cynicism by the women they are meant to serve.

As a result, we suggest that EOWA Agency is in a unique position to identify gender issues occurring in Australian organisations, and needs greater support from government to enable it to perform this role effectively. For example, by requiring workplace profiles to include pay data, EOWA could become a more effective advocate of equal pay for Australian women. The current reliance on employers to identify pay profile problems is ineffective; the evidence is clear that women are losing out in pay negotiations and are undervalued in the workplace.

Legislation is required that enables the Agency to enforce a remedy, or, at the very least, enables the Agency to refer problems to other jurisdictions which can enforce a remedy.



The Act also should require employers to set benchmarks for gender equity, and the EOWA Agency should be empowered to require employers to establish and report on equity plans. Our research has also demonstrated that there is value in requiring employers to report on equal opportunity approaches, and this requirement should be extended to all employers regardless of size, using different approaches for different organisational size. Rewards should also apply to all employers.

Conclusion

Respondents to our surveys have identified the following as the best ways of improving equal opportunities in the workforce:

- Equal numbers of men and women in senior roles
- Access to information about pay level, and
- Flexible arrangements for staff with caring arrangements

In conclusion, 2020women would like to emphasise that we believe a robust whole of government approach is needed to address the low participation of women in the workforce and its major causes, including pay inequity.

Reforming the EOWW Act is one way of achieving this outcome, but changes will need to be followed through by a sound information campaign if better outcomes are sought.

Establishing legislation that protects vulnerable groups of women in the workforce with low bargaining power is only one step in the right direction.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jenni Collins', with a horizontal line extending from the end of the signature.

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President

16 October 2009