



# IWD 2021—Reality Check for Australian Working Women.



# Introduction

At the turn of the 20th century, Australia was considered one of the most progressive nations for women in the world. In 1902 we became the second country to win some women's right to vote (it took until 1962 for First Nations women to win the same right) and the first to allow women to stand for parliament.

On International Women's Day we acknowledge that it began as a working women's movement and thank the courageous women who lead the campaigns, struggles and strikes which won women the rights we have today. . These include the women of the Tailoresses Union, the Working Women's Trades Union, the Militant Women's Movement and the Union of Australian Women.

We also thank the women who fought for and won the Federal Child Care Act in 1972, the outlawing of employment discrimination on the basis of gender and marital status in 1977, the Sex Discrimination Act in 1984, and Australia's first national paid parental leave scheme in 2011. Today is a day for celebrating the women before us, with us and those to come.

But as well as celebrating those women who came before us, 2021's IWD is a day to demand action on the growing inequality impacting on working women in Australia.

The following Australian Union report paints a stark picture showing that working women still face enormous challenges.

Australia comes in at 44 in world rankings of gender pay equity.

Women workers were at the forefront of the essential work fighting the pandemic, and yet have borne the pain caused by the economic shutdown.

Women remain unfairly represented in casualised and insecure work.

Women face systematic violence and harassment at work. 12 months on from the release of the Sex Discrimination Commissioner's report, Respect@Work, little meaningful action has been taken to implement the 55 recommendations.

Women continue to bear the brunt of family responsibilities. We still have not won adequate shared paid parental leave, quality workplace flexibility, or affordable early childhood education and care.

The policies of the current Federal Government in response to the pandemic have made women's economic security worse. From the exclusion of much of the casual workforce from JobKeeper to the shocking numbers of women who have had to raid their superannuation, the economic impact of this recession will impact generations of working women.

On the 110th anniversary of International Women's Day we are reminded how women have had to organise and fight to have our voices heard.

The pandemic shone a light on the gender disparities that have long existed for women. Instead of continuing to worsen the gaps in our society, our Government should take the urgent serious action needed to tackle inequality and build a better, fairer, safer Australia.

**Michele O'Neil**



# Gender Pay Gap

- **13.4% gap**
- **Over 30% when hours of work are taken into account**
- **Australia ranks 44<sup>th</sup> in the world on gender pay gap**
- **Women still bear primary responsibility for caring**

Although the principle of equal pay for equal work was embedded in federal law over 50 years ago,<sup>1</sup> a significant gender pay gap persists in Australia. While the gap has closed slightly, progress can only be regarded as glacial. Based on a comparison of full-time weekly earnings, the national gender pay gap is currently 13.4%. When the reduced number of hours women work due to caring responsibilities is included, the gender pay gap is much higher – over 30%.<sup>2</sup>

One of the key reasons for the gender pay gap is that the Australian workforce is highly gender segregated,<sup>3</sup> with industries and occupations dominated by women characterised by high levels of award dependency, lower wages and fewer protections.<sup>4</sup> Over the 14 year period between 2006 and 2020, Australia has plummeted from 15<sup>th</sup> to 44<sup>th</sup> place in the World Economic Forum Gender Gap Report.<sup>5</sup> In part, this poor performance relates to our persistently high levels of occupational and industry segregation along gender lines. Many of these undervalued sectors include those workers who have carried our community through the pandemic, including frontline workers in healthcare, retail and hospitality.<sup>6</sup>

In addition to the undervaluation of work in industries and occupations dominated by women other key contributing factors to the gender pay gap include the disproportionate responsibility that women have for unpaid caring and domestic work and the workforce disruption this causes, lack of access to secure, quality flexible work, paid parental leave and early childhood education and care, and discrimination in hiring, access to training, and other terms and conditions of employment.

1 Australasian Meat Industry Employees Union v Meat and Allied Trades Federation of Australia (1969) 127 CAR 1142 ('Equal Pay Case'); National Wage and Equal Pay Case (1972) 147 CAR 172.

2 ABS, Average Weekly Earnings, 6302.0, November 2020, Table 2

3 Workplace Gender Equality Agency. (2019). Gender Segregation in Australia's Workforce. 17 April.

4 Wilkins R & Zilio F (2020), Prevalence and persistence of low paid award-reliant employment, Fair Work Commission Research Report 1/2020, pp 11 and Table 3; Barbara Broadway and Roger Wilkins, Working Paper Series: Probing the Effects of the Australian System of Minimum Wages on the Gender Wage Gap, December 2017

5 World Economic Forum, Global Gender Gap Report, 2020 <[http://www3.weforum.org/docs/WEF\\_GGGR\\_2020.pdf](http://www3.weforum.org/docs/WEF_GGGR_2020.pdf)>

6 Fair Work Commission, Statistical report—Annual Wage Review 2019–20, Version 14, 18 June 2020, p 64 Table 7.1



# Impact of insecure work on women

- **57% of women workers experienced precarious conditions pre Covid**
- **Nearly 1million women are in casual jobs in retail, hospitality, education and health**
- **Across the board women are more likely to not have sick leave, long service, leave and less superannuation.**

Women are overrepresented among the insecure workforce: 57% of women workers experienced precariousness in their work pre-COVID. Women are more likely to be employed in reduced hours, casual and temporary positions than men, and their jobs are characterised by less predictable hours and fewer entitlements such as sick leave, long service leave and superannuation.<sup>7</sup>

Insecure work means employers can cut hours, change rosters and fire staff without compensation. Insecure work is not safe work: insecure workers are more likely to be unsafe at work for a range of reasons, including inadequate training and induction and fear of reprisals for speaking out about safety concerns. Insecure work is found across all industries, but is concentrated in industries in which the majority of employees are women: 945,000 women are in casual work in four large industries, namely Retail, Accommodation and food services, Education and training and Health care and social assistance (ABS 2019). Demonstrating the link between poor health and safety and job insecurity, the Sex Discrimination Commissioner recently found that close to half of all sexual harassment perpetrated in the workplace in the last five years occurred within these four sectors.<sup>8</sup> COVID-19 has also exposed insecure work as a serious public health hazard: casual and insecure work has been a significant common factor in almost every major COVID-19 outbreak.<sup>9</sup>

7 Pennington, A. & Stanford, J. (2020). Gender Inequality in Australia's Labour Market: A Factbook. Centre for Future Work: Sydney.

8 Australian Human Rights Commission, "Everyone's business: Fourth national survey on sexual harassment in Australian workplaces," 2018, p. 60.

9 See for example ABC News, "Workplace coronavirus transmission driving Victorian case numbers, including in aged care," 20 July, <https://www.abc.net.au/news/2020-07-19/workplace-coronavirus-transmission-in-victoria-in-aged-care/12470704>





# The work/life collision

## Only 15% of Australians feel they can manage work and family responsibilities

Many women in casual work are women with caring responsibilities who cannot get access to secure family friendly working arrangements and are forced into lower paid, less secure work in order to try to manage the work/life collision. While Australia performs well in most measures of well-being relative to most other OECD countries, it performs notably badly on the measure of work-life balance.<sup>10</sup> Only 15% of Australians, regardless of gender, feel they are able to balance their work and family responsibilities.<sup>11</sup> The result is that many workers, mostly women, have little choice but to drop out of the workforce altogether, put promotions or training on hold, and/or accept lower paid or less secure work in order to manage their unpaid care and domestic work commitments.<sup>12</sup> The high cost of childcare in Australia, lack of guaranteed access to secure family friendly working arrangements and our inadequate paid parental leave scheme make life even harder for families trying to manage the work/life collision.

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10 OECD, "Better Life Index," Australia, <http://www.oecdbetterlifeindex.org/countries/australia/>.

11 Elizabeth Hill, et al., "Young women and men: Imagined futures of work and family formation in Australia," *Journal of Sociology* 55(4), 2019, pp. 778- 798.

12 Dr Siobhan Austen, *The Effects of Parenthood and other Care Roles on Men's and Women's Labour Force Participation and Experiences of Paid Work*, May 2017 at [5]; Argyrous, G., Craig, L. and Rahman, S. 2017. 'The Effect of a First-Born Child on Work and Childcare Time Allocation: Pre-Post Analysis of Australian Couples'. *Social Indicators Research*, 131(2): 831-851; Charlesworth, S., Strazdins, L., O'Brien, L. and Sims, S. 2011. 'Parents' Jobs in Australia: Work Hours Polarisation and the Consequences for Job Quality and Gender Equality'. *Australian Journal of Labour Economics*, 14(1): 35-57



# Sexual harassment and violence

- **Two in three women have been subjected to one or more forms of sexual harassment at work<sup>13</sup>.**
- **Only a quarter of women harassed at work make a formal complaint, and 40% tell no one at all<sup>14</sup>.**
- **More than one in 10 Australian women experienced abuse, harassment and controlling behaviours since the pandemic started. More than half of those reporting family and domestic violence said it had become more frequent or severe since COVID-19<sup>15</sup>.**

COVID-19 has increased the risks of violence and harassment for women at work. Even before the pandemic, Australia's regulatory framework was failing to keep workers safe from violence and harassment. It places the burden on individuals to complain at their own cost and risk, and there is no meaningful requirement on employers to implement proactive measures to address violence and harassment, and no effective enforcement or compliance mechanism.

The complaints process under discrimination laws is costly, time-consuming and risky, and many individuals do not complain at all for fear of victimisation or other reasons.

Violence and harassment is not adequately addressed by employers or regulators as a workplace health and safety issue.

We still do not have 10 days paid family and domestic violence leave as a minimum employment standard.

The recent allegations made regarding rape, bullying and harassment at Parliament House remind us how urgent this issue is for working women. Stronger employment, workplace health and safety and anti-discrimination laws are desperately needed address this systematic problem. In March 2020, the Sex Discrimination Commissioner released a ground-breaking report, 'Respect@work', which finds that our laws are failing to keep workers safe and makes 55 practical recommendations for reform, including:

- Stronger work health and safety laws to make sure that employers are obliged to tackle the underlying causes of sexual harassment at work
- Better access to justice for workers through a quick, easy new complaint process in our workplace laws
- Stronger powers for the Sex Discrimination Commissioner to investigate industries which are rife with sexual harassment, such as retail and hospitality, and positive duties on employers;
- Ratification of the International Labour Organisation's Convention on Violence and Harassment at Work 2019.

Despite having had this report for over a year, the government has taken no meaningful steps to implement the recommendations. Respect@Work calls for urgent action to prevent sexual harassment and to tackle the underlying causes of sexual harassment and gendered violence. The Government must act now to **#Adoptthe55**.

13 ACTU, 'Sexual Harassment in Australian Workplaces: Survey results' (Report 2018)

14 Ibid

15 ACTU, 'Leaving women behind: The real cost of the Covid recovery'(Report 2020) at p 10



# Impact of COVID-19 on women

- **Women over-represented in insecure and low paid jobs**
- **Women dominated the frontline care, and the caring responsibilities at home**
- **JobKeeper rules unfairly excluded women workers**
- **Over 300,000 women emptied their superannuation accounts to cope during Covid, putting them at greater risk of poverty in retirement.**

Women were already over-represented among workers in insecure and low-paid jobs and were shouldering the majority of unpaid domestic and care labour before the pandemic struck. The pandemic has exacerbated these inequalities. A predominantly female healthcare workforce has placed women on the frontlines of the pandemic, and the increase in caring responsibilities during the COVID-19 crisis has been largely carried by women. Social distancing measures have placed women at greater risk of family and domestic violence. Women's overrepresentation in insecure work meant greater job losses in the early stages of the pandemic.<sup>16</sup>

These negative effects were made worse by the exclusion of short-term casuals from JobKeeper, many of whom were women. Another damaging, gender blind policy response from the Morrison Government was to enable individuals 'early access' to their superannuation savings before retirement age. Australians seeking to cushion the financial blow of the pandemic have made about 4.8 million applications for early release of their retirement savings, to a total value of \$36.4 billion.<sup>17</sup> Women already have significantly lower superannuation balances than men, due to the gender pay gap. Since April, more than 1.7 million women have withdrawn a total of \$13 billion from their retirement savings. Over 300,000 of these women have completely emptied their accounts.<sup>18</sup> Women over 55 were already the fastest growing cohort of homeless Australians, and now face an even greater risk of poverty and homelessness in later life.

16 WGEA, Gendered impacts of COVID-19, May 2020

17 APRA, COVID-19 Early Release Scheme - Issue 36, February 2021

18 ACTU, Leaving women behind: The real cost of the Covid recovery, November 2020