



Employment Matter Guidelines

Conditions of service

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Introduction

The benefits and entitlements provided to your employees form the basis of their working conditions. Having competitive conditions of service that reflect the diverse needs of your workforce are a good way to attract the best people to work for you and help you to retain and develop the best talent.

Reviewing your conditions of service on an ongoing basis could help your organisation:

- Be responsive to the existing environment.
- Maintain a competitive edge in attracting and retaining valuable staff.

Keep in mind when reviewing your conditions of service, there are minimum conditions of service for employees, dependent upon legislative and award standards. These vary from state to state in Australia. If you are unsure of how these might apply to your organisation, a good starting point is the federal Department of Employment and Workplace Relations ([DEWR](#)).

The information provided here aims to assist you to start thinking about:

- How you could analyse your workplace to identify any conditions of service issues for women.
- Suggested actions you could take to address the conditions of service issues for women you have identified.

Also keep in mind that women are not a homogenous group, and differences such as age, religion, cultural and linguistic backgrounds, disability, sexual orientation, etc. warrant consideration in shaping your workplace practices, including conditions of service. Organisations that recognise and value the different backgrounds of Australian women stand to benefit from a range of experiences and skills. These skills are a resource for doing business in a diverse society.

Conditions of service which are beneficial to your female employees and to you as an employer, need not be costly or resource intensive in their implementation. Often existing conditions of service can be managed in a slightly different way to better meet your female employee needs and the needs of your business.

For example, allowing employees to take small blocks of annual leave over the course of the year, rather than prescribing that the leave be taken all at once, can be very attractive to employees without imposing onerous costs on the employer.

Not all issues, actions and examples suggested here are relevant to your organisation. It is up to you to decide what is appropriate and relevant for your organisation to consider when analysing your workplace to identify issues for women, and taking actions to address these.

Analysing Your Workplace

The [Workplace Relations Act 1996](#) may be a good starting point to review your conditions of service. You may like to refer to the DEWR's publication [Women and Workplace Agreements](#) to assist you to further identify the issues and ideas so that you can align your conditions of service to the needs of your female, as well as your male workforce.



To assist you analyse your workplace to identify conditions of service issues for women, we suggest you:

- Revisit your workforce profile to find where your female employees are.
- Consult with your employees.
- Examine your current conditions of service.

Questions to Identify Conditions of Service Issues for Women

Remember, your organisation is unique and may have unique issues. However, the following questions may be helpful when analysing your workplace.

?	Do your employment practices/conditions of service restrict the ability for females to be employed by your organisation?	?	Has your organisation considered opening up workplace flexibility for employees when agreement making?
?	Are conditions of service tailored to meet the needs of both female and male staff (eg. maternity/parental leave, and flexible work options that accommodate work/life needs of women from different cultural or religious backgrounds?)	?	Are women employed mainly in casual and temporary positions? If so, is there a higher representation of women from different cultural and linguistic backgrounds?
?	Do work hours enable both men and women to fully contribute?	?	If so, do casual and temporary employees have comparable conditions of service to full-time permanent employees? If conditions are not comparable, are these employees remunerated sufficiently to make up for reduced benefits?

Leave Arrangements

?	Do leave provisions enable employees to balance their work and family needs, and other responsibilities (eg religious or cultural practices?)	?	Do leave usage rates differ between men and women? Or vary across the organisation? If so, you may wish to explore why this is so (eg practices not suitable for particular organisation areas, lack of management support for practices, lack of employee awareness of policies etc)
?	Has your organisation reviewed usage rates, for both men and women, of different types of leave?		

Remuneration, Allowances and Benefits

?	Are people remunerated equally for comparable work in your organisation?	?	Are technical and line roles paid equitably compared with professional and support roles, considering the skills, competencies, qualifications and experience required for the different jobs?
?	Do female and male employees receive equal pay, and equal benefits, for work of equal value?	?	Are bonuses allocated equitably? Are they distributed among females and males in similar roles, on the basis of performance



			and the requirements of the job?
?	Is remuneration linked to objective performance measures?	?	Are objective criteria or processes used to allocate allowances and benefits (eg seniority or length of service may disadvantage women)? Examples of allowances and benefits could include: car and mileage allowances, company cars and car parks, discounted goods and services, share options, profit dividends, and reward schemes.
?	Are staff trained in how to use these performance measures?	?	Are allowances and benefits distributed among females and males in similar roles, on the basis of performance and the requirements of the job?
?	Do female and male employees generally receive comparable pay for equivalent performance in similar roles?	?	Is everyone in your organisation in the same superannuation scheme? <ul style="list-style-type: none"> - If not, do different schemes confer benefits that recognise female employees may have broken periods of employment compared with their male peers? - Are superannuation contributions portable?
?	In general, do female and male employees receive comparable performance pay?	?	Do employees working flexibly have access to similar benefits to your full-time, worksite-based employees?
?	Are both men and women employed in job types where performance pay or large bonuses are paid?	?	Do men and women in similar roles receive, on average, a similar level of assistance to support external study?
?	Are pregnant women, and women on maternity leave, included in the pay review process?	?	Is company provided clothing inclusive of the needs of both female and male employees (eg safety footwear, maternity uniforms)?

Communicating your Conditions of Service

?	Are changes to conditions of service communicated effectively to all staff, both men and women?	?	Do both female and male staff have easy access to the latest policies and other relevant information? Does this include when they are on maternity/parental leave, working part-time or working from home?
?	Are managers and staff aware of how new employment practices can be implemented equitably (eg performance appraisals, flexible working arrangements etc)?	?	When your organisation reviews new working conditions (eg through surveys or the agreement making process), is input sought from both female and male employees at all levels affected?



Suggested Actions to Take to Address Conditions of service Issues for Women

To **comply** with the Act, you need to take actions to address the conditions of service issues for women you identified. You do not need to do everything all at once and you can aim to achieve equal opportunity over time.

To be **waived** from reporting in following years, you must demonstrate that you have taken all reasonably practicable measures to address conditions of service issues for women you have identified. For example, your issue may be a large pool of ongoing female casual staff who would prefer to have access to regular part-time work arrangements.

The following suggestions will help you start thinking about actions you could take to address any conditions of service issues you have identified.

Keep in mind that:

- Not all of these actions may be relevant to your organisation. You will need to decide whether you choose to do all, some, or none of the suggested actions, and whether you wish to tailor suggested actions to suit the needs of your workplace.
- If your workplace analysis demonstrates your organisation has no issues for women in this employment matter, you would not need to take any actions.



Reviewing Current Conditions of Service

- Investigate the effectiveness of existing conditions of service (eg through survey, focus groups, exit interviews, reviewing usage rates etc). You could, for example, look at whether:
 - Both female and male employees are aware of conditions of service.
 - Both female and male employees believe conditions of service are applied equitably and accessible. For example, do existing policies accommodate different definitions/types of families? Are company benefits extended to same-sex relationships? ([See article re legal recognition](#))
 - Employees have suggestions for cost-effective conditions of service, which may assist the organisation address equal opportunity issues for women.
- Consider introducing or revising conditions of service to enable female and male employees to balance work and family or other cultural commitments.
 - Some examples could include part-time work, home-based work, flexible working hours, telecommuting, access to a telephone for employees to check on family members at home, different types of leave, parental kits, dependant care help lines, work-based child-care, school holiday care, etc. (See Resource, [A Tool for Improving the Work and Family Balance](#))
 - Your organisation would need to consider which option(s) would be the most resource effective way to address equal opportunity issues for women in the workplace.
- Include an anti-discrimination or equal employment opportunity clause in your workplace agreement/s.

- Consider offering long-term casual employees (both female and male) the opportunity to access regular part-time arrangements that attract pro-rata conditions of service of full-time, permanent staff.
- Consider opening up workplace flexibility for employees when agreement making.



Reviewing Remuneration, Allowances and Benefits

- Review how remuneration, allowances and benefits are allocated to identify any equal opportunity issues for women.
- Develop a remuneration policy with clear and transparent processes, and objective criteria (for example, performance, job requirements, etc), for allocating bonuses, rewards, incentives, allowances and benefits.
- Link remuneration to objective performance measures.
- Train staff in how to use performance measures.
- Review employee remuneration to ensure female and male employees generally receive comparable pay for equivalent performance in similar roles.
- Consider implementing performance pay across all organisational areas and levels, rather than in only traditional areas/levels (for example, sales positions, senior management).
- Ensure both men and women, including pregnant women, and women on maternity leave, are included in any pay review process.
- Compare uptake rates for external study assistance between men and women. Remember, some women may be less assertive (eg, for cultural or linguistic reasons) in putting themselves forward for study assistance.
- Ensure managers provide access to study assistance to both female and male employees.
- Ensure company provided clothing is inclusive of the needs of both female and male employees (for example, safety footwear, maternity uniforms).
- Identify skills of both female and male employees (for example, through a skills audit, or a part of performance appraisal process) and ensure comparable skills used and performance achieved is attracting comparable remuneration and benefits.
- Embed the principle of "equal remuneration for work of equal value without discrimination based on sex" into your agreement/s and core people management policies.
- Examine the fairness and efficiency of current superannuation arrangements for both the organisation and its employees.
 - Are there ways you could make the scheme/s more portable, particularly for your female and casual staff?

"A working party was formed to review ways the company could create more free time for workers by facilitating the completion of identified domestic tasks during working hours.

"The company agreed to set up access to on-line banking and grocery shopping, a dry cleaning pick-up service, yoga classes, reduced gym memberships, on-site car washing, an accountant to process tax returns and many other time-saving devices for employees."



Communicating Conditions of Service

- Be prepared to communicate flexible workplace policies at the time of recruiting new employees. Companies benefit by investing in work-life balance and differing needs of employees. (See reported NZ experiences in [Business Benefits of Work and Life](#))
- Seek input from all employees – female and male, when your organisation reviews new working conditions (for example, through surveys or the agreement making process).
- Ensure that a diversity of women (including part-timers and casuals) are represented in any consultations about proposed changes to conditions of service.
- Ensure that women (including culturally and linguistically diverse women) are represented on the bargaining team for workplace agreements.
- Ensure relevant awards, agreements and policies are readily accessible to all staff, including those who are on long-term leave (for example, maternity/parental leave) or working from home.
 - Does each work-site have at least one copy of each in a central and easily accessible place?
 - Is information about conditions of service communicated in a range of ways (for example, staff newsletters, billboards)?
 - Do human resource staff visit other areas of the organisation to help employees and managers understand their conditions of service?
 - Are information sessions on matters that potentially impact on female and male employment conducted?
- Develop an induction package, which includes information on conditions of service, for new employees.
- Use training forums for managers and staff to 'mainstream' EEO issues (for example, cover "valuing and managing difference through conditions of service" in induction training)
- Encourage managers to discuss conditions of service issues when providing feedback or conducting performance appraisals.
- Ensure both female and male employees, and employees on long-term leave have access to the information on changes to conditions of service.
- Educate managers on how to implement conditions of services effectively and in a non-discriminatory way.
- Encourage managers to lead by example when accessing conditions of service.



Predominantly Male Workplace Issues

An equal opportunity program must deal with the specific needs and issues of your organisation. Such a program identifies and outlines the issues you are addressing and the initiatives you will put in place to achieve results. The most significant issues facing organisations with a majority of male employees may be:

- A lack of applications from female employees.
- A low proportion of women in management.
- A low proportion of women in non-traditional occupational categories eg. trades, labouring, plant and machinery operators.
- Problems retaining female employees.

?	Do you ensure that men and women are paid equitably?	?	Do women have equal opportunity to overtime and other additional earnings?
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Predominantly Female Workplace Issues

EOWA is aware that some organisations have been implementing very good Human Resources policies for a number of years but have under reported on this information because they don't see it as relevant to equal opportunity for women. All HR policies and practices, whether formal or informal, affect all the people in your organisation and, therefore, are relevant to equal opportunity for women.

?	Are there particular occupations where the majority of staff are women and they are employed on a casual basis?	?	Does the pay structure reflect the nature of the work and the skills required to perform the job(s)?
?	Is the average length of service similar for women and men?	?	
?	Does the length of service for women and men differ between occupations?	?	



Case Studies

All case studies are available from www.eowa.gov.au

Mixed Gender

John Wiley and Sons, an educational textbook publishing and distribution company, designed and implemented a staff survey, which resulted in improvements in conditions of service for men and women. In addition, job security for casual employees rated high on the results and staff returning from parental leave also revealed issues. [Find out what they did...](#)

It's no wonder that Sara Lee Household and Body Care Australia are an *EOWA Employer of Choice for Women* – to keep great staff from leaving and support working parents, Sara Lee has adopted groundbreaking initiatives enabling work/life balance and fantastic conditions of service. [Find out what you too can offer your employees...](#)

The Friend's School has achieved a 100% return to service after maternity leave. Yes, 100%! Why? Because six weeks of paid maternity leave is provided to staff. [Find out how they achieved this...](#)

Predominantly Female

The Australian National Credit Union (ANCU) quickly discovered that some staff was dissatisfied with rates of pay. In order to keep the best talent, ANCU established a rewards and recognition programme incorporating evenly distributed bonuses to all staff and management. Now ANCU staff couldn't be happier. [Read on...](#)

Autoliv Australia prides itself on its low staff turnover and high staff moral. In order to keep this trend alive, Autoliv has adopted initiatives such as income protection, paid carers leave, medical assistance and 12 ROD's per year. The results are amazing. [More here ...](#)

Retaining great staff through good conditions of service is a priority of Blake Dawson Waldron. Through an extensive work/life program, Blake Dawson and Waldron has been able to not only keep its pool of great talent, it also keep moral high and build an excellent corporate culture. [Find out more...](#)

Through exit interviews, Country Road was able to determine that pay equity was an issue that required action. Now there is an increase of 13% of women in management and there is now pay equity between males and females. What were their actions and initiatives? [Find out here...](#)

To reduce staff turnover at Hollywood Hospital, initiatives were implemented such as childcare referral systems, paid maternity leave and career break schemes, which resulted in a dramatic decrease in staff turnover, from 27% to 12.6% in only three years. [Find out what other conditions of service Hollywood have implemented.](#)

Predominantly Male

In the competitive world of Information Technology, SAP realised through surveys and analysis that in order to keep great staff they must offer outstanding conditions of service. Childcare referral systems, study allowance and other flexible work arrangements are now part and parcel of SAP's commitment to retaining great staff. [Find out what else SAP has done...](#)



[A winner of the 2001 ACCI National Work and Family Awards, Alcoa World Alumina Australia](#) is the world's biggest producer of alumina and operates two mines and three refineries in Western Australia, and is a major producer of aluminium from its two Victorian smelters

Diversity Related

[Organisational profiles - HSBC Bank Canada](#)

HSBC Bank Canada is part of the HSBC Group, which is one of the world's largest banking and financial services organisations. *"...Many companies have found themselves in a similar position to that of HSBC Bank Canada: recognising that their policies and practices around work-life balance – important for an employer competing for talent in a small pool – could be enhanced..."*



Related Links and Resources

[Work and Family Unit, Department of Employment and Workplace Relations](#)

The Work and Family Unit produces a series of fact sheets and guides dealing with a wide range of work and family issues. (AUST)

[Office of the Employment Advocate](#)

The Office of the Employment Advocate (OEA) helps employers and employees to achieve better workplaces by promoting better work and management practices through Australian Workplace Agreements (AWA). The OEA provides advice to employers and employees, especially small businesses, about the provisions of the Workplace Relations Act 1996, and deals with breaches of AWAs and freedom of association.

[Diversity Policy Template](#)

A sample policy with broad commitments related to recruitment, career development and promotion, as well as and flexible work practices. Made available by the Programme for the Practice of Diversity Management of the Australian Centre for International Business.

[Work and Family Makes Cents](#) (pdf)

Ideas on how to introduce flexible work options to help make your workplace more family-friendly. (AUST)

[Paid Work and Parenting: Charting a new course for Australian families](#)

A key finding of this working paper is that the tension between competing demands of work and family is not well managed and that new support structures are needed to expand the choices available to individuals and households. (AUST)

[A Tool for Improving The Work and Family Balance](#) (pdf)

Profiles a cross-section of Australian workplaces and their experiences in implementing family-friendly work practices as part of their workplace agreements. (AUST)

[Work-Life Balance in Canadian Workplaces](#)

A Canadian source of information, resources and support on work-life balance. Includes practical tools and best practices to assist employers, organisations, etc. (CANADA)

[Federation of Ethnic Communities' Councils of Australia Inc](#)

A submission in respect to Australian workplace relations and their impact on workers from a non-English speaking background. (AUST)

[Diversity Australia](#)

www.diversityaustralia.gov.au is a newly developed portal for diversity management, directed mainly to business, including business educators. The site is provided by the Department of Immigration, Multicultural and Indigenous Affairs and complements another new portal that has a government and community focus. Both sites will be available in April 2002.