

COMMUNITY BASED EMPLOYMENT ADVICE SERVICES REVIEW

Questionnaire for Community Based Employment Advice Services

Contact details

Name of organisation: The Equal Opportunity for Women in the Workplace Agency (EOWA)

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About the organisation

- 1) What is the primary purpose of the organisation?

EOWA's role is to administer the *Equal Opportunity for Women in the Workplace Act 1999* (Commonwealth) and through education, assist organisations to achieve equal opportunity for women. EOWA is a statutory authority of the Australian Commonwealth Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA).

- 2) What is the nature of employment advice that your organisation renders?

Every non-government organisation with over 100 employees is required to report to EOWA about their workplace practices including what they are doing to ensure equity in their workplace under the Equal Opportunity for Women in the Workplace Act of 1999. Employers submit a report that addresses seven employment matters and the Agency works with these employers to improve equal opportunity outcomes for women in the workplace by:

- Delivering practical solutions;
- Building strategic partnerships; and
- Leading public debate to increase the rate of change.

EOWA is primarily focused on working with private sector organisations and has very little direct interaction with working women.

About the services

3) What other services do you provide?

EOWA conducts numerous pieces of research each year on issues relating to women in the workplace which are made publicly available on the Agency website.

Through awards and a citation process EOWA also formally recognises employers for leading-edge initiatives and improved outcomes for women.

4) Do you charge a fee to any clients?

EOWA's clients are private sector organisations. As EOWA's primary role is to administer the EOWW Act no fees are charged to clients for assistance with workplace programs. EOWA provides numerous resources and tools free of charge on the Agency website. Charges apply only to optional services that EOWA provides, these include an online bullying and sex-based harassment training program and Workshops to help businesses prepare a compliant report and to position as employers of choice for women.

About the clients

5) Do you refer clients to other organisations and if so, where? (e.g. legal services, HREOC, trade unions)

EOWA regularly receives calls from female employees experiencing difficulty within their workplaces. As EOWA's services cater to private sector organisations, and not working women, EOWA refers these callers to other federal and state government organisations such as the Australian Human Rights Commission (AHRC), the Fair Work Ombudsman, Fair Work Australia and state anti-discrimination boards. A referral list is kept at EOWA reception in order to do this effectively and this list includes the NT, QLD and SA Working Women's Centres.

Other comments

In light of the Working Women's Centres' (WWC) inclusion in the Review of Community Based Employment Advice Services, EOWA would like to provide the following comments, research and statistics to the committee for consideration.

WWC in relation to larger State and Federal Government organisations

Evidence shows that women still face discrimination at work and that forms of discrimination are complex and often compounded by other factors such as ethnicity, level of command of the English language and level of education. As such there is a need for targeted and in-depth advice for marginalised groups. The Working Women's Centres operate at a community level and can be the

first point of contact for vulnerable women. As the centres are community based, they do not have same kind of constraints that larger state and federal organisations do.

Many organisations exist in the equal opportunity arena, EOWA is specifically business focused, while the AHRC, the Fair Work Ombudsman, Fair Work Australia, state IR bodies and anti-discrimination boards also have targeted objectives and client groups. Anecdotal evidence suggests that finding the right kind of assistance can be challenging given the large number of government organisations that relate to workplace issues, and considerably more challenging still for vulnerable and disadvantaged women such as CALD clients.

Issues affecting women in the workplace which can lead to the seeking of advice from centres such as the WWCs

The following seven employment matters considered below are used by EOWA in educating and assessing employers in the compliance reporting process. Despite the ongoing work that EOWA does with employers during the reporting period and through other incentive based initiatives, vulnerable female workers often require direct tailored assistance in finding the help they need to assert their rights and entitlements should they experience difficulties at work.

Marginalised women are often single mothers, carers, culturally and linguistically diverse (CALD) women, mature age women, rural women, women with disabilities and indigenous women. Marginalised working women by situation are generally low paid, earning the minimum wage or less, work part-time or casual and have long absences from the paid workforce.

The main priorities identified of particular concern to women earning less than \$30,000 per annum include the need for flexibility, pay equity, family friendly provisions, training and development and harassment prevention. In 2008 EOWA held forums with the Working Women's Centres, the various offices for women nationally and the state equal opportunity commissions to discuss the issues that they believe, through their direct interaction, are impacting women. Specific issues raised included sex-based harassment, discrimination when pregnant and pay (primarily related to breaches of award payments).

Recruitment and selection:

-Women continue to experience discrimination during recruitment processes including interviews and selection, and although such forms of discrimination are unlawful many women are unaware of their rights or avenues for action should this occur.

Promotion, transfer and termination:

- More than half of both women and men agree that promotions and job opportunities are not always awarded on merit.¹
- Nearly 40% of women and 30% of men say that men in their workplace progress and are promoted more quickly than women.²
- Many EOWA reporting organisation's report contacts cite the fact that women tend to be concentrated in low-paying occupations as justification for income inequality in their organisation.³
- Many women are unlawfully terminated before returning from maternity leave as recent cases before the Fair Work Ombudsman reflect.

Training and development:

- Training can be structured in a way that makes it difficult for people with caring responsibilities to attend and training opportunities are not always offered transparently or equally.
- Incorrect assumptions are made about women's aspirations and career development interests.⁴
- Even though women significantly outnumber men as university graduates, the evidence suggests they are not receiving the same degree of training, opportunity and support within workplaces. The Global Gender Gap Report ranks Australia first for women's educational attainment, but twenty second for women's economic participation and opportunity⁵

Work organisation:

- A recent survey shows that over 80% of respondents rated employees' and managers' knowledge about the right to request flexible working arrangements under the new Fair Work system as either nonexistent or low.⁶
- Working women on average carry a greater share of caring responsibilities than working men and do the majority of unpaid work around the home which affects workforce participation.
- Women make up approximately 60% and 70%⁷ of the casual and part-time workforce respectively, in which demands may be unpredictable and entitlements can be vague or unclear.
- There is a high concentration of marginalised women working in the retail, hospitality or other service sectors where work is more likely structured in part-time or casual hours.
- 17% of women believe their workplace offers no flexibility whatsoever.⁸
- Women may be subject to employers' negative perceptions about the effect of family responsibilities on work performance, attitude and loyalty to the organisation which in turn may affect remuneration and promotional prospects.

¹ EOWA 2008, Generation F: Attract, Engage, Retain

² Ibid.

³ EOWA 2009, Survey on Paid Maternity Leave, Sex-based Harassment Initiatives, and the Gender Pay Gap.

⁴ EOWA 2008, Generation F: Attract, Engage, Retain.

⁵ World Economic Forum 2008, the Global Gender Gap Report.

⁶ Aequus Partners 2009, Right to Request Flexibility (r2r) National Employment Standard Survey Report.

⁷ ABS, Labour Force Statistics (Cat No 6202.0), Labour Force Status: Trend, September 2009.

⁸ EOWA 2008, Generation F: Attract, Engage, Retain.

Conditions of service:

-The current national gender pay gap now sits at 17.4%.⁹ -In organisations reporting to EOWA, currently less than half (42%) say they conduct an annual gender pay equity analysis and 37% of report contacts believe a gender pay gap exists in their organisation.¹⁰

-Results from EOWA's Auspoll survey show that 82% of the general community are aware that Australian women - on average - earn less than Australian men, 80% of the general community believe that action must be taken to close the gap between men and women's earnings, and 88% of the general community don't have a full understanding of pay equity.

Arrangements for dealing with sex-based harassment:

- While almost all reporting organisations have formal procedures for dealing with sex-based harassment in the workplace, only 59% provide training to staff and even less provide training to managers (55%).¹¹ This is significant in light of the fact that one in five women will experience sexual harassment in the workplace in their lifetime.¹²

Arrangements for dealing with pregnancy, potential pregnancy and breastfeeding

-Understanding access to maternity leave provisions can be challenging in the context of considerations including the nature of work, work organisation, state and federal legislation and conditions of service specific to the job.

-Many employers lack formal policies for dealing with women who are breastfeeding and caring for children in the work environment and this has been highlighted by a number of notable cases in the media during 2009.

Conclusion

Working Women's Centres provide a valuable service to some of the most vulnerable workers in Australia. By providing free and confidential advice on the issues canvassed above, (some of which are highly sensitive issues for women) they make an important difference to the lives of many working women.

⁹ ABS, Average Weekly Earnings (Cat No 6302.0), Full-time Adult Average Weekly Ordinary Time Earnings, February 2009 (as at 21 May 2009).

¹⁰ EOWA 2009, Survey on Paid Maternity Leave, Sex-based Harassment Initiatives and the Gender Pay Gap.

¹¹ Ibid.

¹² Australian Human Rights Commission, 2008 Sexual Harassment: Serious Business - Results of the 2008 Sexual Harassment National Telephone Survey.