

Chapter 5

Gender Pay Equity: It's Time (Or is it?)

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We would love to stand here today and tell you that it is time for gender-pay equity, that we can now expect to see change. Given the extensive reviews that have been commissioned in the past five years by the governments of New South Wales, Queensland, Western Australia and Victoria and all the worthy recommendations included in these reviews, we can surely expect to see a substantial narrowing of the gender-pay gap (GPG) during this next decade.

Regrettably, however, we need to recognise those groups who benefit from the gender-pay gap and whose actions suggest that when we are saying "It is time!" they are saying "Oh, no, it's not!"

Until the resistance from these groups is overcome, pay inequity between men and women will continue in our society.

We will begin by outlining the nature of the gender-pay gap, then consider the reasons why we might argue that it's time for change. This will be followed by an analysis of the changes needed to achieve gender-pay equity together with a consideration of whether it really is time, in other words, whether these changes are likely to occur.

The Gender Pay Gap in Australia: Recent Trends

The equal pay cases helped to narrow the GPG in the 1970s but there has been minimal improvement in the relative position of women's earnings in Australia over the past two decades.

In February 2005, the gender-wage gap in the full-time labour market Australia-wide was 15.02 percent. In dollar terms this meant that women's average earnings were \$157.20 per week less than those of men. This was calculated on ordinary-time earnings and as can be seen in Table 1, the gap increased to 19.23 percent when based on full-time adult total earnings. When the average total earnings of full-time and part-time employees are taken together, the GPG increased to 33.72 percent. This is not surprising given that the majority of part-time employees are women.

The New South Wales statistics are marginally better than the national averages but one can only gaze with horror at the situation in Western Australia (WA). WA has the largest gap between men's and women's wages of any Australian state. This situation has persisted despite improvements in the levels of education and

workplace experience among women in WA and a substantial increase in WA's minimum wage. In WA, the GPG has grown from 17.5 percent in 1991 to 26.02 percent in February 2005. WA women's average ordinary-time earnings were 91.8 percent of their national counterparts whereas the relativity between WA and Australian men was 105.5 percent.

It's Time

Gender-pay equity has been recognised as a basic human right for a very long time, exemplified by conventions passed by the United Nations and the International Labour Organisation. So, it's been time to improve women's pay for the past few decades.

The promise of a more equitable system resulting in more committed employees does not appear to seduce the majority of employers in Australia to change their behaviour, but there are a number of contemporary social and economic issues that support the contention that it's time to address this inequity.

Firstly, many younger Australians aspire to a more equal sharing of work and family roles, rejecting the traditional male breadwinner/female home-carer model of an earlier era (Charlesworth 1999; Reed *et al* 2003). Yet that goal is undermined when women's incomes are lower than that of their spouses, since research shows it is the lower-paid woman who inevitably reduces her commitment to the paid workforce when the couple is struggling to balance work and family demands (Charlesworth *et al* 2002; Gregory 2002; Mumford & Pereira-Nicolau 2003).

The unequal pressure of those demands also feeds into an Australian birthrate well below replacement level, with women delaying motherhood until their early thirties, or even forgoing it altogether (Pocock 2003).

Secondly, gender-pay equity is critical to women's capacity to be independent economically. Apart from this being fundamental to gender equality, it provides a means for governments to reduce women's claims upon state welfare both during their working lives and in retirement (Preston & Austen 2001; Austen *et al* 2002).

Thirdly, more equitable pay for women would counter currently inefficient labour market matching processes (Watts 2003). An assumption often made is that low-wage jobs will stimulate employment.

However, as Rubery *et al* (2002) show, low pay creates disincentives for women to participate in the labour market (see also Gregory 2002; Mumford & Pereira-Nicolau 2003). With Australian business highlighting skills shortage as a number-one concern, better utilisation of women in the workforce can help secure that all-important skills base. Since gender-pay equity

Making the Link

has been shown to encourage better utilisation of women's participation in the paid labour force, it can also address business concerns about the aging population and its implications for labour market supply (Austen & Giles 2003).

In May 2005, women's labour force participation rate in Australia was 57.1 percent while men's participation rate was 72.3 percent. The labour force participation of women in Australia does not compare favourably with that in the majority of OECD countries. Similarly, the proportion of female workers employed in part-time jobs is higher in Australia than in many other OECD nations (OECD 2004).

These statistics illustrate Australia's under-utilisation of women in the paid workforce, at a time when there are serious labour shortages in the economy.

Finally, the International Confederation of Free Trade Unions (2003) cites further advantages to employers who promote pay equity. These include: simple, transparent and easily understood pay systems that send a positive message that all staff are valued (averts disputes); and pay reviews, which ensure equitable rewards and thus help improve morale, organisational effectiveness and reduced turnover costs.

Given the above, it would seem reasonable to conclude that the gender pay gap is a problem that all parties

Table 1: Adult Employees Average Weekly Earnings and Gender Wage Gaps, Feb. Quarter 2005

	Men \$	Women \$	Gender Wage Ratio %	Gender Wage Gap %	Gender Wage Difference\$
Australia					
Full-time adult ordinary time earnings	1046.70	889.50	84.98	15.02	-157.20
Full-time adult total earnings	1120.30	904.90	80.77	19.23	-215.40
Total earnings	929.40	616.00	66.28	33.72	-313.40
Western Australia					
Full-time adult ordinary time earnings	1103.80	816.60	73.98	26.02	-287.20
Full-time adult total earnings	1172.80	829.60	70.74	29.26	-343.20
Total earnings	987.80	545.70	55.24	44.76	-442.10
New South Wales					
Full-time adult ordinary time earnings	1076.80	932.60	86.61	13.39	-144.20
Full-time adult total earnings	1145.30	949.30	82.89	17.11	-196.00
Total earnings	945.50	667.50	70.60	29.40	-278.00

Source: ABS Cat. No. 6302

would want to address.

How Will Pay Equity be Achieved?

There's a substantial body of excellent research available detailing the factors causing the gender pay gap, from economic, sociological, instrumental and organisational perspectives.

The usual starting point in explaining the GPG is human-capital theory. Human-capital theory views women's choice of employment and consequent remuneration as the outcome of their rational human capital-investment decisions. This approach has helped to identify the contributors to gender-pay inequity, for example, an improvement in the level of female labour-market experience helped to reduce the gender-pay gap in Australia in the 1980s by about one-quarter (Preston & Crockett 1999:565).

Many analysts, however, have recognised the limits of a human-capital perspective on gender-pay inequality (see O'Donnell 1984; Whitehouse 2003; Rubery *et al* 2002). As Preston and Crockett (1999: Table 1, p.566) showed in their succinct summary of an array of econometric studies into the gender-pay gap in Australia, most of the Australian studies have found that less than one-quarter of the gender-wage gap is due to differences in the characteristics of men and women and that therefore three-quarters remains unexplained. It is essential therefore to look beyond standard economic models to identify what action is needed to rectify the GPG.

The bulk of studies have focused on four major factors, beyond human capital, as explanators of the GPG in Australia:

- The sex-segregated labour market.
- The undervaluation of women's work.
- The wage-determination system, and
- The inadequate support to enable employees to combine work and family responsibilities.

Let's consider what needs to be done to address each of these.

Sex-Segregated Labour Market

Pocock and Alexander (1999:88) concluded that "between 58 percent and 81 percent of the gender-pay gap is associated with being in feminised work (whether occupation, industry, workplace or job-cell)."

Such findings on the sex-segregated labour market point to the critical importance of the value attached to jobs and skills associated with female labour. Many argue that the paid work of women has been undervalued (Hunter 1988; Acker 1989; Pocock 1988) and that job evaluation systems have provided inept interpretation of some aspects of traditional female duties and skills (Probert *et al* 2002:6; Acker 1989).

Undervaluation of Women's Work

In Australia, the implementation of comparable worth has proven extremely difficult. While the 1972 "equal pay for work of equal value" case led to a significant decline in the gender-pay gap during the 1970s, its implementation was only partial (see Short 1986 for further detail).

The 1998 NSW Pay Equity Inquiry is regarded as having charted a new course for understanding and addressing the undervaluation of women's work and the subsequent Equal Remuneration Principles developed in NSW, Tasmania and Queensland are viewed as providing much better possibilities for the implementation of equal remuneration in Australia. Progress of such cases is, however, very slow and resource-intensive; it will require millions of dollars and decades of work through the state-based tribunals.

We should pause at this point and reflect on how this might be affected by the federal government's drive for a unified industrial relations system. The majority of workers would be excluded from accessing the equal remuneration principles available within the state jurisdictions and be dependent upon the federal

tribunals and federal legislation.

Federally the *Industrial Relations Act* 1988 was amended in 1993 to include equal remuneration provisions and these were subsequently included in the 1996 *Workplace Relations Act*. They have been "notoriously unsuccessful in achieving their objective" (Whelan 2005 p.2). The complexity and uncertainty associated with the provisions has resulted in not one order being issued in the 12 years of their existence. Thus if gender-pay equity is to be achieved, it is essential that there be provision for cases relating to historical gender-based undervaluation to be progressed.

Wage Determination

Turning now to the system of wage determination, how has this impacted on the GPG in Australia and what do we suggest is needed to achieve gender-pay equity? Historically, the 1907 Harvester decision established the concept of wages being determined on a gendered needs basis with a woman to be paid 54 percent of a man's wage. Because occupations were segmented along gender lines, the discriminatory pay rates were applied to occupations. While the rules have changed, the consequence of women's work being undervalued persists.

The introduction of enterprise bargaining and the consequent fragmented bargaining system in Australia has exacerbated gender-pay inequity. The distribution of female employment between wage-determination streams and the inequalities within the streams is contributing to the overall gender-pay gap.

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Table 2: Gender Wage Gap by Bargaining Stream in Australia, Average Hourly Earnings, 2004

	Males	Females	% Gap	Amount
Awards only	16.40	16.40	0.00	0.00
Registered collective agreements	25.10	22.50	10.36	2.60
Unregistered collective agreements	22.00	20.30	7.73	1.70
Registered individual agreements	25.10	20.00	20.32	5.10
Unregistered individual arrangements	23.90	21.20	11.30	2.70

Source: ABS 6306.0

Note: These statistics are based on non-managerial employees' average hourly rates of pay and therefore are likely to understate the gap particularly in terms of individual agreements.

Recent studies using ABS data show that women are much more over-represented in the lowly paid award-only stream (Preston 2003; Whitehouse & Frino 2003).

Table 2 summarises the hourly rate of pay by bargaining stream and by gender for Australia. The trends revealed are similar to those found by Whitehouse and Frino (2003): lowest hourly rates occur in the award-only stream, men's hourly rates are greater than women's in all streams except for the award-only stream, that is, the lowest paid category.

Once again, let us reflect on the federal government's proposed IR changes, in particular in relation to wage determination. One of the major thrusts of the proposed changes is to increase the use of individual agreements. The evidence in Table 2 demonstrates that women workers on average end up worse off than men under individual agreements. In 2004, women on registered individual agreements were earning an average of \$20.00 per hour compared with their male counterparts who were earning \$25.10 (See Table 2). This gap in men's and women's average hourly earnings under individual agreements increased from 12.7 percent in 2002 to 20.3 percent in 2004 and while men's average hourly rates had increased from \$23.70 to \$25.10, women's had actually decreased from \$20.70 to \$20.00.

We can learn from WA in terms of what will happen when the federal government lowers the minimum standard for individual agreements from awards to a very minimalist set of wages and conditions. This was the basis of the No-Disadvantage Test in WA under the former coalition state government and, yes, more employers used individual agreements to set wages and conditions and, yes, inequity grew.

The gap between men's and women's average hourly earnings under individual agreements in 2002 in WA widened to 26.6 percent.

A final comment that needs to be made in relation to wage determination is the importance of the minimum

wage. Effective implementation of minimum wage protection is described as "critically important" for gender-pay equality by Rubery *et al* (2002). Women are more likely than men to be located in workplaces in which they have limited scope for collective bargaining and are more likely to be concentrated in jobs affected by minimum-wage regulation. Hence, any reduction in the minimum wage relative to the average wage is likely to exacerbate the gender-pay gap and continue to discourage female participation in the labour market.

Support for Work and Family Responsibilities

Another factor contributing to the GPG has been the lack of support to enable employees to combine work and family responsibilities, with women bearing the consequences of those pressures. Having children has a positive impact on men's wages but a negative impact on women's (Preston 1997; Pocock & Alexander 1999). Assessments of the provision of family friendly arrangements in Australian workplaces conclude that such initiatives are confined to the minority (Pocock 2003). For example, up to 65 percent of managers and 54 percent of

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professional women have access to paid-maternity leave while only 18 percent of clerical, sales and service workers and 0.4 percent of casual workers are entitled to it (Watts & Mitchell 2004:179). And there is a gap between the provision of family friendly benefits and the utilisation of these measures (Campbell & Charlesworth 2004; Probert *et al* 2000). Much depends on the organisation's culture in ensuring that the implementation of family friendly benefits does not result in women being compromised in their careers. Thus, if "It's Time" and gender-pay equity is to be achieved, major advances will need to be made both in the provision of family friendly arrangements in workplaces and in their implementation.

While the current federal government, very early in its tenure highlighted the work/family debate as a particularly critical issue economically and socially, it has rejected proposals to regulate to address this pressing issue.

In summary, given the array of factors that have been identified as contributing to the gender-pay gap, a combination of strategies is necessary to progress gender-pay equity. Current practices and the predicted changes within the IR system do not augur well for the type of changes needed to achieve gender-pay equity in Australia.

The Howard-led federal government is not espousing any legislative changes likely to address the problems of undervaluation of women's work, inequitable outcomes from the wage-determination process, and the lack of provisions to enable more satisfactory combining of work and family interests.

Leaving aside the barriers within the regulatory systems in Australia, it might be argued that the factors we identified as issues capable of driving change — social expectations and growing labour market shortages — may motivate changes on a voluntary basis within workplaces. While we advocate a combination of regulatory and voluntary strategies, the importance of voluntary strategies should not be understated. It is in the workplace where the GPG will eventually be resolved although the resolution of issues impacting on the GPG is dependent upon the commitment of parties in the workplace.

Is 'It Time'?

From our experience in completing the GPG review in WA combined with our analysis of other Australian and international studies, we would have to conclude that in many workplaces "It's not time", that the prospect of change appears unlikely and indeed would be likely to encounter resistance.

The first point to be made is that, as with earlier inquiries, the WA review found a widespread lack of awareness and understanding of the GPG (Todd & Eveline 2004). Understanding often does not extend beyond equal pay; there is the presumption that now that men and women are paid the same rate for the same job there is no longer a problem and that all jobs are valued as they should be.

An extensive education program would be required to develop capacity among managers and decision makers to enable implementation of change. Educative programs would also need to raise community awareness so as to challenge existing expectations, not least of all among women.

The Business Case

Much of the change in practice necessary to address the GPG will need to emanate from employers.

Australian employers over the past two decades have generally eschewed arguments for change based on equity, it is the "business case" that has to be convincing.

The "business case" for many employers is that some women's labour is cheaper than it might otherwise be. This is a clear benefit to capital, to public-sector employers, and to consumers who would undoubtedly find the increased wages being passed on in increased prices for goods and services.

The "business case" that employers would perceive in relation to women employees would be to avoid changes that would increase their costs. Given that the dominant employer organisations in Australia continue to espouse free-market ideology, they can be expected to oppose changes to work-value cases judged by the commission and similarly to oppose regulatory intervention that might stipulate improved family leave provisions, access to part-time employment and increased entitlements for casuals.

Perhaps we might expect the growing labour-market shortages, particularly of skilled and professional employees, to be more convincing in persuading employers to change their attitudes and employment practices in relation to women workers. But in the debates about addressing labour shortages, how often have you seen reference to the under-utilisation of women in the labour market?

There has been discussion about increasing the participation of the disabled, the mature age and the single mothers but virtually no interest from employers and policymakers in addressing the barriers that are marginalising so many skilled and experienced women in the labour market. Similarly, much of the discussion around increasing labour-market

participation is focusing on the demand side; that is, what would make these potential employees more attractive to employers.

Consideration needs to be given to what would make it worth women's while to participate more extensively in the labour market, particularly when they are primary carers. The need for employers to be more responsive to work/life balance is commonly advocated but only witnessed in practice in a minority of workplaces.

When we consider how employers have responded to persistent labour-market shortages of groups such as nurses and chefs, it does not give much cause for optimism that employers may be persuaded to address those issues such as working hours, workloads and wages which could result in better attraction and retention of women employees. They appear to prefer to recruit from the international labour market than to reduce the barriers to increased participation by women in Australia.

In sum, reliance on the "business case" to convince employers to implement strategies to reduce the GPG is a flawed supposition. While there are important economic

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benefits to be gained from improving gender equity in the workplace, individual employers are unlikely to make substantial changes to their employment practices and are likely to be more responsive to their immediate cost position.

The Role of the Union Movement

This then raises the question of the role of the remaining IR party, the union movement. Is the union movement likely to exert sufficient power at the level of either the state or the workplace to bring about the changes necessary to improve the GPG?

While the union peak bodies have displayed support for actions to improve gender equity within the workplace, there is less indication of it being on the immediate agenda at the individual union level. With regard to gender-based, work-value cases, the unions have a critical role to play yet most will struggle to allocate the resources necessary to advance such cases.

Will individual unions be prepared to place gender-pay equity as a priority and, for example, to include women's work groups in their high-wage agreements?¹

Will Aspirations Lead to Change?

Finally, turning to the aspirations of those who expect a more equal sharing of work and family roles, might this lead to change? To what extent does capital, the union movement and the state embrace the existing gendered breadwinning/caring roles? Apart from Pru Goward's recent exhortations to men to engage in more active parenting, the work/family debates would suggest that the vision is the perpetuation of the existing gendered roles with men as the primary breadwinners and secondary carers and women as the primary carers and secondary breadwinners, rather than one in which women and men share equally the breadwinning and caring roles. This lack of real challenge to the "1950s social status quo" would still be appreciated by a number within the community.

Indeed, it also ensures that employers do not have to do more than offer token gestures in the guise of "family friendly" workplaces, for they will continue to have their "ideal workers", that is, male employees with a support network at home.

Entrenched Barriers

The above analysis confirms that while many women and some men assume that "It's Time" that women were treated as equals in the labour market, there are still entrenched barriers to prevent that happening.

As Barbara Pocock (2004, 1999) has argued, women will need to exert far greater power over the IR and political decision-making processes in order to achieve

substantial progress in gender-pay equity. Some professional and skilled women may be able to exert greater power individually during the next decade due to labour market shortages although the limits to this have been evidenced in relation to groups such as nurses. The majority of women will be dependent upon collective power to achieve change.

Given the current low level of union density and the gendered nature of unions and their activities (Pocock 1997) women will need to activate this collective power not only through unions but also through a broader women's movement that can be more inclusive of all women participants in the labour market. Such a movement would need to persuade governments that their political support is contingent upon the adoption of strategies that will narrow the GPG.

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Conclusion

Of course "It's time" that we achieved gender-pay equity in Australia. The GPG is impacting upon women's labour-market attachment,

the optimal utilisation of women's skills and experience within the labour market, as well as impacting upon their financial independence and life choices. Thus there is general agreement that gender-pay inequity has economic, social and political consequences for individuals, businesses and governments.

In attempting to understand the persistence of the GPG, more attention needs to be focused on those groups who benefit from its existence.

Capital, public-sector employers and consumers are benefiting economically from the point that some women's labour is cheaper than it might otherwise be. Socially, the GPG perpetuates traditional gendered care/breadwinner roles.

During the past decade numerous governments have commissioned reviews into gender-pay inequity and the means to address it. At this point, the focus needs to shift to the *implementation* of the reforms necessary to narrow the GPG and to ask why are they not being implemented.

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FOOTNOTES

1. Analysis of registered collective agreements shows that male-dominated agreements have generally delivered higher increases than female-dominated agreements (Whitehouse and Frino 2003:586; Heiler *et al* 1999:112).