

ADVANCE AUSTRALIA FAIR

Remarks to

20th Women, Management and Employment Relations
Conference

by

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Advance Australia Fair! I can't think of a better title for a session exploring issues affecting women in the workplace.

Because we want a fair deal for women. We have not had that for far too long but we can hope that, with the election of the Rudd government, that is going to change.

In the time available to me today, I want to remind us of what we lost under the Howard government and what we want restored to us under the Rudd/Gillard government.

In November 2003, I published a book called *The End of Equality*, which documented the reversal of women's rights under the coalition government. It made three key points:

- That the Howard government brought an ideological perspective to women and tried to send us back to the 1950s; in particular, it tried to bribe us into having more babies and it used policy to deter mothers from working, unless they were single mothers in which case they were given no choice
- The Howard government also downgraded, disempowered or outright abolished key agencies and offices designed to advocate for women's equality and to monitor our progress. As a result, it sent a strong signal to the community that women's status was no longer of concern.
- As a result of these key moves, women's status declined in almost every area, their earnings dropped, and their opportunities for promotion and leadership were constricted

Today that is still the case. We know that women still are treated unequally in employment, both with the jobs they get (or, more accurately, don't get) and the remuneration they receive. Women still receive on average around \$300 a week less than men, and the situation is getting worse.

ACTU President Sharan Burrow released a report in March this year that showed that women earn 84 cents for every dollar earned by men, down from 87 cents in 2004.¹

It seems the higher up you go in an organisation, the worse the pay discrimination is. A recent report from the Equal Employment for Women in the Workplace Agency (EOWA) revealed that women CEOs receive only 67 per cent of what male CEOs get, while Chief Financial Officers are even worse done by, getting just 49 per cent of the salaries of their male counterparts.²

As an example of CEO pay disparity, you just have to look at the case of the newly appointed CEO of Westpac, Gail Kelly. According to reports at the time of her

¹ Samantha Maiden, "Equal Pay still a battle: Gillard" *The Australian* March 3, 2008 p. 1

² Catherine Fox, "Female executives working for half pay" *Australian Financial Review* January 25-28, 2008 p. 9 Read the report:

[Http://www.eowa.gov.au/Australian_Women_In_Leadership_Census/2006_Australian_Women_In_Leadership_Census/Top_Earner_Report/FINAL_REPORT.pdf](http://www.eowa.gov.au/Australian_Women_In_Leadership_Census/2006_Australian_Women_In_Leadership_Census/Top_Earner_Report/FINAL_REPORT.pdf)

appointment, Kelly was to have an annual salary of \$2.1 million. Last year, David Morgan, her predecessor as CEO, took home \$8.41 million.³

We know that despite women graduating in equal, or even greater numbers, from universities that they soon fall behind in the workplace. The higher up you go in any organisation, the fewer the women. At the very top, the numbers are pathetic: less than 10 per cent of senior management positions, and less than 10 per cent of directorships are held by women. And the numbers are not improving.

We know that women still endure constant sexual harassment at work and elsewhere. The Victorian Equal Opportunity and Human Rights Commission reported in 2001/02 that there had been a 700 per cent increase in complaints about sexual harassment over the previous ten years.ⁱ

Sexual assaults remain disturbingly prevalent, seem to be increasing and the rates of successful prosecution for these offences is declining. The same is true of domestic violence, a difficult area in which to obtain precise statistics, but we do know that services such as women's refuges that cater to victims report they have never been busier.

We know women are still fired for being pregnant and they continue to be sacked while on maternity leave. This is a blatant breach of both state and federal anti-discrimination laws yet employers calculate that the risk of being prosecuted is so small that they do it anyway.

Even in high profile cases such as the terminating of the contract of Channel 9 reporter Christine Spiteri late last year while she was on maternity leave. The arrogance of these employers is breath taking. Isn't it time these laws were enforced?

[Spiteri has taken her case to the Human Rights and Equal Opportunity Commission, which failed at its attempt to conciliate, and the case is now before the federal court. In papers tabled as part of that case, Spiteri alleges that her boss, the head of News and Current Affairs at Channel 9, told her that in order to appear on air at that network, women had to "look fuckable".]

When it comes to the new government, the questions we all want answered are:

- will women be better off under the Rudd government?
- In what ways will they be better off?
- Is there need to worry that in some ways we could be worse off?

There is of course much to be pleased about. The most significant is the number of good, competent women in senior positions in the government. The importance of women being at the table cannot be overstated.

There are ten women on Kevin Rudd's front bench – 4 in Cabinet, 3 in the outer Ministry and 3 parliamentary secretaries. Women are 20 per cent of the Cabinet and 23.3 per cent of the total ministry, the highest level ever for an Australian government.

However, this number falls far short of many governments elsewhere in the world, especially in Europe, where it is now becoming commonplace for 50 per cent of

³ "20 Top-earning CEOs" *afrboss* vol. 8, November 2007 p. 51

ministers to be women. Even the conservative French President, Nicholas Sarkozy, has almost equal representation of the sexes in his cabinet.

As a country we have lagged badly in opening up the powerful institutions of our country to women but since the election of the Rudd government there does seem to be a change of attitude towards appointing women.

We now have a woman as deputy Prime Minister for the first time, and we have women in government in charge of Industrial Relations, Employment, Education, Health, Social Inclusion, Families, Community Services, Women, Housing, Indigenous Affairs, Sport, Ageing, Climate Change and Water.

That's quite a list, and shows that women are in charge of some of the biggest problems and challenges confronting Australia.

It is now commonplace to see women ministers on the nightly news discussing carbon emissions trading schemes, health funding, Indigenous issues and all of the other big policy areas of our time. The signal this sends to our society is incredibly powerful. It not only tells young girls they, too, can aspire to any job at all. It also tells those men who have stood in the way of women that it is time to step aside. Women have a new authority, one that emphasizes the competence they have always had but not always been allowed to exercise.

From September, we will have a woman as Governor General. And not just any woman, but one who has been a Sex Discrimination Commissioner, who has worked in the childcare area and who has a strong commitment to women's equality. What a breath of fresh air that will be!

There have been a lot of other good things happening, with women being appointed to head up powerful commissions, and so-called women's issues like childcare getting top-level attention.

And already having women there has made a difference for women.

We are now engaged in a discussion about not whether, but what kind, of national paid maternity leave scheme will be introduced next year. There are various models being floated and their merits debated.

None of this would be happening had Julia Gillard, the Deputy Prime Minister, not referred the question of parental leave to the Productivity Commission, asked it to investigate and report back in early 2009. Until she did that, paid maternity leave was politically dead in the water. We should be grateful to her for finding a way to revive it.

Interestingly, with the government setting the lead, the response from business has changed markedly. Only a year ago, business was declaiming that paid maternity leave would send them all broke, would hurt women, would blah blah blah.

Now, business can't wait to endorse the concept. Just shows what a change of government can achieve!

Gillard has also said she is going to turn her attention to pay equity. We look forward to seeing what she can do in this previously intractable area.

But let's look at some of the areas that need to be improved.

There are so many areas that need work, after more than a decade of neglect.

Perhaps key are the areas of discrimination, which of course includes sexual harassment, and violence against women and children. Each of these issues came up strongly in the recent Listening Tour of Australia conducted by Elizabeth Broderick, the new Sex Discrimination Commissioner, and which have formed the basis for her Plan of Action towards Gender Equality, announced this week.

First, the Sex Discrimination Act. No area suffered more under Howard, with the powers of the Commissioner being cut, the budget being slashed and the entire area being undervalued and its advice ignored.

We are very fortunate that Elizabeth Broderick is already proving to be an able and effective advocate for women, but she needs to be given more powers and to be adequately resourced. In the May budget HREOC's budget was significantly cut. Not a good start.

Labor policy provides for the federal Sex Discrimination Act to be reviewed and strengthened to take account of changes to society since it was first introduced in 1984. On 26 June the Senate Legal and Constitutional Affairs Committee, headed by Senator Trish Crossin, announced its inquiry into the effectiveness of the Sex Discrimination Act.

The terms of reference are wide, the potential for meaningful reform is there. But what is the rush? The deadline for submissions is 1 August, giving people only a month to prepare submissions for this very critical and complex issue.

At the same time, there are too-short submission periods for two other vital inquiries: the Productivity Commission report on a national scheme of paid maternity leave, and the National Council to Reduce Violence among Women and Children. The latter has extended its deadline to July 31 as a result of the outcry, but it still means a significant overlap with the other two inquiries submissions deadlines – and a tremendous strain on those individuals and organisations that want to make submissions.

I think Tanya Plibersek, the Minister for the Status of Women, who established this National Council is sincere in her intention to tackle violence in ways that have not been attempted before. But it is not enough to have a strong intention. It is not enough to review or report; sufficient time needs to be given for adequate consultation so the reviews can be comprehensive and the reports meaningful.

But we must be glad that the reviews are taking place.

Against these positives, I think we were all pretty stunned when the government neglected to achieve anything remotely resembling gender balance in the selection of people to chair sessions at the 2020 Summit.

There was a surprisingly strong and angry reaction to this news. It became a big story in the media and put the government on the back foot in an area where it had tried to demonstrate its equality-promoting credentials.

Sadly, we have become accustomed to having our history ignored or distorted; we know that our present is still subject to discrimination, violence and enduring double

standards. But, we could console ourselves with the hope that at least the future would be different.

Then the government planned a huge event to discuss the future of Australia and women were almost entirely excluded from the running of the event, and gender issues were nowhere to be found in the agenda of topics being discussed.

In other words, we are not even going to have a say in our own future. No wonder so many women felt sick with anger and disappointment. I have met quite a few women who say this fiasco prompted them to write their first-ever letter to a Prime Minister.

Let us hope that this blunder by the Rudd government will be an early wake-up call that it needs to be mindful of gender balance when making appointments. Obviously, it did not occur to the men who signed off on the Committee list that there was anything wrong with it.

The default position of too many men – still, after all these years – is that you appoint people like yourselves, middle-aged Anglo men, to run things. Until men become sensitive to what is wrong with this, some kind of formal advisory and scrutiny mechanism needs to be in place to ensure this does not happen again.

But there are other areas of concern too.

I was disappointed that the Rudd government decided not to reverse the previous government's downgrading of the women's policy advice function from the Prime Minister's department to the welfare area.

As you will recall, the Howard government not only downgraded the Office of the status of Women but also changed its name – to the Office for Women. We lost our power – and our status.

The Rudd government has given us back the status, at least in the title Tanya Plibersek enjoys as Minister for the Status of Women – but not the power. There is now an Office of Work and Family in the Prime Minister's department, but not an Office of Women.

I am not being semantic here. As I will point out in a moment, not all women are in the workforce and not all women are in what is generally understood to be a family – and many don't want to be. An office of women covers all situations. An office of work and family is already premised on a certain set of choices.

Equally problematic is the removal of EOWA from the Employment portfolio to the department of Family and Community Services. This is no doubt so that it can be attached to the Office of Women and Tanya can administer it. Nevertheless, removing equality of employment functions from the Employment Department is a significant change in policy. As is the fact that none of women's policy is now represented in Cabinet. One to watch.

At the same time, I do welcome childcare being removed from the welfare area to Julia Gillard's powerful education and employment portfolio where, finally, the policy looks like it might receive the serious treatment it has long been denied.

I hope that the government will restore the previous practice of monitoring and reporting on trends in employment, income and so on. We suffered greatly under the

Howard government, but it was difficult to document the details because all the monitoring mechanisms were silenced or shut down.

I would urge Tanya Plibersek to restore the *Australian Women's Yearbook* – maybe on a bi-annual basis – so that we have a comprehensive statistical platform on which to benchmark women's status, now and in the future. I also hope that Julia Gillard will ensure that the Employment portfolio goes back to producing comprehensive measurements of all aspects of women's employment, as used to be done by the Women's Bureau. Again, we need to know how we're doing.

I DO HAVE CONCERNS that this government is showing a tendency to try to push women, especially mothers, into a pre-ordained box – without their necessarily having any say in the situation.

You will remember that John Howard had a white picket fence view of the world. He wanted women to be mothers, and once they were, to stay out of the workforce. He invented a special payment – the baby bonus – to encourage women to have more babies, and he used taxation, employment and other arms of policy to create disincentives for mothers to return to employment. This cruelly denied women choice.

I hope the Rudd government will not also deny women choice, even if the Rudd prescription for women is one that is more in line with what women themselves want.

The driver of policy for women seems to be productivity, with all policies aimed at increasing the nation's output. To that end, women – especially mothers - are being encouraged to work. "Working families" is the hallmark mantra of the Rudd government, and this mantra is mainly directed at women.

It is great to see women's employment issues and problems – such as lack of equal pay, lack of child care, lack of paid maternity leave – finally being acknowledged and put back onto the political agenda. It is long overdue.

At the same time, we don't want women feeling pressured into a particular course of action. And there is already some evidence that there is a backlash against the Rudd government's emphasis on mothers and parents.

As was pointed out recently in *The Australian* analysis of voters in the last election suggests there was a significant swing *against* Labor by women in their 30s who do not have children⁴. The swing *toward* Labor by women in this age group with children was just as pronounced, and probably helped seal the outcome.

However, the numbers of women without children are a large, and growing, group. More importantly, from a political perspective, they tend to live in inner-city areas and hence could become a significant political bloc, able to influence the outcome in seats such as Sydney, Melbourne, Wentworth, Grayndler and Batman.

It is going to be fascinating to watch the government juggle this one. It should be a no-brainer. Women's choices should be respected and supported. But the government's rhetoric so far has been directed at one group – much to the ire of those who feel excluded, not just women without kids but also seniors, carers, gays and others.

⁴ John Black, "PM's spin turns off childless" *The Australian* 22 May, 2008

I am sure we all have high hopes for this Labor government, especially when it comes to women. So far the record has been mixed. There has been some significant achievements, especially in the appointments of women, but there are some concerns – as I have outlined in this paper. Let's hope, from now on, the government really listens to women – all women. If it does this, it can't go wrong.
