Chapter 1

Workplace Reform: Progress and the Task Ahead

Senator Peter Cook

Social reform, particularly reform affecting women, has to be tackled systematically if it is to be sustained and permanent. The condition of women at work is one of the pivotal reform issues facing us today.

Our failure to use all our human resources to the fullest possible extent in our economic reform campaign is an important enough matter. But it's more than this: it's a matter of basic justice. A society should be judged not just on whether or not all its members are allowed to help make the trains run on time. It should also be judged, and our society will be judged, on how it values all its members, and especially those who have been undervalued for whatever cultural and historical reasons.

'The Time Has Come'

The Australian Labor Party is celebrating its centenary this year. I mention this because it led me the other day to a sentence in the Constitution of the Australian Labour Federation which was drawn up 100 years ago. “The time has come,” the Constitution said, “to declare that the woman worker shall no longer be left to struggle unaided against the conditions which oppress her even more than they oppress men.” In defence of the Federation, it has to be said that the things people can do are limited by the fact that the conditions in which they operate are often not of their own making.

The other thing that has to be said of the Federation’s Constitution is that it shows that the Affirmative Action (Equal Employment Opportunity for Women) Act was needed fully 100 years before it came into operation.

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This and the entrenched nature of the factors which militate against the interests of women at work and the difficulty in changing them or getting rid of them emphasises the need for tackling the problem systematically. In this paper I will report on progress over the past year and describe the plan of campaign for the period ahead.

Last year I proposed to Cabinet that an Equal Pay Unit be set up in my department. The unit is now up and running, operating in the mainstream policy area of the department. It’s advising on, and promoting community awareness of, pay equity issues, conducting and commissioning research on these issues, and providing information for Australian Government submissions to industrial tribunals.

Work and Family

Also last year, ratification of ILO Convention 156 committed the Government to a number of activities to support the objective of equal opportunity for men and women workers and to help deal in particular with the problems of workers who have to balance job and family responsibilities. Part of the program has been the establishment of the Work and Family Unit in my department to help employers and employees to cope with the social, economic and demographic changes to the way family and jobs interact. This unit is also up and running. It is examining a range of measures designed to help manage these developments. They include part-time and casual work, job sharing, home-based work, flexitime, family leave, career-break schemes and child care. The Work and Family Unit is developing an information package for employers and unions which will explain the pros and cons and ways and means of these measures.

Flexible responses to the problems of workers with family responsibilities can work to the advantage of an enterprise. The Government itself is demonstrating some of these ways with its own employees. Recent developments include the development of work-based child care by the Australian Tax Office and the Department of Social Services. A number of private companies have joined in; for example, Esso, National Mutual and Westpac. The Work and Family Unit is designed to help employers and unions face the challenge, to the benefit of both their constituencies.

Work-related health and safety has been another important matter for women at work. You will be
aware that Worksafe has mounted a campaign known as the National Approach to Occupational Health and Safety for Women Workers. It includes programs to improve health and safety in the textiles, clothing and footwear industry and in the retail and the farm sectors. It includes the better design of equipment and workplace layout which is a significant matter for a workforce which now has a greater proportion of women, and particularly women who have recently come to live in Australia. Worksafe is also looking at developing non-discriminatory measures for better health and safety in lead processing.

The Government's new superannuation scheme has been designed (among other things) to reflect the needs of a public service with permanent part-time work, for example, and for broken periods of service to accommodate workers with family responsibilities.

The Joint Training Board's national standards for competencies are helping to tackle a long-standing problem for women workers. They offer a great opportunity for women's skills to be valued and recognised in ways that no longer reflect past gender bias. The Government has issued a national training policy and guidelines for competency standards. The Women's Advisory Panel is developing a paper on gender bias in developing competency standards which will be incorporated in these guidelines. Under the Training Guarantee Act, the training levy will now show workers where the training dollar is being spent by their employers. Training programs must be designed by an appropriately-qualified person and directed at developing, maintaining and improving the work-related skills of all workers.

**Award Restructuring**

My final point in reporting progress concerns micro-economic reform and especially award restructuring as it affects women workers. I appreciate the fear among workers and particularly women workers that micro-economic reform is just another word for the old pink ticket. In fact, it may be the point of breakthrough for which women workers have been waiting. It is a paramount responsibility of both the Equal Pay and Work and Family Units that they ensure that the issues of pay equity, equal employment opportunity and more flexible working arrangements are part and parcel of the reform process. Micro-economic reform is sparking off a process which the recent Australian Workplace Industrial Relations Survey suggests is an extremely rare animal in this country: more consultation and more attention to performance and safety at work.

Award restructuring in particular has achieved a shift from the old task-based classification for work to a new skills-based structure. This has meant that the traditional organisation of jobs, which often worked against women's interests, is breaking down. Account is now being taken of skills which used to be downgraded as "informal" or "natural". The skills involved in carrying out work are being re-evaluated against comparable work in other industries. This has enormous potential for women workers: improvements in skills recognition, plus greater opportunity for pay equity, plus more flexible work arrangements without penalty for workers with family responsibilities, plus greater access to training. Above all, it creates the prospect of careers where this rarely ever existed.

So the systematic process of change has improved the condition of women workers or strengthened the chances of improvement in important ways. The process will go on. It has more than one element, but only one overriding aim. The condition of women workers has high significance. Reform must continue and in ways that will be hard to reverse. Politicians should not own up to reading Machiavelli, but he did make the interesting observation that all prophets who were armed conquered but all those who were unarm, perished. He might almost have said activists on women's issues in mind.

Those who are involved in these issues need all the weaponry they can get. The reactionaries in our political system clearly see affirmative action and other women's issues as a threat, for one reason or another. In our program for improving the lot of women at work, my objective therefore is this: the edifice of reform will be so well-founded that it will be dismantled only with great difficulty, if at all.

**Affirmative Action**

I want to explain the two major elements in this program. The first concerns affirmative action. The Act and the Agency are basic to the Government's task of ensuring that all employers maximise the skills of all their employees. They're basic to the Government's objective of eradicating discrimination from the workplace. This is the fourth reporting year under the
Act Under Review

They are such vital agencies of reform, and so important to the Government's objective, that I have asked the Agency to expedite its review of the Act: to contract the agreed timetable for the review. The Government wants the Agency to increase its effectiveness as much as possible, as early as possible. The process will begin with full consultation with the relevant parties. The reason the Act has been so effective so far lies in the level and extent of the consultation that has been involved. I have asked that the Agency's proposed issues paper be ready by September for discussion. The paper will cover a range of areas, including coverage of the Act, sanctions, definitions and the reporting process. The review will incorporate the outcome of the attitudinal surveys which the Agency has commissioned. Any necessary legislative change will be made in the Spring sitting of the Parliament next year at the latest. The Government wants to take advantage of the expedited review process to bed the system down. It wants to maximise the effectiveness of the Act and the Agency as fundamentally important mechanisms of reform.

The next major element in the reform process concerns workplace level bargaining and the prospects for participation in it by women workers. If this participation is as limited and marginal as it has been in the past, we run the great risk that the inequalities of the past will be entrenched rather than eradicated. I appreciate that workplace level bargaining can pose problems for low-paid workers who are always vulnerable in times of change. The reason the Act has been so effective so far lies in the level and extent of the consultation that has been involved.

My intention is to use all the resources available to make sure that bargaining presents an opportunity rather than a problem. We need to be clear that more flexible bargaining of wages and conditions is part of a bigger package of reform to the system. It does not mean that the whole system is up for grabs. It certainly does not mean that reforms which have been vital for wage justice will end.

The minimum rates adjustment process will continue to deliver gains for workers in female-dominated occupations and industries. Reforms and additions to the social wage will continue; this is an integral part of the Accord process. The Government wants the gains made by workplace bargaining to be distributed with equity as well as productivity in view. It is encouraging workplace bargaining as a means of increasing industrial efficiency and flexibility, and at the same time providing higher real wages for all workers and greater involvement in the affairs of their workplace. The Government has therefore developed guidelines which seek to ensure that all employees including women take part fully in any negotiations and that any agreements reached will be genuine and fair. The guidelines, and the Government's submissions to the National Wage Case, have set out fundamental principles by which workplace bargaining is made to offer opportunities for women workers.

All the benefits from workplace bargaining must be distributed equitably among all employees in a workplace, regardless of their occupation. Measures of productivity adopted in a workplace agreement must reflect the nature of the work concerned. Productivity is not just what comes out at the end of the work process; it is also about such inputs into the process as service and quality. Awards must provide for proper mechanisms of consultation. The composition of the workforce must be properly represented in these mechanisms. Women will then be able to take part fully in any workplace negotiations. The minimum basis for workplace agreements should be national award standard conditions.

Women and Training

Women are being given more chances of training, so that they can play their part in these negotiations with confidence and effectiveness. The Trade Union Training Authority (TUTA) has a critical role in this. Women workers are being encouraged, by the Government and the ACTU, to be active in putting forward their own proposals for change in their workplaces on such issues as flexible working hours, part-time work and child care. I have given the Equal Pay Unit a watching brief on these and other aspects of the new bargaining system. I want the Unit to keep an eye on the process to make sure that women workers are advantaged, not hurt, by it.

I have asked the unit to provide information on pay equity on an industry-by-industry basis. In doing so, it will develop a strong research base to help it maintain its watch over the interests of women workers in workplace bargaining. It will manage a number of industry-based research consultancies which will focus on work value and wage rates in industries with high proportions of women workers. These industries include local government, retailing, food processing, community services and banking. The issue of gender differences in over-award payments will be examined in the metals industry. Information will be gathered on the conduct of job evaluation exercises without gender discrimination. All findings will be widely circulated. The idea is to raise community consciousness of pay equity issues and to encourage appropriate responses at industry and workplace levels.

Institutionalising the Process

The Government has good reasons for pushing ahead with affirmative action and institutionalising the place of women in the workplace bargaining process. One is that there is so much to be done anyway. Another is that these policies are not just to help women make it in a system which remains inherently biased. They aim not only to enhance the position of women workers but also to do so in a system which is being democratised. The more progress is made on these policies, the greater will be the awareness of them and support for them in the wider community. The greater this awareness and support, the less opportunity there will be for future administrations to rein the reforms in and let the fate of women and other disadvantaged workers be determined by the hidden hand of the market.

We would be wise not to underestimate the depth and force of conservative reaction. There are managers who to this day believe that affirmative action is just a contaminant in an otherwise objective system of management decision-making. There are still people who believe that what we are discussing here at this conference is just a leftist or feminist agenda for undermining our social institutions. Even in the friendliest of circumstances, we still have a monumental job ahead on the issue of women at work, and the job is complicated immensely by our having an extraordinarily high rate of ghetto-isation in the workplace. All the more reason therefore to be grateful to our army of activist allies, many of them represented at this conference.