

2021

GENDER EQUALITY POSITION PAPER

"GENDER EQUALITY IS THE UNFINISHED BUSINESS OF OUR TIME."

- UNITED NATIONS

INTRODUCTION

Unions NSW values equality, justice, integrity and progressing the lives of working people.

Unions NSW will, in partnership with affiliates, use its powerful civil society voice and formidable industrial influence to advocate to government and employers for workplace gender equality.

Unions NSW calls for a National Gender Equality Plan so Australia can meet its commitment to the United Nations Sustainable Development Goal 5 – gender equality.¹

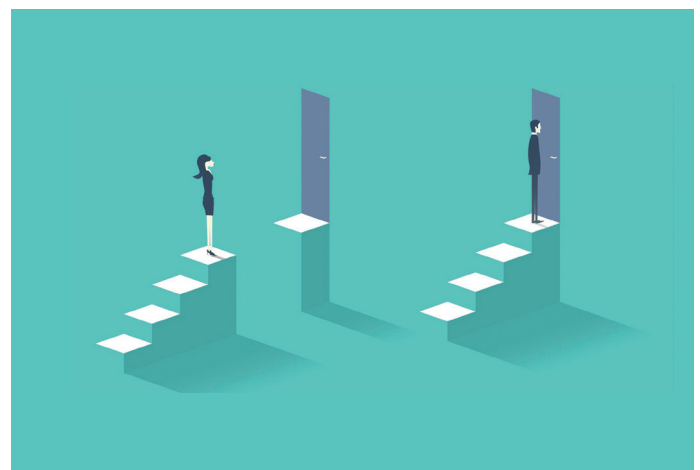
Unions NSW advocates for all NSW workplaces to apply gender equity practices so:

- all people regardless of gender, can access the same rights, rewards, resources and opportunities;
- all NSW workplaces are safe from sexual and sex-based harassment and other gendered violence;
- all NSW workplaces support those who have experienced such violence to recover; and
- all NSW workplaces support those who use violence to change their behaviour.

WORKPLACE GENDER EQUALITY

To achieve workplace gender equality, gender equity, rights, resources, opportunities, and protections for all women in all workplaces must be a priority. To achieve this workplaces need to:

- understand the gender impact of government and workplace policies and practices;
- implement effective and measurable actions for change; and
- monitor outcomes to be achieved to a timeframe.



¹ <https://unstats.un.org/sdgs/report/2016/goal-05/>

JUSTICE FOR WOMEN

To achieve Justice for Women in NSW workplaces, comprehensive sexual and sex-based harassment policies and practices must be effective, trauma responsive, accessible, understood and promptly applied. There must be active engagement by employers in implementing effective workplace behaviour training and cultural change to ensure workers are not subject to sexual harassment. Comprehensive resources and support must be offered to those who have or are experiencing sexual domestic or family violence or harassment to assist them to safety and recovery. Behavioural change for those who use violence must become a workplace practice so offending behaviour is stopped rather than it becoming “someone else’s problem”.

THE GENDER EQUALITY IMPERATIVE

AUSTRALIAN WOMEN ARE DEMANDING:

- equal pay and equality in all conditions, policy and legislation;
- the right to work without experiencing sexual or sex-based harassment, and
- the human right to live without sexual domestic or family violence.

INDICATORS OF GENDER INEQUITY IN THE WORKPLACE

- The gender pay gap is 14.2%.³
- If women and men both progress at the same pace, work full-time and reach a management role in their tenth year, men could expect to earn \$2.3 million, women would earn \$1.7 million.⁴
- Women are at greater risk of experiencing poverty in retirement.⁵
- On average Australian woman retire with 40% less in their superannuation than men.⁴
- Companies in the top-quartile for gender diversity on executive teams were 21% more likely to outperform on profitability and 27% more likely to have superior value creation.⁶
- Men make up 6.5% of people who take primary carer parental leave.⁷

INTEGRITY OF CONVICTION AND ACTION

Integrity of conviction and action is foundational to achieving gender equality. Gender equality is an ethical, economic and community imperative that will require change at all levels in NSW workplaces.

DEFINITION – GENDER

Gender is an individual’s internal sense of being a man, woman or non-binary. Non-binary is an umbrella term for gender identities that sit in, outside, across or between the spectrum of the male and female binary. Gender identity doesn’t always correlate with the gender assigned at birth.²

SEXUAL DOMESTIC AND FAMILY VIOLENCE AND HARASSMENT – THE MOST PREVALENT CRIME

- Since age 15, 1 in 6 women & 1 in 16 men has experienced at least one incident of partner violence.⁸
- 1 in 2 women have experienced sexual harassment in the workplace.⁹
- 1 in 6 women in Australian workplaces have or are experiencing domestic violence.¹⁰
- Indigenous females were 34 times as likely to be hospitalised for family violence-related assault.¹¹
- 1 in 3 LGBTI people experience violence from a partner, ex-partner or family member.¹²
- Women with a disability are twice as likely to experience violence by a cohabitating partner.¹³

To meet the United Nations Sustainable Development Goal 5 – Gender Equality, a properly resourced National Gender Equality Plan and implementation strategy is the critical first step.

"WHAT IS IMPERATIVE FOR MEN IS TO BECOME ALLIES OF WOMEN IN THEIR FIGHT FOR EQUALITY." - AVIJEET DAS, AUTHOR

² https://www.transhub.org.au/101/what-is-trans?fbclid=IwAR1Kxr5xhWXA_XcuT-tVzY_ijwd6ZJEGc0ZKLBkKw8SFUvbpGgiTYQbXBLrHA

³ <https://www.wgea.gov.au/publications/australias-gender-pay-gap-statistics#national-gpg>

⁴ <https://www.wgea.gov.au/publications/gender-equality-business-case-future-proofing-the-australian-labor-force>

⁵ https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Economics/Economic_security_for_women_in_retirement/Report/c02_point_2.31

⁶ [delivering-through-diversity_full-report.ashx \(mckinsey.com\) executive summary](https://www.wgea.gov.au/gender-equality-and-men)

⁷ <https://www.wgea.gov.au/gender-equality-and-men>

⁸ Gender equality and men | WGEA

⁹ Australian Human Rights Commission - Sexual harassment | Australian Human Rights Commission

¹⁰ Fact sheet: Domestic and family violence - a workplace issue, a discrimination issue | Australian Human Rights Commission page 5

¹¹ Health impacts of family, domestic and sexual violence - Australian Institute of Health and Welfare (aihw.gov.au) Indigenous Australians

¹² <https://www.acon.org.au/what-we-are-here-for/domestic-family-violence/#domestic-family-violence>

¹³ Disability and Violence - In Focus: Crime and Justice Statistics, April 2021 | Australian Bureau of Statistics (abs.gov.au) Table 1

THE EVIDENCE

Unions NSW will use the Our Watch Change the Story Framework and the Workplace Gender Equality Agency diagnostic tool to increase workplace gender equity and support Unions NSW's commitment to reducing sexual domestic and family violence and harassment in NSW.

Our Watch, the United Nations and the World Health Organisation all found gender inequality is the underlying cause of violence against women. There are four drivers of inequality:

DRIVER	INDICATORS IN AUSTRALIAN WORKPLACES
<p>Men's control of decision making.</p>	<p>In 2019-20:</p> <ul style="list-style-type: none"> • Women held 15% of chair positions, 28% of directorships, 18% of CEO positions and 33% of key management roles.¹⁵ • 30% of boards and governing bodies have no female directors. 0.4% had no male directors.¹⁵ • 34% of directors in the ASX 200 are women.¹⁵ <p>Australia ranks 48th in the world for representation of women in politics.¹⁶</p>
<p>Sex role stereotyping</p>	<ul style="list-style-type: none"> • 38% of full-time workers are female.¹⁷ • Women dominate (79%) the lower paid Health Care and Social Assistance industries – however men hold the majority of leadership roles.¹⁸ • 1 in 20 fathers take primary parental leave.¹⁹ • Women perform almost double the amount of unpaid work as men.²⁰ • Women have to work 56 days more a year to earn the same as men.²¹
<p>Poor responses to Violence Against Women</p>	<ul style="list-style-type: none"> • The Federal Government deliberated for more than a year before announcing its response to the Human Rights Commission Respect at Work report.²² • Damages awarded in sexual harassment matters is low, especially when compared with defamation.²³ • The <i>Fair Work Act</i> does not explicitly prohibit sexual harassment in workplaces.²⁴
<p>Aggressive male peer relations</p>	<p>In workplaces:</p> <ul style="list-style-type: none"> • Sexist talk that disrespects women is often viewed as harmless and normal; • Those who don't agree with the disrespect may not say anything as they fear rejection or ridicule by their male peers; • 1 in 3 think it is natural for a man to want to appear in control of his partner in front of his male friends.²⁵

The aim of gender equality in the workplace is to achieve broadly equal but not necessarily the same outcomes for women and men. Equity helps us get there.

ACTIONS

1. To improve gender equity in the Unions NSW Workplace, Unions NSW will:

ANALYSE

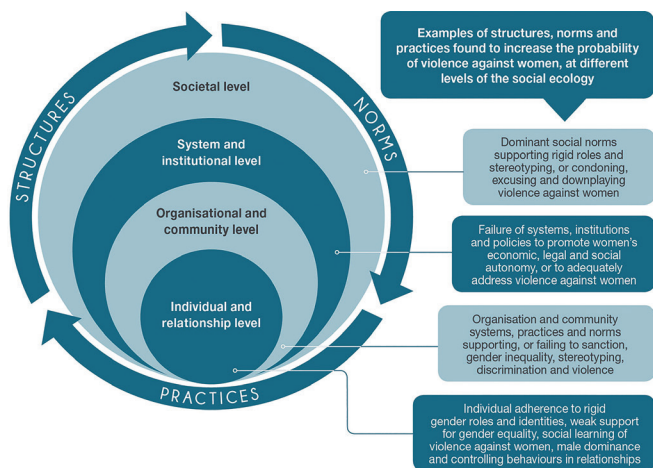
Complete an analysis of the Union NSW workplace using the Workplace Gender Equality Agency Diagnostic Tool. The tool examines 17 gender equity priorities including leadership, accountability, wages, conditions, diversity, intersectionality, recruitment, training, promotion, sexual harassment, discrimination, bullying, driving change, and applying a gender lens.

DESIGN

The analysis will inform the Unions NSW Gender Equality Strategy. The strategy will identify where Unions NSW is achieving leading practice, where it is being strategic and active, and where minimum requirements are met. The strategy will direct how Unions NSW is to maintain its leading practice and actions that are needed where strategic, active, or minimum requirements are found.

IMPLEMENTATION

In consultation with Unions NSW staff the strategic plan will be incorporated into workplace and organisational plans. Responsibilities and outcomes, to a time frame, will be included and training provided.



REVIEW

Achievements will be reported in the Unions NSW Annual Report. A compliance agenda will be included in the Gender Equality Strategic Plan to ensure cyclic review.

2. To Improve Gender Equality in NSW Workplaces, Unions NSW will:

- Generate gender equity clauses for inclusion in awards, enterprise bargaining agreements and workplace policy and practice.
- With affiliates, advocate to employers in enterprise bargaining and other communications for gender equity policies and training to become workplace practice.
- Make workplace gender equity training accessible to NSW workers.
- Engage union organisers, delegates and workplace leaders in gender advocacy training leading to employer sponsored workplace gender equity actions.

3. To improve Gender Equality in the NSW Community, Unions NSW will;

Continue to advocate for inclusion of paid domestic and family violence leave in the National Employment Standards (NES).

Advocate for government to meet its commitment to the United Nations Sustainable Development Goal 5– Gender Equality including:

- Consulting on and ratifying a National Gender Equality Plan;
- Gendered analysis of all legislation current and planned; and
- Promoting and resourcing gender equity structures, norms, and practices in line with the Our Watch model for primary prevention.

Figure 1 Our Watch Socio Ecological Model of Violence Against Women

¹⁴ Change The Story - Ten Actions to Prevent Violence Against Women (ourwatch.org.au)

¹⁵ wgea.gov.au/publications/gender-workplace-statistics-at-a-glance-2021 Women in Leadership

¹⁶ Women in Parliaments: World Classification (ipu.org)

¹⁷ Gender workplace statistics at a glance 2021 | WGEA

¹⁸ Gender segregation in Australia's workforce | WGEA

¹⁹ Fathers and parental leave | Australian Institute of Family Studies (aifs.gov.au)

²⁰ australian-unpaid-care-work-and-the-labour-market.pdf (wgea.gov.au)

²¹ Face the facts: Gender Equality 2018 | Australian Human Rights Commission Did you know

²² Politicians and judges to be included in Sex Discrimination Act, federal government announces - ABC News

²³ ahrc_respectwork_community_guide_2020.docx (live.com) page 33

²⁴ Respect@Work: Sexual Harassment National Inquiry Report (2020) | Australian Human Rights Commission Fair Work System

²⁵ ANROWS_NCAS_Summary_Report.pdf (netdna-ssl.com) page 9