

24 November 2021

WGEA Review – Consultations  
Department of the Prime Minister and Cabinet  
PO Box 6500  
CANBERRA ACT 2600  
Australia



Dear Review Chair,

**RE: WORKPLACE GENDER EQUALITY ACT REVIEW**

The Victorian Trades Hall Council (VTHC) welcomes the opportunity to make a written submission on the Workplace Gender Equality Act (WGE Act) Review.

VTHC was founded in 1856 and is the peak body for unions in Victoria. VTHC represents over 40 unions and more than 430,000 workers in the state. These workers are members of unions that reach into every industry across Victoria in both the public and private sectors. Since winning the Eight Hour Day in 1856, VTHC has had a long history of fighting for and defending the rights of all workers in Victoria.

Women in unions have been at the forefront of the struggle for all women to be safe, respected and equal at work. From the staunch women in the tailoresses union who went on strike in the 1880's for fair pay, to Zelda D'Aprano and her trade union sisters who chained themselves to buildings in 1969 for equal pay and right up to today, union women have fought tirelessly for fairness and equality in the workplace.

This submission has been framed by the history of that struggle, and the struggle of Victorian workers in the fight for gender equality. It is intended to be read as a full endorsement of the Australian Council of Trade Union's (ACTU) position. The argument put forward by the ACTU that there is more to be done to achieve gender equality across Australia, and that the WGE Act needs considerable reform to achieve this is strongly supported by Victorian unions. This submission contributes examples from the Victorian jurisdiction that can be incorporated at a Federal level in order to advance gender equality for all Australian women.

Gender inequity is 'baked in' to our society and economy. Our systems and structures are founded on assumptions and ideas around women's role in society and in work – both paid and unpaid – that are no longer appropriate or relevant. Despite 'winning' equal pay in 1969, there continues to be a gender pay gap across Australia sector. Women continue to be over-represented in insecure and part-time work.

Central to addressing workplace gender inequality is women's ability to access stable, secure work in circumstances that do not reinforce gender and intersecting and compounding forms of discrimination.

Changes to our systems of work requires targeted intervention by government, employers, and unions. Measurable and achievable strategies must be identified and implemented aimed at eradicating the gender pay gap, gender inequality, and other barriers at work.

**LUKE HILAKARI**  
Secretary

**AMANDA THRELFALL**  
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## Coverage and enforcement of the Workplace Gender Equality Act

VTHC strongly supports the ACTU's position that the current regulatory framework needs strengthening.

The coverage of the WGE Act is limited to 40% of the workforce, and should be extended to include all employers, including:

1. Public sector organisations, as per Recommendation 43(a) from the Respect@Work report.
2. All businesses, regardless of size.
3. Labour hire employers.

In Victoria, the Gender Equality Act 2020 applies to certain organisations that have 50 or more employees, including:

- Public service bodies
- Public entities
- Special bodies
- Local councils
- Universities
- Court Services Victoria
- Office of Public Prosecutions

Defined entities are required to not only report on gender equality metrics in their workplaces, but also to create a Gender Equality Action Plan. As part of this plan, entities must complete a workplace gender audit which identifies any areas for improvement in relation to workplace gender equality indicators including the gender composition of the workforce and any governing bodies, equal remuneration across the workforce, sexual harassment in the workplace, recruitment and promotion practices, availability of working arrangements and leave and gender segregation within the workplace.

Defined entities must also consult with employees and trade unions as part of the development of this plan. This facilitates the sharing of the audit results and allows an opportunity for workers to contribute ideas to address the gender equality issues it has raised. Organisations are also required to outline strategies and measures to be undertaken to address the issues raised by the audit and are encouraged to ensure there are clear timelines and accountabilities assigned to the measures. Reporting to the Gender Equality Commission on progress made on the Gender Equality Action Plan measures must occur at least every second year.

Requiring a gender equality audit helps an organisation identify the starting point, and the Gender Equality Plan outlines the measures needed to be taken. Both are critical measures in ensuring that organisations deliver gender equality in the workplace, rather than simply paying lip service.

The Workplace Gender Equality Act should require all businesses and organisations under the Act to undertake a gender equality audit and implement a Gender Equality Action Plan in consultation with their workforce.

## Strategies to address gender inequality in the workplace

The Australian workplace remains highly gender segregated. Professions and occupations dominated by women have been historically under-valued,

leading to high levels of award dependency, lower wages and greater levels of insecure work. The historical and continuing undervaluing of women's work, levels of workplace participation and control over the way work is organised all contribute to a system that fosters inequity.

The Federal Government and the Workplace Gender Equality Agency (WGEA) have many levers available to it to address gender inequality in Australian workplaces. One area of work WGEA should play an active role in is the development of industry-based strategies to reduce gender segregation and barriers to work for women.

The Victorian 'Women in Construction' strategy and the 'Building Equality Policy' proposed by industry for construction procurement arose from the collaboration of building unions, employer peaks and construction companies and is an example of how this can be achieved.

This strategy proposes tangible measures to address the challenge of attraction, recruitment and retention of women into the sector, with responsibility for delivery shared amongst the industry players and supported by government. The proposal for procurement incorporates industry relevant quotas and targets along with additional agreed measures to ensure long term culture change and compliance. Similar approaches should be taken in other industries.

WGEA should lead the development of similar strategies in consultation with unions and industry bodies. To be successful, they should consider the adoption of specific targets/quotas, measures to support cultural change and include mechanisms to oversee monitoring and measures to ensure compliance.

If you have any questions or would like further information, please do not hesitate to contact Harriet Leadbetter, Political Organiser via email at

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Yours sincerely,

[REDACTED]

Wil Stracke  
**Assistant Secretary**  
**Victorian Trades Hall Council**  
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