

2021

Review of the Workplace Gender Equality Act 2012



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Consultation question 1. Are the functions and powers of WGEA appropriate for promoting and improving gender equality in the workplace? How effective is WGEA in achieving its functions to promote and improve gender equality in the workplace including by enabling relevant employers to report on the gender equality indicators, developing benchmarks and reports, undertaking research, education and leading practice programs, and contributing to the public discussion on gender equality?

The functions and powers of WGEA are largely appropriate for promoting and improving gender equality in the workplace. There is an opportunity to deepen the reporting to more employers, and to include more relevant information and data within the reporting process.

WGEA has had considerable impact through enabling relevant employers to report on the gender equality indicators. This includes developing benchmarks and reports, undertaking research, education, and leading practice programs, and contributing to the public discussion on gender equality. The annual reporting provides an opportunity for annual noting of the areas covered in the WGEA Reporting cycle.

The effectiveness in promoting and improving gender equality in the workplace comes from an ongoing focus in the WGEA Employer of Choice for Gender Equality program (EOCGE). We feel that there is an ongoing opportunity to raise awareness of EOCGE.

Consultation question 2. What is your experience of what works to improve gender equality in your workplace? How do you currently engage with WGEA and use the reporting process and their resources to improve gender equality? What changes, if any, would you like to see in the areas of future focus for WGEA to further promote and improve gender equality over the next ten years?

The reporting process for WGEA is a component of what is working to improve gender equality at [REDACTED] and will continue to be an integral part of our strategy for the future.

Other components include participation in the EOCGE, Athena SWAN Accreditation, Higher Education Impact Rankings, our own internal Strategy, senior leadership commitment, forums and advocacy, development programs, training, and cultural change.

There is a good opportunity for WGEA to further promote and improve gender equality over the next ten years. Suggestions for consideration include, but are not limited to:

- A comparison of previous years to be included in the report and data to effectively track progress within an organisation, within a specific industry or sector, and within society.
- Additional resources to provide advice and support in this area, through regular webinars, training and seminars on key topics.
- Consider alignment with other pieces of work in this area i.e., Athena Swan, Respect Now Always/ Respect @ Work, and the Times Higher Education Impact Rankings.
- Recognition of health and wellbeing at all life stages for employees with a gender equity lens, i.e., menopause policies.

Consider learnings from the Victorian Gender Equality Act 2020, and include gender impact assessments as part of the reporting process.

Consultation question 3. Should the coverage of the Workplace Gender Equality Act be further changed? Specifically, should the definition of 'relevant employer' be expanded? If so, would additional considerations need to be factored in for new reporting employers?

[REDACTED] supports changing the coverage of the Workplace Gender Equality Act, with the definition of 'relevant employer' be expanded to include all employers across Australia, or as much as practical. 40% (currently covered by the Act) does not accurately capture the status of gender equity in Australia. There is also the possibility of providing a simplified version of reporting for small business (i.e., less than <20

employees) to accurately capture gender equality in Australian workplaces. [REDACTED] supports the inclusion of Commonwealth, State and Territory public sectors.

Consultation question 4. Are the gender equality indicators (GEIs) in the Workplace Gender Equality Act, and the data collected with respect to the GEIs, appropriate to promote and improve gender equality? How could they be improved?

The current gender equality indicators (GEIs) in the Act, and the data collected with respect to the GEIs, provided an ongoing opportunity to promote and improve gender equality.

One recommendation is for family and domestic violence be included as a key indicator. Information requested from reporting employers could relate to having a formal policy or strategy around family and domestic violence, and what support is offered to employees (paid/unpaid leave, employee assistance program, training, domestic violence clause, referral to support services).

A further recommendation is to expand on the current GEIs, such as GEI 4. This could be expanded to consider the working week in order to create space for flexibility in workforce and enable men to take up greater caring roles. The EOCGE Citation requires a minimum level of 'secondary carers leave' (referred to as partner leave at [REDACTED]).

Consultation question 5. In addition to gender, should WGEA collect other data on diversity and inclusion criteria on a mandatory basis, to enable a more nuanced analysis of men and women's experiences in the workplace? If yes, please specify criteria (e.g., cultural and linguistic diversity, disability, age, location of primary workplace). If not, why not?

[REDACTED] does not have an issue with employers being mandated to ask, but there are concerns with staff being mandated to provide this information. [REDACTED] would need to understand the extent of such a mandate in order to consult with our stakeholders.

Consultation question 6. How could data be better collected and/or used by WGEA to promote and improve gender equality? Should there be some form of pay transparency – should remuneration data in some form be public?

[REDACTED] would be supportive of additional pay transparency being included in the act. Remuneration data could be included, as the remuneration gender pay gap is higher compared to the base salary gender pay gap (20.1% remuneration vs 15.0% base salary as reported by WGEA 2019-20).

Consultation question 7. Are there changes that could be made to the Workplace Gender Equality Act that would help reduce the regulatory burden on relevant employers while continuing to enable WGEA to promote and improve gender equality? Should other data sources, such as Single Touch Payroll data, be used by WGEA instead of employers providing the same data to two Government agencies?

Exploring more streamlined processes to help reduce the regulatory burden on relevant employers would be welcomed by [REDACTED]. The task of compliance reporting can detract from the actual work in the equity, diversity and inclusion space and the implementation of initiatives.

A further suggestion is that Single Touch Payroll data could be used by WGEA to capture upstream data instead of [REDACTED] providing the data to two Government Agencies.

Consultation question 8. Could the minimum standards be expanded to improve the way they drive practical gender equality outcomes in workplaces? What would employers need to do to implement these changes in their workplace? Should Minimum Standards apply to all reporting employers, not just those with 500 or more employees?

[REDACTED] supports the minimum standards applying to all reporting employers, not just those with 500+ employees. The minimum standards could be expanded, to improve practical gender equality outcomes in workplaces. This could include support to improve policies in priority areas such as superannuation, family and domestic violence.

Consultation question 9. Are the compliance mechanisms in the Workplace Gender Equality Act, and consequences for non-compliance, effective to promote and improve gender equality? If not, how could they be improved?

[REDACTED] believes that the current compliance mechanisms in the Workplace Gender Equality Act are largely effective to promote and improve gender equality.

An opportunity for improvement is to consider naming employers who don't comply and providing greater visibility of employer performance.

It would be useful to have visibility on areas that have not achieved the minimum standards since the Act came into effect, as this would paint a better picture regarding the effectiveness of the compliance mechanisms and tangible consequences for non-compliance.

Consultation question 10. Are there any other matters you want to comment on in relation to the Workplace Gender Equality Act and improving and promoting gender equality in the workplace in Australia?

[REDACTED] would recommend that consideration of the Respect @ Work Report is incorporated into the Workplace Gender Equality Act. Reporting on the Respect @ Work recommendations for employers could inform part of the Act and annual compliance reporting to WGEA, rather than a separate reporting process on the status and implementation of the Respect @ Work recommendations.