

**Submission to the Review of the  
Workplace Gender Equality Act 2012**

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24 November 2021

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## Recommendations

The Workplace Gender Equality Act 2012 (the Act) been an important catalyst to improving Australia's approach to addressing workplace gender equality. We can now see the proven value of establishing a standardised reporting framework so that non-public sector employers with 100 or more employees report annually against six gender equality indicators.

The time has come to move beyond increasing awareness of the state of workplace gender equality in Australia to promoting action and accountability. This is particularly important in 2021 as the pandemic has highlighted the gendered inequality of the labour market and the limitations of government responses through various levers. There are also connections between pay equity and the Government's Towards 2025 [goal](#) of increasing female labour participation.

1. The WGEA should have a suite of enforcement powers, including the ability to impose penalties. The WGEA should be able to launch own motion investigations.
2. The Act should apply to local governments and public authorities.
3. The Australian Government report, A Roadmap for Respect: Preventing and Addressing Sexual Harassment in Australian Workplaces, responds to the Respect@Work Report's recommendations and includes a commitment to amend the Workplace Gender Equality Act 2012 (the Act) to require public sector organisations to report to the Agency. Weatherall et al. (2021) have pointed to innovative law reform in Aotearoa New Zealand in the form of the Domestic Violence Victims Protection Act, 2018, which increased the responsibility of employers to safeguard employees. They argue that in order to reduce the threat of gendered violence, this issue must be moved from a 'private' framing into the public and workplace sphere. To achieve this, reporting entities should therefore report to the WGEA about harassment claims made, withdrawn or resolved and disciplinary action taken.

We agree with the following WGEA recommendations:

4. The definition of those covered by the Act should be expanded to include private sector employers with 50 or more staff and public sector employers at all levels of government with 20 or more staff.
5. The entities should report the following:
  - a. How much their chief executive, or the equivalent, is paid
  - b. Their actual earnings for part-time and casual staff, not the full-time equivalent
  - c. Who has access to paid parental leave and whether they pay superannuation on it, unpaid or government parental leave
  - d. Data on who has been promoted or resigned in businesses with partnership structures
  - e. The number of employees, broken down by gender and job role, who left involuntarily or were made redundant.
6. The gender pay gap for individual organisations should be made publicly available.
7. The agency should be actively collecting intersectional information including disability, CALD status and queer identities to tell the full story of pay equity.
8. That organisations should report on what equity measures apply to temporary, fixed term and casual staff. This includes but is not limited to types of leave, organisation of shifts.

We are happy to provide further comment to the review.

## References

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