



Gender equality at work: the long road ahead

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Introduction

Thank you for the invitation to speak with you here today. Let me commence by recognising that we meet this morning on the traditional lands of the Darrug and Gundungarra peoples. I pay my respects to their elders, past and present, and thank them for their custodianship of this land.

I congratulate the Industrial Relations Society of NSW for putting together another great conference line up, with a range of topical and interesting issues up for discussion.

I also acknowledge the many outstanding practitioners and academics present here today, many of whom I know, have worked with, or studied under.

Compared to the learned and thoughtful contributions you will hear from them, my offering today will be no doubt more modest.

In my previous addresses to this conference – Kiama in March 2013, and here at the Fairmont in May 2014 – I set out the then-recent developments in the field of industrial relations and law in the NSW jurisdiction, and tried to place them in the wider context of the national picture. For a jurisdiction on which the sun was said to be setting, much was going on – most of it inimical to the interests of working people

Today, I want to speak about a key issue, or set of issues which I believe have not had much attention in public dialogue.

The issue is gender equality at work. While we have come a considerable distance over the last few decades, we all know of experiences of family, friends and colleagues that discloses the distance still to be travelled. We owe it to the future to cross that distance.

I disclose an interest – I have two daughters who will one day be engaged in the world of work. I do not want their choices, or the quality of their futures, to be determined by their gender.

First, some context in which to frame the discussion.

Before the Federal Labor Government introduced Australia's first national paid parental leave scheme in 2010/2011, Australia was one of just two OECD countries without a comprehensive paid parental leave scheme.

The Labor Government designed a scheme so that government funded parental leave would be taken alongside leave that was funded by employers - so mothers or fathers can take a longer period off work to spend with their new born baby.

The scheme was based on evidence from the Productivity Commission report on paid parental leave in 2009. The report noted there are compelling health and welfare benefits for mothers and babies from a period of postnatal absence from work of around six months.

The scheme offered working women 18 weeks of paid leave, or more than four months, which together with employer contributions would take many women close to that six month mark.

The scheme shared the load between parents, government and employers.

Four years later, an independent expert panel has found Labor's paid parental leave scheme has been improving the health of mothers and babies, and lifting female workforce participation.

The government commissioned the independent review panel, led by the University of Queensland's Institute for Social Science Research, to conduct a four-stage review of the program between 2011 and 2014.

The expert evaluation, submitted to the Department of Social Services in November 2014, said the PPL was having a "clear effect" of delaying mothers' return to work directly after the birth of their baby and then increasing the probability of mothers returning to work before the baby's first birthday. It found the existing PPL "increased employers' retention of mothers when they returned to work."

The investigators found the scheme had "produced small, but statistically significant, improvements" in mothers' average physical and mental health. It was also associated with a lift in the proportion of mothers who were still breastfeeding when their child was six months or older. The increase in breastfeeding duration was

"consistent across all groups of mothers" except single mothers. The report also found a "small improvement" in babies' average health following the introduction of PPL.

The investigators said the scheme had improved mothers' perceptions of their career prospects and slightly reduced the likelihood that mothers "felt rushed or pressed for time" when their babies were around 12 months old.

At the last Federal election, the Coalition parties proposed its own version of a paid parental leave scheme, with full income replacement for six months for those earning up to \$150,000 per year.

The Abbott Government did not deliver on this commitment in its first Budget. In its 2015 Budget, it now proposes to make cuts to paid parental leave that will leave around 80,000 Australian mothers worse off.

These mothers have been condemned for "double dipping" when really they are doing exactly what they should be doing – spending more time with their babies. The wives of two of the Ministers involved in this policy have been revealed as having benefitted from Labor's policy.

On any analysis, this development is a retreat for the rights of working women. Instead of encouraging female participation in the workforce, the government policy stigmatises and disadvantages them.

The policy is intended to save \$1 billion over four years. However, it may not even save money, if employers in response wind back their own schemes, leaving the public purse to provide the only paid leave.

Why is this important?

It is clear from available data that improved female participation in the workforce is facilitated by opportunities afforded by anti-discrimination and equal pay laws, access to parental leave and childcare services. The Business Council of Australia – not a radical left-wing think tank – has noted that the main issues in inhibiting workforce participation for women include job design and workplace flexibility,

specifically the lack of flexible employment options, including parental and carers' leave provisions.¹

Australian women's workforce participation stands at a little over 70 per cent. While this is higher than the OECD average of just under 63 per cent, it is below countries such as Canada (81.6 per cent), Iceland (84.3 per cent), Austria (81.2 per cent), Sweden (78.8 per cent), Switzerland (78 per cent), Norway (76.1 per cent), the Netherlands (74.6 per cent), New Zealand (73.2 per cent), Germany (72.4 per cent), Britain (71.7 per cent) and Latvia (71.6 per cent).

According to the the Grattan Institute, if women's workforce participation in Australia increased by 6%, national GDP would be about \$25 billion higher than it is today.² This would represent an increase for the NSW economy of more than \$8 billion.

A study released Monday, based on the International Social Survey program data, analysed by Harvard Business School, drew on the experiences of more than 50,000 adults from 25 developed countries, including Australia. It is said to disclose that daughters of working mothers completed more years of formal education, are better educated, and are more likely to be employed in senior roles and earn more money. The research also showed that sons of working mothers spend more time on child care and domestic duties, and the division of paid and unpaid work among children of working parents was likely to lead to more stable marriages.³

It is 38 years since the ground-breaking *Anti-Discrimination Act* was passed in NSW and 31 years since the Commonwealth *Sex Discrimination Act* was passed by our national Parliament.

We have developed so much as a society in that time.

Why then, despite the clear social *and economic* benefits of ensuring women a fairer, more equal deal at work, are we about to take this significant step backwards.

Is it because there are only two women in Federal Cabinet?

¹ Business Council of Australia, *Action Plan for Enduring Prosperity* (2013) page 84

² Grattan Institute, *Game-changers: economic reform priorities for Australia* (2012) page 39

³ *Sydney Morning Herald*, Monday, May 18, 2015, p8

Is it because gender equality is simply not on the agenda for the conservative political parties?

While I think the answer to both questions is 'yes', to understand why such policies can see the light of day in 2015, we need to look at the wider social context.

Pregnancy, return to work and pay discrimination

In 1999, the Human Rights and Equal Opportunities Commission (“HREOC”) inquiry into pregnancy discrimination in the workplace, *'Pregnant and Productive: It's a right not a privilege to work while pregnant'*, revealed widespread discrimination towards pregnant women and the need to re-examine discrimination in the workplace after pregnancy, including women's experiences while on parental leave and on returning to the workplace.

A second national review completed by HREOC (now the Human Rights Commission) in July 2014⁴ *Supporting Working Parents: Pregnancy and Return to Work, National Review* reveals that a serious and systematic pattern of discrimination continues to this day, one that has a significant cost to women, working parents, their families, workplaces and the national economy.

Supporting Working Parents

The review was a collaboration with representatives of business and industry peak groups, unions, working women centres and academics.

Importantly, the review spoke with employers from different sized businesses and industries about their experiences in this area.

The inquiry found that discrimination, ranging from negative attitudes and inappropriate comments through to threats to employment and even the termination of employment, has an impact on the physical and mental health of individuals, career and job opportunities, financial situations and families. It also has

⁴ *Supporting Working Parents: Pregnancy and Return to Work National Review*, HREOC, July 2014

consequences for workplaces. This includes higher absenteeism, lower productivity, high staff turnover, recruitment and training costs, as well as reputational damage. In this it is similar in its consequences to workplace bullying.

Gender pay gap

As at February 2014, the gender pay gap stood at 17.1%. This equates to women being paid \$262.50 less than men on average per week.⁵ However, as of May 2014 the gender pay gap Australia-wide was 18.2 per cent for full-time, adult, ordinary time earnings. For NSW, the gender pay gap was 16.5 per cent.⁶ New ABS figures released on 24 February 2015 show the gender pay gap has blown out to 18.8 per cent, hitting a 20-year high.⁷ Whatever, the figure, gender disparity in the workforce is costing Australia billions of dollars in the form of unrealised productivity potential.⁸

The rise in the female employment rate since 1974 has boosted our national economic activity by 22%.⁹ The IMF has recognised that the employment of women on an equal basis with men would allow companies to make better use of the available talent pool, with positive implications for growth.¹⁰ As I mentioned above, the Grattan Institute has estimated that if women's workforce participation in Australia increased by 6%, national GDP would be about \$25 billion higher than it is today.¹¹ This would represent an increase for NSW of more than \$8 billion.

⁵ *Supporting Working Parents*, p16 citing Australian Bureau of Statistics, *Average Weekly Full-Time Earnings Data* (cat, no. 6302.0)

⁶ ABS 6302.0 *Average Weekly Earnings* May 2014, Released 14/8/2014

⁷ Australian Bureau of Statistics, 4125.0 - Gender Indicators, Australia, Feb 2015

⁸ Ernst and Young, *Untapped Opportunity: the role of women in unlocking Australia's productive potential*, (2013) p 2.

⁹ Goldman Sachs, *Australia's Hidden Resource: the economic case for increasing female participation* (2009) page 2

¹⁰ International Monetary Fund, *Women, Work, and the Economy: macroeconomic gains from gender equity* (staff discussion note 13/10) (2013) p5

¹¹ Grattan Institute, *Game-changers: economic reform priorities for Australia* (2012) page 39

Closing the gender gap in workforce participation and pay is a pre-requisite for ending economic inequality and boosting shared prosperity.¹²

Economic case for improved gender equity at work

The inquiry also received evidence of a strong relationship between women's economic participation and general economic growth.¹³ It also found that improved female participation in the workforce was facilitated by opportunities afforded by anti-discrimination and equal pay laws, access to parental leave and childcare services. However, the Business Council of Australia noted that the main issues in inhibiting workforce participation for women include job design and workplace flexibility, specifically the lack of flexible employment options, including parental and carers' leave provisions.¹⁴

Proactive strategies and policies are needed to retain women workers. Failure to support women during this period contributes to continued discrimination and their departure from the workplace, contributing to the \$20 billion cost to employers of annual staff turnover in Australia.¹⁵ This equates to a further cost to NSW of around \$6 to \$7 billion each year.

¹² World Bank, *Gender at Work: a companion to the world development report on jobs* (2013) p1

¹³ Booz and Company, *Empowering the Third Billion: women and the world of work in 2012* (2012) pp13-15

¹⁴ Business Council of Australia, *Action Plan for Enduring Prosperity* (2013) page 84

¹⁵ Australian Human Resources Institute, *Human Resources Pulse: Love 'em, don't lose 'em - identifying retention strategies that work* (2008) p1

Findings

The Human Rights inquiry found that:

- 49% of mothers reported experiencing at least one form of discrimination in the workplace at some point during pregnancy, parental leave, or on return to work;¹⁶
- 27% of mothers reported experiencing discrimination in the workplace during pregnancy; of whom 48 % reported discrimination related to health and safety and the same proportion reported discrimination related to pay, conditions and duties;¹⁷
- 32% of mothers reported experiencing discrimination in the workplace when they requested or took parental leave; of whom 69% reported discrimination related to pay, conditions and duties and 46% reported discrimination related to career advancement opportunities;¹⁸
- 34% reported experiencing discrimination in relation to family responsibilities;¹⁹
- 36% reported experiencing discrimination when returning to work after parental leave, with the bulk of this relating to negative attitudes from colleagues or supervisors (63%), when they requested flexible work (50 %) or pay, conditions and duties (38%);²⁰
- 18% were made redundant or had their work restructured, were dismissed or did not have their work contract renewed either during pregnancy, when they requested/took maternity leave or when they returned to work;²¹

¹⁶ *Supporting Working Parents: Pregnancy and Return to Work National Review*, HREOC, July 2014, p26. However, discrimination was reported at all stages of employment.

¹⁷ *Ibid.*, p27

¹⁸ *Supporting Working Parents*, *op. cit.*, p28

¹⁹ *Ibid.*, p26

²⁰ *Ibid.*, p26

²¹ *Ibid.*, p27

- 84% of mothers experiencing discrimination reported a negative impact as a result of discrimination, including on their mental health, stress, self-esteem and confidence (72%); finances (42%) and career and job opportunities (41%);²²
- 22% of mothers who reported discrimination did not return to the workplace, compared to 14% of mothers who did not report discrimination;²³ and that
- discrimination on return to work is more likely to be experienced by mothers who return to work in a large organisation (40%) compared to those who return to work in a small (22%) or medium sized (31%) organisation.²⁴

The inquiry also found that fathers suffered significant discrimination, including:

- 27% reporting experiencing discrimination on at least one occasion;²⁵
- 20% when requesting or taking parental leave;²⁶ and
- 17% when they returned to work.²⁷

Of those fathers who reported experiencing discrimination on at least one occasion:

- 49% received negative comments and attitudes from colleagues or manager/ employer;
- 47% reported discrimination related to pay, conditions and duties; and

²² *Ibid.* p32

²³ *Ibid.* p33

²⁴ *Ibid* p41

²⁵ *Ibid*, p48

²⁶ *Ibid.*

²⁷ *Ibid.*

- 35% experienced discrimination related to flexible work;²⁸ including being denied leave and flexible work patterns, and having changes made to rosters, hours of work and duties against their wishes.

Of those fathers who reported experiencing discrimination during parental leave or on their return to work, 76% reported a negative impact as a result, including on their mental health, levels of stress, self-esteem and confidence (61%), families (42%), finances (37%) and career and job opportunities (30%).²⁹

The report found that while most employers do not set out to discriminate, they struggle to balance their legal obligations with the pressures of running a business.³⁰ Employers told the inquiry that they experienced a lack of clear, easily accessible information available, as well as more tailored advice. They reported a need for a "step-by-step" guide and user-friendly one stop shop for information about rights and responsibilities relating to pregnancy, parental leave and return to work issues.³¹

What also emerged is that while some employers claimed they had no problem with supporting pregnant workers and providing flexible work, they felt their clients may not be as comfortable with this.³² There was also significant employer uncertainty about their own legal obligations and the rights of the staff in this area.

However, the report found employers may use redundancies and restructures as a pretext for dismissing employees who are pregnant, on parental leave or have family and caring responsibilities. Even where the redundancy is genuine, employees on parental leave or who have returned from parental leave faced increased likelihood of being selected for redundancy.³³

²⁸ *Ibid.*, p49

²⁹ *Ibid.*, p52

³⁰ *Ibid.* p92

³¹ *Ibid.* p101

³² *Ibid* p102

³³ *Ibid.* p122

The inquiry also conducted a comprehensive review of relevant laws in each jurisdiction and found that there were significant gaps in the protections they gave in this area.

As a consequence, the report concluded that consideration should be given to developing new mechanisms for protection from redundancy, dismissal and non-renewable of contracts for employees who are pregnant, on parental leave or have family and caring responsibilities.³⁴

While the review identified a range of areas that need legislative reform³⁵, the biggest gap in the adequacy of the existing legal and policy framework is in its implementation.

It recommended information, guidance and support for employers on how to fulfil their obligations; clear, accessible information for employees on their rights and entitlements; innovative, leading practices by employers on how to implement laws and policies; and changing stereotypes, practices and behaviours that impede the effective implementation of laws and policies.

The NSW experience

The New South Wales Public Service Association made a submission to the inquiry that focused on the New South Wales public sector. Based on a qualitative and quantitative survey of its membership the PSA found 77% indicated they had missed out on an opportunity for promotion while pregnant; 71% indicated they had missed out on training or developmental opportunities while pregnant; and 79% of respondents had been subjected to inappropriate comments by supervisors while pregnant.³⁶

The survey revealed:

³⁴ *Supporting Working Parents, op. cit.* p123

³⁵ See Chapter 5 of *Supporting Working Parents*

³⁶ PSA *Submission to Pregnancy and Return to Work Review* January 2013, p3

- employer denials of training, promotional opportunities or acting up opportunities;³⁷
- downgrading of tasks including removal from usual place of work and being given less meaningful work;³⁸
- inability to access the appropriate flexible working arrangements when returning to work;³⁹
- difficulties renewing term or part-time contracts and not receiving opportunities for promotion⁴⁰;
- employers failing to make reasonable adjustments to the work of pregnant women or women returning to work after pregnancy⁴¹;
- employees being sacked because they were pregnant, including because customers did not like being served by a pregnant person⁴²;
- being '*squeezed out*' or having their position downgraded while on pregnancy leave and not being considered for positions, including part-time positions, in restructuring processes⁴³, including losing permanent employment and being made temporary or casual;
- having requests for leave denied;⁴⁴
- inappropriate comments and actions by senior persons and co-workers⁴⁵;

³⁷ PSA *Submission* to Pregnancy and Return to Work Review p3

³⁸ *Ibid.* p5

³⁹ *Ibid.*, pp5-11

⁴⁰ *Ibid.* p11

⁴¹ *Ibid.*, p11

⁴² *Ibid.*, p12

⁴³ *Ibid.*, pp12-14

⁴⁴ *Ibid.* p14

⁴⁵ *Ibid.* pp14-15

- being denied information relating to their position, including work programs and the future of that position within the organisation;⁴⁶
- harassment while on maternity leave and on return connected to absences from the workplace and also while negotiating return to work days and hours in the form of managerial bullying and unprofessional behaviours;⁴⁷
- difficulties obtaining time off work for medical appointments;⁴⁸ and
- witnessing pregnancy discrimination in the workplace happening to other female employees.⁴⁹

There is no sign the Federal Government is prepared to address these issues. The NSW Government has also been asleep at the wheel, taking no action on them or even acknowledging they exist.

There are no signs that the NSW Government has any plan to combat pregnancy and return to work discrimination, even in the public sector for which it is directly responsible.⁵⁰ Certainly, there was no policy from the government parties at the recent NSW State election.

In comparison, NSW Labor set out a number of sensible and practical steps that would, together, take what we regard as a significant step in the right direction.

We proposed changes to NSW discrimination laws to include a positive legal duty on employers to reasonably accommodate:-

- the needs of workers who are pregnant and/or have carer/family responsibilities; and
- requests for flexible working arrangements.

⁴⁶ PSA *Submission* to Pregnancy and Return to Work Review p16

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*

⁵⁰ Budget Estimates 2014-2015, *Supplementary Questions on Notice, Treasury, Industrial Relations*, 22 August 2014, pp24-25 Q/A 134-137.

This would include an obligation on the employer to respond in writing to any request for flexible or changed work within 28 days. This obligation will apply to any request made by a worker who is pregnant or is returning, or has returned, to work after pregnancy, or has family/carer responsibilities.

Where a request is declined, it must be declined for a proper reason being a reason not related to the employee being pregnant or returning to work after pregnancy, or having family/carer responsibilities.

In addition, Labor proposed:

- new protections from sex discrimination in the form of redundancy, dismissal and the non-renewal of contracts for employees who are pregnant, on parental leave or have family and caring responsibilities; and
- improved pay discrimination laws, including mechanisms for inquiry, evaluation and correction of gender pay discrimination.

Bearing in mind that implementation has been identified as a key failing across jurisdictions, we believe that as a responsible employer Government should:-

- co-ordinate across all government and statutory agencies the production and communication of clear, comprehensive and consistent information about employer obligations, employee rights and leading practices and strategies;
- in particular, develop materials for employers regarding legal obligations in relation to the work health and safety needs of pregnant employees, employees undergoing fertility treatment and those returning to work after childbirth, miscarriage or stillbirth. This material will be developed with a view to the introduction of a code of practice under the *Work Health and Safety Act*; and
- collaborate with peak bodies from business, unions and community, to develop these materials and assist with their delivery in the private sector as well.

- Taking heed of the information that employers are seeking guidance and assistance, we would also propose that Government act as co-ordinator and facilitator, to:
- ensure the effective delivery and communication of relevant materials and leading practices and strategies on managing pregnant employees, employees on parental leave those returning from parental leave throughout all public sector agencies, particularly to line managers have responsibility for;
- identify and remove harmful stereotypes and eliminate practices and behaviours that perpetuate harmful stereotypes including through reviewing and auditing existing policies; revising policies and practices; reviewing how information is provided to managers and employees; training all employees, including line managers; and monitoring and evaluating the implementation of policies and practices which support pregnant employees and all working parents; and
- create a dedicated unit within the Office of Industrial Relations to develop practical solutions that address discrimination faced by pregnant women and mothers in workplaces across NSW and assist to combat pregnancy, return to work and pay discrimination.⁵¹ While the focus of this work will primarily be in the public sector, it will be extended over time to the private sector as well, as this is not regulated by the Federal industrial relations system.

⁵¹ To be developed within the resources currently allocated to the OIR

Public sector gender equity

Issues of pregnancy, return to work and pay discrimination are part of the wider difficulties that women workers continue to experience in our society.

The former NSW Labor Government developed *Making the Public Sector Work Better for Women* 2008-2012, a strategy which aimed to improve the recruitment, development and retention of women in the public sector.⁵²

It included a commitment to achieving specific employment targets by the end of 2012 and working to reduce the gender pay gap through a pay equity audit of the NSW public service and the development of sector-level pay equity benchmarks against which to monitor progress.

All this has been abandoned by the present Government.

The last Labor Government was working towards increasing female representation in senior levels of the public sector from 28% to 35% and implementing initiatives to achieve the target of 50% of new appointments to NSW Boards and committees by the end of 2012.

Since March 2011, only 38 per cent of boards and committees are comprised of women. On bodies established by the Coalition Government, the figure is less than twenty percent.

By December 2012, there were already significant reductions in women's representation in the Premier's Department (44 per cent to 27 per cent), Local Government (67 per cent to 39 per cent), Community Services (73 per cent to 59 per cent), Tourism and Racing (32 per cent to 18 per cent), Sport (37 per cent to 27 per cent), Trade (30 per cent to 23 per cent) and Finance portfolios (37 per cent to 29 per cent). No women were appointed to the WestConnex Delivery Authority, and only one woman was appointed to Infrastructure NSW and UrbanGrowth NSW.⁵³

⁵² NSW Women's Plan - achieving justice and equity for all women in NSW, NSW Government, p13-14

⁵³ Linda Burney MP and Sophie Cotsis MLC, *Going Backwards: a report on the status of Women in NSW after three years of the O'Farrell Government*, March 2014, pp13-14

The NSW Government has also failed to make improvements in female representation at senior levels of the public service a priority, which was starkly revealed in the recent report *Advancing Women: Increasing the participation of women in senior roles in the NSW public sector*, September 2014.⁵⁴

Advancing Women

The report, commissioned by the NSW Public Service Commission, found a series of impediments making it harder for women to scale the heights of the public service, including “*unconscious bias*” against women and gender-based assumptions about their life roles outside work and capabilities.

Even though the report found women outperformed men across a majority of measures examined, women continue to face discrimination in the public service.

The NSW public sector employs nearly 400,000 people across a diverse range of organisational contexts, occupations and job roles. Education, Health, and Family and Community Services, have the highest percentage of female workers, at over 70 per cent. Transport and Trade and Industry have the lowest percentages of women, at less than 30 per cent. Women constitute 62 per cent of the total NSW public sector workforce and hold 32 per cent of the Senior Officer and Senior Executive roles.⁵⁵

Women comprising almost two-thirds (64 per cent) of employees in lower grades⁵⁶, just over half (53 per cent) of employees in the ‘pipeline’ or mid-level grades⁵⁷, but only one-third of senior and executive positions. Women comprise two-thirds of casual, temporary and part-time workers in the NSW public sector.⁵⁸

⁵⁴ Produced by the Women and Work Research Group (WWRG), University of Sydney Business School

⁵⁵ *Advancing Women* p vi

⁵⁶ Less than \$93,586

⁵⁷ \$93,586-\$140,067 per year

⁵⁸ *Advancing Women* p vii

NSW public sector experts were asked about barriers, opportunities and practices as they related to women progressing into senior roles. The main barriers to women advancing into senior roles they most frequently observed:

- **Occupational segmentation** leading to reduced 'opportunity structures' for women;
- **Workplace cultures** imbued with gender stereotyping and unconscious bias which limit opportunities for women seeking advancement;
- **The use of flexible work arrangements** and career breaks which adversely impact on advancement by reducing access to opportunities for those who use them; and
- The perceived **lack of flexibility in senior roles** which thwarts women's ambitions for advancement, particularly for those who need flexibility due to their non-work responsibilities (which are principally family and carer responsibilities).⁵⁹

The report found there was a need:

- for a clear message about the importance of achieving gender equity and of the role of the Public Service Commission in leading the way;
- to tailor recommendations for change to suit the specific context of the workplace, agency or department;
- for gender targets, supported by NSW public sector leadership, but set at the local level;
- for more innovative approaches to work design and flexibility to benefit both men and women at senior levels;
- to ensure recruitment and selection practices follow objective principles based on capability; and

⁵⁹ *Advancing Women* p ix

- to monitor and evaluate changes brought about by the restructuring of the senior executive levels to ensure that women are not disadvantaged in seeking or gaining new roles and that formal flexibility arrangements are not lost.⁶⁰

The report made six recommendations:

1. The Public Service Commissioner should endorse, champion and facilitate action on gender equity across the public sector, to be driven by Departmental and agency heads;
2. Departmental and agency heads should define targets for women in senior roles and embed those targets in workforce plans. Gender equity key performance indicators should be developed and monitored by sector, cluster and agency.
3. The Public Service Commission should provide guidance on flexible working arrangements throughout the public sector.
4. The Public Service Commission should with Departments and agencies work to raise awareness of unconscious bias against women across the public sector;
5. Departments and agencies should share information on gender equity practice; and
6. The Public Service Commission should continue to collect data about gender balance to facilitate benchmarking with public and private sector organisations.⁶¹

⁶⁰ *Advancing Women*, p x

⁶¹ *Advancing Women*, pp108-109

Informed by this report, at the recent election, NSW Labor committed to:

- ensuring all public sector agencies work to implement the recommendations of the Advancing Women report;
- achieving a target of 40% of senior positions in the public sector being comprised of women by 2019; and
- ensuring half of new board/committee appointments made by government are women by 2016.

Concluding remarks

The NSW Parliament has been chosen for the next four years, so it is unlikely I will be in a position to directly pursue the implementation of the ideas I have sketched out this morning. However, the issues involved are significant – for women, their families and the wider community. It goes to the kind of society in which we live, or want to live. However, it also goes directly to the need to improve the productive capacity of the economy.

It is one of the areas where the right and the socially just thing to do is also the best for the economy.

Whichever way we go, the worst outcome is for our path to take shape by drift – with no public debate and conscious decision. The absence of any real public discourse during the recent NSW State election was, to put it mildly, alarming. We have national election in the near future, by the end of next year.

All those for whom the world of work is a key focus must do what they can to ensure the issues raised in my paper are discussed and are front and centre of the public policy discussion.