



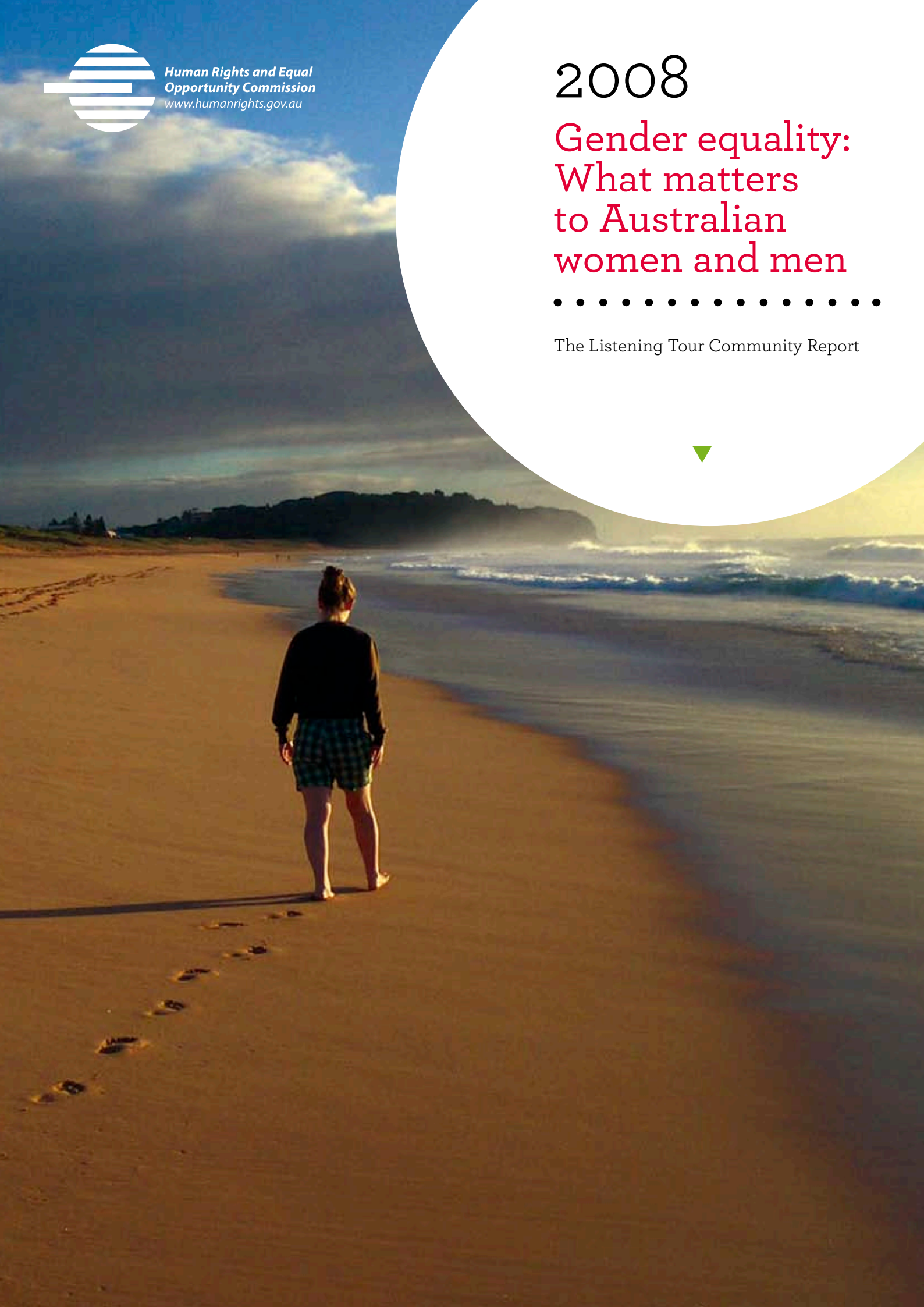
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Gender equality:
What matters
to Australian
women and men



The Listening Tour Community Report



Listening Tour Community Report acknowledgements

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Gender equality: What matters to Australian women and men

The Listening Tour Community Report

Welcome to my report representing the major issues you shared with me as I travelled the length and breadth of Australia.

As many of you are aware, I became the federal Sex Discrimination Commissioner with the Australian Human Rights and Equal Opportunity Commission (HREOC) in September 2007. One of my main responsibilities is to promote gender equality in Australia as a human right.

Coming into this role, it was important to me that I listen to Australian women and men. I wanted to find out what you see as the major challenges we face in creating a fairer and more equal society. Of course, I had my own ideas and concerns, but my aim was to provide you with an opportunity to have your say.

So, in November 2007, I began a nation-wide 'Listening Tour'. I wanted to ask the Australian public two big questions: How far have we come in our journey towards gender equality? And where should we focus our efforts into the future?

During the Listening Tour, I travelled to every state and territory, visiting cities, regional towns and remote communities. I also set up an online blog so that people could share their views widely. I met over 1000 people during the course of the Tour. I heard stories and experiences from factory workers, Aboriginal and Torres Strait Islander Australians, women's and men's services workers, refugees, academics, government Ministers, investment bankers, gay and lesbian people, young women and older people, to name a few.

Women and men across the country provided their input on what I could do to make a difference.

The Listening Tour has greatly enriched my understanding of the lives and experiences of women and men across Australia. I also hope that it has been a positive experience for all those who have been involved.

I am delighted and proud to share the stories and experiences of the people I have met. To each of you, I say thank you. Your contributions will help shape the agenda for my term as federal Sex Discrimination Commissioner.



Elizabeth Broderick

Sex Discrimination Commissioner and
Commissioner responsible for Age Discrimination



Elizabeth Broderick was appointed to the role of Sex Discrimination Commissioner and Commissioner responsible for Age Discrimination in September 2007.

Liz has a background in law and computer science. She was a partner at law firm Blake Dawson where she developed their business case for flexibility in the workplace. Her efforts created an environment where more than 20 per cent of the law firm's workforce now uses flexible arrangements.

About the Listening Tour

What the Commissioner wanted to find out

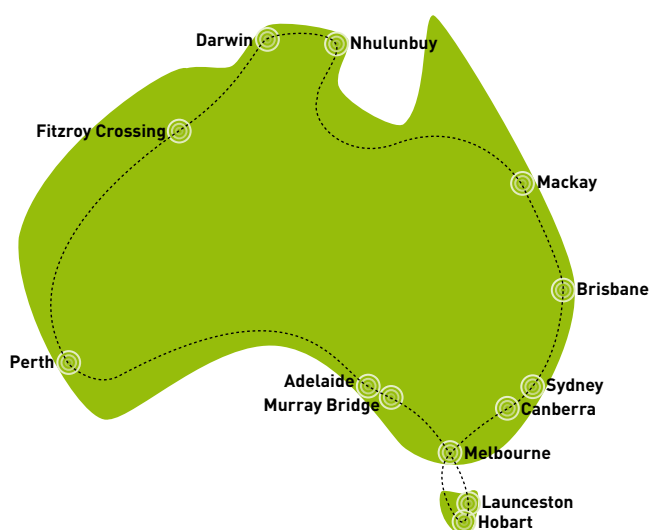
The Listening Tour started in November 2007. As the new federal Sex Discrimination Commissioner, Elizabeth Broderick visited every state and territory in Australia. Over 1,000 people took part in the 90 events held in metropolitan, regional and remote locations. An additional 128 people contributed through the Listening Tour blog, with 39,612 viewers reading the Commissioner's Listening Tour diary, and a total of 66,826 hits.

Before the Listening Tour began, the Commissioner identified three crucial areas for achieving equality between women and men in Australia:

- economic independence for women
- balancing work and family balance across the life cycle, and
- freedom from discrimination, harassment and violence.

These three themes, and the different issues raised within each, provided a broad framework for the Commissioner's discussions. A key goal of the Listening Tour was to help the Commissioner decide where she should focus her work.

Those who took part in the meetings discussed the relevance and importance of the three themes of the Tour to achieving gender equality in Australia. The Commissioner also wanted to identify other issues which were relevant to equality between men and women.



How people participated

The guiding principles of the Listening Tour were participation, inclusion and diversity.

The Listening Tour specifically focussed on reaching diverse groups including: women with disabilities, Indigenous women, culturally and linguistically diverse women, women of diverse sexualities and workers from low paid occupations and industries. The Tour also ensured that both men and women were able to participate and contribute.

The Tour involved a variety of forums to allow people to share their views, including:

- open community consultations
- women's and men's focus groups, targeted to specific industries
- meetings with service providers and community groups
- meeting with Ministers, Members of Parliament and government agencies
- academic and business roundtables, and
- an interactive website and blog, including regular diary entries from the Commissioner.

What the Commissioner found

The three key themes of the Listening Tour – economic independence for women, balancing work and family balance across the life cycle, and freedom from discrimination, harassment and violence – resonated strongly with women and men in the Australian community.

While there have been many improvements in Australia since the appointment of the first federal Sex Discrimination Commissioner in 1984, the stories from the Listening Tour show that Australia still has much to do in order to truly achieve gender equality for all.

The findings from the Tour supported the need for a national gender equality agenda to achieve full and equal participation for both women and men in all spheres of life.

Gender inequality is a daily experience

The experiences that participants shared add a powerful human dimension to the research and statistics on women’s status in Australia.

Women spoke about the barriers to their career progression and workforce participation, providing their personal stories to explain the under-representation of women in senior leadership positions. Many older women, with limited retirement savings due to movement in and out of the workforce, shared their anxieties of poverty in their later years.

Men and women expressed their difficulties in balancing work and family responsibilities, and their disappointment at the lack of a legislated paid leave scheme for parents, particularly maternity leave. Men told of the pressure that they felt to be the primary breadwinner and the long work hours that prevented them from sharing time with their partners, children and other family members.

Consistent with HREOC’s own research, the Commissioner heard many personal experiences of sexual harassment, along with concerns about the repercussions of making a complaint.

Stories about the impact of long-term violence on a woman’s ability to participate in the workforce added a human perspective to statistics which estimate the cost of domestic violence to business at \$500 million each year.

Factors contributing to gender inequality are interconnected

The stories and experiences that participants shared during the Listening Tour highlighted how inequality is connected and reinforced by a range of factors.

For example, pay inequity is a contributing factor to the gender gap in women’s retirement savings. Pay inequity is also influencing decisions within families on the sharing of paid work and caring responsibilities. The movement of women in and out of the paid workforce due to caring responsibilities is another factor contributing to the gender gap in retirement savings.

Structural and cultural barriers in the workplace prevent women from balancing their paid work and caring responsibilities, reducing their workforce participation and their economic independence. Those same barriers prevent men from taking on a greater share of caring responsibilities, with men sometimes finding it even harder to access flexible work due to cultural stereotypes about roles between parents. Women continue to undertake more unpaid care responsibilities.

Violence, discrimination and harassment also impact on women’s ability to engage in paid work, affecting their economic independence.

Examining and addressing one issue in isolation from the others will not deliver the systemic change required to achieve full gender equality.

The gender equality agenda must recognise differences between women

While there were a number of shared experiences among women, there were also stark differences based on other factors, including race, disability, age, sexuality and socio-economic status.

For example, issues of primary concern to many Indigenous women in remote communities were basic living conditions, such as the ability to live safely, access to housing, access to education or employment and access to healthcare.

For women in low paid industries, particularly those in female dominated sectors, better pay and basic workplace conditions, such as tea breaks and access to toilets, were the important concerns.

For refugee women, access to education and employment without the fear of racial discrimination was most important, along with the need for social acceptance of cultural difference.

For women with disabilities, the ability to live safely and have autonomy over one's life decisions was critical, as well as the ability to access education and employment.

An effective gender equality agenda must recognise and illuminate the particular disadvantage faced by different groups of women, just as it must address the shared experiences of women as a whole.

Changing attitudes is key to achieving long-term gender equality

A number of policy and project ideas were provided to HREOC to address the issues participants raised. Of all of them, the need for education in order to change attitudes and build skills was the most apparent.

For example, education on salary negotiation was proposed in order to close the gender pay gap and increase women's economic independence.

Educating the community on the value of unpaid work and educating employers and employees on effective flexible work practices were also suggested to overcome the struggle many women and men face to balance paid and unpaid work.

Underlying these suggestions was a clear message from the community that gender inequality is a pervasive and deep rooted phenomenon that will not be successfully addressed without significant attitudinal change.

Attitudes underpin every concrete action we take to make the world a more equal place for women and men.

What is in this report

This Listening Tour Community Report sets out the key issues identified from the contributions of the many participants in the Tour through the variety of events and the blog.

During the Tour, the Commissioner met with many service providers, community organisations, government agencies and researchers. These organisations and individuals provided the Commissioner with a comprehensive overview of current work that is being progressed under each of the three Listening Tour themes. These contributions have been used to inform the Commissioner's 'Plan of Action Towards Gender Equality', an overview of which can be found at the end of this Report. The contributions will continue to inform the work of the Commissioner and HREOC into the future.

The pursuit of gender equality in Australia is a shared vision. Governments, women's organisations, community groups, researchers, business, unions, and many others each play a crucial role.

The Commissioner acknowledges the significant, inspirational work of the organisations and individuals who are working to achieve a fairer and more equal Australia. She looks forward to working in collaboration with all those committed to achieving gender equality.

Economic independence for women

Achieving economic independence for women has been at the core of the vision for gender equality across the globe.

Economic independence for women means adequately recognising the value of their paid and unpaid work, both socially and economically.

While poverty can be an experience for both men and women, women continue to be disproportionately affected by financial disadvantage.

In Australia, women working full-time today earn 16 per cent less than men. Women are also more likely to be engaged in low paid, casual and part-time work.¹

As a result, women have significantly less money saved for their retirement – half of all women aged 45 to 59 have \$8,000 or less in their superannuation funds, compared to \$31,000 for men.²

The Listening Tour investigated how women in Australia are faring financially in their daily lives and how they feel about the future.

The Commissioner wanted to find out:

- Do women feel financially secure?
- Does this change over the lifecycle?
- How do these experiences vary amongst different groups of women?
- What can be done to ensure financial security for women?

Gender gap in superannuation and retirement savings

“I am freaking out about retirement. After three months in hospital and enormous medical bills I had to start again.”

Canberra community consultation participant

The gender gap in retirement savings and superannuation resonated strongly with many participants. Many women revealed their anxieties about living in poverty in their later years.

The Commissioner heard stories of older women living in poverty, due to minimal retirement savings and the inadequacy of the Age Pension.



“I’m a mother who has been out of the paid workforce for two years and will probably be for the next four years. I can’t see how, after this time out of the workforce, my earnings will ever come close to my partner’s. I dread to think of how I will ever manage if I have to rely upon my meagre superannuation contributions in retirement.”

Entry on Listening Tour website

It was revealed that there are a number of reasons why women have fewer savings and a lower superannuation:

- *Women’s unpaid work is not properly valued by society* – there was a view that the superannuation system needs to recognise unpaid work as well as paid work.
- *Women often leave the paid workforce to care for children, parents or grandchildren.*
- *Women often struggle to become financially independent, particularly after a separation or divorce.*
- *Women are often employed in the casual and part-time workforce and, as a result, may earn a salary below the threshold for the superannuation co-contribution scheme.*
- *Historical exclusion of women from superannuation schemes* – older women talked of the injustice from discrimination in the past, when some women were required to leave paid work when they got married, or were not eligible to contribute to superannuation schemes.

“I talk to many women who can’t retire when they thought they were going to be able to because of family transmitted debt. They are supporting kids through university and helping kids with a mortgage.”

Sydney community consultation participant

This lack of funds in retirement means some women are forced to extend their working lives. We were told this may affect their health and wellbeing.

“Having spent most of my years raising children, I have very little hope of retiring and will need to work for as long as possible. I see many tired women who are working full-time, supporting husbands and trying to be a helpful grandparent.”

Entry on Listening Tour website

“Because I was unable to access superannuation funds through my work in earlier years, I had to return to work at the age of 66 [years], because I found it was impossible to maintain a house on my own and pay service bills on the old age pension.”

Entry on Listening Tour website

In order to redress the imbalance, we heard that young women need to be educated about financial security and superannuation.

There were mixed views about the level of the Age Pension. Some feel it is inadequate, quoting problems such as the tax disincentive to work while receiving the pension.

However, some women working in low paid factory work said that they were looking forward to receiving the Age Pension. Others suggested that an independent income might provide an opportunity to help older women in abusive relationships to leave their partner.

Low paid work

For women in low paid work, adequate pay and conditions were of paramount concern. Many women said they do not get adequate work breaks, annual leave or sick leave. For example, women who were casual factory workers, some of whom did not speak English, said they experienced poor hourly rates and below minimum conditions.



Participants told us the problem was not simply a question of pay rates and hours worked. Some women experienced a lack of basic amenities in their workplace that would make their working conditions acceptable, such as air-conditioning or a place to sit.

Women working in aged care highlighted the low staff to patient ratio, which increased their stress levels and affected the quality of care they could provide. They may be employed on a part-time basis but work full-time hours. And if they are asked to work extra hours, the onus was on them to request overtime payments.

Women in low paid work need support services. The Asian Women at Work Group told us:

Many migrant women have no idea about where to go for information and assistance on issues we face in the workplace. Some women assume there is nothing they can do.

Women and leadership

“We need more women in the senior positions so the negotiations can be fairer, woman to woman.”

Salisbury City community consultation participant

There was a view that increasing the representation of women at the highest levels would help challenge and change the gendered culture of workplaces and institutions.

Men tend to hold the significant majority of leadership positions across all sectors, even in many female-dominated industries. For example, in Tasmania, it was reported that women make up 70 per cent of the education sector but hold only 37 per cent of management positions in that sector.

The major barriers to women’s career progression include:

- the limited availability of quality part-time work
- male-oriented workplace cultures
- a lack of senior female role models
- a lack of family friendly or flexible working conditions
- the disparity between employers’ policies and actions.

Some participants thought that increasing the number of women in leadership roles would happen through generational change. We also heard that employers are increasingly being encouraged to advance women to meet diversity targets.

“[Our CEO] has publicly said he would have 50 per cent women in his workforce if he could. But then he also... set up an executive structure that is going to hinder his ability to get women into those senior positions.”

Public Sector Women’s focus group

Building stronger communities

Supporting and strengthening Indigenous women’s leadership can be crucial in improving the health and wellbeing of communities.

In Fitzroy Crossing, senior women in the community initiated a women’s bush camp to discuss the issues facing the community and identify potential solutions. Their leadership has led to significant positive changes in community health, levels of violence and morale.



Gender pay gap

“I work in vocational education. Here the TAFE system in the ACT and in Australia is gendered. Women choose to do courses that mostly women study – aged care, beauty, community care, hairdressing, mental health work. Most of these are lowly paid too. We need more effort to get women into the non-traditional areas.”

Canberra community consultation participant

Participants in the Listening Tour said that closing the gap between the pay received by women compared to men would go a long way towards helping women

achieve economic independence. However, a key problem many people highlighted was the lack of value placed on the types of work more commonly performed by women.

Although participants gave examples of more women entering non-traditional fields of paid work, many participants pointed to the fact that what is seen as ‘women’s work’ remains undervalued, both in monetary terms and social status.

Many women and men also said that decisions about sharing paid work and family responsibilities are made based on financial necessity; largely determined by who has the greater earning potential in the relationship.

This can only be turned around if the pay gap between women and men is closed.

A number of stumbling blocks to reducing the gap were identified, such as:

- women being clustered in lower paid jobs, part-time and casual work
- women facing barriers to progressing in male-dominated industries
- women not faring well in individual negotiations for pay and conditions.

“Men are [more] likely than women to come out and say I want more money. Women are more likely to hope they get praise or a pay rise. Unless they talk to each other and realise that it isn’t fair and others are getting more it doesn’t get fixed. Younger women are better at it.”

Launceston business roundtable

Housing

Housing affordability was raised as a growing concern for men and women and the Commissioner was told that women’s lack of economic independence may lead to homelessness.

Rising housing costs, interest rate hikes and the increase in rental prices are significantly affecting men and women on welfare, low paid women, Indigenous women, women with disabilities, migrant women and refugee women.

The Commissioner was told there is a scarcity of appropriate and healthy housing in some Indigenous communities. For example, in a town community in Darwin there were only 52 homes available to accommodate between 500 and 1,000 people.

Overcrowding, combined with alcohol abuse, can impact on women's safety and put them at greater risk of domestic violence. People also suggested that the condition of houses had an adverse impact on the health of community members.

Young disadvantaged women are also suffering. This was brought into focus during a visit to a young women's refuge.

One teenager told how she fought with her mother after the death of her step-father, then tried to commit suicide, started drinking, and eventually moved out of home. "If it wasn't for [this refuge] I would be sleeping on a park bench," she explained.

The Commissioner also heard that the lack of affordable housing meant that some women were staying in abusive relationships.

Women exiting the prison system are typically homeless, making it extremely difficult to begin life outside with any independence.

Women's workforce participation

Paid employment was seen as crucial for building women's economic independence. Importantly, employers also see attracting and retaining women workers as an important business issue.

However, participants identified a number of hurdles that women face in entering the paid workforce:

- a lack of family friendly policies
- difficulties in returning to work after maternity leave, such as the availability of work at the same skill level
- limited availability of quality part-time work
- problems faced by immigrant and refugee women, such as race discrimination
- a lack of appropriate training and education for Indigenous women
- limited opportunities and poor transport for women in regional and remote areas.

Paid work is not just about finances for many women. They told the Commissioner that it is an important aspect of their identity and allows them to use their skills and continue to develop professionally.

Women's Refuge Resource Centre in NSW reported that of those women who are either pregnant or with children who come into refuges, **80 per cent are without any independent income.**

Sole parents and Welfare to Work

A number of participants said the Welfare to Work system was causing additional pressures for women who are already disadvantaged.

The concerns raised included the difficulties in finding work to fit in with their caring requirements, the rigidity and harshness of the system and the combined impact with the (former) WorkChoices legislation.

The cost and availability of child care is also a major concern for sole mothers getting back into the workforce under the Welfare to Work reforms.

Education, skills development and training

Participants recognised the many advances made in women's access to education and training. However, particular groups of women still face challenges, such as refugees, welfare recipients, Indigenous women and some women in prison.

For many migrant women, access to English classes is a priority so they can communicate in their workplaces and take up further education. Asian Women at Work report that there is a lack of accessible English classes for working women, which limits their work opportunities for the future.

Another issue raised was the ability of women, particularly mature age students with caring responsibilities, to pay off higher education loans.

Some Indigenous high school students reported experiences of racism from teachers and service providers. One participant said, "Some teachers put us down. They don't think we can achieve because we are black."

Work and family balance over the life cycle

Successfully balancing paid work with caring responsibilities remains a major challenge for many Australians. They are juggling their careers with caring for their children, their grandchildren, their ill or disabled relatives and, increasingly, their parents.

Yet there remains a notable gap in support provided by governments and employers in allowing women and men to take on these responsibilities without a personal cost.

For instance, Australia remains one of only two OECD countries without a legislated paid maternity leave scheme. And with the rapid ageing of our population there will be increasing pressure on workers to balance the caring of elderly parents with their paid work.

With women continuing to carry out the majority of Australia's unpaid caring work, and men locked into being the 'breadwinner', creating workplaces that support women and men to balance paid work and share caring responsibilities is critical to achieving gender equality.

During the Listening Tour the Commissioner wanted to hear how Australian men and women are going in striking the work-family balance.

“All the women I know who have young children are exhausted most of the time. Feminism wasn't about producing overworked women who are expected to bear children and to work as many hours as they can fit in so the family can survive.”

Entry on Listening Tour website

The Commissioner asked participants:

- Are flexible work and family friendly practices widely available?
- Are they working effectively?
- What are the challenges for employees and employers?
- Would paid leave for parents help?
- What can be done to better support Australians to balance work and care?

A question of choice?

“It's a mixed message that all women who want children are getting, about working and being in the workforce, but also staying home for their child ... You get criticised for putting [children] in child care and going back to work, but then you get sh... on by the government if you want to stay at home and be with them.”

Women's focus group

One of the key questions discussed in our consultations was whether women are making real choices or just compromises based on external pressures.

Many women said they struggled with the complexity of the messages that they receive about having children, having a career or staying at home. Even when they had flexibility in their work arrangements, some women felt a social expectation to give up paid work to care for their children. Men also talked of lacking choices, with employers often resistant to offering flexible or part-time work so that men could take a major role in caring for their families.

The view of most participants was that workplace structures and the expectations that accompany paid work significantly limit the choices that women and men make about how they manage their family responsibilities.

To create genuine choice in balancing work and family responsibilities, a commitment to change was required from both men and women.

“Men and women are not commonly afforded ‘real’ choice when it comes to sharing time in raising children and spending family time ... There will be little change in existing employment arrangements unless both men and women are prepared to demand change.”

Entry on Listening Tour website

Flexible work practices

Listening Tour participants told of the need for employers to create flexible work practices and then embrace and promote them at the highest levels.

“When I came back to work I wasn’t able to fit breastfeeding into my work schedule. Employers need to take on the responsibility of understanding what it is to be a parent.”

Darwin community consultation participant

These flexible policies must be put into practice across an organisation in order to be effective. If, for instance, flexible arrangements depend on supportive individual managers, then they can be at risk when management changes.

There must also be a commitment to redesign jobs. Current work structures often favour an ‘ideal worker’: male, without any visible caring responsibilities and able to work for more than the usual full time hours in a week.

Participants identified a need to shift organisational culture to make flexible work mainstream. Some male participants said that while flexible work policies were often available, unsupportive workplace cultures meant they did not take them up.

Many participants said that unless women and men take up flexible work in equal numbers, the male primary breadwinner model will remain unchallenged and unchanged.

The use of telecommunications and new technologies could help, but some employers may not acknowledge that staff may be more effective if they work in a way that accommodates the responsibilities they have outside

the workplace. Technology can also hinder work-family balance if employer expectations about employee availability are unreasonable.

A Darwin-based community organisation was unable to offer staff competitive remuneration, however they allowed people to work from home through remote access. This has made a positive difference in recruiting and retaining skilled staff.

Employers and employees told the Commissioner that when flexible work arrangements are negotiated to meet the interests of each party, then it works effectively.

Most employers said that family friendly policies were a good strategy to attract and retain staff. As one Adelaide-based employer noted:

“We’ve just picked up a staff member who we think will be very good, because she couldn’t work four days a week in another job ... The smart businesses will pick up these really talented women.”

Paid maternity leave

The need for a universal paid maternity scheme was strongly supported throughout the Listening Tour. The large majority of participants agreed this is a reform that is long overdue.

“The fact that we don’t have paid maternity leave is a disgrace. When my second child was born, my husband wasn’t working, so I had to go back to work after a caesarean after two days. I had no choice.”

Launceston community consultation participant

There was a view that paid maternity leave should be a basic right, which recognises the need for mothers to recover from childbirth, establish breastfeeding and bond with their babies.

The women who currently receive paid maternity leave tend to be working in government or large corporations. Those in low paid industries, small businesses or the community sector are more likely to miss out.

Some employers who participated in discussions said that providing paid maternity leave can help attract and retain skilled labour. One employer reported that they had introduced paid maternity leave at the request of staff and found that “the benefits outweigh the costs by increasing productivity”.

If a legislative paid maternity leave scheme was to be introduced, participants identified a number of issues that would need to be addressed, such as the eligibility of contract workers and the self employed.

There was also a concern that requiring business to meet the costs of paid maternity leave would lead to further discrimination against women. It could also adversely affect smaller employers.

Some participants opposed the idea of a paid maternity leave scheme. They held the view that having children was a personal choice and that the government or employers should not be responsible for the costs involved.

Parental and paternity leave

“We need to remove the label ‘maternity’ leave – why not have it available to both genders?”

Women’s focus group

There was repeated support for parental and paternity or supporting partner leave throughout the Listening Tour. Some believe it would help encourage men to take up a greater share of caring responsibilities, which is critical to achieving gender equality.

Some participants argued that a non-gendered approach was necessary to break the entrenched model of the male primary breadwinner and provide families with more options when deciding who stays at home and who is in paid work.

“The danger in women being entitled to a greater period of leave to men is that employers may look less to employing women over men.”

Entry on Listening Tour website

Men told us they want paid leave so they too can spend time with their new babies. In a men’s focus group, we heard that most men who had access to paternity leave took it, although no one took unpaid leave.

Availability of quality part-time work

Listening Tour participants frequently said the lack of quality part-time work was a barrier to women joining the workforce and progressing their careers, especially for those returning after having children and/or those nearing retirement.

The Commissioner also heard that:

- part-time work needs to be available at senior levels, with opportunities for career progression
- employers must commit to job re-design and recognise part-time work as equally productive
- some women feel de-skilled when they take up part-time work
- unless men also take up part-time work in greater numbers, then it may remain undervalued.



Child care

The rising cost of child care is becoming a major barrier to people returning to the paid workforce - in some instances it can cost more for a parent to go to work than to stay at home.

There is also a limited amount of child care available for before and after school hours.

Women told us they face an internal struggle about whether to return to work and that families often rely on grandparents to make ends meet. This can lead to financial and health stress for the grandparents.

Child care needed to be readily available, affordable and of a high quality.

Sharing of unpaid work

The Listening Tour asked people about their experiences of sharing unpaid work in their families.

Entrenched ideas about the role of women as carers, as well as financial factors, continue to influence everyday decisions about who does what. There remains an 'unspoken expectation' that women will take responsibility for most of the unpaid work.

Some men said they wanted to take on a greater share of caring responsibilities but felt impeded by their workplace culture and social norms.

Carers

Carers Australia reported that there are 2.6 million family carers in Australia and 500,000 people are primary carers - 70 per cent of whom are women. With a rapidly ageing population, the personal and financial cost of caring on individuals, which is already very high, is set to increase.

Participants said there was a need to extend workplace flexibility to all carers, that carer payments were inadequate and that limited services in regional areas place extra pressure on carers.

Working hours

Long hours of work, particularly for men, are significantly affecting their ability to share family responsibilities. However, some men may feel the need to increase their hours so they can provide for their families. Long working days are also becoming a normal part of workplace culture.

“Long hours are addictive. Working 60 hours a week becomes normal. In June we have a big spike of work, around 80 to 90 hours a week, but in August we tell people to go back to normal hours ... Absenteeism in July, August and September is huge because everyone is sick.”

Men's focus group

The Commissioner heard that male and female low paid workers are working longer hours because they need the money to meet the current cost of living.

Job security

Participants said that job insecurity, particularly in low paid industries, is increasing the pressure on individuals trying to balance work and family life. Women in low paid work have limited bargaining power and the fear of losing their job means they do not challenge their employer over poor conditions.



Freedom from discrimination, harassment and violence

It is a basic right to feel safe in our workplaces, educational institutions, public places and homes. However, many women continue to experience discrimination, harassment and violence as an everyday reality.

Sex discrimination and sexual harassment overwhelmingly affect women more than men. There were 472 complaints made to HREOC under the *Sex Discrimination Act* in 2006–07, of which almost 90 per cent came from women.³ A telephone poll commissioned by HREOC in 2003 found that 28 per cent of women had experienced sexual harassment in the workplace, compared to seven per cent of men.⁴

Discrimination and harassment are part of a continuum of gender-related violence. Australian research has found that nearly one in five women has experienced sexual violence since the age of 15 and an international study found that around one in three Australian women have experienced violence from an intimate partner.⁵

Ending discrimination, harassment and violence against women is critical for women to be able to equally contribute to and benefit from economic, social, cultural and political life.

“I have just been through [six] years of trying to seek some justice in my male-dominated place of work. The sexual harassment that I was subjected to was nothing compared to the victimisation that took place after I rejected my boss and eventually complained about him.”

Entry on Listening Tour website

As part of the Listening Tour the Commissioner set out to hear directly from women and men about their experiences and to investigate how we can ensure lives free from harassment and violence.

The Commissioner asked participants:

- What does sexual harassment and sex discrimination look like in our workplaces?
- Do people feel confident to complain?
- Do women feel they can live a life free of the fear of violence?
- And how can women be supported?



Sexual harassment

“I’ve been living [in these work quarters] for three years. I’ve been sitting with a group of males and one will ask, ‘Don’t you think it’s my turn [for sex] tonight?’”

Women’s focus group

Sexual harassment continues to be a major problem.

The Commissioner heard about sexual harassment in every state, industry and workplace that she visited. It appears to be present across all levels of the workplace, although many employers she met seemed reluctant to talk about it.

In some industries it was reported to be the norm and many fear it would be nearly impossible to wipe out.

“I was recently sexually harassed by the boss at a work [Christmas] function and the company has since tried to sweep everything under the carpet.”

Entry on Listening Tour website

The stories the Commissioner heard about sexual harassment raised a number of other issues:

- *Victims of sexual harassment justifiably fear making a complaint will only lead to further victimisation – the idea that a complaint made to an employer could be resolved positively was considered a ‘fairy tale’ by some and an outcome for many victims of sexual harassment was instead to leave their workplace or even change career paths if they worked in a small industry.*
- *Young women in early employment are especially vulnerable to sexual harassment.*
- *New technologies, such as mobile phones with email and social networking websites, are adding another dimension to sexual harassment.*
- *A culture of disrespect towards women, led by the way they are portrayed in the media, normalises and encourages sexual harassment.*
- *There is a general lack of understanding around sexual harassment and around where to draw the line between acceptable and unacceptable behaviour.*
- *Some employers are unclear about how best to respond to allegations, and ensure fairness for both the person making the complaint, and the person against whom the complaint is being made.*

“There is a grey area when you spend a lot of time together. Where do you overstep the mark when something is ok but then something is not, particularly at work social events?”

Men’s focus group

Sex discrimination

“I have a daughter-in-law who works for a call centre. She fell pregnant and had a baby. At this time her boss said that if she wanted to come back she could. After six months, he gave her a hard time and said she had to work full-time if she wanted to work. He did this because he thought women should be in the home. She ended up leaving. She knew it was discrimination but he is the boss.”

Hobart community consultation participant

Sex discrimination remains a harsh reality for many Australian women, despite legislation – the *Sex Discrimination Act 1984* (Cth) – being in place to prevent it for over two decades.

During the course of the Listening Tour, participants spoke about assumptions about men and women, attitudes, stereotypes and the sex discrimination that is a reality of their daily lives, particularly in the workplace.



The experiences of pregnant women, and those who had recently given birth and were seeking to return to their jobs, was of particular concern.

The Commissioner heard that women are vulnerable to bullying when they return after having a child, and that many are not aware of their rights.

The experiences of Indigenous, migrant and refugee women highlight a complex interplay of discrimination based on race and gender, which can result in significant disadvantage in their daily life.

For example, some Muslim women suffer harassment and discrimination at work because they wear a hijab. A woman from a group of workers with Asian backgrounds said that if she speaks in Chinese her employer complains she is talking too loudly.

“I knew a woman who had three kids. She went back into the same job after the third maternity leave period, [but] she wasn’t given the same job back. I had trouble convincing her it was sex discrimination.”

Darwin community consultation participant

Some women fear losing their jobs if they speak up. And, according to participants, those who do complain come up against limitations and financial barriers in the process.

While the *Sex Discrimination Act 1984* (Cth) provides a legal avenue for redress, some participants expressed concern about the ability of individual complaints alone to deliver broader cultural change.

One participant suggested that an aspirational or positive rewards system, in addition to the complaints system, could encourage positive systemic changes.

Men said they also face discrimination in areas such as child and family services, which may only recognise mothers as parents, and in accessing paid leave, flexible hours and part-time work.

Gender related violence

Women with experiences of domestic or family violence told the Commissioner about a lack of emergency housing and available help and that employers could do more to help.

A serious consequence of domestic and family violence is the economic impact for women who experience violence. Women’s abusers may often control whether or not they work. Further, when a woman has left that relationship, her self esteem may be so low that it is hard to enter the paid workforce again.

The shortage of emergency accommodation for women escaping domestic violence was highlighted at a number of community consultations. In Melbourne we heard that this may mean women end up on the streets, where they are also vulnerable to further violence.

There also appears to be a certain silence around abuse, as well as a shortage of adequate services for women – and men – who suffer violence. Some participants criticised the police and court processes, seeing them as a barrier to women seeking justice.

Some employers recognised domestic violence as a business issue, but also identified a gap in knowledge and skills to effectively address it.

A Brisbane organisation called the CEO Challenge is engaging with Chief Executive Officers of organisations to position domestic violence as an issue for the workplace. The program tells men and women where they can access help if they are in the cycle of domestic and family violence.

Indigenous women

Family violence is a significant issue for many Indigenous women living in the cities, as well as in regional and remote communities. Indigenous women's groups said the availability of housing and crisis accommodation was a major issue for women leaving violent relationships, along with the shortage of culturally appropriate services.

In Fitzroy Crossing, women said violence linked to alcohol abuse was their primary concern. A ban on take away alcohol in 2007, the result of lobbying by the women, had reduced the incidence of family violence in the community.

Women with disabilities

The Commissioner heard that a range of factors can increase the likelihood of women with disabilities experiencing violence and prevent them from addressing it. There is a lack of accessible safe accommodation, limited availability of accessible information available for these women, and a shortage of trained workers in responding to the particular needs of women with disabilities who have experienced violence.

Migrant and refugee women

Some refugee women spoke of the need for culturally and religiously appropriate services. They commented that the current system may not be culturally appropriate to them.



“Domestic violence is an issue that is hard to discuss. There is an element of shame ... You think everyone else is leading a normal life. It was difficult to communicate with my colleagues. It affected me mentally and physically.”

Hobart community consultation participant

Additional issues raised during the Listening Tour

Age discrimination

Many older participants in the Listening Tour raised age discrimination as a barrier to full and equal participation in the workplace and other areas of public life.

The Commissioner heard that ageist assumptions and attitudes made it difficult for older men and women to find meaningful work and stay attached to the workforce. Participants also suggested that many recruiters wrongly assume that older people require a senior role and this hampers their search for work.

She was also told about the barriers faced by older people in other areas of life, such as access to public transport, access to public spaces and having to renew their driver's licences.

Northern Territory intervention

The Northern Territory Emergency Response, introduced by the previous federal government, was a regular topic of discussion during our consultations in the Northern Territory.

Participants said that:

- alcohol management systems work best when they are driven by the community
- the implementation of the Centrelink income management system is placing additional burdens on individuals and communities in some instances
- there is a need for training and education opportunities following the closure of CDEP programs
- there is a need for clear accurate information about the NT intervention, and what it means for people affected.

Indigenous health

Indigenous participants in the Listening Tour pointed to health as a primary area of concern.

Access to health care for Indigenous communities was raised in consultations in Western Australia, Queensland and the Northern Territory. Problems of access relate both to cultural barriers and physical distances. The nearest hospital can be up to three hours drive from some remote communities.

Some of the significant issues affecting the health of people in Indigenous communities included:

- nutrition, with diabetes affecting a significant portion of the population
- availability and affordability of healthy food in remote communities
- alcohol and drug abuse as associated health problems
- environmental health, including the shortage of healthy housing, pest control, sewage, rubbish and waste removal.

Gay, lesbian, bisexual and transgender issues

Some service providers and individuals drew attention to issues faced by gay, lesbian, bisexual and transgender people. These included discrimination against same-sex couples under the law and in the workplace, homophobic violence and high levels of prejudice.

The Commissioner was told that legal inequality sends a strong message that same-sex relationships are less valuable, and that this can encourage further discrimination and prejudice.

Discrimination in the workplace was also raised. One focus group participant described an experience of being passed over for a promotion due to her sexuality.

Men's health

The need for a specific and well funded national men's health policy was raised by men's advocates and service providers. They said that there is a lack of public attention and spending on men's health.

The Commissioner heard that the absence of services specifically for men in Indigenous communities is a contributing factor to violence and that men are reluctant to seek assistance for health problems and this leads to poor health outcomes.

Another concern for men is that industries with high occupational health and safety risks tend to be male-dominated.



Women in prison

Sisters Inside, a Brisbane-based organisation that supports the rights of women in the criminal justice system, raised a number of concerns, including:

- limited support for women in prison around mental health issues, education and training, and maintaining close relationships with their children
- that women are not adequately supported after release from prison, when they may have no money or be suffering complex mental health problems.

Migrant and refugee women

Migrant and refugee women spoke of the difficulties they encountered following their settlement in Australia, including a lack of cultural understanding from government agencies and difficulties for refugees in negotiating cultural difference.

Women's health

Some participants raised issues around reproductive and sexual health, access to health services and the impact of long-term violence on women.

Women's Health NSW said that women are more likely to have poorer health outcomes because of the higher social and economic disadvantage that they experience.

ACON reported that there had been a rise in HIV/AIDS amongst minority groups, particularly Indigenous women and women from culturally and linguistically diverse backgrounds, and highlighted discrimination as a barrier to accessing services for these groups of women.

“My same-sex partner and I were assaulted in Adelaide airport in 2005. We were ... holding hands and kissing. A passer-by chose to hit me, hard, in the back of the head.”

*ACON
(formerly AIDS Council of NSW)
submission*

A Plan of Action Towards Gender Equality

from Elizabeth Broderick,
Sex Discrimination Commissioner

Based on the Listening Tour findings, Commissioner Broderick will focus on the following areas:

Women and leadership

Commissioner Broderick will promote the importance of women's representation in leadership and decision making roles across the community, government and business, with a particular focus on Indigenous women. This will include promoting and facilitating opportunities for women to have their voices heard at a national, regional and international level. The Commissioner will also encourage dialogue between Indigenous women and corporate Australia.

Balancing paid work and family responsibilities

Commissioner Broderick will continue to challenge the way Australians think about work and family balance by promoting the value of family friendly work practices. The Commissioner will lead and contribute to achieving a national scheme of paid leave for parents in Australia. She will work with key stakeholders and advocate to government and other policy makers on the need for a world class scheme of paid maternity leave, supporting parent leave and paid parental leave.

Sexual harassment in Australia

Commissioner Broderick will conduct a national telephone survey to track trends in the incidence and nature of sexual harassment. The research will inform an education strategy using new technologies, aimed at employees and employers to drive down the incidence and impact of sexual harassment. The Commissioner will work to increase the number of employers taking a leadership role on sexual harassment.

The gender gap in retirement savings

Commissioner Broderick will work with experts to investigate the factors contributing to the gender gap in retirement savings and inform solutions for increasing women's economic independence over their lifetime.

Laws to address sex discrimination and promote gender equality

Commissioner Broderick will contribute to a review of the federal *Sex Discrimination Act 1984* (Cth) to ensure that the law is effective to address sex discrimination and sexual harassment experienced by individuals, as well as promoting gender equality in Australian society.

It is a guiding principle in Commissioner Broderick's work to recognise a diversity of experiences. This is being inclusive of Indigenous women, women with disabilities, culturally and linguistically diverse women, same sex attracted women and low paid women. The Commissioner is committed to including both men and women in her efforts to promote gender equality.

Commissioner Broderick will continue to collaborate with government, business, community groups, unions, researchers and individuals and be a public voice on gender equality issues for Australia.

Listening Tour acknowledgements

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- Asian Women at Work
- Australian Domestic and Family Violence Clearinghouse
- Australian Federal Police
- Big River Pork
- Blake Dawson
- Carers Australia
- Centre for African Australian Women's Issues
- Centre for Gender Related Violence, University of NSW
- Centre for Work + Life, UniSA
- City of Salisbury Council
- Committee for Economic Development of Australia
- David Tan
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- Launceston Chamber of Commerce
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- Mackay Regional Council for Social Development Ltd
- Macquarie Bank
- Marninwarntikura Women's Resource Centre, Fitzroy Crossing
- Mensline Australia – Crisis Support Services
- Mudgin-Gal Women's Resource Centre
- Murray Bridge Council
- National Australia Bank
- National Seniors Association
- Northern Territory Anti-Discrimination Commission
- Office for Women, NSW Department of Premier and Cabinet
- Parents and Friends of Lesbians and Gays, Brisbane
- Pay Equity Unit, Department of Consumer and Employment Protection, Western Australia
- Queensland Anti-Discrimination Commission
- SA Equal Opportunity Commission
- Safe Work SA
- Sisters Inside
- Tasmania Anti Discrimination Commission
- The Bob Hawke Prime Ministerial Centre, UniSA
- Unions Tasmania Women's Committee
- Victorian Human Rights and Equal Opportunity Commission
- Women and Work Research Group, University of Sydney
- Women in Social and Economic Research, Curtin University
- Women Tasmania
- Women's Legal Centre (ACT & Region) Inc
- YWCA of Adelaide

Elizabeth Broderick would also like to thank the President, Commissioners and staff of the Human Rights and Equal Opportunity Commission for their valuable contributions to the Listening Tour.

Dealing with discrimination and harassment

The Sex Discrimination Act protects individuals across Australia from discrimination on the basis of sex, marital status or pregnancy and, in relation to employment, family responsibilities. The Act also makes sexual harassment against the law.

For free advice on discrimination and your rights, or to make a complaint, call the HREOC Complaints Information Line on **02 9284 9888, 1300 656 419** or **TTY 1800 620 241**.

Information about making or responding to a complaint is available at www.humanrights.gov.au.

You can also email us at complaintsinfo@humanrights.gov.au.

Endnotes

¹ Australian Bureau of Statistics, 'Average Weekly Earnings, Australia, February 2008, Cat no. 6302.0' (2007)

² Simon Kelly, 'Entering Retirement: the Financial Aspects' (Paper presented at the Communicating the Gendered Impact of Economic Policies: The Case of Women's Retirement Incomes, Perth, 12-13 December 2006 2006)

³ Human Rights and Equal Opportunity Commission, 'Annual Report 2006-2007' (2007)

⁴ Human Rights and Equal Opportunity Commission, '20 Years On: The Challenges Continue, Sexual Harassment in the Australian Workplace' (2004)

⁵ Australian Bureau of Statistics, 'Personal Safety, Australia, 2005, Cat no. 4906.0' (2005); Jenny Mouzos and Toni Makkai, 'Women's Experiences of Male Violence: Findings from the Australian Component of the International Violence Against Women Survey (IVAWS)' (Australian Institute of Criminology, 2004)

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