

# Prospects for Women Under Labor and Coalition Industrial Relations Policies

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## Abstract

*Women continue to lag some distance behind men in the Australian labour market – in relation to pay differentials, recognition of their skills, award coverage and their concentration in part-time and casual work. This article examines the implications of Labor and Coalition industrial relations policies in relation to women with a focus on three issues; the level of decentralisation of the system; the strength of the safety net underpinning enterprise industrial relations; and the role of unions. The article concludes that while women are further disadvantaged by some aspects of Labor's current enterprise bargaining processes, they would be much more damaged by the coalition's proposals.*

## Introduction

Women played an important strategic role in marginally rejecting the Coalition and delivering a Labor victory in the last federal election. How should they evaluate the current settings of industrial relations policy – and the promises of the Coalition? I will consider these questions by reflecting upon the bones of current Labor policy and action, and on my hypothesised projections of the Coalition's plans. International experience is relevant to

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this discussion, as are the examples provided by the current Victorian and national systems – with all their differences and commonalities. After considering these, I turn to the role envisaged by each party for unions, and the implications of all this for women.

I argue that a government serious about gender inequities in the workplace – which persist generally and are widening in some sectors – would do more and do many things differently. Neither party can be let off the hook, but it is a great challenge not to demonise the Coalition, given their coyness about policy, and the ‘Jobsback’ ghosts which remain, hovering, in their cupboard: as Peter Reith put in a speech on 22 March 1995: “‘Jobsback’ remains the thrust of our policy” (Speech 22/3/95:11). While more recent statements from John Howard have attempted to distance the Coalition from some features of these earlier stances (to the consternation of some of their supporters) much of the earlier flavour of Coalition policy survives, with important implications for women.

The main industrial relations differences between the parties which carry particular consequences for women are three: the level of decentralisation of the systems; the strength – or even genuine presence – of a safety net underpinning enterprise industrial relations; and the role of unions.

I will focus on these three differences and avoid any temptation to follow Peter Reith down his labyrinthine pathways of policy non-explication during 1995, or the fluctuations in the Labor Government’s public position. The Liberal program has changed with successive speeches so that the safety net they propose continues to evolve. In practice it is pitched way below the general standard set by Labor and constructed in a different way, though a rhetorical low point for Labor was reached with Prime Minister Keating’s 1993 speech to the Institute of Company Directors when he canvassed the idea of bare ‘minimum standards’ and the idea of fewer clauses and awards, with most workers covered by local agreements (Keating 1993). In this momentary trough, a virtual meeting of the two positions can be argued.<sup>1</sup>

My conclusions are clear: women are slipping through the fissures of *current* policy settings and being left behind in the general move away from a centralised system of industrial relations. With respect to the decentralisation of the system, the difference between the parties is more one of degree than direction – though of very significant degree. Overall, there can be no doubt: the Coalition’s program will be, if implemented, extremely negative for women, their dependants and their families and will put Australia back decades in terms of gender equity on a most important aspect of all our lives – our rewards and conditions of paid work.

## **Less Centralism, Less Equity**

My thesis with respect to the system overall is simple and well known to anyone familiar with the international discussion of gender and workplace bargaining: a lower centre of gravity in bargaining is consistently associated with more inequitable gender outcomes (Whitehouse 1990, Rubery 1992, Peetz et al. 1993, O'Donnell and Hall 1988, Hammond and Harbridge 1993). That is, the more the setting of wages and working conditions moves to the local, decentralised level, and the less the role for centralised standards and institutions, the worse off are women.

This reality is a simple reflection of power. Women are less powerful than men in most situations, they are less represented by unions, and they are more vulnerable to personal pressure from their employer. They argue their workplace treatment from a much weaker position than most men. Women have less effective access to enterprise bargaining to increase their wages and conditions for at least seven reasons.<sup>2</sup> Firstly they are concentrated in casual and part-time work, often at the bottom of employment hierarchies in many workplaces. Alongside this, they are concentrated in a narrow range of industries and in relatively few occupations. This means that they rarely get a seat at the workplace bargaining table – whether representing employees or employers (see below). They are less unionised than their working brothers and severely under-represented amongst union workplace representatives and officials. Women are socialised to be quieter, to ask for less and to stand back for men. They are consequently less likely to play an active part because, much more than men, they are fearful of the employer or supervisor's opposition – and many fear for their jobs. What is more, women have more responsibility on the domestic front which makes them more willing to accept bad treatment, lower wages, and gives them less time for workplace involvement beyond their jobs.

I will discuss four ways in which these factors disadvantage women: pay, coverage, voice, and workplace flexibility.

## **Pay**

International evidence suggests that Australia's relatively centralised wage fixing institutions largely explain the high ratio of female/male earnings – currently around 30 per cent above the level in the US and Japan, for example, where industrial relations is quite decentralised.

Bob Gregory and Anne Daly argue that this difference can be attributed to 'institutional' factors such as the existence of a strong impulse to common standards through the award system and the capacity for addressing sys-

temic inequities through decisions like those on equal pay (1991:121). And many others agree: Sweden's system, while not institutionally centralised like Australia has similar cohesive wage outcomes, and has delivered very low gender pay gaps compared to those, for example, in Canada and the United Kingdom where collective bargaining dominates (Whitehouse 1990:367). This result is reinforced in Whitehouse's work on the OECD area as a whole (1992).

Recent reviews of gender wage differentials in Europe reinforce these findings: Jill Rubery et al. conclude that more centralised systems have better outcomes for women, and they end their study for the European Community with a plea for greater state intervention in industrial standard setting in the interests of women (Rubery et al. 1992). Australian studies concur that decentralisation is 'strongly associated with greater inequality in wage dispersion and the weak bargaining power of disadvantaged groups, like women, suggest a causal relationship between the two factors' (Peez et al. 1993). And the existence of anti-discrimination legislation is no antidote to these effects: Laura Bennett has pointed out that such laws are not an adequate substitute for centralised arbitration (1994:191). The most recent data from New Zealand reinforces these findings: the gender gap has continued to widen with success years of the employment contracts system (Hammond and Harbridge 1995:371).

## **Australian Evidence on Wages Under Enterprise Bargaining**

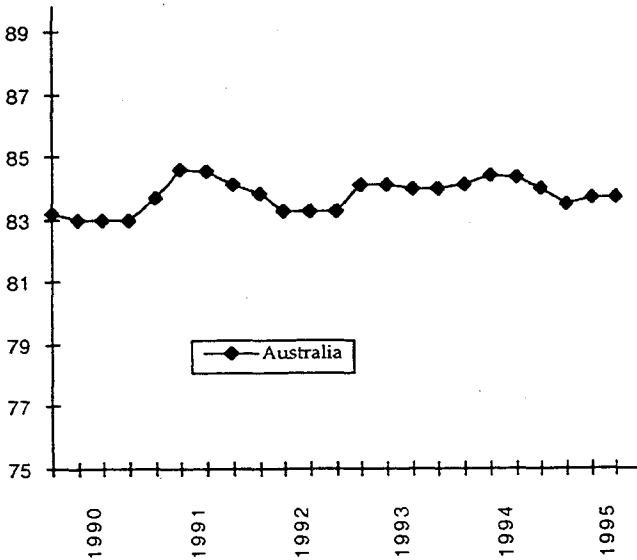
There is now clear evidence in support of what many have long suspected: women are disadvantaged under enterprise bargaining *even under the federal Labor system* with its award safety net and general minimum increases for those who are unable to bargain for themselves. Women will be *much* more severely affected under the Coalition's policy, based on experience in Liberal states.

Firstly in terms of wage outcomes, current data indicate that the gender gap in Australia is widening. The ratio of female/male Average Weekly Ordinary Time Earnings (AWOTE) for full-time adults fell from 84.1 in November 1991 (about the point at which enterprise bargaining became available under the federal arrangements) to 83.7 in August 1995 (ABS cat. no. 6302.0).

Figure 1 shows that women's pay on average in Australia is firmly fixed around 84 per cent of men's earnings, and in the last five quarters has been pitched below its previous peak of about 85 per cent in early 1991. The trend

is downward since that time, though the flow of supplementary payments and safety net adjustments have offset some of the worst effects.

**Figure 1:** Ratio Female/Male AWOTE Adults, Full-time



Source: ABS Cat. No. 6302.0

The picture is much worse under Liberal government. Figure 2 shows the relative female/male total earnings of all employees in Australia and in Victoria. The ratio across Australia as a whole has fallen by one per cent between November 1991 and August 1995 (from 66.7 to 65.7 per cent) but by *more than three times* that amount in Victoria: it fell from 68.8 per cent in November 1991 to 65.3 in August this year (see figure 2). Contrast this with Queensland (where state enterprise bargaining provisions mirror the federal), where the ratio has been quite steady at 65.2 over the period. In the simple currency of wages, women are much worse off under Coalition governments.

In sum, as we would expect from the international experience, localised bargaining advantages men even within current federal arrangements. Women do *much worse* under the more de-regulated Liberal systems. Along with young people, and other groups with a weak foothold in the labour



Alongside this, women's voice is muted in bargaining when an agreement is struck in their workplace. The Department of Industrial Relations report shows that there were *no* women (representing either management or workers) on 56 per cent of the bargaining committees in workplaces with some women employees; in the remaining 44 per cent there was at least one woman but unfortunately we can be confident that proportional representation was more the exception than the rule.<sup>3</sup> Recent research in Queensland also shows that under the federal enterprise bargaining arrangements and their identical state system, women are marginalised at the bargaining table in that state. Boreham et al. conclude that 'women are less likely than men to have their claims heard'. They go on to document a systematic marginalisation of women in the processes of bargaining (1995:16) and to demonstrate that the degree of workplace feminisation bears a very strong positive association with exclusion from decision making. In this set of Queensland workplaces, a massive 85 per cent of all-male workplaces reported an increase in employee involvement in the process of enterprise bargaining, compared to less than 40 per cent of highly feminised workplaces (Boreham et al.: 17).

Marginalisation takes many forms, but it especially affects women who work part-time or casually and women who are separate from the main production workforce, say as clerical workers in an otherwise male dominated manufacturing workplace (DIRETFE 1993). Short et al. recently found that 'clerks were excluded from a ratified workplace agreement in 35 per cent of cases in unionised workplaces, and constituted the most frequently excluded [occupational] group' (Short et al. 1994 quoted in Boreham et al. 1995:7) and the Department of Industrial Relations take up this finding in their 1995 report and find substance in it (Department of Industrial Relations 1995:37-42).

The weak presence of women at the bargaining table means that many of the much trumpeted potentials of regulated enterprise bargaining for women have not been realised.<sup>4</sup> Very few enterprises use enterprise bargaining to increase equity provisions for women (such as Equal Employment Opportunity policies, childcare facilities, employment targets for women, maternity leave etc.). Of agreements in Queensland, for example, Boreham et al. conclude:

our results show very clearly that enterprise bargaining is not being used to secure work arrangements designed to enhance gender equity. [T]hose who have argued that enterprise bargaining will have positive effects for women have been mistaken (Boreham et al.: 12).



Recent research amongst union members shows that women have very different industrial priorities compared to men: they are especially concerned about discrimination equal pay and career paths and much less concerned than men about wages (Pocock 1995). However, not surprisingly given women's lower presence at the bargaining table, this perspective is not reflected in the enterprise bargains we find around us. The 1995 Department of Industrial Relations report for example shows that clauses addressing women's priorities are rare: only 9 per cent of the 1360 federal agreements had Equal Employment Opportunity/affirmative action provision, 5 per cent had anti-discrimination/harassment provisions, and only 6 per cent had family responsibility provisions (Department of Industrial Relations 1995:145).

And this is under a regime which has union involvement in most bargaining processes, specifically requires the Australian Industrial Relations Commission to ensure adequate consultation with women and others, and legally requires public discussion of equity outcomes. Contrast this with the Coalition position which says nothing about legislating any such requirements, about requiring the Australian Industrial Relations Commission machinery to maintain a running check on gender equity, and whose entire rhetoric is about efficiency and market solutions rather than fairness between workers and improvements for women. What chance will women's voice and agenda have under such arrangements? Their solution will lead us to the New Zealand or Victorian models where even public scrutiny of workplace agreements and conditions is severely constricted, and where there is no policy impulse towards using localised bargaining processes to improve women's lives and remove discrimination and harassment.

### **Working Conditions: The Family is Rhetorically Fashionable but Watch the Small Print**

Women have been especially affected by changes in their hours of work in enterprise agreements and while there has been much talk of greater flexibility in hours to facilitate family responsibilities, the evidence suggests that many women are in fact losing a pay premium for the unsocial hours that they work, and facing new hours of work and methods of negotiating their hours which make it hard to look after dependents at home. Under the current federal system, for example, women are much more likely to have faced a change in their hours of employment through enterprise bargaining than men (Department of Industrial Relations 1995: 150). Early evidence from a current study about the effects of such changes upon women in



specific workplaces suggests that these changes have been crafted more to meet employer demands than women's.<sup>5</sup> A broader span of hours, more employer control of the nomination of hours, longer shifts, and reductions in penalty rates are not uncommon new provisions (as Philippa Hall and Di Fruin found in their early examination of 20 federal agreements and recent work by Kathryn Helier supports (Helier 1995)).

In New Zealand localised bargaining has meant the wholesale sell off of penalty rates and a much broader span of hours at work for women including more work on Saturday and Sunday; each of these now affects women more than men. Sixty per cent of women covered by contracts in New Zealand do not have access to penalty rates, compared to 40 per cent of men. As Hammond and Harbridge note it is unskilled, low paid employees who have lost their penalty rates in New Zealand, in many cases without any increase in their overall pay (1995:370). This has also been an important feature of bargaining in state systems in NSW, Victoria and Western Australia.

Changes in hours of work and the loss of employee prerogative with respect to shift arrangements and hours carry important consequences for women and their families and swim against the rhetoric of family friendly flexibility. While 12 hour shifts may suit some men who rely on their partners to look after dependents they will not suit many women.<sup>6</sup>

What is more the requirement to work unsocial hours without penalty rates not only costs women dear in terms of pay, it may expose them to growing pressure to work hours and locations where they simply feel unsafe. For example, I recently spoke to a parent whose 16 year old daughter works selling ice cream in Melbourne under an individual contract. She works alone through the night, on a twelve hour shift, for \$6 per hour without access to penalties. Not only can she be called in to work at any time for a minimum one hour shift, she is basically unsafe at work. The absence of supervision of many such juniors is a growing hazard in many Australian workplaces, especially affecting young women. It is facilitated by local contracts and work arrangements where one party is basically powerless in the face of high youth unemployment.

## **Workplace Bargaining: Advantaging Men**

All over the world, improving women's workplace circumstances – protecting them against violence or harassment at work, recognising their maternity and parental loads – has required external action by the state. This pulls the locus of bargaining up and outside workplace relationships. Narrowing pay gaps has been dependent upon external action which forces employers to stop discriminating, to review and change their subjective and historical

valuations of women's work and skills, and to consider the effects of home on paid work.

Countering the reality that decentralism disadvantages women has been a major policy and public relations challenge for the federal Labor government since 1987, as it has lowered the centre of industrial relations gravity through the two-tiered system, award restructuring, and most especially, enterprise bargaining.

The dangers for women have been countered to some extent through offsetting supplementary payments for those on low pay, opportunities for re-jigged classifications with greater recognition of traditionally undervalued feminised skills, improvements in maternity and parental leave arrangements, and safety net adjustments. But even in the presence of these, the gender pay gap has widened in recent years. What is more alarming, inequities in terms of women's conditions of work have become amplified through the Trojan horse of 'greater flexibility' in working arrangements.

The early concerns of Women's Electoral Lobby and the National Pay Equity Coalition with respect to the current federal system have been substantiated on several key criteria such as gender pay differentials, the lower access to agreements for women, their under-representation in bargaining, and the greater flexibility in working time being much more in the employer's interests and against women's (Women's Electoral Lobby 1992, National Pay Equity Coalition 1990).

But much worse is in view. A wholesale shift to much less regulated bargaining, which casts aside equity criteria or machinery, in favour of a free-for-all underpinned by a much weaker set of minima, holds whole new hazards for women. Women's heavy reliance upon the safety net makes key policy differences in its construction a crucial issue to which I now turn.

### **A Safety Net with Holes: The Liberal 'Promise'**

Labor has clearly described its safety net in recent times: it is formed by the relevant award and while agreements can breach specific conditions in that award, overall its standard cannot be undermined (*Equal Pay Unit Newsletter* January 1995: 15). On the other hand, the Liberal party pose a set of minima conditions which have evolved over the past year and in January 1996 now include ten points:

- initially an hourly rate no less than the minimum relevant award classification hourly rate; carefully revised to 'no less than the relevant applicable rate' in Reith's speech of 12/10/95; and revised

upward in January 1996 to become 'take home pay no less than that prescribed under the award' (Howard speech 6/1/96).

- a minimum casual rate as in the award.
- a minimum piece rate.
- four weeks paid annual leave.
- two weeks paid sick leave.
- one year's unpaid maternity leave (also available to male parents).
- family leave (as in AIRC decision of November 1995).
- equal pay for work of equal value.
- paid jury service.
- long service leave and superannuation as in the award.

The gaps between these two minima are extreme but not always immediately obvious because the deficiencies in the Liberal policy lie not in the small print, but in what is *simply not said*. What, for example, does 'equal pay for work of equal value' mean? With respect to sex, 'equal pay for work of equal value' has been law in Australia for the past 23 years. Discussion about the means to narrow the gender pay gap has mercifully and necessarily gone beyond this narrow frame over the past ten years, with the realisation that wage discrimination is embedded in the structural and historical aspects of wage fixing such as skill definitions and access to overtime. It is these – and other features – which must be changed if women are to be fairly remunerated and discrimination properly ended; and it is these and other features of unequal pay which the federal commission is currently being asked by the ACTU to consider.

The Coalition commitment to 'equal pay for work of equal value' offers nothing to women in Australia that they have not enjoyed for over twenty years. Similarly, while the Coalition offering of one year's unpaid maternity leave and family leave demonstrate some awareness of more recent standards, they offer nothing new to the women of Australia: they simply uphold a now established benchmark, available to all.

Apart from these weaknesses, however, there remain large yawning gaps in the Coalition's safety net – a safety net which carries particular significance for working women who, in the absence of enterprise agreements will be relying on it much more than men. Even in its latest form, the Coalition's policy remains very weak in terms of its promise on wages. Firstly, John Howard has now promised to maintain *overall levels* of take home pay; he has carefully *not* undertaken to maintain *rates* of pay with respect to penalties, shift loadings, and so on: he has referred only to the overall take home pay amount. A commitment on maintaining overtime and other *rates* of pay offers a long term protection to pay packets which a one off

commitment on money earnings does not. Secondly, he makes no reference to a range of frequent award inclusions which boost annual earnings – such as tool and site allowances, annual leave loadings and so on: are these to be maintained for current employees? Awards – which, assessed as a whole, underpin Labor's safety net – include a range of conditions and loadings which the Coalition does not promise to maintain.

Thirdly, the Coalition policy leaves open the question of the 'choices' available to new entrants to the workforce and those changing jobs. The Coalition argues that only those who *want to* will accept variations in conditions from the award since they will have the right to a choice to opt for an 'Australian Workplace Agreement' or to remain covered by an award.<sup>7</sup> Conferring this 'choice' upon potential employees who are very keen to keep their jobs is to give new life to the romantic myth of employer/employee equality at work, a myth severely undermined by high unemployment and the realities of workplace politics.

Three factors will undermine the award 'choice' over time. Firstly and most significantly for women, job mobility; secondly the absence of a choice to re-activate the award as agreements are renewed and perhaps more negatively recast; thirdly the gradual, relative diminution of award standards as, under the Coalition, awards atrophy and fade.

At the point of recruitment, employers will be in the clear position of naming the conditions of employment for new employees. Over time, the simple wash of employee turnover will undermine the award 'choice' in the Coalition model as will the processes of agreement renewal (when the award choice may not be meaningfully revived) and the gradual erosion of a relevant award. In Australia, large numbers of workers change jobs each year. In 1994 over 20 per cent of the workforce or 1.73 million workers joined a new employer (ABS cat. no. 6245.0). This included 220,000 married women returning to work. Over the past three years, 42 per cent of employees have changed jobs. When they do so under the Coalition, they will face new employment conditions and real points of vulnerability in their working conditions.

Extrapolating this past rate of job mobility, over the first three years of a Coalition government 3.8 million workers would effectively face a choice between a contract – or no job. They will have no access to redress under unfair dismissal law – since they are not employed (this is the remedy which Peter Reith repetitively suggests whenever the unthinkable 'take the contract or take the sack' possibility is raised).<sup>8</sup>

As Peter Reith has himself recognised, women have a higher rate of job mobility than men, making them especially vulnerable to the 'take the contract or no job' offer (Speech 20/7/95:15). In 1994 almost a third of

women took a new job, compared to around a quarter of men. Women will be especially vulnerable to the 'offer' of contracts and will have much less real choice to 'opt into' an award. Apart from the minimal conditions on offer, women will face real cuts in their working conditions. Over time this can only serve to widen gender wage differentials, complicate and undermine women worker's efforts to combine work and family, and erode the advances of the past two decades.

## **The Legitimacy of Unions**

Other important differences in Labor and Coalition industrial relations policies of particular significance for women include the treatment of unions and the broader legislative agenda. While recent Coalition announcements have considerably diluted the electorally damaging wage-cutting aspects of earlier proposals, they have remained relentlessly firm about the intent to diminish unions.

Australian unions have been no friends to women on many occasions in their history. The advocacy of equal pay in the seventies was a matter of pragmatism for most unionists, following seven decades of strong defence of the 'family' wage and the privilege it entrenched for men. Equal pay was washed up more on a wave of autonomous women's organisation and a reforming Labor government, than the sustained activism of a male dominated movement.

However, with all the ambivalences in the historical relationship of women with unions in this country, the overall effect for women and the more powerless has been positive: awards have been the mechanism for passing on the wins of the strong and building in minimum floors. While unions today do not represent women adequately, their demise can mean nothing but decline for women, especially given the amplified role that the award system has conferred upon unions. Unions might have only 35 per cent unionisation, but their influence reaches wherever the award system exists, which is to most workers. Without a meaningful union presence in Australia, women lose an important protection both in the workplace and beyond it.

Labor and the Coalition part company on the role and existence of unions. Coalition policy is explicit. Peter Reith and John Howard consistently position unions as 'unwarranted third parties', a form of 'outside interference', and as 'doorkeepers' (Reith's speeches on 22/3/95, 12/10/95, 24/10/95; Howard 8/1/96). They will ensure that unions do not have the right to comment upon workplace agreements and will not be parties to the Coalition's proposed 'Australian Workplace Agreements'; the Coalition

will restore Sections 45 D & E of the Trade Practices Act which severely curtail the capacity for industrial action, and they will foster a fight between unions by abolishing the 'conveniently belong' rule (Reith's speech on 14/9/95:12; Howard 8/1/96).

All of this has negative implications for women – indeed for working people everywhere, but especially those who have less workplace power.

Alongside this, the Coalition promise to gut existing unfair dismissal provisions which Peter Reith views as 'a disincentive to job creation, ...a heavy burden on business, particularly on small business' (Hansard, 30 August 1995:822). He opposes them since they 'establish a charter of rights for employees' and, more recently, Howard has promised to 'immediately scrap' them on election (Speech 8/1/96). Given the relatively weaker bargaining power of women at the workplace, the 1994 amendments are a very significant advance for women.<sup>9</sup>

We do not know what the Coalition would change with respect to Commonwealth workers compensation or health and safety law, or how they would amend affirmative action and anti-discrimination law. All of these affect industrial life and are of particular significance to women. Changes in rights in all of these spheres are part of the industrial relations equation. Further, if a federal Coalition government undertakes even a small scale version of the social deconstruction which is underway in Victoria with respect to childcare, health, education and other community services, the quality of many women's lives, and that of their children, will be immeasurably damaged.

## **The Challenge: Improving Gender Equity**

In sum, on all fronts there is no real choice for women. While Labor's current policies must be viewed with serious reservations on several grounds, they are a Mecca for women compared to the destructive demolition on offer from the Coalition. The Coalition promises women widening gender pay differentials, the loss of existing rates of various loadings (if not their current quantum) and more unsocial hours, less power in the workplace, and the possibility of individual bargaining on the back foot in the presence of high unemployment and without the help of a union. What is more they will change forever the terms of political protection in the workplace by severely restricting the voice of unionism. The best they can offer is an assurance not to roll back the 23 year old win on equal pay, and the bargain basement conditions which pass for parental and maternity leave in this country – conditions which remain inferior to those in many third world countries.<sup>10</sup>



On the other hand, Labor is not without challenges. Many women will find relatively little advance in some of the more recent, much vaunted, Labor achievements for women: for example, women who have long been forced to illicitly use their own sick leave to care for their sick dependents may not see that the now legal use of their own sick and bereavement leave for this purpose is a very significant advance (as delivered in the 1995 family leave decision). More tangible progress is called for: for example further progress on equal pay and against discrimination, greater advances in paid maternity and parental leave, further improvements in the pay and conditions of the low paid and peripheral worker, and many others.

The Labor perspective that 'this is as good as it gets', makes depressing reading for the many women who struggle for a voice at work, and whose lives are increasingly stressed by the pursuit of two incomes. A challenge exists for Labor and its allies to accelerate improvements in paid maternity and parental leave for Australian women, and to recommit themselves to a relatively centralised, well maintained award system as a central, proud plank of an egalitarian Australian industrial relations system. In women's interests, they should jettison the defensive posture of recent years. Labor can only gain by putting a limit on progress down the path of decentralisation and further differentiating itself from the Coalition.

However, while Labor's challenges are real they fall well short of those which face the Coalition, who must convince Australian women that this is not a pig's ear and that what the Coalition offers is something other than a return to 1972 – for many, without an award or a union.

## Notes

1. Peter Reith does in his speeches on 14/9/95 and 12/11/95. He states that the main difference between the parties, is that the Coalition will actually do what the Prime Minister promised in April 1993 (Speech of 20/7/95).
2. There is an extensive literature documenting these features of the Australian labour market; for a summary of some of this see, for example, Pocock 1995 (on the incidence of casual, part-time employment, and occupational and industry segmentation), the Department of Industrial Relations report on enterprise bargaining in 1995 (which outlines women's weaker representation in bargaining structures), and Pocock 1992 and 1994 (on women, unionism and their fears of employer opposition to their unionism).
3. How the Department of Industrial Relations can derive from this (and other negative research findings with respect to women) a positive assessment of women's involvement in the bargaining process is something of a puzzle. Despite their lower involvement in formal processes of consultation (even as reported by management) and their weak presence at the bargaining table, the report concludes: 'women ... were generally included in consultation processes' (De-



- partment of Industrial Relations 1995: 128). This represents a very rosy evaluation.
4. Many sturdy efforts by women's committees and organisations in government, unions and employer associations were published following the onset of enterprise bargaining, pointing to ways in which benefits for women could be secured. One example is provided by the Equal Pay Unit's 1994 publication 'Women and Workplace Bargaining: Checklist for Equity in Workplace Bargaining'.
  5. Sara Charlesworth is currently undertaking research examining the effects of specific agreements with respect to changes in hours of work. Her verbal report to the Women's Standing Committee at the United Trades and Labor Council in 1995 suggests that many women face some new difficulties as these provisions are implemented.
  6. For example, in practical terms it is simply illegal in some states to leave children in care for 12 hours, making childcare hard to organise around such shifts.
  7. In fact Liberal policy on these procedures is sketchy to say the least: what will be the procedures for opting in/out? Will there be a vote, and if so who will vote and when? What will be the involvement of employee advocates and unions?.
  8. See for example his speech of 12/10/95. In fact Reith is quite careful about what he says with respect to this issue: 'under a Coalition government, sacking an award employee for refusing to take a contract will trigger the employee's right to lodge an application against an unfair dismissal' (12/10/95 – my emphasis). This statement says nothing about the availability of the award to job applicants, nor does it admit the Coalition intention of limiting workers' rights under unfair dismissal law, let alone canvass the rights of non-award employees which he specifically excludes in this statement.
  9. And hardly an unfair ambush for employers given that employers won 43 per cent of the small proportion of claims (13 per cent of those lodged) which eventually went to court in 1994/5 (Pocock 1996).
  10. For example women in the Philippines have long enjoyed access to two months paid leave when they have a child; they also have access to leave in the event of a miscarriage, and extra leave when they have a caesarian (Pocock 1995).

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