

Election 2019 - Pay equity

# Why is this an issue for women?

* Women earn less than men. The full-time total remuneration gender pay gap based on WGEA data is 22.4 %, meaning men working full-time earn nearly $26,527 a year more than women working full-time. When you consider total remuneration, women still get paid about 23 per cent less than men (this and other data at the [Workplace Gender Equality Agency](https://wgea.gov.au/sites/default/files/gender-pay-gap-statistics.pdf)).
* [Recently legislated tax breaks will favour men over women because they favour higher income earners](https://taxpolicy.crawford.anu.edu.au/files/uploads/taxstudies_crawford_anu_edu_au/2018-06/supplementary-gendertaxcutsandchildcareemtrs14.06.18.pdf).
* [What women do earn is often eaten up by their Effective Marginal Tax rates (EMTRs), which apply when those caring for young children out of the workforce (mostly women) return to work or increase their work hours, and the family loses family payments and child care subsidies](https://taxpolicy.crawford.anu.edu.au/files/uploads/taxstudies_crawford_anu_edu_au/2018-06/supplementary-gendertaxcutsandchildcareemtrs14.06.18.pdf).
* Australia’s equal pay laws are not working well. Hearings have been characterised by problems in interpreting the equal remuneration provisions of the Fair Work Act and conducting gender aware job evaluations. Of the 21 applications made since 1994, only one equal remuneration order has been made by the Fair Work Commission. The Commission’s President, Iain Ross, recently said “it is likely [the gender pay gap] will widen again absent any measures to stop it.”

**Election commitments**

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| Full implementation | Partial implementation | No or negative response |

The table below sets out how fully parties’ current election commitments address NFAW recommendations:

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| **NFAW RECOMMENDATION** |
| The Fair Work Act should be amended to make its equal provisions clear and workable. |
| **PARTY COMMITMENTS** |
| **ALP** | **LNP** | **GREENS** |
| Labor will: * make gender pay equity an object of the Fair Work Act;
* establish a statutory Equal Remuneration Principle, to guide the Fair Work Commission’s consideration of whether feminised industries are paid fairly;
* establish a new Pay Equity Panel within the Commission led by a new Presidential Member with specific expertise in gender pay equity; and
* fund the Commission to establish a Pay Equity Unit that will provide expert research support during equal remuneration matters, and more generally
* change the Fair Work Act to prohibit pay secrecy clauses and give employees the right to disclose (or not disclose) their pay

 (Women’s Budget)* amend the Fair Work Act to make it clear that establishing undervaluation of female dominated industries does not require a male comparator. (18/12/18)
 |  | The Greens will:* set gender pay equality as an objective of awards and the Fair Work Act
* support measures to ensure appropriate classification and pay for work in traditionally low paid industries where the majority of workers are women and/or migrants
* legislate to ban ‘pay gag

clauses’ in private sector employment contracts, which stop workers from discussing their pay rates, and serve to disguise the gender pay gap. |
| **NFAW RECOMMENDATION** |
| The Fair Work Act should be amended to ensure that penalty rates are protected for all workers and all workers are properly compensated for working unsocial, irregular or unpredictable hours issues.  |
| **PARTY COMMITMENTS** |
| **ALP** | **LNP** | **GREENS** |
| Labor will: legislate to restore the arbitrary cuts to Sunday and public penalty rates in its first 100 days. (Budget reply) |  | The Greens stand for: restoration of penalty rates. |

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| **NFAW RECOMMENDATION** |
| The Workplace Gender Equality (WGE) regulation should be amended to require reporting organisations to examine their equal remuneration issues. |
| **PARTY COMMITMENTS** |
| **ALP** | **LNP** | **GREENS** |
| Labor will:* legislate so companies with more than 1,000 employees have to report their gender pay gap publicly, (Women’s Budget) and
* require WGEA to publish a list showing whether a company has undertaken a gender pay gap audit and reported the results to its board. (18/12/18)
 |  | The Greens support the Workplace Gender Equality Agency (WGEA) which monitors the private sector gender pay gap, and want to give it more teeth, strengthen its ability to gather data, resource it to undertake audits of pay and conditions, and develop sector-specific guidelines to improve gender equality in the workplace. |
| **NFAW RECOMMENDATION** |
| Amend the Fair Work Act to clarify ‘that the low-paid stream is not confined to employees who have never been covered by a collective agreement or instrument before’ including those on expired agreements |
| **PARTY COMMITMENTS** |
| **ALP** | **LNP** | **GREENS** |
| Labor will: strengthen the ability of the Fair Work Commission to order pay increases for workers in female dominated industries such as early childhood, aged care, and disability services. (Women’s Budget) |  |  |
| **NFAW RECOMMENDATION** |
| Put in place a whole of government structure to address the range of systemic issues such as EMTRs. |
| **PARTY COMMITMENTS** |
| **ALP** | **LNP** | **GREENS** |
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| OTHER ELECTION COMMITMENTS |
| Commitment | **Party** | **Comments** |
| Labor will: require all Australian Government departments and agencies to conduct gender pay audits within the first year of a Labor Government. (Women’s Budget) | ALP | Strongly endorsed. |
| Greens support calls to expand coverage of the WGEA toinclude the public sector. | Greens | Strongly endorsed. |
|  | Choose an item. |  |

Authorised by Kate Gunn, Sydney.