

Government gives teeth to workplace gender equality regulator, axes reporting exemptions

Employers will have to report annually on "tangible" gender-based pay results rather than "good intentions" to a reinvigorated workplace equal opportunity agency if they want to tender for federal government work, the Minister for the Status of Women, Kate Ellis, announced today.

Speaking at the National Press Club in Canberra, Ellis said that following the recent [review](#) of [EOWA](#), it would be renamed the Workplace Gender Equality Agency, be given an extra \$11.2 million in funding over four years (which she said was almost double the existing allocation) and gain new powers that would give it both "resources and bite" to drive gender equality in Australian workplaces.

She said that under the planned Workplace Gender Equality Act, to be introduced this year, all employers of more than 100 employees would be required to report annually from 2013 on "the indicators that matter - on the actual figures of gender composition of their organisations and their boards, on their employment conditions and whether they have flexible work practices for women and men".

"Where previously businesses were required to establish and report their workplace equity plans, programs and processes, we're now asking them to tell us about tangible outcomes - how women and men are actually faring in those workplaces."

She said reporting would no longer be about "good intentions" - "we want outcomes".

"Under these plans we are doing away with hollow plans and promises.

"Businesses will no longer be able to pay lip service to gender equality while women continue to languish in their lower ranks," she said.

No more exemptions, but streamlined reporting system going online

Ellis said the current power for the director to exempt organisations from reporting requirements would be removed.

But reporting burdens would be eased and organisations would no longer be required to develop workplace programs.

An [information sheet](#) released by FaHCSIA today, says employers will be required to report against gender equality indicators that focus on results.

Non-compliant employers to be outed and miss out on contracts

Ellis said that organisations that failed to comply with reporting requirements would continue to be "named and shamed" in Parliament and elsewhere, while they would also continue to be prohibited from tendering for federal government contracts.

She said that businesses that chose [not to comply](#) would be missing out on \$42 billion dollars a year of government work.

"Any business that's saying they're not interested in having a share in over 80,000 contracts is making a pretty big decision about their bottom line and we'll be making sure that businesses are very clear about the fact that not only are we not interested in dealing with businesses that aren't compliant, it will be illegal for us to do so," Ellis said.

She continued that the revamped agency would be working to improve its capacity to identify companies who should be reporting but were currently "escaping" their obligations.

Enforcement to be beefed-up

Ellis said the government would also increase its enforcement, with regular spot-checks, "to ensure information that organisations are providing to the government... matches how they conduct their day to day business".

She said chief executives and employee representatives would be required to sign off on organisations'

reports, "to verify their accuracy and whether they are a true illustration of what is happening in workplaces".

Pay equity to be enshrined in Act

Ellis said that for the first time pay equity would be enshrined in the objects of the Act and businesses would be required to report against it.

"This will allow us to see where gender pay gaps are emerging, where they're growing and where we're making a difference," she said.

Assistance to be available to all employers

Ellis said that while reporting requirements would continue to apply only to large employers, the agency's expanded assistance program would now be available to all employers.

She said mobile support teams would be introduced to service businesses that wanted advice or to develop work plans.

Current system lacking transparency and teeth

Ellis said there was a "veil" over Australian businesses that had prevented the government and community from seeing "what is really going on" in women's employment.

"We don't get reliable data or reporting. We can see the inputs but we can't see the outcomes for women in particular industries or businesses."

She said the government needed "real and meaningful ways to give more than just gentle encouragement to businesses that don't make the grade".

EOWA needed greater resources to help businesses improve their performance "and we need greater clout to be able to prompt real action and improve gender equity", Ellis said.

Remit to be wider

Ellis said the agency's new name reflected plans to expand the Act's scope to include men, as it was time "to recognise that gender equality is not just a women's issue".

She said that while there was a lot of talk about gender equality in the workplace, it was rare to speak of equality when it came to caring responsibilities.

The new Act's objects would be expanded to including the sharing of work and family responsibilities between men and women, she said.

Conway to replace acting director Steele

Helen Conway, until recently Caltex Australia's general manager of the office of the CEO, company secretary and general counsel, will take up the role of director of EOWA from April 27, Ellis also announced today.

Conway will replace [Mairi Steele](#), who has been acting in the role since the resignation of Anna McPhee in late 2008.

Ellis said the new director, who was previously general counsel for Airservices Australia and general counsel/group secretary for the NRMA Group, had "impressive professional and legal credentials" and that she would be presenting Conway with "a pretty hefty 'to do' list" as she led the agency in to a new phase. Conway has also served as a senior judicial member of the NSW Equal Opportunity Tribunal