



History and Policy Context of the Equal Opportunity for Women in the Workplace Act 1999

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Outline

- Provide a brief history of what's gone before.
- Outline intersections within current reviews.
- What this talk won't cover...



The Early Days

- 1981 - Bill to eliminate sex discrimination and promote affirmative action introduced.
 - ⇒ 1984 - SD Act introduced: further consultation on EEO.
- 1986 – *Affirmative Action (Equal Employment Opportunity for Women) Act.*
 - ⇒ 8 step program.
- 1991/92 – Act reviewed



Review: Unfinished Business

- Main findings of Review (1998)
 - “step-based approach” to affirmative action was inconsistent with a business environment which focused on outcomes, rather than processes.
- 2000 – New legislation (Equal Opportunity for Women in the Workplace) Act
 - Refocused on “reasonably practical” outcomes rather than on 8 step process.



EOWW Act

Not included in the Act:

- Site visits/auditing of organisations
 - Industry advisers employed by AAA but located in industry
- Referral powers from SDC to AAA Director
- Biennial reporting
- Incentives eg tax incentives



Recent Policy Interactions

Rethinking Regulation Review (2005)

- Aust Gov't recommended biennial reporting.

HoR Pay Equity Inquiry (2008-09)

- Pay Equity Commissioner (in FWA) work with EOWA - mandatory reporting on pay equity.
- Federal public service be included in coverage of the EOWW Act.
- EOWA recommended it be funded to conduct three year industry campaigns to encourage voluntary pay equity audits.



Recent Policy Interactions (con)

Review of SD Act (2008)

- Committee recommended consideration be given to whether the functions of EOWA and AHRC should be combined.
 - Rejected by EOWA.
- EOWA not supportive of expansion of powers to include referring matters to the SDC.
- AHRC - introducing voluntary 'gender equality action plans', AHRC or EOWA to audit.
 - Not opposed by EOWA.
- ACTU - 'Equality Act' to combine legislation.



Considerations

Major changes to consider:

- Machinery changes – agencies, legislation
- Gender equality action plans
- Coverage issues

Tinkering at the edges:

- Biennial reporting
- Site visits/auditing of organisations
- Industry advisers
- Referral powers
- Incentives
- Pay equity – mandatory or voluntary audits