

FEDERAL ELECTION POLICY STATEMENTS

WORKPLACE RELATIONS POLICY – GENDER EQUALITY AND INCREASED WORKFORCE PARTICIPATION

Key points

Ai Group proposes the following initiatives be adopted to improve gender equality and improve workforce diversity and inclusion while enhancing female workforce participation and women’s economic well-being:

- Providing more accessible and flexible childcare options for households with a corresponding investment in early childhood training to support capacity.
- A publicly -funded family and domestic violence leave payment linked to the existing unpaid leave entitlements in the *Fair Work Act 2009 (Cth)*.
- Supporting industry programs aimed at improving awareness of domestic violence and effective measures to prevent and response to workplace sexual harassment.
- An enhanced Workplace Gender Equality Agency adopting more targeted reporting requirements with a priority on workplace sexual harassment prevention.
- Any religious discrimination legislation must not prevent employers maintaining inclusive and harmonious workplaces.

Policy approach

Ai Group has a strong commitment to gender equality and inclusive workforce participation. Businesses with a gender equal, diverse and inclusive workforce have improved performance.¹ Workforce participation, particularly for women, assists in their economic well-being and independence, particularly later in life.

Our policy proposals to improve gender equality, diversity and inclusion are outlined below.

More accessible childcare options and training for early childhood educators

Ai Group is pleased that more affordable child-care has attracted attention from the main political parties, both of which have made considerable funding commitments.

Employers have a strong interest in the availability of quality and flexible childcare, enabling greater workforce participation from workers who also have caring or parenting responsibilities. Extensive education, work experience and qualifications obtained by parents are often not utilised in the labour market due to childcare cost barriers and the time and cost spent in transporting multiple children to different care or schooling locations.

The pandemic has brought enormous challenges to the availability of key workers across many industries. Labour requirements can be volatile and unpredictable, for example, where

¹ For example, see *Gender Equity Insights 2020, Delivering the Business Outcomes*, BCEC, WGEA Gender Equity Series, 2020

there is a need to satisfy a surge in demand or there is limited availability of certain specialist skills.

Childcare options should be more affordable but also more flexible. Childcare options must be better targeted to the needs of working households, such as an alignment with flexible working and shift arrangements (which often do not involve an employee working consistent hours on the same days each week) or working at different locations. These working arrangements are common in rostering arrangements in many industries including essential services.

Government subsidies should be extended to in-home early childhood educators, who are able to provide considerably more coverage and flexibility of care than many traditional childcare centres, particularly for multiple children. Unlike family day care, where households must attend an external family day care household or centre, an in-home early childhood educator would attend the relevant household requiring the care.

Subsidised in-home early childhood and education care provides an alternative model that would enable many households to boost their participation in the workforce, including in essential services and business supply chains. Subsidised in-home early childhood and education care should be aimed at ensuring the best possible early learning foundation for children, to improve education, training and skill levels.

The subsidy should be linked to a work-test eligibility and where adult members of the household are unable to care for children because they are engaged in paid employment at the relevant time. The subsidy should strictly apply to in-home early childhood educators who must be registered with the relevant Government Agency and possess a minimum Certificate III for the provision of early childhood care and education recognised by the National Quality Framework.

To support the capacity and supply for more accessible childcare, Ai Group supports greater funding for early child-care training programs.

A Government-funded family and domestic violence leave payment linked to the existing unpaid leave entitlements

Family and domestic violence is a community issue and more needs to be done to both prevent and respond to its occurrence. Family and domestic violence does not just impact employees, but the self-employed and business owners who may be unable to work because of the impact of the violence they are experiencing. The pandemic has contributed to an increase in family and domestic violence in the community and further Government support, in addition to the range of measures already adopted by Governments and employers, is required.

Ai Group calls for the creation of a publicly-funded Family and Domestic Violence Leave Payment (**FDVLP**) to apply to persons who are unable to work because they are experiencing family or domestic violence.

Ai Group acknowledges that some larger organisations provide their own paid family and domestic violence leave to employees, either in line with the structure of the *Fair Work Act 2009 (Cth)* (**FW Act**) unpaid leave entitlement of up to five days, or through other forms of paid leave. This should not prevent such employees accessing the publicly funded entitlement, consistent with the way in which the existing publicly funded Paid Parental Leave scheme operates.

The quantum of the FDVLP should be aligned with the unpaid family and domestic violence leave entitlement of 5 days per year contained in the National Employment Standards (NES) in the FW Act, calculated at the adult minimum wage.

The FDVLP should also extend to eligible independent contractors and the self-employed who are unable to work due to family and domestic violence.

Given the well-documented instances of financial abuse and financial vulnerabilities of persons experiencing family violence (particularly where the costs of caring for children are involved), it is not appropriate that this payment be means-tested.

We also consider that this proposal for a publicly-funded FDVLP is consistent with the two pillars of response and recovery in the Australian Government's [Draft National Plan to End Violence Against Women and Children 2022-2032](#).

Supporting industry programs aimed at improving awareness of domestic violence and effective measures to prevent and response to workplace sexual harassment

Industry programs built on evidence-based best practice initiatives play an effective role in elevating awareness amongst employers of domestic violence and how it manifests in the workplace. Employers can take a significant role in supporting employees facing domestic violence, but many face challenges in identifying whether their support is needed and how best to assist.

In addition, developing and promoting effective measures that employers can take to both prevent and respond to workplace sexual harassment is also an important priority. The benefits of supporting industry-wide initiatives and programs delivered by industry bodies was identified in recommendation 47 of the *Respect@Work Report*.

Ai Group supports the funding of this recommendation and extending the recommendation to include addressing domestic violence in the workplace.

Greater resourcing for the Workplace Gender Equality Agency and targeted reporting requirements with a priority on sexual harassment prevention

Additional funding should be allocated to the Workplace Gender Equality Agency to drive greater utilisation and value of the data collected from employers required to report under the *Workplace Gender Equality Act 2012 (Cth)* (**WGE Act**).

The WGE Act's reporting criteria should be updated to drive inclusive standards for employers while alleviating the regulatory burden on employers required to report. Sexual harassment prevention should be prioritised.

Any religious discrimination legislation must not prevent employers maintaining inclusive and harmonious workplaces

Ai Group supports the right to freedom of religion (including the right not to be religious) in the Australian community. However, it is important that any legislation in this area not prevent employers taking appropriate management action if an employee expresses their religious belief in the workplace in an unreasonable manner or if the employee engages in unreasonable religious activities in the workplace which impact upon the rights of other employees.