

RESOURCES PACK

*Additional resources to help you run
'Equal Footing' at your workplace*

ACKNOWLEDGMENTS

This Resources Pack is a supplementary volume to the 'Equal Footing' manual, which was written by En Masse Pty Ltd.

Thank you to the following organisations for their permission to use their work as documents in this pack:

- Australian Government (Department of Families, Housing, Community Services & Indigenous Affairs)
- Australian Human Rights Commission
- Workplace Gender Equality Agency (WGEA)

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BACKGROUND PAPER

How We Introduced The 'Equal Footing' Program To Workplaces

Your organisation has been invited to select a team or two (depending on numbers) to take part in an innovative gender equality and respect program called 'Equal Footing'. The pilot program in early 2015 was fully government funded (by VicHealth via Office for Women's Affairs). The program is being delivered by two organisations specialising in Human Rights at Work and Diversity: En Masse, a Melbourne based corporate training organisation www.enmasse.com.au and Diversity Partners www.diversitypartners.com.au

There will be 8 organisations involved in this pilot project, which is Victoria-based and runs from November 2014 to May 2015. If you are keen to roll out the program across your organisation in the future, we will be providing a full resource Toolkit and 'Train the Trainer' opportunity at the completion of the program.

In May/June 2015, you will receive a useful evaluation report that will present the measurable changes 'Equal Footing' has had on the attitudes, awareness and behaviours on the sample group from your organisation. The data from your organisation will be managed within our strict confidentiality and privacy guidelines.

There are a number of different interventions that will be trialled over the 5 months of the program. These include:

- low key poster campaign, and awareness raising
- face to face training for staff and leaders
- 3 follow-up email bulletins about applying the ideas from the training in your team, community, and family to promote equality
- a new smartphone-based game called On a Roll 21, which takes 3 minutes a day

- a refresh of some of your policies to promote gender equality in the long term
- there will be a survey before and after these interventions and we will collect data along the way to inform your evaluation report.

The program aims to achieve:

- **increased awareness of gender inequality issues** (e.g. helping people realise that much of what we do is based on socially constructed inaccurate assumptions of men and women, and these traditional roles can be reshaped)
- **increased willingness to have open conversations about things like bias and workplace inequities** (e.g. thinking twice and challenging ourselves and our colleagues to organise our workplace in ways that avoid inequities)
- **increased awareness of what not taking action means** (e.g. an understanding that we don't currently have a level playing field for men and women and the assumptions we make around gender are harmful and disadvantage women and families)

- **increased employee confidence to take action** (e.g. knowing productive ways to start conversations and suggest better ways of doing things to promote equality)
- **organisational culture which promotes equality** (e.g. to establish a firm commitment at all levels of the organisation that is expressed in many ways: from equitable recruitment, to policies around performance reviews, to diversity targets. This program is a good kickstart towards addressing all these areas)
- **policies and procedures which actively promote equality** (e.g. updating parental leave policies that may help men participate more actively at home and make women feel more confident about returning to work after children; introducing a policy around family violence leave, as that is a major health risk for women)
- **lowered perception of costs associated with taking action** (e.g. fostering a belief that the organisation is committed to achieving positive changes and that conversations about gender inequities aren't people complaining or being difficult)
- **increased support of bystander action** (e.g. confidence to support someone who questions an assumption or the way things are done in constructive ways)
- **commitment to think/speak/behave in different ways** (e.g. think about when meetings are scheduled for maximum participation, think twice before making assumptions, consciously work to include everyone).

The Information We Will Be Collecting:

It's very important we collect baseline data before we start working with your staff. We want to gauge their knowledge and reactions to gender equality before any interventions or awareness-raising takes place, so we ask organisations not to promote the issue prior to the start of the program. It's also important that all staff members are aware that their involvement in this program will be strictly confidential. Every data collection stage is anonymous and this will be reiterated prior to collection. By doing this, we are hoping for greater honesty and increased involvement.

We will provide a number of options to your staff, as we know different people are comfortable with different means of communicating. They may choose to use our simple web app using their smartphone to fill in the 5 minute pre-survey. Alternatively, they can use their desktop computer, iPad, or pen and paper. We bring the pilot group together for a morning tea and ask them to complete the pre-survey then and there. Those who do not attend can be sent the link via email. We will have extra staff in attendance (giving out free cupcakes) to help people who may have language difficulties or want to ask questions. We also bring a number of iPads and other devices with us to ensure people can complete the surveys quickly and conveniently.

Some examples of the questions in the survey:

- is this workplace equal for men and women? In what ways?
- does your workplace support people to meet their family responsibilities? Is this support available for men and women?
- how often in your workplace do people talk about 'Equality in the Workplace' as an issue?
- what is the difference between equality and equity?
- how aware are you of your own biases and judgements when it comes to gender equality?
- do you treat the men and women in your workplace with an equal degree of respect?
- do your own personal attitudes about gender equality have an impact on the culture of this workplace? (Y/N/ comment)
- have you ever stepped in and said: "this isn't fair" or similar? If so, why and how effective was this?
- how confident are you to stand up for yourself if a colleague treated you unfairly?
- how confident are you to stand up for someone who was being treated unfairly due to gender?
- how confident do you feel that if you were being treated without respect that someone would stand up for you? How respectful is your workplace?
- true or false. Respectful relationships in the workplace are important
- true or false. Gender equality supports the long-term health and viability of an organisation.

The survey has been designed to address the 5 key areas (as informed by recent research), which are:

1. Awareness
2. Attitudes
3. Bystander
4. Confidence/respect
5. Workplace cultures.

Your data will be collated with the other 7 organisations to make up a final evaluation report for VicHealth. You will also have access to this report. We aim to identify the kinds of workplace interventions that are most effective, rather than focus on comparing the 8 organisations. We will, of course, ensure that your organisation is not ranked against the other pilot sites in the public domain. We may use your organisation as an example in positive case studies, but we will check with you first – and the case studies can be de-identified if you prefer to maintain confidentiality. The publications that flow from this evaluation are a great opportunity to showcase your commitment to diversity and the positives that emerge from the program. If you have any questions about the management of data, etc, please discuss them with us.

Through strategic evaluation of the program, it is anticipated that the 'Equal Footing' program will contribute to and broaden the evidence base for 'best practice' gender equity programs in the workplace, which will, in turn, assist in informing future development of similarly focused programs. We hope to show that awareness can be raised, attitudes changed and that behaviour and cultures of organisations will follow suit.

The Level of Support You Will Receive:

We have a team of experienced Project Managers working on the 'Equal Footing' program to ensure we achieve our aims over the 5-month period. This means you will have one key contact you will be working with at En Masse. This key contact will work with the person you nominate at your end. You will also need a back-up person who knows about the program to fill in just in case your number one contact is away. Your En Masse Project Manager will contact you well ahead of time and assist you with sending out appropriate comms to your staff, schedule the training, and set up times for the policy consultant to sit down with you and work on some of your policies. We will ensure you meet the deadlines and we are flexible and understand the time constraints at your end. At any time, you can call your Project Manager to answer individual participant's questions, alter timelines, or request extra information.

During the policy audit stage of the project, we won't just help you identify the policies that need a tune up – we will provide examples, templates, and hands-on assistance to ensure the changes are made. This is probably the most demanding aspect of the program from your perspective and may take 5-15 hours of your time. The other elements of the program are relatively simple.

At the End of the Program:

The program will wrap up at the end of May 2015, and an evaluation report about your pilot group will be provided to you. You will also eventually have access to a report that brings together findings from all 8 organisations.

Organisations will be given a comprehensive and useful 'Equal Footing' Toolkit, with the following elements:

- an 'Equal Footing' manual, containing everything you need to know about gender equality in the workplace, including how to conduct future training in-house
- a 'Resources Pack', containing:
 - tip sheets and fact sheets
 - awareness-raising posters
 - email bulletins that can be distributed gradually over the next 12 months
 - checklists and templates for policy reform
 - slides and notes for running the face to face training.

All of these resources will be also be available online.

Your access to the survey app is ongoing, so you can measure the same indicators in 12 months or 2 years. Please note: we do not provide access to the On a Roll 21 game after the pilot program, but can negotiate a fee for those organisations wishing to roll it out to other teams.

We will be looking for ways to continue supporting the 8 organisations involved in the pilot, and engaging them in further opportunities. We will meet with you to specifically speak about sustainability plans near the end of the program.

A Glimpse of the Bigger Picture

This workplace initiative has been funded by the Victorian Health Promotion Foundation (VicHealth) in partnership with the Victorian Government. Their aim is to find out which kinds of interventions are most effective in shifting attitudes and behaviours in the workplace. We know gender equality boosts productivity, profitability, mental health and levels of satisfaction at work. However they also have a much longer-term goal that impacts society as a whole. VicHealth's ultimate goal is to shift community attitudes and be able to influence more respect for women in the home, in schools, in neighbourhoods and in relationships, so that societal attitudes no longer permit violence against women to occur. VicHealth is committed to preventing violence against women because it is a significant and preventable contributor to ill health. Violence is more damaging to the health of Victorian women aged 15–44 years than any other well-known risk factors, including high blood pressure, obesity and smoking.

If we can work out which interventions work best in workplaces and then, over the next 5-10 years, roll out a number of effective workplace-based programs that are an integral part of corporate culture and compliance, we will eventually have a significant impact on the health and safety of women in Australia. There isn't a focus on violence against women in the 'Equal Footing' program, but it is mentioned. It is one stepping-stone on the path to ensuring a safer future for girls and women in this country. The 'Equal Footing' program is part of a much bigger picture.

If you wish to address the issue of violence against women more directly, we can help you connect with initiatives like White Ribbon.



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GETTING ON BOARD

*Tip sheet: How To Bring Leaders
(Especially Men) On Board*

Achieving gender equality in your workplace isn't going to be possible without the support of leaders and management. If you can enlist senior people in your organisation as "champions" of gender equality, your call for change will gain traction, policies and processes are more likely to be revised, and gender equality will be advanced, and eventually considered "just the norm".

It's important to remember that most of the leaders within your organisation are likely to be men, so adopting an all-inclusive approach to gender equality is essential. Do not fall into the trap of discussing the issues with women only. Gender equality is not an "us and them" situation, and making men feel like they are oppressors is not going to help your cause. This is about equality – and both sexes will benefit from a more fair and equal workplace.

So, how do you bring senior people (and men, in particular) on board with gender initiatives?

1. Show people that gender inequality exists

People respond to facts and figures, so the first step is to look at your own workplace and analyse the current situation. It's what's happening on your own patch that will interest senior people the most. They will need to be convinced that there is a problem before they'll support a change initiative. To present your case, you will need to ask yourself questions like

- how many senior people at my organisation are female?
- does a so-called "glass ceiling" exist, where women can only advance their careers so far?

- is work flexibility offered to men, as well as women? If so, are male employees taking it up? If not, why aren't they?
- what roles do both women and men occupy at my workplace? Are they roles that are traditionally associated with their sex? Is there evidence of gender bias when hiring or promoting?
- does a gender pay gap exist in my organisation?

Your Human Resources Manager can help you determine the answers to these questions. You might want to back your findings up with a survey of current staff, gathering their thoughts on gender equality in your workplace.

Broader statistics will also support your call for change:

- there is an 18.8 per cent gender pay gap in Australia – and it's rising
- 36 of the ASX200 have no female representation on Boards and the percentage of women on ASX 200 boards is 18.6 per cent (August 2014)
- the average superannuation account balance for women is \$40,475, compared to \$71,645 for men. As most women live longer, it's likely they will retire without sufficient funds to sustain them.

2. Make it personal in some way, so they engage

In her speech to the UN in 2013, Australia's Sex Discrimination Commissioner Elizabeth Broderick stated that while it's important to make people understand the case for change in their head, real shifts in gender equality are only achieved when people "start to understand it with their heart".

“Getting personal” appears to contradict all the professional advice we’ve ever been given – we’re told we should never do this when arguing our case, or rallying for change. But with this issue, “making it personal” could actually be an effective way of forcing people to view gender equality in a new light. As Broderick explains:

“[I spoke to a] particular CEO who had twins – a boy and a girl. I explained to him that in Australia today women hold only 3 per cent of CEO positions of the top 200 companies and only 17 per cent of board directorships. That in every sector in Australia the basic rule is that the higher up you go, the less women you see. That these results exist despite women representing more than 60 per cent of university graduates and 50.8 per cent of Australia’s population. And finally I told him that while women were excluded from power – economic, political and social – they would be marginalised all across Australia.

What shifted for this CEO was the understanding that without intervention by decent powerful men, this story would become his daughter’s story. His daughter would not have the same opportunities as his son – all because she was a girl. What father wouldn’t want his daughter to have an equal chance at a life free from man-made barriers?”

- Elizabeth Broderick, Australian Sex Discrimination Commissioner, speaking at the UN Women National Committee Japan’s Symposium, December 2013

This is powerful stuff, and will make every senior person at your organisation think twice about the merits of gender equality. Of course, it’s also extremely confrontational, so it’s wise to use your discretion. Instead of asking people directly to think about their daughter/sister/niece, it may be enough to relate Elizabeth Broderick’s story about the CEO to make your point.

3. Show that achieving gender quality is good for business

This one is a no-brainer, really. If those in charge can be convinced that gender equality is going to benefit your organisation as a business, they’re going to be interested in what you’re proposing. Show them that eliminating traditional gender expectations, removing bias and achieving equality will help your organisation:

- attract the best employees
- enhance productivity and performance
- retain staff and reduce the cost of staff turnover
- minimise legal risks
- enhance its reputation.

4. Reiterate that gender equality benefits everyone

It’s important not to frame this issue as being all about women. It’s not. Gender equality is in everyone’s best interests:

“Men, gender equality is your issue, too. I’ve seen my father’s role as a parent being valued less by society, despite my needing his presence as a child as much as my mother’s. I’ve seen young men suffering from mental illness unable to ask for help for fear it would make them look less “macho”. I’ve seen men made fragile and insecure by a distorted sense of what constitutes male success. Men don’t have the benefits of equality, either.

- From a speech by Emma Watson, UN Women Goodwill Ambassador, HeForShe campaign, United Nations Headquarters, New York, September 2014

A very real way to identify how gender stereotypes work against men is to bring up the topic of workplace flexibility. This is an increasingly important issue for men – young fathers or carers, in particular – and yet there remains a lot of hesitancy in men asking for flexibility due to outmoded assumptions (“It’s OK for mothers to ask for time off work to help raise the kids or look after older people, but not fathers”) and fear of possible career penalties.

What it means to be a “man” in society is just as distorted as the assumptions made about women – if not more so. By recognising this, you are staying true to what you’re really pushing – equality – and men will feel a part of the process, instead of being made to feel guilty as the oppressors of women.

Back this up with some sobering statistics about male suicide in Australia: 75 per cent of suicides in Australia are men, and many of these deaths could be prevented if societal expectations about male stereotypes were exploded. Men continue to view mental issues and illness as something they should just “get over” and not seek help for; buying into the gender stereotype that they should be strong and practically invincible.

5. Explain that it’s a process

People are naturally wary of change and what you’re trying to advance here is confrontational to some people, anyway. So, go slow. Let everybody know that you’re not suggesting implementing everything at once. The journey towards gender equality is a process and it may take several years to achieve. If you lay the groundwork for a business case, that is a great initial step.

SOURCES:

Elizabeth Broderick’s speech:
www.humanrights.gov.au/news/speeches/engaging-male-leaders-gender-equality-1

Emma Watson’s speech:
www.unwomen.org/en/news/stories/2014/9/emma-watson-gender-equality-is-your-issue-too
www.theglasshammer.com/news/2010/09/29/5-ways-to-engage-men-in-gender-diversity-initiatives



March 2013

The business case for gender equality

Considerable rewards can be attained by businesses which successfully attract both women and men to their workforce.

Research suggests that organisations that respect and value the diversity brought by both women and men are better able to attract and retain high performers and improve operational performance. It is not, however, simply about having token women (or men). While diversity is fundamental, gender equality is paramount.

Gender equality is achieved when people are able to access and enjoy the same rewards, resources and opportunities regardless of whether they are a woman or a man. The aim is to achieve broadly equal outcomes for women and men, not exactly the same outcome for all individuals.

Australia has made significant progress towards gender equality in recent decades. However, women continue to earn less than men, are less likely to advance their careers as far as men, and are more likely to spend their final years in poverty. At the same time, men find it more difficult to access flexible working arrangements than women.

The business case for gender equality is strong. This paper summarises how fostering a workforce that promotes gender equality can help your organisation to:

- Attract the best employees
- Reduce cost of staff turnover
- Enhance organisational performance
- Improve access to target markets
- Minimise legal risks
- Enhance reputation
- Engage men

Attract the best employees

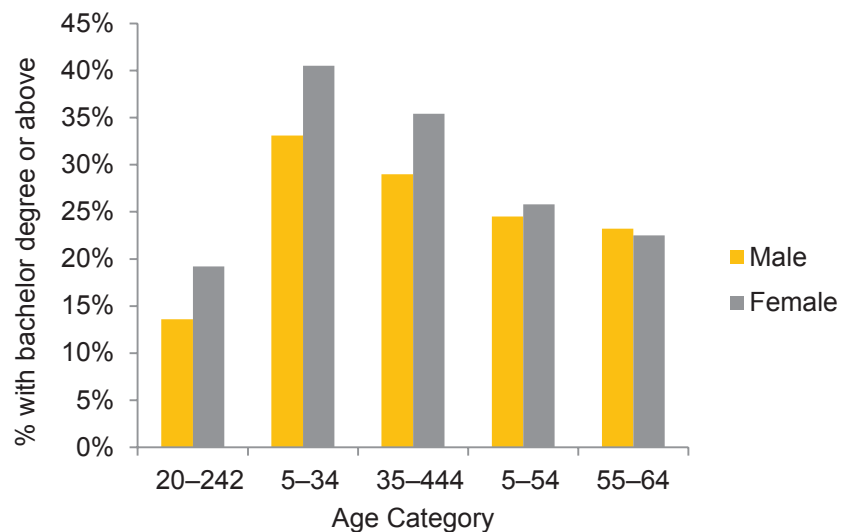
Having the best talent is critical to success in competitive markets.

Women are increasingly more highly educated than men. Recent Australian Bureau of Statistics data shows 20 per cent more women aged 25-34 than men hold bachelors' degrees¹ (see Graph 1).

An organisation which is as attractive to women as it is to men will have access to the entire talent pool and is more likely to have a competitive advantage in attracting the best talent available.

Graph 1: Bachelor and postgraduate degree attainment by gender and age, 2012²

In 2012, 20 per cent more women aged 25-34 than men held bachelors' degrees.



Source: ABS (2012 a and b) Education and Work, Australia, Workplace Gender Equality Agency calculations.

"Our gender equality initiatives help us to attract and retain staff through to partner level"

Henry Davis York

Case Study: AGL and the war for talent

Having the right people with the right skills is vital for AGL as the energy industry faces challenging times. Competing for talent is made particularly difficult given that many of the roles that offer critical experiences and career pathways for future leaders are non-traditional occupations for women. The labour pool for women is relatively small but important in an industry that is facing a critical skills shortage.

Currently, women comprise 37 per cent of AGL's workforce, although only 32 per cent of AGL leaders are female and the representation reduces at senior levels.

AGL has a clear strategy to increase the representation of women in leadership, with publicly promoted objectives. As part of the strategy, AGL held its inaugural senior women's conference in 2010, which aimed to provide the opportunity to understand the importance of gender equity and diversity to AGL; meet, listen to and learn from women who have been successful; build networks; and contribute ideas and perspectives to inform AGL's gender diversity initiatives. The 2011 conference opened the audience to senior AGL men and carried the theme "Gender equity – it's everyone's business". And the 2012 conference included a spotlight on AGL's women working in less traditional roles in its Merchant Energy and Upstream Gas businesses.

Feedback shows the conferences generated a greater awareness of and engagement in AGL's programs to remove barriers for women in the workplace and drive gender diversity.

In response to feedback, AGL will continue to hold the diversity and inclusion conferences annually and has launched regular women's networking luncheons run by AGL's female senior leaders. AGL is also implementing new initiatives around flexible work, leadership development programs for women, and support programs for working parents in 2012 and 2013.

Reduce cost of staff turnover

Replacing a departing employee can cost 75 per cent or more of their annual wage.

“Our initiatives have helped us to strengthen the participation rates of women in management, retain talent and increase return to work rates following parental leave”

Allianz

Both women and men are more likely to remain with an organisation where there is a proactive diversity ‘climate’ as they perceive a concrete payoff to themselves by staying in an organisation they view as fair.³

According to research by the Diversity Council of Australia, around 18 per cent of men, including 37 per cent of young fathers, had “seriously considered” leaving an organisation due to a lack of flexibility.⁴

This evidence demonstrates that organisations which foster gender diversity will support retention of staff, thereby reducing an organisation’s employee turnover expense.

And staff turnover is expensive. A report by the Australian Human Resources Institute has estimated the cost of staff turnover to Australian business at \$20 billion.⁵ Costs include:

- advertising costs
- lost time spent on interviews, clerical and administrative tasks
- use of temporary staff or lost output while waiting to fill the position
- costs associated with training the new employee
- termination pay
- loss of specialist knowledge
- loss of customers
- low staff morale and reduced productivity.

Particular gender diversity practices can help your organisation to reduce employee turnover:

- flexible work arrangements facilitate work and care and encourage women’s greater workforce participation and men’s sharing of care. UK findings indicate 63 per cent of employers said flexible working practices had a positive effect on recruitment and retention⁶
- pay inequity can undermine initiatives to change the gender culture within organisations. In workplaces with a culture of gender diversity, pay decisions are more likely to be perceived to be fair and transparent and employees more likely to stay.⁷

To calculate the cost of turnover in your own organisation, see the Workplace Gender Equality Agency’s Costs of Turnover Calculator on the tools and resources section of the [website](#).

Enhance organisational performance

"We are passionate about gender diversity and women's leadership. Lifting Australia's performance in gender equality will drive innovation, boost business performance and improve Australia's economic competitiveness"

IBM

Studies suggest that promoting gender equality is often associated with better organisational and financial performance.

A recent major study⁸ acknowledges that there are a range of reasons why company performance and gender diversity may be linked. One factor is that well managed, diversity brings together varied perspectives, produces a more holistic analysis of the issues a company faces and spurs greater effort, leading to improved decision-making.

Links between board diversity and improved performance

- recent global research suggests a link between female directors and performance in businesses, with companies with at least one female director showing better financial outcomes on a range of measures⁹ than those where there was no woman.¹⁰ A number of other studies also show a positive relationship between women in leadership roles and financial performance¹¹
- a Canadian study examined diversity management (including women's representation on boards and at senior levels) in a number of firms and the integrity of the firms' financial management. The findings suggest financial governance may be enhanced where a company promotes diversity¹²
- a Norwegian study also found women's board representation was associated with improved corporate governance including having in place effective board procedures and structures.¹³

Links between executive diversity and improved performance

Several international studies have found a link between aspects of the financial performance of companies and the proportion of women on their top executive teams.

- two recent studies have found organisations with the most gender diversity outperform those with the least¹⁴
- in relation to business innovative capacity, a gender diverse executive team seems to be critical:
 - a US study examined performance in 1,500 companies over 15 years. It concluded that women's representation in very senior management is associated with improved organisational performance where a company is innovation focused.¹⁵ It calculated for the firms examined that, at an average¹⁶ level of innovation intensity, the presence of a woman in the top management amounts to creating extra market value for each firm of about US\$44 million
 - a study by Dow Jones¹⁷ focusing on US venture backed, start-up companies, found that a company's odds for success increases with more female executives at the vice president and director levels. The overall median proportion of female executives at successful companies was more than double¹⁸ that at unsuccessful ones.

Organisations with the most gender diversity outperform those with the least.

Team diversity

Greater gender equality in teams may be linked to the innovative capacity of an organisation. International research examining gender diverse teams suggests that more gender balanced teams best promote an environment where innovation can flourish than those which are skewed towards a particular gender.¹⁹

“Gender diversity generates diverse thinking which translates into greater innovation for our clients and our firm”

**King & Wood
Mallesons**

Workforce diversity

Improving gender diversity across the entire workforce may be associated with improved company performance. A study of over 500 US companies found a link between gender diverse workforces and organisational performance using measures such as sales revenue and number of customers.²⁰

To benefit from improved gender diversity, your organisation needs to incorporate effective gender diversity initiatives from the top down to drive culture change if it is to reap the benefits of diversity.²¹ Active commitment to change is needed throughout all levels of your company’s management. You also need to manage diverse groups supportively.²²

Case study: Better performance through diversity – Rio Tinto

Historically, the employees of Rio Tinto’s Iron Ore business in Australia, like most other resources companies, were predominantly men. When the company’s growth plans coincided with a general labour shortage, a burning platform was created to look beyond traditional talent pools and consider greater workforce diversity.

In recent years, the company has shifted from viewing diversity as simply an operational requirement to recognising its strategic value. Diversity is now seen by Rio Tinto as fundamental to supporting good decisions about resource optimisation; eliminating barriers to working effectively; delivering strong performance by attracting, engaging and retaining diverse talent; and innovation, by drawing on the diverse perspectives, skills and experience of employees.

The company is committed to increasing the number of women in leadership. To do so, Rio Tinto has established talent pools of women in the middle management pipeline and carefully monitored development to identify strategies to enhance diversity. It also reviewed a range of job functions to understand where barriers to advancement of women might exist and develop remedies.

Initiatives to encourage gender diversity within the workforce and, in particular, in leadership roles include targeted development for high potential women, role modelling successful women and the expansion of flexible work practices.

Improve access to target markets


In Australia in 2008, women were reported to control or influence 72 per cent of household spending.²³ And women's own buying power is growing in line with their expanding role in the workforce and increasing personal disposable income:

- women made up 45.7 per cent of employees in 2012, up from 36.8 per cent in 1980²⁴
- 55.7 per cent of all women now work, compared to 41.3 per cent in 1980²⁵
- women comprise 52.1 per cent of professionals in 2012²⁶
- nearly a billion more women could participate in the market economy worldwide in the next 10 years.²⁷

Increasing a company's gender diversity maximises opportunities to benefit from this significant trend.

Gender diversity facilitates business understanding of how to appeal to women as customers and what products and services women and men need and want. It may help your organisation create new markets and increase market share.

Minimise legal risks



Promoting workplace gender equality can reduce the risk of discrimination and harassment

Strategies that promote workplace gender equality by reducing sex discrimination and harassment can minimise a company's risk of financial and reputational loss from lawsuits caused by discriminatory conduct. They also reduce the negative impact discriminatory behaviour has on your organisation's performance.

Sexual harassment

Sexual harassment at work is experienced more by women than men²⁸ but increasingly it is recognised that men face sexual harassment too. Inclusive and respectful workplaces where gender diversity is valued reduces the risk of employee litigation. They also avoid the negative impact sexual harassment has on absenteeism, team conflict, and morale at work.²⁹

Pregnancy and maternity discrimination

Pregnancy and maternity discrimination is unlawful and can be costly with court appearances, legal representation and potential fines. Examples include:

- a Sydney print business paid fines and compensation of nearly \$26,000 in 2012 following a Fair Work Ombudsman prosecution for the demotion and poor treatment of a pregnant employee³⁰
- a childcare centre in Perth was fined \$15,200 and had to pay \$5000 compensation after a Fair Work Ombudsman prosecution successfully showed that the operator had pressured an employee she knew was pregnant to resign.³¹

Enhance reputation

A reputation for promoting gender diversity can help you to attract the best employees to an organisation, retain existing customers and attract new clientele, building market share.

Reputation and image are critical in the marketplace and a reputation for promoting gender equality will enhance the regard in which a company is held in the wider community. For example:

- research into why certain leading Australian for and not for profit companies promote gender equality suggests that preserving and enhancing their reputation was a significant motivation for developing their gender diversity strategies³²
- one international company gives as a major reason for their push for gender equality as enhancing their reputation with their existing clients and in the graduate pool from which they recruit.³³

“Our commitment to diversity and inclusion helps us attract and retain team members, and differentiates us in the marketplace”

AECOM

Engage men

Gender equality is not just about making workplaces ‘female-friendly’. It’s about men too:

- men with children increasingly have partners in the workforce³⁴ and fathers increasingly see their role not simply as breadwinners but as involving a more active parenting role³⁵
- research shows men and especially young fathers value flexible working highly as a job characteristic.³⁶ Enabling men’s greater access to flexible work arrangements in your organisation would help increase gender equality in career progression
- research suggests a positive association between flexibility for men and commitment to work, with flexibility being one of the top five employment drivers for men.³⁷

Men play a pivotal role in promoting gender diversity, and must be engaged in leading organisational approaches.

Conclusion

The business case for gender diversity and gender equality is strong.

Until greater progress to gender equality is achieved, it is likely women’s employment participation in Australia will continue to lag behind comparable industrialised countries, as will their capacity to realise the personal and financial benefits of engaging in quality, well-paid jobs over the life-cycle. At the same time, men will continue to lack access to opportunities to balance their work and life commitments, and organisations will fail to be as productive as they could be.

Flexible work arrangements are one of the top five employment drivers for men³⁴

Want to learn more?

Check out our reference list of sources that will give you more detail on the case for gender equality.

¹ Australian Bureau of Statistics (ABS) (2012a) Education and Work, Australia, 'Table 12: Persons aged 15–64 years with a non-school qualification, Level and main field of highest non-school qualification—By age and sex', datacube: excel, cat. No. 6227.0, viewed 11 Dec 2012,

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² As for footnote 1.

³ Kaplan, D M, Wiley, J W, & Maertz, C P (2011), 'The role of calculative attachment in the relationship between diversity climate and retention', Human Resource Management, 50(2), 271-287.

⁴ Russell, G. and O'Leary, J. (2012) Men Get Flexible: Mainstreaming Flexible Work in Australian Business, Diversity Council of Australia.

⁵ AHRI HR PULSE: 'LOVE 'EM DON'T LOSE 'EM' - IDENTIFYING RETENTION STRATEGIES THAT WORK, 2008 pg 1 The cost of turnover was calculated on an average salary of \$55,660.80 (Australian Bureau of Statistics), a workforce of 10.6 million, and a conservative turnover cost estimate per employee of 75 per cent of salary.

⁶ Flexible Working: Working for families, working for business, A report by the Family Friendly Working Hours Taskforce for the UK Department for Work and Pensions, citing a Confederation of British Industry survey in 2009, viewed 23 Jan 2013:

<http://www.dwp.gov.uk/publications/policy-publications/family-friendly-task-force.shtml>

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¹⁰ Credit Suisse (2012), Gender Diversity and Corporate Performance, Credit Suisse Research Institute (see above for availability).

¹¹ For example, Catalyst (2011) Why Diversity Matters, Catalyst, New York, which contains summaries of a number of studies; McKinsey (2012). Is there a payoff for top team diversity? McKinsey; Carter, N M and Wagner, H M (2011), The Bottom Line: Corporate Performance and Women's Representation on Boards 2004-2008, Catalyst ; Joy, L, Carter, N M, Wagner, H M and Narayanan (2007), The Bottom Line: Corporate Performance and Women's Representation on Boards, Catalyst. But some research does not show this link, for example Adams, R B & Ferreira, D (2009), 'Women in the boardroom and their impact on governance and performance', Journal of Financial Economics, 94, 291-309; Farrell, K A & Hersch, P L (2005), 'Additions to Corporate Boards: the effect of gender', Journal of Corporate Finance, 11, 85-106.

¹² Labelle, R, Gargouri, R M and Francoeur, C (2009), 'Ethics, Diversity Management, and Financial Reporting Quality', Journal of Business Ethics, vol 93, pp335-353.

¹³ Nielsen, S and Huse, M (2012), 'The Contribution of Women on Boards of Directors: Going beyond the Surface', Corporate Governance: An International Review, 2010, vol 18(2), pp 136–148.

¹⁴ McKinsey (2010), Women Matter: Women at the top of corporations: Making it happen, 2010, McKinsey and Company; McKinsey (2012), McKinsey Quarterly: Is there a payoff from top team diversity? McKinsey and Company, April, 2012.

¹⁵ Dezso, C L and Ross, D G (2012), 'Does female representation in top management improve firm performance? A panel data investigation', Strategic Management Journal, vol 33, pp1072-1089.

¹⁶ Firms where research and development expenses were approximately equal to 3.4 per cent of their assets from the previous year.

¹⁷ Dow Jones (2012) Women at the Wheel - Venture Capital companies – Do female executives drive start up success, Dow Jones.

¹⁸ 7.1 per cent at successful companies and 3.1 per cent at unsuccessful companies. This finding is industry specific to the IT, healthcare, consumer services and business and financial services industries, the four largest sectors.

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³² Charlesworth, S, Hall, P and Probert, B (2005), Drivers and Contexts of Equal Employment Opportunity and Diversity Action in Australian Organisations, RMIT Publishing, Melbourne.

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³⁷ Russell and O'Leary (2012), see above.



**Australian
Human Rights
Commission**

Fact sheet: Domestic and family violence - a workplace issue, a discrimination issue

Domestic and family violence is a workplace issue. Having domestic/family violence as a new protected attribute in anti-discrimination legislation can provide another avenue of protection for victims and survivors who experience discrimination, as well as lead to improved measures for addressing domestic/family violence.

*Elizabeth Broderick, Sex Discrimination Commissioner,
Australian Human Rights Commission*

The right to live a life free of domestic and family violence

There are many forms of violence against women, including:

- intimate partner violence (also referred to as domestic and family violence)
- rape and sexual assault
- stalking
- sexual harassment.

The United Nations *Declaration on the Elimination of Violence against Women* defines violence against women as „any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life“.¹

This fact sheet focuses specifically on domestic and family violence, which is most often perpetrated in the home against women by their male current or former partner.

Under international human rights law, it is well established that domestic and family violence is a violation of human rights,² with grave and far-reaching repercussions for victims, survivors and their children.

The United Nations *Convention on the Elimination of All Forms of Discrimination against Women* requires governments to take appropriate measures to eliminate discrimination against women (which includes violence against women) in all areas of life including in employment, and to ensure that women have access to safe and healthy working conditions.³

Australia also has a range of federal, state and territory legislation that prohibits discrimination, as well as legislation which requires employers to create workplace environments that are safe and free from violence, discrimination and harassment.

How prevalent is domestic and family violence in Australia?

In Australia, approximately one woman is killed by her current or former partner every week, often after a history of domestic and family violence.

- 34 per cent of women have experienced physical violence since the age of 15⁵
- 17 per cent of women have experienced violence from a current or former partner since the age of 15 (compared to 5.3 per cent of men)⁶
- 30 per cent of respondents to a 2011 survey on domestic and family violence and the workplace reported they had experienced violence, and 5 per cent of those respondents had experienced violence in the last 12 months.⁷

Why is domestic and family violence a workplace issue?

Domestic and family violence is not just a private or personal issue. When an employee is living with domestic and family violence, there are often very real costs and negative impacts that flow to the workplace.

Health costs: In Australia, intimate partner violence is the leading contributor to death, disability and illness in women aged 15 to 44 years. It is responsible for more of the disease burden in women than many other well-known risk factors, such as smoking and obesity.⁸

Economic costs:

- in the 2008/09 financial year, the cost of intimate partner violence to the Australian economy overall was estimated to be \$13.6 billion
- if no preventative action is taken, this cost is projected to rise to \$15.6 billion annually by 2021/22
- \$456 million of this \$15.6 billion will be borne by employers and \$609 million will be borne in productivity losses.⁹

Workplace costs: Within the population of women who have experienced violence, or are currently experiencing violence, the Australian Bureau of Statistics estimates that between 55 per cent and 70 per cent are currently in the workforce¹⁰ – that is, approximately 800,000 women, or around one in six female workers. This means that a significant number of Australian workplaces will be impacted by women's experiences of domestic and family violence.

Some common costs and impacts include:

- decreased staff performance and productivity
- increased staff turnover and absenteeism
- negative impact on the organisation's reputation and image.¹¹

Impacts on employees: Research into the workplace implications of domestic and family violence has demonstrated how such violence can undermine the working lives of both victims and survivors.

The 2011 National Domestic Violence and the Workplace Survey found that nearly half (48 per cent) of respondents who reported experiencing domestic and family violence said the violence had affected their ability to get to work.¹² The main impact of violence was on work performance - 16 per cent of victims and survivors reported being distracted, tired or unwell and 10 per cent needed to take time off work.¹³ Further, women who experience domestic and family violence are also more likely to have lower personal incomes, a disrupted work history, often have to change jobs at short notice and are very often employed in casual or part time work.¹⁴

Case study: Inga worked for a short time in a small boutique in a regional town. Inga had to go to hospital have a CAT scan because her husband had hit her so hard. She let the owner know about this. He then told her she had to choose between her job and the CAT scan saying "you can't have both". Inga was later dismissed for very vague reasons.

Case study: Sylvia, a community support worker, was experiencing domestic violence from her husband. She was often late for work and the violence was impacting her performance generally. Sylvia was eventually terminated for performance issues (lateness). She left the relationship and obtained a domestic violence protection order against her husband which covered her place of work. In applying for a new job Sylvia's former employer was called for a reference. He revealed her previous performance issues and that her abusive husband had frequently come into the workplace causing problems.

Domestic and family violence perpetrated in the workplace: The perpetrator of domestic and family violence may go so far as to target the victim or survivor at work. They may do this through emails, by phone or by turning up at the office in order to try and get the victim/survivor fired or force them to resign. This can be part of an effort to increase control over the victim/survivor— that is, by increasing the victim/survivor's economic dependency, undermining their self-confidence - or in order to punish them for attempting to leave the violent relationship.¹⁵

Case study: *Jean had been promoted to manager after two months at her organisation. Her husband had come in to the workplace one day and caused problems. After another incident at home she rang her boss to say she would be in a bit late as she was at the police station reporting a domestic violence incident and had been delayed. He sacked her as he said she was just "too difficult".*

Why do we need to recognise experience of domestic and family violence as a ground of discrimination?

Victims and survivors of domestic and family violence can face a number of challenges in the workplace. Discrimination is one such challenge. When experienced, discrimination can compound the harm of the original acts of violence.

There is also a growing body of evidence which shows that victims and survivors of domestic and family violence often experience discrimination related to their experience of domestic and family violence, particularly in the workplace.¹⁶ These women may be discriminated against, for example, as a result of taking time out of work (sick leave or carers leave) or because they temporarily have lower levels of productivity due to the violence that they are experiencing at home.

Discrimination related to the experience of domestic and family violence can take the form of:

- being denied leave or flexible work arrangements that would assist victims and survivors to attend to violence-related matters, such as attending court or moving into a shelter
- having employment terminated for reasons relating to the violence they are experiencing, including a drop in performance or attendance caused by the domestic and family violence, or
- being transferred or demoted for reasons related to the violence.¹⁷

There is a sound case for introducing domestic or family violence as a protected attribute within existing anti-discrimination legislation at the federal, state and territory level. Such a protected attribute would recognise that those who are or have experienced domestic and family violence should not be subjected to discrimination as a result of that experience. Introducing domestic and family violence as a protected attribute would offer protection from discrimination not currently available under the SDA.

Under international human rights law gender-based violence, such as domestic and family violence, is recognised as a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men.¹⁸

Women who experience domestic and family violence are not only at risk of discrimination in the workplace, but in other areas of their lives such as in the provision of goods and services. Research undertaken as part of the Safe at Home, Safe at Work¹⁹ project suggests that women in or leaving violent relationships often experience discrimination in accessing housing services, particularly rental accommodation.

Case study: *Helena was being supported by a family violence refuge where she had been resident for five months to access a private rental property. The application process was in train with a real estate agency but when the agent discovered that she would be using an Office of Housing issued bond and that she was exiting a family violence refuge she was told that she could no longer apply for tenancy. When questioned about the decision, the real estate agent said that she would not be a reliable tenant. The property was then allocated to a couple.*

The Commission has previously recommended that 'domestic violence' be recognised as a protected attribute, in federal anti-discrimination laws as well as in the *Fair Work Act 2009* (Cth).²⁰ Similar recommendations have also been made by the Australian Law Reform Commission²¹ and the Senate Legal and Constitutional Affairs Committee.²²

FOCUS GROUP SESSION PLAN

Agenda

- introductions – Name (first name is fine)
- purpose of the focus group
- explain confidentiality (we won't be attributing comments to individuals) – also stress the importance of honesty in people's answers, knowing this information is not linked to any names. Ask for any concerns.
- warm-up activity
- interactive activities
- confidential questions
- questions/discussion
- in each participant's envelope: their age, gender and cultural background (access their roles from your key contact).

| Activity | Content | Time |
|------------------|---|---------|
| Warm-up Activity | <p>Word association game:</p> <ul style="list-style-type: none"> • imagine you had to describe to an alien that most Earthlings have pets, and two of the most popular are cats and dogs. They both have 4 legs and a tail, so the alien doesn't understand how they differ. <ul style="list-style-type: none"> ◦ how would you explain the differences? | 10 mins |

| | | |
|------------|--|---------|
| Activity 1 | <p><i>Apply this same logic to men and women...</i></p> <ul style="list-style-type: none"> ◦ how would you describe our differences to an alien? ◦ describe a woman using single words ◦ describe a man using single words. <p><i>What makes you associate these words with each sex?</i></p> <p><i>Why do you think we have different views of men and women?</i></p> | 10 mins |
| Activity 2 | <p><i>“What needs to change so that you have an equal playing field for men and women at your workplace?”</i></p> <ul style="list-style-type: none"> • anyone who is willing to share their answers, write them up on the board • hand out ‘statement cards’: ask participants to decide which are TRUE of their organisation and place them in the envelope provided. <p>Statements:</p> <ul style="list-style-type: none"> • women at my workplace are not as vital as men • women are valued at my workplace • men work harder than women at my workplace • women are better at dealing with clients/customers • the culture at my workplace promotes respectful relationships • nobody ever says anything when the guys’ jokes start to make the women feel uncomfortable • the guys at my work will not tolerate women being disrespected • women have just as many opportunities as men at my workplace • if anybody is ever discriminated against, my boss would address the incident • when we see somebody being treated unfairly, we don’t interfere • when we see someone being treated unfairly, we step in • i feel that there needs to be more action to protect the rights of women at work • my organisation needs to be more flexible to meet my needs. | 10 mins |

| | | |
|------------------------|--|---------|
| Activity 3 | <p>Case Study:</p> <p>Max is 40 years old, has two children and works full time for an accounting firm. Lately Max has been leaving at 3pm, two hours early, in order to pick up the children from school. He works 30 hours.</p> <p>What do you think of that?</p> <p><i>When men are juggling kids/work and come to work looking dishevelled, people comment on how well they are managing family and work. If women do the same, they are seen as being incompetent (e.g. “can’t she find some time to fix herself up before work”)</i></p> <p>What do you think of this? Do you agree/ disagree?</p> | 10 mins |
| Confidential Questions | <ol style="list-style-type: none"> 1. What would you like to see changed in your workplace as a result of this program? Choose your top 5 and place these slips in order 1-5 – number them 2. Violence against women is a social issue that arises from learned attitudes and norms. Addressing the gender bias that leads to discrimination against women at work will eventually improve the way they are treated at home. Do you agree with this? Why/ why not? 3. How well does your workplace support your need to spend quality time with your family? 4. After completing the survey app and now the focus group, what stood out the most for you? Will you change the way you behave because of anything in the survey or from participating in this focus group? 5. We found that the survey app brought up some issues relating to [issue]. What do you think about that? | 10 mins |
| Questions/ discussion | <p>Participants are given the opportunity to provide feedback, discuss and ask questions about their participation in the focus group.</p> <p><i>Thank everyone for their participation.</i></p> <p><i>Total:</i></p> | 50 mins |

‘EQUAL FOOTING’ SURVEY APP

Fact Sheet

The ‘Equal Footing’ online survey app has been developed using well-tested and reliable gender survey tools. Equality-based research was also pivotal in the question, creation and selection for our workplace survey application.

The survey has been designed to detect a shift in participant awareness on gender equality over 3 categories: the self, colleagues and organisation. Participants are given feedback in the form of a bar graph and written text based on where they sit over these 3 categories, after their results from the pre and post surveys has been compared. Evidence indicates that providing feedback to the user encourages them to be more engaged in the program and have a vested intrinsic motivation in completing the post component of the survey.

The survey is accessed via a link sent to participants. Once this link is selected, a login page appears. For the pilot study, it was decided to include each participant's email in the login process, as this allowed them to easily access the post-survey if they forgot their password. However, organisations that are not interested in the evaluation component can opt to have this function removed (which will further highlight the survey's confidentiality).

The survey takes between 5 and 10 mins to complete on either a smart device or desktop. It has 10 demographic questions and 24 survey questions, most of which require the user to answer on a 7-point Likert scale:

- 1= Entirely disagree
- 2= Mostly disagree
- 3= Somewhat disagree
- 4= Neither agree nor disagree
- 5= Somewhat agree
- 6= Mostly agree
- 7= Entirely agree.

The survey questions are shown at the end of this document.

The post-survey has an additional question that asks for some feedback about the survey and what components of the program the user participated in. Once the user finishes the survey, they select ‘submit’ and bar graphs will appear with a brief description underneath each category – the self, colleagues and organisation – outlining where the user sits and what their score represents.

For example, the ‘Self’ descriptive feedback looks like:

| <i>High</i> | <i>Medium</i> | <i>Low</i> |
|--|--|---|
| <p>You seem to have a very positive attitude toward gender equality. Your responses indicate that you are aware of the danger of stereotyping and discriminating based on gender. As you know, men and women are equally capable in carrying out their roles and responsibilities.</p> <p>But equality is still a long way off.</p> <p>As somebody who is aware of the issue of gender based discrimination, you have the ability to make a difference within your workplace. Maybe you can encourage others be more mindful of their stereotypical attitudes. Encourage your colleagues to understand the value of both men and women within your team.</p> | <p>Men and women have equal value within the workforce. Your responses indicate that you are generally understanding of the dangers of discrimination and gender stereotypes. It is important to note that gender does not make a difference to an individual's ability to carry out their responsibilities in the workplace.</p> <p>Do you think that your gender makes a difference to your performance at work?</p> | <p>It seems there is some work to do in understanding and accepting females within your workplace.</p> <p>Both men and women have equal value within your team and are able to carry out the same responsibilities within society.</p> <p>Your responses indicate that you believe that women are less capable in the workforce. Maybe it's worth exploring why you have these opinions. Do your colleagues share these beliefs?</p> <p>Have a think about the females in your life; how should they be treated? The same or different to the males you know?</p> |

The survey app has a support page to help users with issues, including phone numbers signposting them to further assistance. The interface of the app is clean and user friendly; it is colour coded according to its sections, and people have found the experience simple and easy to use.

NOTE: If you choose to offer a pen and paper version of the survey, you will need to have a research assistant (with appropriate knowledge of privacy guidelines) to enter the data into the app, so the participants still get the feedback email. This is a nice option to offer, but it does add to the overall workload. If you are using a very small sample of people (30 or under), you could just use the paper and pen survey and manually collate results – but we recommend using an external person, so that answers are kept confidential.

Collection of results for the organisation

Once the data has been collected and everyone at your organisation has been surveyed for the second time, you will be given an admin login code to view the results. The results will show you a percentage score for how all users answered each question. For example, if 30 people participated in your survey and 10 people answered 7 (entirely agree), then a percentage of 23 per cent would be shown for that question. The results section will also display these percentages in a bar graph to highlight the difference between the 2 surveys (pre and post). These bar graphs will be coloured coded, with the pre-survey being a light colour and the post-survey represented in a dark colour. They will also be separated into the 3 sections in which participants take the survey: self, colleagues and organisation. The format is clear and easy to comprehend. It has been built so that you can see at a glance where your participants/employees sit when it comes to gender equality, with the ability to highlight any question in further detail.

You can also import the data to Excel format to create your own customised graphs for internal and external reporting requirements (if our graphs don't already adhere to this).

For further information on the 'Equal Footing' survey app, please contact VicHealth on (03) 9667 1333 or www.vichealth.vic.gov.au/about/contact-us

Demographic

1. Gender

| | | |
|-------------|---------------|--------------|
| <i>Male</i> | <i>Female</i> | <i>Other</i> |
|-------------|---------------|--------------|

2. Age category

| | | | | | | |
|--------------|--------------|--------------|--------------|--------------|--------------|------------|
| <i>18-24</i> | <i>25-34</i> | <i>35-44</i> | <i>45-54</i> | <i>55-64</i> | <i>65-74</i> | <i>75+</i> |
|--------------|--------------|--------------|--------------|--------------|--------------|------------|

3. What is your current work role?

| | | | | | | |
|----------------------|--------------------|------------------------------|-------------------|--------------------------------|--------------------------|--------------|
| <i>Project staff</i> | <i>Admin Staff</i> | <i>Direct Services Staff</i> | <i>Supervisor</i> | <i>Management/ Team Leader</i> | <i>Senior Management</i> | <i>Other</i> |
|----------------------|--------------------|------------------------------|-------------------|--------------------------------|--------------------------|--------------|

4. How long have you worked for this organisation?

| | | | |
|----------------------------|------------------|------------------|--------------------------|
| <i>Less than 12 months</i> | <i>1-3 years</i> | <i>4-7 years</i> | <i>More than 7 years</i> |
|----------------------------|------------------|------------------|--------------------------|

5. On what basis are you employed?

| | | | |
|---------------|------------------|------------------|-----------------|
| <i>Casual</i> | <i>Part time</i> | <i>Full time</i> | <i>Contract</i> |
|---------------|------------------|------------------|-----------------|

6. Relationship status

| | | | | |
|---------------|----------------|------------------|----------------------------|--------------|
| <i>Single</i> | <i>Married</i> | <i>Partnered</i> | <i>Divorced/ Separated</i> | <i>Widow</i> |
|---------------|----------------|------------------|----------------------------|--------------|

7. Were you born in Australia? If no, please specify the country you were born in and the year you arrived in Australia?

| | |
|------------|--|
| <i>Yes</i> | <i>No: Please write what country you were born in and the year you arrived in Australia.</i> |
|------------|--|

8. Do you speak a language other than English at home?

| | | |
|------------|-----------|-------------------------|
| <i>Yes</i> | <i>No</i> | <i>Some of the time</i> |
|------------|-----------|-------------------------|

9. Number of children

| | | | | | |
|----------|----------|----------|----------|----------|----------|
| <i>0</i> | <i>1</i> | <i>2</i> | <i>3</i> | <i>4</i> | <i>5</i> |
|----------|----------|----------|----------|----------|----------|

10. Gender of children

| | | | | | | |
|-------------|------------|--------------|-------------|--------------------------|-----------------------------|-----------------------------|
| <i>Girl</i> | <i>Boy</i> | <i>Girls</i> | <i>Boys</i> | <i>One girl, one boy</i> | <i>More girls than boys</i> | <i>More boys than girls</i> |
|-------------|------------|--------------|-------------|--------------------------|-----------------------------|-----------------------------|

Organisation (Workplace)

Please answer the following questions either commenting when necessary or choosing between 1-7 when:

1=Entirely Disagree, 2= mostly disagree, 3= somewhat disagree, 4= neither agree nor disagree, 5= somewhat agree, 6= mostly agree, 7= Entirely Agree

1. Women at your work are always treated with respect

| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

2. Your workplace allows women and men to meet family responsibilities

| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

3. Your employer makes sure that female employees are treated fairly

| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

4. Your employer makes sure that female and male employees are provided with the same opportunities

| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

5. Your employer promotes respectful relationships between men and women

| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

6. Your workplace always addresses gender equality

| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

7. Discrimination against women is no longer a problem in the workplace in Australia

| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

8. There are policies or programs to educate employees about what is acceptable behaviour towards women in my workplace

| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

9. Gender inequality in the workplace and violence against women are linked

| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

10. It's OK for a woman to have a child as a single parent and not want a stable relationship with a man

| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

11. A woman has to have a child in order to be fulfilled

| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

12. Women prefer a man to be in charge of the relationship

| | | | | | | |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

13. Your workplace should treat women fairly

| | | | | | | |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

14. Men get just as much of a hard time in the workplace as women

| | | | | | | |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

15. On the whole, men make better political leaders than women

| | | | | | | |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

16. When jobs are scarce men should have more right to a job than women

| | | | | | | |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

17. In the last 12 months you have witnessed sexist behaviour towards a colleague

| | | | | | | |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

18. In the future, if you witness sexist behaviour at your workplace, you would know what to do

| | | | | | | |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

19. You are confident that your colleagues would fix an unfair situation

| | | | | | | |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

20. Men get just as much of a hard time in the workplace as women

| | | | | | | |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

21. On a whole, men make better political leaders than women

| | | | | | | |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

22. This workplace is an equal playing field for both women and men

| | | | | | | |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

23. Even when I'm not involved and it's not about me, I can make a difference to ensure everyone in my workplace is treated equally

| | | | | | | |
|--------------------------|------------------------|--------------------------|-----------------------------------|-----------------------|---------------------|-----------------------|
| <i>Entirely Disagree</i> | <i>Mostly Disagree</i> | <i>Somewhat Disagree</i> | <i>Neither Agree nor Disagree</i> | <i>Somewhat Agree</i> | <i>Mostly Agree</i> | <i>Entirely Agree</i> |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

Please feel free to use this space to add any comments about the survey or the Equal Footing project

Comments:

POST-SURVEY

[The 'Equal Footing' post-survey contains the same questions as above, with one additional question]

Please select which of the following you participated in...(Drop down/ multiple section/ and comment box)

- focus group
- policy changes
- posters/ brochures – did you see them?
- face-to-face training
- e-newsletter
- Equal Footing facebook page
- On a Roll 21 – social media game
- train the trainer.

Comments – which of these had the greatest impact on you and why?

FUTURE PLANS: WHAT NEXT?

You've launched 'Equal Footing' at your workplace, conducted surveys using the app, displayed posters to start conversations, and you've successfully run the face-to-face training. What next?

It's crucial to maintain momentum. You've opened people's eyes to an important issue, engaged them with training, and hopefully made your workplace more receptive to change. You need to follow through on this very positive start by:

- integrating gender equality into company policies and procedures. There are consultants to help you, or you can look at WGEA's excellent resources
- ensuring that the everyday work practices (right across the organisation) are free from expectations and assumptions about gender
- working to remove gender bias from the recruitment process
- eliminating gender assumptions and bias from any promotion or redeployment discussions/opportunities within your organisation
- including gender equality in induction training
- making access to flexible working stigma-free and without career penalty, so that employees of both sexes will take it up. Get senior men to set the example and act as role models for other male employees
- addressing the gender pay gap in your workplace
- enlisting female managers and leaders to act as mentors for other women

- considering setting gender targets or quotas for women's participation at all levels
- reminding people regularly of the ways our society continues to perpetuate gender bias. This might be in a team meeting, group activity, or even a follow-up training session to raise awareness
- looking at all organisational activities through a gender lens and deciding if any decisions are exclusionary or discriminatory.

Keep This Issue Alive in People's Minds By:

- regularly sending out positive e-bulletins about the benefits of gender equality and diversity – both in the workplace and in society as a whole
- updating staff on achievements within your organisation that demonstrate and promote gender equality (e.g. "Although the Australian gender pay gap remains at 18 per cent, we have shortened the gap in our organisation to 8 per cent since the 'Equal Footing' program was rolled out last year")
- asking female leaders to speak to teams through a gender lens, talking about their experiences, the hurdles they've overcome, etc.

Organisation Table

It's helpful to draw up a table like the one below, listing the tasks that are before you as an organisation, identifying who is responsible for their oversight, when they need to be achieved, and how they will be measured.

| Task | Who is responsible? | Time frame | How we can measure when this task is completed? |
|---|------------------------------|------------|--|
| Develop 'Terms of Reference' and form a Gender Equality & Respect Working Group | | | Completed when we have 8 member group and written TOR |
| Develop gender awareness audit survey for all staff | Working Group: Headed by: | | When xxx staff have completed and returned surveys |
| Analyse existing policies around diversity. Develop a policy statement on gender equality | | | When we have an umbrella policy on diversity and specific policies on gender/disability/cultural differences, etc. |
| Redesign Induction Training program to include focus on gender and respectful behaviours | | | When we have an induction program that includes focus on gender and respectful behaviours |

Applying a Gender Lens

If most people in your organisation have been trained in 'Equal Footing', you can now apply a gender lens to something without "rocking the boat" too much. The program has hopefully also freed you (and other leaders) to be frank about things like gender-neutral language and appropriate behaviour. People at your workplace should now have a better understanding about how society uses gender stereotypes to exert control, so they should immediately see where you're coming from.

"As we all learned in our 'Equal Footing' training, society still doesn't expect men to be open to flexible working. It sees it as something a woman is more likely to do, mostly because she's juggling work with raising kids. But we are committed to challenging that gender assumption here. We recognise the need for people to work flexibly at times – whether they are male or female, and even if they aren't parents but believe it will provide them with better work/life balance. We also acknowledge the potential benefits that flexibility can have on our organisational morale and, indeed, our overall productivity. So, I'm pleased to announce that flexible working conditions are up for discussion. Different roles will demand different arrangements but let's make a start. I want to assure everybody that there will be no career penalties if you work with us to negotiate to change your hours, or to do some of your work from home. Our perception of you as an employee will not be negatively affected by flexible working. We expect your work to be completed, of course, but we know that working flexibly does not mean somebody is suddenly less committed or has become less reliable. Trust is a vital factor, so let's build on that as a base."

For example, if your organisation decides to introduce flexible working policies and practices, you could now frame the announcement by discussing society's reluctance to let men work flexibly. Something like:

Of course, follow-through is crucial here. If employees (and especially men) do take up the option of flexible working, you'll need to monitor your workplace and ensure there isn't any damaging "gender chatter" about them ("Oh, I'm not sure where Mike is. Probably driving his kids to ballet class, or baking cupcakes for the school cake stall..."). Also, make sure there aren't any career penalties for people working flexibly. If they are disadvantaged, you'll be letting society's unfair gender assumptions win the battle.

HOW TO MANAGE RESISTANCE TO CHANGE

Tip Sheet

Whenever organisational change is initiated, you can expect people to show some resistance to it. Our comfort and sense of security with the current status quo is very powerful and some people will fight any challenge to it – even if “the way things are” or “the way we do things” is not ideal. The fear of moving into an unknown future state is a very real, very human emotion, and it can at times cause discomfort or stress.

To successfully mitigate resistance to change, you need to understand why it is happening:

- **it may be physiological** – to think or act in a new way requires more energy and it may feel like a strain for our brain – in fact, our brain will fight this change, preferring to revert to what it already knows, to slip back to its comfort zone and behave in “the old way”
- **it may be emotional** – emotional states can monopolise our brain’s resources. This is why people may initially be very rational about change and ask questions like “how much will it cost?” or “when’s it going to start”, but will then respond from a very different part of their brain when they consider they might have to surrender control, or will be disadvantaged, or even experience job insecurity. Once emotions take over, our basic survival skills kick in and our response becomes one solely based on fear
- **it may be our deeply held values** – we all bring some of the significant influences from our upbringing and culture to the table when we contemplate organisational change.

It isn’t easy, but here are some tips to improve your chances of transforming initial resistance to change into commitment.

1. **Get it right the first time.** Easier said than done, right? But one of the main reasons why people can be fearful or resistant to change is that they’re jaded: they’ve been through this process before and have seen that the change was badly managed, or that it failed. They may therefore view change as an unnecessary and possibly traumatic upheaval that will probably be reversed next year, anyway. Carefully plan all required steps to achieving change, including factoring in consultation and a plan for the obstacles you may face
2. **Communicate the change.** This is an obvious one, but it is the single most influential factor in determining how much resistance there will be to the change you’re proposing. Meet with people face-to-face to discuss the change, how you want to implement it, and how it’s going to work. Answer their questions. Follow this up with emails and further information. Meet again. Keep communication flowing
3. **Explain why.** A common reason people fail to get on board with change is because it’s never been properly explained to them why it’s necessary. Be crystal clear about the reasons behind the change, what’s required to make it happen, and what you hope it will achieve. Paint the bigger picture
4. **Explain what’s in it for them.** A good portion of people’s natural resistance to change will evaporate when you explain the benefits it will bring to them as individuals. Of course, it’s also important to stress the benefits to teams, departments, and the organisation – but nothing has more of an impact than letting an individual employee know how the change will positively affect their own career or job

5. **Empower people to contribute.** So much of change resistance is about a fear of losing control, so it's important that you offer some sense of control back to people. Seek their opinion and ask for their input and engagement. Delegate specific tasks to people that will involve them in the change; give them a sense of ownership and investment, a desire to help propel it forward. If you adopt an inflexible "this is going to happen whether you like it or not, so you'd better get on board" attitude, you'll only foster an "us and them" situation
6. **Listen.** Another obvious one perhaps, but listening deeply and empathetically to people's concerns – however trivial they may seem – is a crucial step in overcoming their resistance. Create opportunities for people to vent. Sometimes just the act of hearing someone talk through his or her fear can help diffuse it. Talking to people will also help you (and the organisation) identify trends or patterns in the resistance. This will help guide you about what aspects of the change you need to communicate more clearly and regularly about
7. **Challenge silence.** Just because somebody isn't complaining doesn't mean they're OK about the change. Many people avoid thinking about it until they are forced to, and their resistance may only surface once the change has been implemented. Don't wait for this. If somebody is silent, ask the question "what have you heard so far?" or "what are your thoughts about this?" or "tell me what you've learnt about this change". It's better to push for reactions rather than wait for them
8. **Be firm.** Don't leave openings for people to return to the status quo. Being wishy-washy or unclear about the change is not going to instil a sense of commitment in others. Own the changes. Work to translate them into policy, if possible. Once you have people's engagement, make sure they understand there are consequences for ignoring the new change, or for reverting back to old ways. Articulate this in a way that isn't punitive. Explain why slipping back would be damaging for individuals, as well as the organisation
9. **Create an organisation-wide feedback and improvement loop.** While your change initiative should be carefully planned, don't set it in stone. Changing details and making improvements are a natural (and expected) part of any organisational change. Show a willingness to be flexible by seeking feedback along the way. Processes can always be improved.

1: Joseph LeDoux, 'The Emotional Brain', 1996

SUGGESTED COMMS

1. INTRODUCTORY EMAIL

[To be sent before the launch]

Dear [name]

As we head into another busy year, we'd like to invite all our staff to be involved in an exciting project that will boost morale, help us work together better, and create a truly equal playing field for everyone in the future. You will be aware that one of our goals is to [company goal, relating to equality].

We have been nominated to take part in an innovative health promotion project funded by VicHealth that focuses on boosting respect and gender equality at work. It's called 'Equal Footing' and it kicks off in [month].

Although it won't take up much of your time, it will be a real eye-opener and get you thinking about what we believe about men and women, the gender assumptions we may have been brought up with, and how we can build organisations that benefit everyone equally.

The program involves a few different experiences, including a 90 minute face-to-face group training session, an awareness raising poster campaign to initiate some interesting conversations, some handy bulletins to help you apply the principles of gender equality at home as well as work, a fun online game that you play with your team (takes 3 minutes a day for 21 days) and some other little events spread out between now and [month].

We will also be working on some of our policies and procedures to ensure we achieve gender equality across the organisation, but we are pretty well organised in this area already. Both men and women will benefit from understanding our flexibility, leave options and fairer processes.

[Add some facts and/or statistics here about what your organisation has already done to achieve gender equality, if you have them]

There will be some evaluation involved, which means filling in a quick 4 minute survey. We will very much appreciate your support with this.

The program starts with a 30 minute morning tea launch on [date]. This get-together is an introduction to what 'Equal Footing' is all about. If you can put this date in your diary and a note to bring your smart phone or iPad along, that would be great. We will use these to do the survey – but there will also be a pen and paper option if that suits you better.

We will send you a reminder closer to the time.

If you have any questions about the 'Equal Footing' program, please come and chat with [contact name].

2. LAUNCH REMINDER

Hi everyone,

As you know, on [date], we will be launching the 'Equal Footing' program, to boost gender equality and respect at work.

The launch event will take 30 minutes of your time. It will take place at [location] at [time]. This will be an informal gathering, with a few simple activities.

There will also be a short survey that you are invited to complete. You can access this on your own personal smart phone or portable device using the link below.

www.equalfooting.com.au

You will then be prompted to:

- register: You may use your preferred email address and create a new password
- the company code that you will need when registering is [code]
- once you have registered, you can log in straight away, follow the arrows to complete all 4 sections.
- all results are confidential, so answer as honestly as you can.

Please Note: Google Chrome or Safari are the preferred browsers for the survey. If you are using Internet Explorer, we suggest that you download Google Chrome: www.google.com/chrome

There will also be a pen and paper version of the survey, if that would be a better fit for you.

We hope to see you there!

Kind Regards,

'Equal Footing' Team

3. FOCUS GROUP INVITE

Hi everyone,

You are invited to attend a small focus group as part of the 'Equal Footing' project in which [company name] is participating.

This focus group will explore some key areas around gender equality and respect in the workplace. It will be run by professional external facilitators and will provide you with an opportunity to participate and share your views in a very interesting, informal discussion on gender equality.

The outcomes of the focus group will help to inform some recommendations for the project.

The focus group will:

- include 8-10 individuals
- run for 50-60 minutes
- ensure all responses are confidential, no comments will be attributed to specific individuals
- provide some interesting facts on gender equity
- consist of discussion, some fun exercises and questions
- give you a chance to provide feedback and discuss issues about gender equity.

Date: [insert]

Time: [insert]

Location: [insert]

If you are interested in joining the focus group, please RSVP to [contact name] by [date].

4. TRAINING INVITE

Hi everyone,

Please join us in [location] at [time] on [date] for the 'Equal Footing' gender equality and respect training session.

It doesn't matter if you didn't come along to the launch, just do the survey at this link and you will be up to date and ready to go.

www.equalfooting.com.au

This training is presented in the form of a vibrant and interactive workshop (90 minutes for staff and 2 hours for those managing people). You will be challenged, you'll have a laugh and you'll debate and consider. Hopefully you will walk out saying, "Well, that was an eye-opener".

Content includes:

- understanding gender
- gender assumptions: harmless or harmful?
- reflecting on scenarios
- what to do as a bystander
- your own personal action plan and contributing to the organisation.

Please RSVP to [contact name] by [date].

See you there!

5. POST-SURVEY INVITATION

Hi everyone,

We are now at the final stages of the 'Equal Footing' program.

We really appreciate those who gave their time to join us at the focus groups and training sessions, noticed our posters around the office, as well as those who took part in the social media game, On a Roll 21.

Your participation in this program is a positive step in promoting gender equality in Victoria. It will feed into state government recommendations for future change.

The final and most important stage of this pilot program is the 'Equal Footing' post-survey.

This short survey allows us to see how it all went and gives you the opportunity to tell us your thoughts about the 'Equal Footing'. Of course, all information you provide will be treated with confidentiality.

Many of you attended our launch event earlier in the year and might remember completing the 'pre' survey on your smartphone or on paper.

You can now log in and complete the 'post' survey at the following link: www.equalfooting.com.au

If you previously registered but have forgotten your password, just click the 'reset it' link and keep an eye on your emails. (Please note: it may end up in your junk mail folder).

If you completed the pre survey on paper, and provided your email address, you can login using your email address and the password: equalfooting

Google Chrome or Safari are the preferred browsers for the survey. If you are using Internet Explorer, we suggest that you download Google Chrome: www.google.com/chrome

If you would like to keep talking about gender equality head over to our Facebook page and let's continue the conversation!

Once again we really appreciate your involvement in the success of this pilot project!

Kind Regards,

The 'Equal Footing' team

HOW TO LAUNCH 'EQUAL FOOTING' AT YOUR WORKPLACE

Holding an 'Equal Footing' launch is the most effective way to introduce the concept of gender equality to all employees of your organisation and warm them up to participating in a program. It's important to make the launch fairly informal and fun – remember, this is a contentious and challenging issue for some people and you want to make this first step as non-confrontational as possible. If people are thinking, "that sounds pretty dry" or "not another 'men are the problem' exercise", they need to attend the launch and be freed from those kinds of assumptions. Ideally, people should leave the launch saying, "Wow, that was really interesting" and "it made me realise we can do better in our workplace when it comes to gender."

There are some clear benefits of holding a launch, including:

- a chance to provide consistent and accurate information about what the 'Equal Footing' program is (and what it's not) to everyone. This will minimise gossip and dispel inaccurate assumptions
- providing a platform for ensuring that people complete the 'Equal Footing' survey, enabling you to collect baseline data
- ensuring that people understand that the initiative has the full support of the leadership group (to reiterate this, have somebody like the CEO introduce and champion the program)
- helping people understand some of the basics ('what is gender equality?') before they engage with the posters or training aspects
- allowing time for people to start conversations before the intervention begins
- alerting you to any attitude issues or stigma that may become a barrier later on later on.

If the same trainer facilitates both the launch and the face-to-face training, employees are more likely to attend, thinking "I know that person already." People are more likely to engage further in a topic they have already gained knowledge and actively participated in – it's not just something they have read about in an email and clicked 'yes' to in their calendar.

Get creative and plan a fun and interesting activity everybody can do at the launch: something that will really whet their appetites. One idea is to provide post-it notes and ask everyone to write down one thing that's challenging about being a woman/man. Ask everyone to do both. This generates a lot of conversation when all the notes are stuck on a wall and can be compared and discussed. You can choose your own exercise, but make sure it highlights inclusion and fairness and isn't only about difference.

Also ensure you have clear information on what's coming next. People will want to know exactly how they will be taking part in the program and how much time it will take.

What You'll Need on the Day

- USB stick with 'Equal Footing' launch slides
- laptop
- microphone, for larger rooms
- available access to WiFi in the room if you are doing on

line survey app

- paper version of surveys if that is preferred data collection method
- projector and projector screen
- “It’s difficult being a woman/man when...” posters
- ‘Equal Footing’ launch information handout
- 2 post-it notes per person
- pens for estimated number of attendees
- food and drink.

Room Setup

- ensure room is set up with enough chairs to accommodate estimated number of attendees
- have ‘Equal Footing’ information handout (and a pen) on each chair. Stick the 2 post-it notes on the front of each handout
- place the two “It’s difficult to be a man/woman when” posters strategically where attendees can easily access them, and can differentiate between the two
- ensure projector and projector screen have been set up
- test PowerPoint slides to ensure they are working on the laptop
- test microphone, if one is available. Ensure that the speaker can be heard clearly throughout the room.

Agenda

The launch should run for approximately 30-40 minutes. The facilitator should have one person assisting them, especially when participants are asked to complete the pre-survey.

It is up to you when you would like to serve morning/afternoon tea – either before or after the presentation.

Once everybody is seated, the presenter will:

- introduce themselves to the group
- invite the company CEO or a senior leader to speak (this is highly advisable, although the presenter themselves may belong to the leadership group, anyway. Either way, it’s important to convey the message that this initiative has strong support from decision-makers and upper management).

Your organisation’s CEO will:

- discuss the ‘Equal Footing’ program and provide context as to why your organisation is participating, as well as a brief outline of the program.

The presenter will then:

- invite the attendees to participate in a group activity, exploring what gender equality means to them. You can make up your own, but our example is: Direct people’s attention to the “It’s difficult being a man/women when...” posters. Ask them to think about their answers that complete the sentence and write one on each of their two post-it notes
- advise the participants they can stick their post-it notes onto the posters immediately or after the presentation, depending on when you want them to have discussion time

- ask participants to complete the pre-survey on their devices or via paper survey (ensure the ‘Equal Footing’ website address is displayed on a slide at this point)
- end with a discussion of current statistics of gender inequality, what’s next, and when the face-to-face training session/s will occur.

If you do use the post-it activity, you need a good wrap up as to what it means. Don’t just highlight differences, draw their attention to the similarities. For example:

“Although men tend to write about the expectations and pressures of being a man and women tend to write about lack of support, juggling multiple roles, and access to opportunities, all your post-it notes reveal that we still have much in common. Almost all of them relate to being a good partner, a good parent and good provider, being able to be yourself, being judged on how well you do the job. These are life issues, as well as gender issues. Most of the answers you’ve written on the post-its is socially constructed, and is based on assumptions and gender stereotypes – a hangover from previous generations and beliefs. We can do better.”

During the Launch:

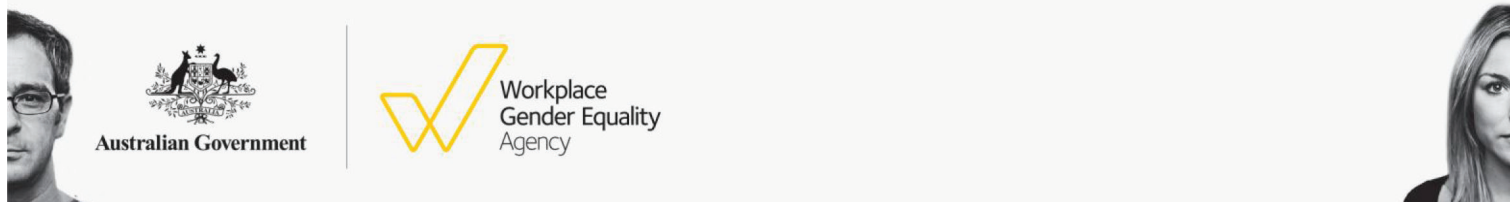
- be aware that some attendees may need assistance with accessing the survey, or have questions about it. Less tech-savvy people may get confused during this step – so remember to hover around, ready to help.

End of Launch:

- collect the post-it notes from the posters once all attendees have exited. These are very interesting and will inform the facilitators of the face-to-face training
- collect all ‘Equal Footing’ handouts
- collect all paper-based ‘Equal Footing’ surveys and ensure they are kept secure. If people have written their email addresses with their answers, it is vital that these are kept in locked cabinets and data entry is done keeping privacy guidelines in mind.

Things to avoid:

- ensure you have allocated enough time for the introduction by the CEO or senior staff member. Make sure your speaker/s know to keep their introduction brief.



September 2014

Developing a workplace gender equality policy

Organisations leading the way in workplace gender equality have in place a policy that specifically supports gender equality. This briefing note outlines the characteristics of a gender equality policy and includes measurable gender equality objectives.

What is a workplace gender equality policy?

A formal policy on gender equality states the equity and diversity principles and practices applied across the employment lifecycle to support and improve gender equality outcomes in the workplace.

It provides an overall framework for responsibility and accountability and may include measurable gender equality objectives.

Why have a workplace gender equality policy?

A workplace gender equality policy clearly outlines the organisation's stated gender equality intent, priorities and practices. This is an important tool for communicating to managers and employees the expectations and standards to ensure that women and men are equally represented, valued and rewarded in the organisation.

Benefits of a workplace gender equality policy

A formal workplace gender equality policy can assist an organisation to:

- provide both women and men access to equal opportunities and outcomes, including equal remuneration for work of equal or comparable value
- remove barriers to the full and equal participation of
- women in the workforce
- provide full and genuine access to all occupations, including to leadership roles for women and men
- drive a culture where rewards are directly linked to employee contributions and performance
- eliminate discrimination on the basis of gender particularly in relation to family and caring responsibilities for both women and men.

Leading practice snapshot:

- Consider the employment lifecycle to determine where equity and diversity plays a role. Consider supporting the following areas: recruitment, retention, performance management processes, promotions, talent identification and identification of high potentials, succession planning, training and development, resignations, key performance indicators for managers and remuneration.
- Communicate your gender equality policies to managers, particularly managers with responsibility for recruitment, performance reviews, training and development, and remuneration decisions.
- Communicate your gender equality policies to all employees, particularly during recruitment, performance reviews, training and development, and remuneration decisions.

From 1 October 2014 relevant employers with 500 or more employees are required to have in place policies or strategies supporting one of four GEIs. GEI 1 has been set as one of four options.

In addition, a strategic approach to gender equality is a prerequisite for the Employer of Choice for Gender Equality (EOCGE) citation (criterion 1), and an essential underpinning for meeting other criteria. Further information on [building a gender equality strategy](#) can be obtained from the WGEA website.

Features of a workplace gender equality policy

It is recommended that organisations explicitly include measurable gender equality objectives in their gender equality policy. Gender equality objectives may vary depending on where your organisation is on the pay equity journey.

| Area | Key features that may be included | Specific gender equality KPIs assigned to managers |
|-------------|--|--|
| Overall | <ul style="list-style-type: none"> → a statement of the organisation's philosophy on valuing a diverse workforce and articulation of the benefits arising from gender equality → a statement that the organisation is committed to promoting a culture that embraces gender equality at all stages of the employment cycle, particularly in the selection and assessment processes → an outline of the programs and/or initiatives that support employees with family and caring responsibilities including while employees are on parental leave → an outline of the process for correcting inequities when discovered → an explicit statement on where accountability for gender equality lies, this should include roles and responsibilities of people managers, human resources officers and relevant employees, and whether there is a gender diversity review committee | <ul style="list-style-type: none"> → Targets to improve the balance of women and men organisation-wide and by level. → Ensure at least one KPI related to gender equality is assigned to each manager. |
| Recruitment | <ul style="list-style-type: none"> → an outline of the gender equality principles applied to the recruitment stages including but not limited to: formulating the job description, sourcing candidates and advertising, the protocol around the use of recruitment agencies, the recruitment team/panel composition and prerequisite training, the constitution of a shortlist, the interview and selection process. For example: <ul style="list-style-type: none"> • having recruitment campaigns to attract more women into a non-traditional area such as truck driving or engineering or to retain more men in non-traditional areas such as aged care or childcare • including at least one female/male interviewer and at least one female/male candidate on shortlists • ensuring there is a process in place to evaluate job descriptions to ensure they are relevant, include the necessary skills, are non-discriminatory and gender-neutral • including a requirement for internal and external recruiting personnel to be trained in equal employment principles and anti-discrimination recruitment and selection practices • having positions advertised internally and made accessible to all employees (e.g. via an intranet, bulletin board) and using gender-neutral language in advertisements. → a commitment statement to constantly review the recruitment process to eliminate bias. | <ul style="list-style-type: none"> → KPIs may relate to increasing gender diversity on recruitment shortlists or on project teams. |
| Retention | <ul style="list-style-type: none"> → an outline of the gender equality principles applied to employee engagement strategies including but not limited to: remuneration, benefits and total rewards, training and development, health and safety and other employee support processes. For example: <ul style="list-style-type: none"> • providing a keep in touch program for employees on parental leave • conducting skill analysis to ensure the skills of women and men are valued equally • providing for training and development opportunities to be available to all employees • monitoring and analysing exits by gender to understand the reasons for employees staying and leaving. | |

| Area | Key features that may be included | Specific gender equality KPIs assigned to managers |
|--|---|--|
| Performance management processes | <ul style="list-style-type: none"> → an outline of the gender equality principles applied to enhancing employee productivity, accountability and leadership including but not limited to: defining roles, responsibilities and objectives including key performance indicators, regular and recorded feedback sessions, 360 degree performance reviews and personal development plans including learning and development. For example: <ul style="list-style-type: none"> conduct analysis of the performance ratings issued to both women and men implement a process to ensure performance standards are equitable and transparent. | |
| Promotions | <ul style="list-style-type: none"> → an outline of the gender equality principles applied to the promotion process including but not limited to: requirements for promotions (qualification, work record, success, and length of service), talent/high potentials identification, internal applications management, and support provided during the transition. For example: <ul style="list-style-type: none"> conduct analysis of the number of promotions for both women and men consider employees on parental leave for promotion widely advertise opportunities for promotion so as to be easily accessed by all employees throughout the organisation require managers to be trained in promotion, equal employment opportunity and diversity, transfer and termination policies and procedures. | <ul style="list-style-type: none"> → KPIs may relate to increasing gender diversity in promotions. |
| Talent identification / identification of high potentialst | <ul style="list-style-type: none"> → an outline of the gender equality principles applied to the process of identifying and managing talent / high potentials internally including but not limited to: how talent / high potentials are approached internally (human resources, direct manager), how the talent pool is organised and managed (records kept, monitoring, updates), and how those individuals are involved in promotions. Suggestions include: <ul style="list-style-type: none"> ensure women and men are represented within the talent / high potential pool identify talent / high potential in non-traditional areas conduct a skills audit across the organisation to identify high potential female and male employees who are interested in promotion (all ages). | <ul style="list-style-type: none"> → KPIs may relate to increasing gender diversity on management programs. |
| Succession planning | <ul style="list-style-type: none"> → an outline of the gender equality principles applied to the succession planning process including but not limited to: key roles, skill retention strategies (including skills and training required), succession timetable, handover timeframe and contingency or risk management. Suggestions include: <ul style="list-style-type: none"> ensure both women and men are considered in succession planning for each key role ensure that succession planning is aligned with diversity and gender equality strategies. | |
| Training and development | <ul style="list-style-type: none"> → an outline of the gender equality principles applied to the availability and type of training and development programs for employees. This includes but is not limited to: identification and documentation of specific employee training needs, skills gap analysis, documentation of financial resources available and utilised for employee training and development, investigation and approval of specific training programs, identification and documentation of work-related improvements achieved from training. Suggestions include: <ul style="list-style-type: none"> implement mentoring and / or sponsorship programs, career and leadership development programs, and project assignments in non-traditional areas for women and men conduct analysis on the number of women and men accessing training and development programs, and the type of training and development programs being accessed ensure all employees have an annual career discussion with their managers that includes an annual training and development plan widely advertise training and development opportunities so as to be easily accessed by all employees across the organisation. | |

| Area | Key features that may be included | Specific gender equality KPIs assigned to managers |
|--------------|--|--|
| Resignations | <ul style="list-style-type: none"> → an outline of the gender equality principles seeking to understand the reasons for resignation by gender. For example: <ul style="list-style-type: none"> • implement a process for capturing exit interview data by gender • implement a process for tracking and comparing the number of women and men resigning from the organisation. | <ul style="list-style-type: none"> → KPIs may relate to reducing turnover for one gender. |
| Remuneration | <ul style="list-style-type: none"> → a statement that the organisation is committed to pay equity (regular analysis, monitoring, communication and improvement where required) → see 'Guidance for developing an equitable remuneration policy'. | |

Resources

Guidance documents for developing an equitable remuneration policy, a flexible working policy and a sex-based harassment and discrimination policy are also available from the WGEA.

The ASX Corporate Governance Council also provides suggestions for the content of a diversity policy in the Corporate Governance Principles and Recommendations.

EXAMPLES OF EMAIL BULLETINS

A GLIMPSE OF GLOBAL GENDER ISSUES

Worldwide, you're more likely to be poor if you're female. That's a fact. It's also highly likely you're doing most of the work.

Discrimination and injustice are major causes of poverty worldwide, and women and girls bear the brunt of it in every aspect of their lives.

- around 70 per cent of the 1.3 billion people who live in extreme poverty are women and girls (World Revolution, 2010)
- about two-thirds of the 759 million adults who lack basic literacy skills are women (UNESCO, 2010)
- more than 350,000 women die each year from complications during pregnancy and childbirth – 99 per cent of these are in developing countries (UN, 2010)
- women perform 60 per cent of the world's work and produce 50 per cent of the world's food, yet earn only 10 per cent of the world's income and own 1 per cent of the world's property (UN Women, 2010)
- women hold only 19 per cent of parliamentary seats worldwide, and only 16 per cent of ministerial posts. Globally, only one quarter of senior officials or managers are women (UN, 2010).

GENDER EQUALITY AT HOME

Promoting gender equality in the workplace is fair and sensible, but what happens when you get home each night? Many of us parent in the same ways we were parented, so it's likely you are unconsciously adhering to out-dated gender roles in your house. If you have kids, what are your attitudes, casual comments and behaviours teaching them about gender?

Our children grow up in a society where gender expectations and assumptions are applied to them from any early age: most adults talk to a little girl about her clothes or hair, and with a boy about what sports he likes. This soon gives them the idea that looks matter for girls and being sporty is vital for boys. You'll have your own ideas about whether this is a problem.

- **housework and raising the kids.** Research from the Australian Institute of Family Studies has found that women spend almost twice as much time on housework and childcare than men, even when they're working full-time. This is what most kids see and grow up believing is "normal". Are you happy with this? It's a legacy from decades past when men were the breadwinners and women were responsible for the domestic front (apart from "masculine" tasks like mowing the lawn and taking out the rubbish). However, with 65 per cent of Australian women aged 20-74 in paid work, those days are over. Look at what you do around the house (and with the kids) through a gender lens. Mix it up, share the burden, try to be more equal
- **parental roles.** If you have children, ask yourself if you've stepped into traditional parental roles that are determined by gender and supposedly draw on the

natural strengths (and weaknesses) of both sexes. Are you, as the father, expected to be the authoritarian “bad cop”? Are you, as the mother, assumed to be more innately nurturing, so you’re the one who takes care of the kids when they’re upset or unwell? Why does it have to be that way? Our personalities are better indicators of our strengths as parents than our gender. Build on your natural gifts – and if that means that Mum tutors them in maths and Dad cries with them the first time they break up with a girlfriend/boyfriend, then that’s great

- **children and gender.** Kids aren’t born with ingrained ideas about gender and what society expects of them as boys and girls, men and women – they learn these things from us, and from a very early age. Who says blue is for boys and pink is for girls? Why can’t girls play with toy trucks and boys want to be princesses? Question what society tells you about gender and think twice before applying these things to your kid’s lives. Let them be who they want to be, without gender constraints. This is one of the greatest gifts you can give a child – it says, “we love and accept who you are” and instils a wonderful confidence in them.

When you’re around kids, try to:

- ask girls about school; their thoughts on world events and their interest in sports
- talk to boys about their friends; how they feel about things, what they love most in the world and compliment them on their conversational skills
- involve girls in adventures, risk taking, wrestling and climbing trees
- encourage girls to get dirty; go camping, make shelters and be self sufficient at times (holidays where you “rough it” are ideal)
- engage boys in art, dance, and an appreciation of beauty
- play “what if” games with kids that stretch their ideas about what’s normal for their gender
- watch movies with them about girls and boys doing extraordinary things that break with gender stereotypes.

Read more: www.smh.com.au/data-point/housework-twice-the-burden-for-women-20130516-2jpc4.html#ixzz3UWbDg5cE

WORDS DO MATTER

Have a think about some of the terms you heard adults use during your childhood. There are probably lots of gender-based words and labels you remember that are a legacy from long ago, when men were seen as more competent or more important than women.

The English language is loaded in lots of subtle ways to reflect society’s attitudes and assumptions about gender, and the words we use reflect what we think about people’s sex, culture, sexuality, abilities and disabilities. It’s not that we deliberately say this stuff as a put down – it’s just some unconscious gender stereotyping at work again. For gender equality to succeed, we all need to start thinking about the words we use.

If we acknowledge this and start expressing ourselves in a more gender-neutral way, we will slowly and subtly help shift society’s attitudes about gender roles, stereotypes, and expectations. It will also make us better role models for colleagues, friends, and our children.

No, this doesn’t mean you have to write he/she in front of everything, or become absurdly politically correct – it just means that you stop before making comments that reveal unconscious gender bias. For example:

- by using terms such as “male nurse” or “female bus driver”, you’re pointing out that they are actually an exception to the rule and that these roles really “should” be filled by one of the two sexes. Remove the gender and they mean exactly the same thing
- there is still a natural impulse for us to refer to nameless, faceless groups of people as “him”, particularly when discussing something usually associated with masculinity. For example: “The average spectator at the footy spends half of his time queuing for things”. Try to use “their”
- unless you’re talking about a particular person, substitute “he” or “she” for “you”. It’s more direct, as well as being gender neutral
- refer to people’s “partner” rather than husband and/or wife. You’re then including everyone (and not excluding those who don’t identify as heterosexual). Also, be aware that not all married women like being called the “wife” (or even “ladies”) – they usually prefer the term “women”
- avoid referring to men by adults’ titles, and women by adolescent titles. For example: “The men from accounts and the girls from marketing would like to speak with you”
- be aware of and avoid traditional gender associations from certain words (especially career roles and positions), such as:
 - chairman (chair, chairperson)
 - manmade (artificial, synthetic, constructed)
 - policeman (Police officer)
 - manpower (workforce)
 - foreman (supervisor, team leader)
 - salesman (sales person, representative, consultant)
 - shopgirl (staff member, salesperson)
 - gunman (shooter)
 - actress (actor)
 - waitress (waiter, waiting staff).
- if you are writing a document, try alternating between he and she throughout so it speaks equally to your audience.



**Australian
Human Rights
Commission**

Fact sheet: Domestic and family violence - a workplace issue, a discrimination issue

Domestic and family violence is a workplace issue. Having domestic/family violence as a new protected attribute in anti-discrimination legislation can provide another avenue of protection for victims and survivors who experience discrimination, as well as lead to improved measures for addressing domestic/family violence.

*Elizabeth Broderick, Sex Discrimination Commissioner,
Australian Human Rights Commission*

The right to live a life free of domestic and family violence

There are many forms of violence against women, including:

- intimate partner violence (also referred to as domestic and family violence)
- rape and sexual assault
- stalking
- sexual harassment.

The United Nations *Declaration on the Elimination of Violence against Women* defines violence against women as „any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life“. ¹

This fact sheet focuses specifically on domestic and family violence, which is most often perpetrated in the home against women by their male current or former partner.

Under international human rights law, it is well established that domestic and family violence is a violation of human rights, ² with grave and far-reaching repercussions for victims, survivors and their children.

The United Nations *Convention on the Elimination of All Forms of Discrimination against Women* requires governments to take appropriate measures to eliminate discrimination against women (which includes violence against women) in all areas of life including in employment, and to ensure that women have access to safe and healthy working conditions. ³

Australia also has a range of federal, state and territory legislation that prohibits discrimination, as well as legislation which requires employers to create workplace environments that are safe and free from violence, discrimination and harassment.

How prevalent is domestic and family violence in Australia?

In Australia, approximately one woman is killed by her current or former partner every week, often after a history of domestic and family violence.

- 34 per cent of women have experienced physical violence since the age of 15⁵
- 17 per cent of women have experienced violence from a current or former partner since the age of 15 (compared to 5.3 per cent of men)⁶
- 30 per cent of respondents to a 2011 survey on domestic and family violence and the workplace reported they had experienced violence, and 5 per cent of those respondents had experienced violence in the last 12 months.⁷

Why is domestic and family violence a workplace issue?

Domestic and family violence is not just a private or personal issue. When an employee is living with domestic and family violence, there are often very real costs and negative impacts that flow to the workplace.

Health costs: In Australia, intimate partner violence is the leading contributor to death, disability and illness in women aged 15 to 44 years. It is responsible for more of the disease burden in women than many other well-known risk factors, such as smoking and obesity.⁸

Economic costs:

- in the 2008/09 financial year, the cost of intimate partner violence to the Australian economy overall was estimated to be \$13.6 billion
- if no preventative action is taken, this cost is projected to rise to \$15.6 billion annually by 2021/22
- \$456 million of this \$15.6 billion will be borne by employers and \$609 million will be borne in productivity losses.⁹

Workplace costs: Within the population of women who have experienced violence, or are currently experiencing violence, the Australian Bureau of Statistics estimates that between 55 per cent and 70 per cent are currently in the workforce¹⁰ – that is, approximately 800,000 women, or around one in six female workers. This means that a significant number of Australian workplaces will be impacted by women's experiences of domestic and family violence.

Some common costs and impacts include:

- decreased staff performance and productivity
- increased staff turnover and absenteeism
- negative impact on the organisation's reputation and image.¹¹

Impacts on employees: Research into the workplace implications of domestic and family violence has demonstrated how such violence can undermine the working lives of both victims and survivors.

The 2011 National Domestic Violence and the Workplace Survey found that nearly half (48 per cent) of respondents who reported experiencing domestic and family violence said the violence had affected their ability to get to work.¹² The main impact of violence was on work performance - 16 per cent of victims and survivors reported being distracted, tired or unwell and 10 per cent needed to take time off work.¹³ Further, women who experience domestic and family violence are also more likely to have lower personal incomes, a disrupted work history, often have to change jobs at short notice and are very often employed in casual or part time work.¹⁴

Case study: Inga worked for a short time in a small boutique in a regional town. Inga had to go to hospital have a CAT scan because her husband had hit her so hard. She let the owner know about this. He then told her she had to choose between her job and the CAT scan saying "you can't have both". Inga was later dismissed for very vague reasons.

Case study: Sylvia, a community support worker, was experiencing domestic violence from her husband. She was often late for work and the violence was impacting her performance generally. Sylvia was eventually terminated for performance issues (lateness). She left the relationship and obtained a domestic violence protection order against her husband which covered her place of work. In applying for a new job Sylvia's former employer was called for a reference. He revealed her previous performance issues and that her abusive husband had frequently come into the workplace causing problems.

Domestic and family violence perpetrated in the workplace: The perpetrator of domestic and family violence may go so far as to target the victim or survivor at work. They may do this through emails, by phone or by turning up at the office in order to try and get the victim/survivor fired or force them to resign. This can be part of an effort to increase control over the victim/survivor— that is, by increasing the victim/survivor's economic dependency, undermining their self-confidence - or in order to punish them for attempting to leave the violent relationship.¹⁵

Case study: *Jean had been promoted to manager after two months at her organisation. Her husband had come in to the workplace one day and caused problems. After another incident at home she rang her boss to say she would be in a bit late as she was at the police station reporting a domestic violence incident and had been delayed. He sacked her as he said she was just "too difficult".*

Why do we need to recognise experience of domestic and family violence as a ground of discrimination?

Victims and survivors of domestic and family violence can face a number of challenges in the workplace. Discrimination is one such challenge. When experienced, discrimination can compound the harm of the original acts of violence.

There is also a growing body of evidence which shows that victims and survivors of domestic and family violence often experience discrimination related to their experience of domestic and family violence, particularly in the workplace.¹⁶ These women may be discriminated against, for example, as a result of taking time out of work (sick leave or carers leave) or because they temporarily have lower levels of productivity due to the violence that they are experiencing at home.

Discrimination related to the experience of domestic and family violence can take the form of:

- being denied leave or flexible work arrangements that would assist victims and survivors to attend to violence-related matters, such as attending court or moving into a shelter
- having employment terminated for reasons relating to the violence they are experiencing, including a drop in performance or attendance caused by the domestic and family violence, or
- being transferred or demoted for reasons related to the violence.¹⁷

There is a sound case for introducing domestic or family violence as a protected attribute within existing anti-discrimination legislation at the federal, state and territory level. Such a protected attribute would recognise that those who are or have experienced domestic and family violence should not be subjected to discrimination as a result of that experience. Introducing domestic and family violence as a protected attribute would offer protection from discrimination not currently available under the SDA.

Under international human rights law gender-based violence, such as domestic and family violence, is recognised as a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men.¹⁸

Women who experience domestic and family violence are not only at risk of discrimination in the workplace, but in other areas of their lives such as in the provision of goods and services. Research undertaken as part of the Safe at Home, Safe at Work¹⁹ project suggests that women in or leaving violent relationships often experience discrimination in accessing housing services, particularly rental accommodation.

Case study: *Helena was being supported by a family violence refuge where she had been resident for five months to access a private rental property. The application process was in train with a real estate agency but when the agent discovered that she would be using an Office of Housing issued bond and that she was exiting a family violence refuge she was told that she could no longer apply for tenancy. When questioned about the decision, the real estate agent said that she would not be a reliable tenant. The property was then allocated to a couple.*

The Commission has previously recommended that 'domestic violence' be recognised as a protected attribute, in federal anti-discrimination laws as well as in the *Fair Work Act 2009* (Cth).²⁰ Similar recommendations have also been made by the Australian Law Reform Commission²¹ and the Senate Legal and Constitutional Affairs Committee.²²

What are the benefits of recognising domestic and family violence as a ground of discrimination?

There are a range of compelling reasons to introduce a ground of discrimination concerning domestic and family violence in anti-discrimination legislation, some of which are outlined below:

- **Creation of a discrimination ground would clarify and strengthen existing discrimination protections**

While there are anti-discrimination laws at each of the state, territory and federal levels, to date, domestic and family violence has not been recognised as a protected attribute in these laws. Additionally, evidence suggests that victims and survivors often face difficulties seeking legal redress under the existing grounds of discrimination in anti-discrimination laws.

The result is that none of the existing state, territory or federal legislative frameworks are sufficient to protect women who are experiencing or who have experienced domestic and family violence from further discrimination.

The inclusion of domestic and family violence as a protected attribute under anti-discrimination laws at the federal, state and territory levels, would help to clarify and strengthen existing discrimination laws, which already provide some limited protection to victims and survivors of this form of violence.²³

Current protections and gaps within the existing federal anti-discrimination legislation are found in:

a) *Sex Discrimination Act 1984 (Cth):*

Many of the protected attributes under the Sex Discrimination Act are listed as „innate characteristics“ (for example pregnancy, sexual orientation or gender identity).

Yet, not all of the characteristics listed as requiring protection fall within this category.

It has long been recognised that people can face discrimination on the basis of attributes that are not physical or innate - for example, as a result of their marital status, relationship status or family responsibilities. The Sex Discrimination Act recognises these protected attributes as grounds of discrimination.

While victims and survivors may be able to make a valid claim under the existing legislation, a gap exists whereby the discrimination experienced by persons who have been subject to domestic and family violence cannot be directly linked to an existing protected attribute.

The introduction of domestic and family violence as a stand-alone protected attribute would, therefore, allow for a more comprehensive form of protection and greater consistency of approach.²⁴

b) *Disability Discrimination Act 1992 (Cth)*

For victims and survivors of domestic and family violence who have a disability, the Disability Discrimination Act is also of limited use. In addition to requiring that the victim/survivor lives with a disability, it requires that disability be one of the reasons that the person was discriminated against. This means that this Act has limited application where the only reason that a person with a disability is discriminated against is because they are experiencing domestic and family violence.

The introduction of domestic and family violence as a stand-alone protected attribute in this legislation would, therefore, provide specific protection in these circumstances.

c) *Fair Work Act 2009 (Cth)*

The Fair Work Act provides eligible employees who are experiencing domestic and family violence, or eligible employees who are providing care or support for a family or household member experiencing domestic and family violence, the right to request flexible working arrangements. However, the discrimination that employees can face when they disclose their experience of domestic and family violence often prevents them from accessing this right under the Fair Work Act.

Additionally, there is no right of appeal if this right to request is denied. It therefore follows that women are often unlikely to request this right to work flexibly for fear that they may face discrimination due to the stigma surrounding domestic and family violence, or the misconception that women experiencing violence are unproductive or unreliable.

The introduction of domestic and family violence as a protected attribute under anti-discrimination laws would help to address these existing gaps. It would most likely have the effect that more employees who are experiencing, or providing care or support for someone who is experiencing, domestic and family violence, would feel protected from discrimination. Therefore they would be less likely to fear discriminatory attitudes – and they would be more likely to avail themselves of measures such as the Fair Work Act right to request flexible working arrangements.

What can workplaces do to support employees experiencing domestic and family violence?

Workplaces can play a positive role by providing safe and supportive environments for their employees, particularly those employees who are experiencing violence. This can result in strong benefits for the employer, including higher retention rates, higher staff morale, and higher health outcomes for their employees.

There are a range of actions a workplace can take to ensure that they are providing adequate support for victims and survivors of domestic or family violence.

The role of leaders

An important first step is for workplaces to begin a conversation about domestic and family violence - one where employers send a clear message to their employees that:

- domestic and family violence is an issue that affects the workplace
- those experiencing it are not alone
- they should feel confident that disclosing a violent situation will not result in adverse consequences for them or their employment, and that
- bystanders should stand up against violence in the workplace.

Establish clear policies and procedures

- develop a policy about supporting women who are victims and survivors of domestic and family violence
- develop policies for safe work places, free from harassment and bullying, which also deal with employees who perpetrate violence in the workplace
- ensure these policies and procedures are clearly articulated to staff and that employees are encouraged to make use of them.

Use the [Domestic Violence Policies and Procedures](#) guide.

Make provision for leave or flexible work arrangements

- in their enterprise agreements or awards, workplaces can provide dedicated paid leave for women experiencing domestic and family violence. As of 2013, over one million Australian workers are able to avail themselves of leave and other protections made available through domestic and family violence clauses in their agreement or award conditions.³⁰ For more information, see www.dvandwork.unsw.edu.au/domestic-and-family-violence-clauses
- offer flexible work arrangements, as provided for under the Fair Work Act
- 14 states in the United States of America have introduced laws that require employers to provide leave for employees who have experienced domestic and family violence and additionally some States have introduced laws prohibiting
- discrimination against employees taking domestic and family violence leave.³¹

Establish clear roles and responsibilities and build capacity

- clearly articulate the roles and responsibilities of line managers and senior leadership in supporting victims and survivors and in dealing with perpetrators in the workplace.
- ensure managers and those responsible for policy implementation and safety planning receive adequate training and support
- for more information on training, see www.dvandwork.unsw.edu.au/training

Implement an awareness-raising and education programs

- ensure all staff have an understanding of the impacts of domestic and family violence on individuals and on the workplace
- ensure staff receive training on how to recognise signs that a colleague may be experiencing domestic and family violence.

Ensure adequate support is provided for affected employees

- discuss the short and longer term needs and requirements of the affected employee
- if required, develop a safety plan
- ensure ongoing communication and regularly check in with the affected employee
- respect privacy and confidentiality
- ensure employees are aware of appropriate support services. For example, some Employee Assistance Programs have counsellors trained in domestic and family violence counselling.

Conduct safety planning with affected employees

- ensure managers receive training in developing a safety plan for women
- use the [Developing an Effective Safety Plan](#) guide.

Provide referrals and external support

- ensure those staff required to support other staff (eg. managers) are aware of the appropriate support and referral pathways for women who experience violence and men who perpetrate violence, as well as support available for themselves
- use the [Information and Referrals](#) guide.

Encourage monitoring and reflection

- ensure that you monitor and reflect on your progress in this area after you've worked through the above actions
- use the [Assessing Responses to workplace Domestic Violence Questionnaire](#)
- The Workplace Gender Equality Act 2012 requires workplaces with 100 or more employees to report annually on whether there is a formal workplace policy or strategy or other measures in the workplace to support employees experiencing domestic and family violence.

Other helpful resources

- Australia's CEO Challenge – Workplace partners against domestic violence: ceochallengeaustralia.org/
 - Human Rights Law Centre - Fact sheets on human rights obligations relevant to domestic violence in the thematic areas of [housing](#), [justice](#), [police](#) and [the workplace](#): <http://hrlc.org.au/human-rights-and-domestic-violence-fact-sheets/>
 - Safe at Home, Safe at Work - domestic violence workplace rights and entitlements project (UNSW Gendered Violence Research Network)
<http://www.dvandwork.unsw.edu.au/>
 - VicHealth
 - Creating Healthy Workplaces Program:
www.vichealth.vic.gov.au/Programs-and-Projects/Economic-Participation/Creating-Healthy-Workplaces.aspx
 - Generating Equality and Respect program: www.vichealth.vic.gov.au/Programs-and-Projects/Freedom-from-violence/Local-government-and-community/Preventing-Violence-Against-Women-Demonstration-Site.aspx
 - White Ribbon's National Workplace Program:
www.whiteribbon.org.au/workplaces
-

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Fair Work
OMBUDSMAN



Requests for flexible working arrangements and the National Employment Standards

Australia's new workplace relations system

From 1 July 2009, most Australian workplaces are governed by a new system created by the *Fair Work Act 2009*.

The Fair Work Ombudsman helps employees, employers, contractors and the community to understand and comply with the new system. We provide education, information and advice, help to resolve workplace complaints, conduct investigations, and enforce relevant Commonwealth workplace laws.

Requests for flexible working arrangements form part of the National Employment Standards (NES). As of 1 January 2010, the NES apply to all employees covered by the national workplace relations system, regardless of the applicable industrial instrument or contract of employment.

Terms in awards, agreements and employment contracts cannot exclude or provide for an entitlement less than the NES and those that do, have no effect. An employer must not contravene a provision of the NES. A contravention of a provision of the NES may result in penalties of up to \$10,200 for an individual and \$51,000 for a corporation.

In addition to the NES, an employee's terms and conditions of employment generally come from an award or agreement. All references to an award or agreement in this fact sheet includes modern awards, enterprise agreements, and award or agreement-based transitional instruments.

Overview

The NES include a right for certain employees to request flexible working arrangements (such as changes in hours of work) from their employer. An employer can only refuse such a request on 'reasonable business grounds'.

Who is eligible to make a request for a flexible working arrangement?

An employee may request a change in their working arrangements from their employer if they require flexibility because they:

- are the parent, or have responsibility for the care, of a child who is of school age or younger
- are a carer (within the meaning of the *Carer Recognition Act 2010*)
- have a disability
- are 55 or older
- are experiencing violence from a member of their family, or
- provide care or support to a member of their immediate family or household, who requires care or support because they are experiencing violence from their family.

If an employee is the parent of a child or has responsibility for the care of a child and is returning to work after taking parental or adoption leave, the employee may request to return to work on a part-time basis to help them care for the child.

Examples of changes in working arrangements may include:

- changes in hours of work (e.g. reduction in hours worked, changes to start/finish times),
- changes in patterns of work (e.g. working 'split-shifts' or job sharing arrangements)
- changes in location of work (e.g. working from home or another location).

Employees are not entitled to make the request unless they have completed at least 12 months of continuous service with their employer immediately before making the request.

Casual employees are entitled to make a request if:

- they have been employed by the employer on a regular and systematic basis for a sequence of periods of employment of at least 12 months immediately before making the request
- there is a reasonable expectation of continuing employment by the employer on a regular and systematic basis.

What are the requirements for making and approving a request for a change to working arrangements?

The request must be made in writing and set out details of the change sought and reasons for the change.

Employers must give employees a written response to the request within 21 days, stating whether they grant or refuse the request. Employers may refuse the request only on reasonable business grounds. If the employer refuses the request, the written response must include the reasons for the refusal.

What are reasonable business grounds for refusing a request?

Reasonable business grounds for refusing a request for flexible working arrangements include but are not limited to:

- the new working arrangements requested by the employee would be too costly for the employer
- there is no capacity to change the working arrangements of other employees to accommodate the new working arrangements requested by the employee
- it would be impractical to change the working arrangements of other employees, or recruit new employees, to accommodate the new working arrangements requested by the employee
- the new working arrangements requested by the employee would be likely to result in significant loss of efficiency or productivity
- the new working arrangements requested by the employee would be likely to have a significant negative impact on customer service.

The NES do not require the employer to choose between granting an employee's request in full or refusing the request. Rather, employers and employees are encouraged to discuss their working arrangements and, where possible, reach an agreement that balances both their needs.

Illustrative example

Greg would like to start work at 10am, four days a week, to enable him to take his three year old son to pre-school. He submits a written request to his employer setting out the reasons for requesting the change in hours. His employer considers the request, but is unable to agree, as Greg would miss an important nationwide teleconference each morning.

However, instead of simply refusing the request, Greg's employer discusses the situation with him. They agree to an arrangement where Greg will start work at 10am, four days a week, and participate in the teleconference by phone hook-up before he leaves home. He will attend in person the most important weekly agenda-setting meeting.

Greg's employer gives him a written response, setting out details of the reasons for the refusal of the initial request, as well as a statement of the revised agreed arrangements.

Can a refusal of a request be challenged?

Employers must either approve or refuse an employee's request in writing within 21 days. If the request is refused, the employer must also include reasons for the refusal. It is a contravention of the Fair Work Act 2009 if an employer does not respond according to these requirements.

There is no requirement for an employer to agree to a request for flexible working arrangements. However, the Fair Work Act 2009 empowers the Fair Work Commission or some other person to deal with a dispute about whether an employer had reasonable business grounds for refusing a request. This generally only happens if the parties to the dispute have agreed in an employment contract, enterprise agreement or other written agreement for that to occur.

In addition, the Fair Work Act 2009 allows State and Territory laws to continue to apply to employees where they provide more beneficial entitlements than the NES in relation to flexible work arrangements. In Victoria, for example, provisions of the Equal Opportunity Act 1995 prohibit an unreasonable refusal to accommodate an employee's responsibilities as a parent or carer.

An employee may also have remedies under relevant discrimination legislation, including the discrimination provisions under the Fair Work Act 2009, if an employee considers they have been discriminated against by the employer's handling or refusal of their request.

For more information on unlawful workplace discrimination, please see the *Fair Work Ombudsman Fact Sheet – Unlawful workplace discrimination*.

Further information

For further information on developing family-friendly flexible workplace strategies and their benefits, please see the ***Fair Work Ombudsman Best Practice Guide – Work & family***.

Flexible working arrangements are provided for by section 65 or the Fair Work Act 2009.

The Fair Work Ombudsman has published a fact sheet on each NES entitlement. For further information on a specific NES entitlement, please see the relevant fact sheets at www.fairwork.gov.au

For further information, visit www.fairwork.gov.au or contact the Fair Work Infoline on **13 13 94**

Related publications

Introduction to the NES

Maximum weekly hours and the NES

Parental leave and related entitlements and the NES

Annual leave and the NES

Personal/carer's leave and compassionate leave and the NES

Community service leave and the NES

Long service leave and the NES

Public holidays and the NES

Notice of termination and redundancy pay and the NES

Fair Work Information Statement and the NES

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- For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94
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The Fair Work Ombudsman is committed to providing you with advice that you can rely on. The information contained in this fact sheet is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or a workplace relations professional.

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